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, March 29, 2010.

MEMBERS PRESENT: Anna Nubel, Chair  
R. J. Neary  
Thomas O. Kelley  
Van C. Deeb  
Greg Rosenbaum

MEMBERS NOT PRESENT: John Hoich, Vice Chair  
Arnold Nesbitt

STAFF PRESENT: Rick E. Cunningham, Planning Director  
Chad Weaver, Assistant Planning Director  
Dave Fanslau, Manager, Current Planning  
Cheri Rockwell, City Planner  
Alan Thelen, Law Department  
Debbie Hightower, Recording Secretary

Ms. Nubel, Chair, called the meeting to order, introduced the Planning Board members as well as the Planning Department staff, and explained the Planning Board’s public hearing procedures.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

The requests below were voted on concurrently in accordance with the Planning Department’s recommendation report.

Rezonings

1. C10-09-164 D - Layover  
   Park Avenue Legacy, LLC  
   REQUEST: Rezoning from R7 and GC to R7  
   LOCATION: Northeast of Ed Creighton and Park Avenues

Mr. Neary moved to LAY OVER. Mr. Rosenbaum seconded the motion which carried 5-0.

Conditional Use Permits

2. C7-10-026 D - Approval  
   Joel Haver  
   REQUEST: Approval of a Conditional Use Permit to allow Automotive repair services in a CC District  
   LOCATION: 15949 West Center Road

Mr. Neary moved to APPROVE the Conditional Use Permit to allow Automotive repair services subject to: 1.) submittal and compliance with a revised site plan showing required changes to landscaping and parking; 2.) submittal and compliance with revised operating statement regarding no outdoor storage; 3.) compliance with all applicable regulations; 4.) no outdoor storage including the overnight parking of vehicles is allowed; 5.) all signage being in compliance with the MCC regulations, including the removal of the existing pole and ground signs; 6.) no selling of vehicles is allowed; and 7.) parking lot lighting must be in compliance with city code. Mr. Kelley seconded the motion which carried 5-0.
Special Use Permits

3. C8-09-093
   Tibbe Wolde
   REQUEST: Approval of a Special Use Permit to allow
   Automotive sales in a GC District
   LOCATION: 3156 (3152) Leavenworth Street

The applicant did not appear before the board. No one appeared in opposition. Chad Weaver, Assistant Planning Director, stated the applicant has been unable to locate, therefore the planning department recommends denial.

Mr. Kelley moved to DENY. Mr. Neary seconded the motion which carried 5-0.

(REGULAR AGENDA)

Public Hearing and Administrative Meeting

Master Plan Referrals

4. C3-10-043
   Planning Department on behalf of the City of Omaha
   REQUEST: Approval of a Blighted and Substandard Designation
   LOCATION: 3501 State Street

At the Planning Board meeting held on April 7, 2010, Ms. Bridget Hadley, City Planner, Planning Department, 1819 Farnam Street, presented this request.

Ms. Hadley stated that the blighted and substandard designation request is for the Notre Dame Apartments. The actual study area is the building of the Notre Dame Academy and Convent located at 3501 State State which is a multi-story, three-wing classroom dormitory building. This is a prerequisite to a future redevelopment plan that will allow for the use of tax increment financing (TIF) to help offset the development costs for the renovation and conversion of the central and the west wings to create additional senior housing. The building was formally a high school with dormitory rooms and is listed with the National Register of Historic Places as well as designated as a local landmark. The age of the original building is approximately 85 years old and the additions are between 46 to 47 years old. The future redevelopment plan will implement and entail adding approximately 30 new senior housing units, one to two bedrooms and updating of the mechanical and some of the electrical system. The exterior of the property will stay intact. The study area of the building itself does comply with the Nebraska Community Development Law for blight and substandard based on the following conditions: 1.) decreasing population base according to the last two decennial censuses; 2.) per capita income is lower than the per capita income of the City of Omaha; and 3.) the average age of the structures in the area is greater than 40 years old. The central and the west wing of the building are not conducive to apartment living for senior housing. As a result, the building has outlived its usefulness for apartment living.

Mr. Steve Urban, 3524 State Street, stated he is in support of the project but is concerned that any other properties in the neighborhood would not receive a blight and substandard designation. He stated that the sisters are wonderful neighbors and business people.

Phyllis Peterson, 740 South 75th Street, Central States Development, is partnering with the sisters of Notre Dame and stated that the sisters would be involved in the project.

