DISPOSITION AGENDA

This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on December 1, 2010.

MEMBERS PRESENT: Anna Nubel, Chair
John Hoich, Vice Chair
R. J. Neary
Arnold Nesbitt
Thomas O. Kelley
Van C. Deeb
Greg Rosenbaum

MEMBERS NOT PRESENT: None

Certification of Publication: Planning Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Monday, November 22, 2010.

Administrative Meeting Only

Subdivision Plats

REQUEST: Final Plat approval of PACIFIC STREET WEST REPLAT SEVEN, a subdivision outside the city limits, with rezoning from R6 to DR, R4 and R6

LOCATION: Southwest of South H.W.S. Cleveland Boulevard and Blue Sage Parkway

DISPOSITION: APPROVED 7-0. Approval of the final plat subject to: 1) The City Council approving the preliminary plat and conditions forwarded to them by the Planning Board prior to December 1, 2010; and, 2) Submittal of an acceptable final subdivision agreement prior to forwarding the final plat to the City Council.
Public Hearing and Administrative Meeting

RECONSIDERATION

2. C7-10-118 NewStreet, LLC
   REQUEST: Approval of a Conditional Use Permit to allow Outdoor entertainment in a CBD District (pending)
   LOCATION: Northeast of North 15th Street and Mike Fahey Street

   DISPOSITION: LAYOVER 7-0. Laid over to allow the applicant time to move forward with a comprehensive parking lot plan.

HOLD OVER CASES

Master Plan Referrals

3. C3-10-099 Bella Terra, LLC
   REQUEST: Approval of an amendment to the Future Land Use Element of the City’s Master Plan from Open space to a Mixed-Use area for property located Southeast of 132nd and Pacific Streets
   LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction

   DISPOSITION: APPROVED 6-0. Approval of the amendment to the Master Plan to allow a 30-acre Neighborhood mixed-use area at the intersection of 132nd and Pacific Streets; approval of a 20% variance to allow up to 36-acres of mixed-use development; and approval of an additional 8-acres of mixed-use development only if incidental to the Tri-Faith Campus subject to modifying the development agreement to provide for a non-mixed use alternative.

Subdivision Plats

4. C12-10-038 Irvington Volunteer Fire Department
   REQUEST: Preliminary Plat approval of SMOKY RIDGE, a subdivision outside the city limits
   LOCATION: Northeast of 72nd Street and Northern Hills Drive

   DISPOSITION: APPROVED 7-0. Approval of the Special Use Permit to allow development in the North Hills Environmental Resources Overlay District, subject to the applicant to amending the lot layout and/or proposed septic field locations in order to address the grading and drain field issues. Approval of the preliminary plat subject to: 1) The applicant submitting a revised preliminary plat, with or prior to submittal of a final plat, that amends the lot layout and/or proposed septic field locations in order to address the grading and drain field issues; 2) Providing a copy of the NDEQ letter of approval of the plat; 3) Dedication of 5 foot by 5 foot right-of-way at the corners of all internal streets; 4) Providing for the paving of 72nd Street and Northern Hills Drive to 3-lanes adjacent to the subdivision or note in the subdivision agreement that future improvements will be assessed on a pro-rated basis when development occurs on opposite sides of these streets; 5) Placing a note on the plat that the Street A connection to 72nd Street and the driveway to the fire station from Northern Hills Drive will be right-in/right-out in the future; 6) Providing for reimbursement for half of Street B paving in the future in the subdivision agreement; 7) Providing for compliance with the requirements of the stormwater quality ordinance; and 8) Submittal of an acceptable tree canopy loss mitigation plan.
5. C10-10-100 C12-10-101 Bella Terra, LLC

REQUEST: Preliminary Plat approval of STERLING RIDGE, a subdivision inside the city limits, with rezoning from DR to DR, R4, R6 and MU (portions of which property lie within the flood fringe and floodway)