Mr. Chad Weaver, Assistant Planning Director, stated that only the site is being blighted and substandard which will not impact other properties. This project opens the door for TIF funds and other redevelopment funds for this property only. Mr. Weaver stated that the department recommends approval of the blighted and substandard designation for this area.
No one appeared in opposition.

Mr. Rosenbaum moved to APPROVE the Blighted and Substandard Designation located at 3501 State Street. Mr. Neary seconded the motion which carried 4-0 with Kelley abstaining.

5.  C3-10-044 D - Layover
    Parks, Recreation & Public Property on behalf of the City of Omaha
    REQUEST: Approval of an updated Master Plan for the Omaha Suburban Park System
    LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Neary moved to LAY OVER. Mr. Rosenbaum seconded the motion which carried 5-0.

6.  C3-10-045
    Planning Department on behalf of the City of Omaha
    REQUEST: Approval of a Chapter 55 Amendment regarding surfacing for off-street parking
    LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the request is to simplify the provision of the code regarding off-street parking facilities and to clarify that a hard surface is required for all off-street parking.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding surfacing for off-street parking. Mr. Neary seconded the motion which carried 5-0.

7.  C3-10-046
    Planning Department on behalf of the City of Omaha
    REQUEST: Approval of a Chapter 55 Amendment regarding nonconforming structures
    LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the request is to correct a spelling error from “floor” damages to “flood” damages.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding nonconforming structures. Mr. Rosenbaum seconded the motion which carried 5-0.

8.  C3-10-047
    Planning Department on behalf of the City of Omaha
    REQUEST: Approval of a Chapter 55 Amendment regarding the Urban family residential district
    LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the request is to add the title of the district, “R5”, which was omitted.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding the Urban family residential district. Mr. Neary seconded the motion which carried 5-0.

9.  C3-10-048
    Planning Department on behalf of the City of Omaha
    REQUEST: Approval of a Chapter 55 Amendment regarding exceptions for private and community garages
    LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the request is to clarify the required setback from an interior side lot line for a private or community garage. The required setback on a street side lot line remains the base district setback requirement.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding exceptions for private and community garages. Mr. Neary seconded the motion which carried 5-0.
REQUEST: Approval of a Chapter 55 Amendment regarding permitted uses in the R3 District
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the use types were noted improperly in the R3 District. The use types should read as Local utility services and Park and recreation services.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding permitted uses in the R3 District. Mr. Neary seconded the motion which carried 5-0.

REQUEST: Approval of a Chapter 55 Amendment regarding Special permit uses in the R4 District
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that proposed amendment corrects the wording of a use type from “Emergency Residence Care” to “Emergency Residential Care”.

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding Special permit uses in the R4 District. Mr. Neary seconded the motion which carried 5-0.

REQUEST: Approval of a Chapter 55 Amendment regarding Special permit uses in the R-WRN walkable residential neighborhood district
LOCATION: Omaha and 3-mile extraterritorial jurisdiction

Mr. Chad Weaver, Assistant Planning Director, stated that the amendment deletes the Emergency residential care use type from the special permit uses in the R-WRN zoning district. This use type is also listed as a conditional use in the R-WRN zoning district (which is correct).

Mr. Kelley moved to APPROVE the Chapter 55 Amendment regarding Special permit uses in the R-WRN walkable residential neighborhood district. Mr. Neary seconded the motion which carried 5-0.

Subdivision Plats

REQUEST: Preliminary and Final Plat approval of FLORENCE HEIGHTS REPLAT 7, a minor plat inside the city limits, with rezoning from R4(35) and GI to GI (portions of which property lie within the flood fringe)
LOCATION: Northeast of 44th and McKinley Streets

Mr. Neary moved to APPROVE the Preliminary and Final Plat of FLORENCE HEIGHTS REPLAT 7, a minor plat inside the city limits, with rezoning from R4(35) and GI to GI (portions of which property lie within the flood fringe). Mr. Kelley seconded the motion which carried 5-0.

REQUEST: Preliminary Plat approval of SMOKY RIDGE, a subdivision outside the city limits
LOCATION: Northeast of 72nd Street and Northern Hills Drive

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
Ms. Nubel stated that Case 14 (#C12-10-038) and Case 25 (#C7-10-037) would be heard at the same time.

Jay Ross, 6101 Northern Hills Drive, appeared before the board in opposition. Mr. Ross stated he has been a resident of the area and is representing other concerned neighbors. There are approximately 15 properties between 60th and 72nd Street and the proposed project would add more than twice the number of properties. The area is a country-like setting, low density with a quiet country environment. He is concerned about the complexion of the area if 20 homes are added. He stated he and other neighbors attended a hearing where details of the proposed development were outlined. The average size of the proposed homes and land are considerably less than the properties along Northern Hills Drive. He submitted a list of 14 existing properties in the area for the board to review. The size of the homes in the proposed development is significantly less than the size of the existing homes.

Mr. Neary questioned Mr. Ross about the amount of traffic on Northern Hills Drive. Mr. Ross stated there is not a significant amount of vehicular traffic but there are many bicycle riders on Northern Hills Drive. Mr. Neary questioned Mr. Ross with regard to the size and dollar amount of a home. Mr. Ross stated the home and land size and home value should be similar and consistent with the area. He stated he was also concerned about the location of the driveway for the fire station being located on Northern Hills Drive as opposed to 72nd Street.

Mr. Chad Weaver, Assistant Planning Director, stated that the fire station, due to the restrictions from the North Omaha Airport, will most likely access onto 72nd Street or an interior street that will access 72nd Street. In terms of the lot sizes, there are items that need to be resolved including the number of lots in terms of the North Hills Overlay and various county and city restrictions. The analysis that was provided by Mr. Ross is for homes east of the proposed project and did not include smaller homes to the west and south, which are obviously much smaller lots. The code does not speak to the value of homes but the city will seek to preserve what has been established and not what is undeveloped. The department recommends lay over to allow the applicant to address issues with the North Hills Overlay, the airport and the department of health.

In response to Mr. Neary, Mr. Weaver stated that the applicant did not attend in anticipation of a lay over.

Mr. Neary moved to LAY OVER for 60 days until the June 2, 2010 meeting to allow the applicant additional time to: 1.) provide for no direct access to 72nd Street or Northern Hills Drive from any of the proposed lots in the subdivision; 2.) revise the preliminary plat, if necessary, to provide a minimum width of 66 feet, or wider if necessary to encompass the ditches; 3.) verify that all streets meet a minimum 100 foot radius; 4.) provide a complete drainage study; 5.) submit a complete application for a Special Use Permit to allow development within the North Hills Environmental Resources Overlay District; 6.) include all on-site wastewater treatment systems, reserve areas, and well locations and areas for structures including the dwelling or establishment, driveway, and outbuildings for all lots on the preliminary plat; 7.) obtain NDEQ approval of on-site wastewater treatment systems that are proposed for any lot less than three acres in size; 8.) provide for compliance with Section 55-902 Cunningham Lake Water Quality environmental Overlay District of the Municipal Code; 9.) have an airspace analysis completed and make the necessary provisions for compliance with any recommendations; and 10.) coordinate with the city in regard to whether or not the proposed fire station location is appropriate and in keeping with the Public Facilities Element of the Master Plan. Service area information and response times should be submitted for consideration in relation to existing and planned facilities as well as the Public Facilities Element of the Master Plan. Mr. Rosenbaum seconded the motion which carried 5-0.

REQUEST: Preliminary and Final Plat approval of LOGEMAN’S ADDITION, a minor plat outside the city limits, with a waiver of Section 53-9(9) Sidewalks of the Municipal Code and with rezoning from AG to DR

LOCATION: 7240 North 144th Street
Mr. Chad Weaver, Assistant Planning Director, stated that the city will amend the recommendation report to remove the condition of an additional 17’ within the right of way and would allow the existing plat as shown.

Jeffrey Farnham, attorney, 220 North 89th Street, Suite 201, representing Harry and Arlene Logeman, appeared before the board in favor of the request.

Mr. Kelley moved to APPROVE the denial of the waiver of Section 53-9(9) Sidewalks of the Municipal Code and APPROVE the preliminary, final plat and the rezoning from AG to DR. Mr. Neary seconded the motion which carried 5-0.

**Rezonings**

16. C10-10-036
Dundee Ridge, LLC

REQUEST: Rezoning from R7-ACI-2 to GO-ACI-2 and approval of a PK
LOCATION: Southwest of 48th and Dodge Streets

Doug Kellner, Thompson, Dreessen & Dorner, 10836 Old Mill Road, appeared before the board on behalf of the developers and agreed to answer any questions.