LOCATION: Southeast of 132nd Street and Pacific Street

DISPOSITION: APPROVED 6-0. Approval of the rezoning from DR to DR, R4, R6 and MU, subject to: 1) The applicant submitting, for approval, a PUD application for Lot 19; and, 2) The applicant submitting an acceptable, final, Mixed Use District Development Agreement in compliance with all applicable regulations, prior to forwarding the rezoning to the City Council. Approval of the preliminary plat, subject to submittal of a revised preliminary plat and final plat that addresses and/or includes the following: 1) Providing a street connection to the south at 130th Street; 2) Providing a street connection to the east at Crawford Road; 3) Providing a secondary connection to Street E; 4) Including a note on the plat that states that there shall be no access to Street B from Lot 2 or 3, to Street A from Lot 14, except opposite Street C, and to Street A from Lots 1 or 19 for the first 200 feet from Pacific Street; 5) Providing noise attenuation easements (115’ from the centerline on 132nd and Pacific Streets) for the residentially zoned lots adjacent to those streets; 6) Providing that all streets in the residential area have a minimum horizontal radius of 100 feet and that all streets in the commercial areas have a minimum horizontal radius of 200 feet; 7) Submittal of a bike parking plan; 8) Providing a letter from METRO (formerly MAT) indicating that the applicant has worked with METRO to accommodate transit service now or in the future; 9) Providing for all improvements identified in the final, approved, traffic study; 10) The applicant continuing to coordinate with the City regarding detention basins that will allow restoration of Hell Creek downstream; 11) Submittal of a Post Construction Storm Water Management Plan (PCSMP), as provided in Section 32-122, with a proposed implementation schedule or sequence of phase construction (Section 53-6(c)); 12) Coordinating with the Parks Department regarding a “neighborhood park” with connections to the neighborhoods to the south and east; 13) Including provisions for the use, ownership and maintenance of the outlots in the subdivision agreement; 14) Submittal of a tree canopy loss analysis and mitigation plan; and 15) Providing for the private funding of all improvements.

Special Use Permits

6. C8-10-149 Khalil Eljamal

REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District

LOCATION: 12901 “Q” Street

DISPOSITION: APPROVED 5-1. Approval of the Special Use Permit to allow Automotive sales in a CC District, subject to: 1) Submittal of an acceptable revised site plan showing the following prior to forwarding this request to the City Council: a) A 15’ landscaped bufferyard along “Q” Street, except under the existing canopy, with a 4’ tall landscape screen; b) Parking lot design showing the required minimum number of stalls, one of which must be handicapped accessible; c) A sidewalk from “Q” Street to the south property line, along Deauville Drive; and d) A total of 16 trees, 4 along each property line; 2) Compliance with the revised site plan; 3) Compliance with the proposed operating statement; 4) Display of vehicles for sale limited to the area under canopy only; 5) All signage in compliance with the MCC regulations, including removal of the existing pole sign; and 6) Compliance with all applicable regulations, including exterior lighting.
Conditional Use Permits

7. **C7-10-037**  
   Irvington Volunteer Fire Department  
   REQUEST: Approval of a Conditional Use Permit to allow Safety services in a DR-ED District  
   LOCATION: Northeast of 72nd Street and Northern Hills Drive  

**DISPOSITION:** APPROVED 5-1. Approval of the Conditional Use Permit to allow Safety services in a DR-ED District, subject to: 1) Recording the Final Plat of Smoky Ridge; 2) Compliance with the proposed site plan; 3) Compliance with the proposed landscape plan; 4) Compliance with the proposed concept building elevations; 5) Compliance with an updated operating statement; 6) Compliance with all other applicable development regulations; and 7) FAA approval to be submitted to the City.

(REGULAR AGENDA)

Master Plan Referrals

8. **C3-06-067**  
   Bluestone Development, LLC  
   REQUEST: Approval of Second Amendment to Courtland Place No. 2, LLC TIF Redevelopment Plan  
   LOCATION: 12th and Leavenworth Streets  

**DISPOSITION:** APPROVED 7-0.

Subdivision Plats

9. **C12-10-179**  
   Paul Yates  
   REQUEST: Preliminary and Final Plat approval of IRVINGTON PLACE REPLAT, a subdivision outside the city limits  
   LOCATION: 10042 King Plaza  

**DISPOSITION:** LAYOVER 7-0. Laid over to allow the applicant time to submit documentation of approval from the Douglas County Health Department and the NDEQ for septic locations. Lay over the final plat to allow the applicant time to address issues with the preliminary plat.

10. **C10-10-178a**  
    **C12-10-178**  
    Orange Development  
    REQUEST: Preliminary and Final Plat approval of CVS 3rd ADDITION, a minor plat inside the city limits, with approval of a MCC-Major Commercial Corridor Overlay District  
    LOCATION: Northeast of 132nd Street and West Center Road  

**DISPOSITION:** APPROVED 7-0. Approval of the MCC Overlay District; preliminary and final plat.

11. **C12-10-184**  
    Gateway Pointe, LLC  
    REQUEST: Preliminary and Final Plat approval of I-80 BUSINESS PARK REPLAT NINE, a minor plat outside the city limits, with a waiver of Section 53-8(4)(d) of the Municipal Code regarding street frontage  
    LOCATION: North of South 118th Circle and East of I-80  

**DISPOSITION:** APPROVED 7-0. Approval of the waiver of Section 53-8(4)(d) Minimum street frontage of the Municipal Code; Preliminary Plat, subject to the applicant amending the existing Major Development agreement prior to forwarding the Final Plat to the City Council; and Final Plat as amended by the condition of Preliminary Plat approval.
Rezonings

12. C10-10-180
   Holy Name Housing
   REQUEST: Rezoning from R5(35) to R4
   LOCATION: 3413 - 3415 and 3414 - 3416 Parker Street
   DISPOSITION: APPROVED 7-0.