Kelly Coffey, 4819 Douglas Street, referred to a petition that was signed by many of the neighbors stating the desire to keep the zoning on Douglas Street as residential. Presently there is no commercial zoning on Douglas Street.

Chad Weaver stated the applicant is in agreement with the planning department’s recommendation. Everyone is united in saying that the rezoning on Dodge Street would be office and Douglas Street would go back to R7 with a PK overlay.

Augusta Wester, 4805 Douglas Street, resides directly across from Lot 9. She stated that when she bought her home approximately two years ago, the Sullivan Land Group assured her realtor that the property would be designated as residential property. Ms. Wester stated that the neighbors have been waiting patiently for over two years for Dundee Ridge to be completed. She requested that the commercial zoning be denied along with the parking overlay because it would result in spot zoning and destroy her neighborhood. The idea of a parking lot in the middle of the block would be devastating and disturb the harmony of the residential neighborhood.

Kevin Penrod, 4816 Douglas Street, stated that when he purchased his residence approximately three years ago, the developer communicated that the Dundee Ridge project would be a high-end condominium development. There is concern for the safety of the children who live on and near Douglas Street.

Mr. Neary asked if there are any conversions or rental property on Douglas Street. Mr. Penrod answered that the only rental property is located on Dodge Street but the residences on Douglas Street are owner occupied.

Ms. Wester mentioned that the additional parking spaces in the parking lot is not necessary due to the fact that there is ample amount of street parking on three sides of the block which would make up for the proposed parking overlay. Ms. Wester submitted the neighborhood petition.

Charlie Sullivan, 333 South 93rd Street, developer of the project showed, a larger version of the site plan. The proposed building on Dodge Street will be 6,000 square feet with 37 parking spaces which includes the 11 parking spaces through to Douglas Street. Mr. Sullivan stated that there are rentals on Douglas Street in addition to the six townhomes, soon to be eight townhomes. The Omaha market does not need any more condominiums or townhomes therefore a single story small office building was developed. Mr. Sullivan offered to answer any questions.
Mr. Neary questioned the ratio of 6:1 for parking stalls based on a 6,000 square foot building. Mr. Sullivan stated the building will be a medical office building and will require 8:1 for parking stalls because of the 25 staff members. The parking lot from Dodge Street previously butted up to Douglas Street. Ms. Nubel asked about the parking spaces on the surrounding street. Mr. Sullivan stated that there are several parking spaces on the street but he rarely finds a parking space on the streets surrounding the project. Mr. Deeb asked about the landscape plan that faces Douglas Street. Mr. Sullivan stated that green space was added when the townhomes were developed. Mr. Neary asked Mr. Sullivan if he attempted to acquire additional parking on or near Dodge Street. Mr. Sullivan answered that he has not tried to acquire additional parking.

Mr. Chad Weaver, Assistant Planning Director, stated that city recommends denial of the rezoning from R7-ACI-2(50) to GO-ACI-2(50) for proposed Lots 9-10, Dundee Ridge Replat and APPROVE the rezoning from R7-ACI-2(50) to GO-ACI-2(50) for proposed Lot 10, Dundee Ridge Replat and approval of a PK-Parking Overlay District for proposed Lot 9, Dundee Ridge Replat subject to approval and recording of the final plat of Dundee Ridge Replat prior to forwarding this rezoning request to City Council.

Ms. Nubel asked the neighbors if they would prefer to see the original plan for the condos. Ms. Wester is not concerned as to the residential use of the property but she stated that paving the property or leaving it vacant would be a hole in the neighborhood. Ms. Coffey stated she has lived at her residence since 1988 and the previous owners did not maintain the property but she is concerned about the proposed parking and traffic issues.

Mr. Sullivan volunteered to give up three parking spaces that are closest to Douglas Street and install more green space and plantings. Mr. Weaver suggested matching the building and existing set back line and landscape the front on the Douglas Street side.

Ms. Wester stated that that sounds like a nice offer from Mr. Sullivan but in reality the green space in front of the condominium is not landscaped and she does not believe the landscaping will be installed.

Mr. Neary asked Ms. Wester if she would see some value in not having additional condominium owners as opposed to vehicles coming and going in the parking lot. Ms. Wester answered that she would rather have property owners or neighbors as opposed to a parking lot.

Mr. Sullivan stated that the property is still under construction and there is a landscape plan. Trees will be planted when the site is fully developed. Ms. Nubel asked if the medical facility would be a tenant if there were no access to Douglas Street and Mr. Sullivan answered that he did not believe so.

Bob Peters, 3552 Farnam Street, suggested increasing the green space and narrowing the driveway that is adjacent to Douglas Street dependent on any recommendation from Public Works.

Ms. Nubel suggested that the neighbors and developer get together to work on a solution. Mr. Sullivan stated that a lay over would “kill the deal”.

Mr. Weaver stated that approval of this request is recommended because the Master Plan refers to this area as mixed use and is an appropriate use of the ground. He suggested that Mr. Sullivan match the front yard line and landscape the area.

Mr. Kelley moved to APPROVE the denial of the rezoning from R7-ACI-2(50) to GO-ACI-2(50) for proposed Lots 9-10, Dundee Ridge Replat and APPROVE the rezoning from R7-ACI-2(50) to GO-ACI-2(50) for proposed Lot 10, Dundee Ridge Replat and approval of a PK-Parking Overlay District for proposed Lot 9, Dundee Ridge Replat subject to approval and recording of the final plat of Dundee Ridge Replat prior to forwarding this rezoning request to City Council. Mr. Rosenbaum seconded the motion which carried 5-0.
17. C10-10-052 D - Layover  
  L & M Enterprises  
  REQUEST: Rezoning from R4(35) to R5  
  LOCATION: 5445 South 51st Street

Mr. Neary moved to LAY OVER. Mr. Rosenbaum seconded the motion which carried 5-0.

### Special Use Permits

18. C8-09-210 D - Approval  
  AT&T  
  REQUEST: Approval of a Special Use Permit to allow a broadcast tower in a R4 District, with a waiver of Section 55-186 Height, to allow a 90 foot tall tower  
  LOCATION: 15801 Butler Avenue

Mr. Neary moved to APPROVE the request for a Special Use Permit to allow a broadcast tower in a R4-Single Family Residential District, with a waiver of Section 55-186 Height, to allow a 90 foot tall tower at 15801 Butler Avenue subject to: 1.) providing a 6’ tall wood fence around the perimeter of the lease area behind landscaping having a minimum width of 6’ and a minimum height of 15’ at maturity; 2.) the tower being of sufficient structural integrity to allow for co-location of at least one (1) additional provider; 3.) compliance with the revised site, landscaping and elevations; 4.) compliance with the proposed operating statement; 5.) providing a governmental access statement; 6.) submittal of an annual report that describes the location and operating characteristics of all broadcast towers within the City and its extraterritorial jurisdiction. Mr. Kelley seconded the motion which carried 5-0.

19. C8-93-092 D - Approval  
  AT&T  
  REQUEST: Approval of a Major Amendment to a Special Use Permit to allow a broadcast tower in a CC District, with a waiver of Section 55-366 Height, to allow extension of the tower to 98 feet  
  LOCATION: 2820 South 108th Street

Mr. Neary moved to APPROVE the proposed amendment subject to: 1.) compliance with the proposed site plan; 2.) compliance with the proposed elevation(s); 3.) compliance with all applicable regulations; and 4.) issuance of the appropriate building permit(s). Mr. Kelley seconded the motion which carried 5-0.

20. C8-10-033  
  Douglas County School District 0001  
  REQUEST: Approval of a Special Use Permit to allow day care (general) in a R4 District  
  LOCATION: 4768 “Q” Street

Withdrawn at the request of the applicant.

21. C8-10-035 D - Layover  
  Reliant Auto Sales, LLC  
  REQUEST: Approval of a Special Use Permit to allow automotive sales in a CC District  
  LOCATION: 20507 Nicholas Circle, Suite 100

Mr. Neary moved to LAY OVER for the applicant to submit additional information. Mr. Rosenbaum seconded the motion which carried 5-0.