13. C10-10-181
   ALIFF Hospitality
   REQUEST: Rezoning from GI to R7
   LOCATION: 1037 South 24th Street
   DISPOSITION: APPROVED 5-0.

14. C10-10-182
   Harman Appliance Sales, Inc.
   REQUEST: Rezoning from LO and CC to LC
   LOCATION: 308, 316, 320, 330 and 338 North 115th Street
   DISPOSITION: APPROVED 7-0.

15. C10-97-029
    Suzanne & Walter Scott Foundation
    REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Aksarben Business and Education Campus
    LOCATION: Southwest of 67th and Pine Streets
    DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to the Aksarben Village Business and Education Mixed Use Agreement to allow an addition of an accessory energy plant, subject to the submittal of an acceptable mixed use agreement.

Special Use Permits

16. C8-10-042
    TD Ameritrade
    REQUEST: Approval of a Major Amendment to a Large Project Special Use Permit with a waiver of Section 55-326, Height to allow an overall height of 260 feet (230’ structure + 30’ antenna) in a GO District
    LOCATION: Southwest of 108th Avenue and Old Mill Road
    DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to a Large Project Special Use Permit, with a waiver of Section 55-326 Height, to 260 (230’ tower + 30’ communications antenna) feet in a GO-General Office District subject to: 1) Compliance with the approved Traffic Study; 2) Providing sidewalks along South 108th Avenue adjacent to the site; 3) Coordinating with the Parks Department regarding existing and proposed sidewalk access to the trail; 4) Approval of an acceptable post construction stormwater management plan, including a maintenance agreement, prior to issuance of a building permit; 5) Compliance with the proposed site plan, in compliance with all applicable regulations; 6) Compliance with the proposed landscape plan, in compliance with all applicable regulations; 7) Compliance with the concept building elevations; 8) Compliance with the operating statement; 9) Any communications antenna(s) attached to the top of any structure being of the “stealth” variety; 10) Providing acceptable screening of rooftop equipment; 11) Approval of a Flood Fringe Development Permit; 12) FAA approval; 13) Approval of all required Building and Development Permits and Certificates of Occupancy; and 14) All other applicable regulations.
17. C8-10-183  
Calvary Chapel West Omaha  
REQUEST: Approval of a Special Use Permit to allow Religious assembly in an AG District  
LOCATION: 4418 and 4428 South 180th Street  

DISPOSITION: APPROVED 6-0. Approval of the Special Use Permit to allow Religious assembly in an AG District, subject to the following conditions: 1) The property shall be limited to no more than 100 people on the site at one time; 2) All hours of operation shall be limited to 10 pm; 3) Compliance with the submitted operating statement, as amended by the hours of operation in the previous condition; 4) Compliance with the submitted site plan; and 5) Compliance with all other applicable regulations.

Conditional Use Permits

18. C7-91-113  
Alegent Health  
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow a Medical office in a LO District  
LOCATION: 10109 Maple Street  

DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to the Conditional Use Permit to allow a Medical office in a LO District, subject to the following: 1) The sign meeting setbacks of the LO district; 2) A maximum sign height of 12 feet; and 3) Advertising content being limited to community service information.

19. C7-10-177  
Omaha Public Schools  
REQUEST: Approval of a Conditional Use Permit to allow a Secondary educational facility in a R3 District  
LOCATION: 8050 North 129th Avenue  

DISPOSITION: APPROVED 7-0. Approval of the Conditional Use Permit to allow a Secondary educational facility in a R3 District subject to: 1) Complying with the proposed site plan; 2) Compliance with the proposed landscape plan; 3) Compliance with the concept building elevations; 4) Compliance with the proposed operating statement; and 5) Compliance with all applicable development regulations.

Vacations

20. C14-10-176  
Property Owner  
REQUEST: Vacation of Capitol Avenue from 36th Street east 74.3+/- feet  

DISPOSITION: APPROVED 7-0. Approval of the proposed vacation, subject to all easements being reserved in the vacating ordinance.