22. C8-10-042  
  TD Ameritrade  
  REQUEST: Approval of 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
Rick Anderson, 2120 South 72nd Street, attorney, appeared before the board to represent the applicant. The project is the development of a new corporate headquarters and operations and technology center for TD Ameritrade in the Old Mill Office Park. TD Ameritrade occupies, as a tenant, three existing buildings in the area and has recently acquired two additional properties across the street for a campus. This development represents a further development of the existing campus in the area and will cause a relocation and re-coordination of several outlying developments. This gives TD Ameritrade a tremendous opportunity for development of a single and consistent campus environment. This further represents a significant investment and further commitment to the city of Omaha. The project is located in the southwest quadrant on West Dodge Road and I-680 within the Old Mill area in the southwest quadrant of the intersection of Old Mill Road and 108th Avenue. The buildings will be built on the property to the west at 236 and 330 South 108th Street. The surrounding area is consistent with general office and some commercial and the future use plan for metro mixed use and general office. This area is specifically designed for high intensity and high use. The land parcel is approximately 18.5 acres in size therefore this is a large project. The height waiver is requested because the building will be higher than other buildings allowed in the general office district. The maximum green space and minimal surface parking has been requested by the city. Operations and technology groups, along with the headquarters, will be in one structure which allows for greater contiguity of the functions and functionality of the groups. The existing buildings and parking garage across 108th Avenue on Farnam Street will allow for a nice campus and interaction between the various levels. In addition, the proposed building will be LEED certified to the level of the “gold” standard and may be LEED certified to the level of the “platinum” standard. The limitations of the site include significant flood plain areas along the Papio Creek to the west and a significant easement that runs through the southern portion of the project to separate the surface parking from the main building. The green space and the comprehensive plan requirements will dictate the structure and the height of the building. The height request is for 230’ for the main building and 30’ for a “stealth” communication antenna. Mr. Anderson agreed to answer any questions.

There were no opponents present.

Ms. Nubel asked Mr. Anderson several questions. Mr. Anderson answered that the project was not being built in the downtown area because the project was already planned for this area and there is a presence in the area. Also, the proposed area is in the metro mixed-use area. The height of 230’ will consist of 11 occupied stories and an area for the mechanical system. The architectural development of the building is driven by the LEED requirements. The appearance of the 30’ “stealth” tower will be very minimal when seen from the Dodge expressway.

Mr. Chad Weaver, Assistant Planning Director, stated that city recommends approval with the addition of 14 conditions set forth in the recommendation report.

Mr. Kelley moved to APPROVE the Large Project Special Use Permit, with a waiver of Section 55-326 Height, to 260 (230’ tower + 30’ communication 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 storm water 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. Mr. Deeb seconded the motion which carried 5-0.
Conditional Use Permits

23. C7-10-029 D - Approval
    Buck's Inc.

    REQUEST: Approval of a Conditional Use Permit to allow Warehousing and distribution (limited) in a GC District
    LOCATION: 4955 South 72nd Street

    Mr. Neary moved to APPROVE the Conditional Use Permit to allow Warehousing and distribution (limited) in a GC District subject to the following being addressed prior to the issuance of a Certificate of Occupancy: 1.) provide landscaping plan that shows planting as required and installed; 2.) plat and dedication of 75’ of public right of way from centerline of 72nd Street; 3.) that all signage being repaired and/or replaced in compliance with applicable regulations; 4.) no outdoor storage; 5.) compliance with the proposed site plan; and 6.) compliance with the proposed operating statement. Mr. Kelley seconded the motion which carried 5-0.

24. C7-10-034 D - Approval
    Nicholas Schnell

    REQUEST: Approval of a Conditional Use Permit to allow Medical office in a LO District
    LOCATION: 3009 South 87th Street

    Mr. Neary moved to APPROVE the Conditional Use Permit to allow Medical office in a LO District subject to the following being addressed prior to the issuance of a Certificate of Occupancy: 1.) replace existing pavement to the south of the handicap parking stall and replace with an acceptable form of landscaping; 2.) compliance with the submitted site plan; 3.) compliance with the proposed operating statement; and 4.) compliance with all other applicable regulations. Mr. Kelley seconded the motion which carried 5-0.

Dedication

26. C16-10-030 D - Approval
    Property Owner

    REQUEST: Plat and Dedication of an irregular strip of land containing 206 square feet of area adjacent to the northeast corner of Lot 1, Frederick Plaza
    LOCATION: Southwest of 84th and Frederick Streets

    Mr. Neary moved to APPROVE the Plat and Dedication of an irregular strip of land containing 206 square feet of area adjacent to the northeast corner of Lot 1, Frederick Plaza. Mr. Kelley seconded the motion which carried 5-0.
APPROVAL OF MINUTES

Mr. Kelley moved to APPROVE the meeting minutes of March 3, 2010 as written. Mr. Neary seconded the motion which carried 5-0.

ADJOURNMENT

Mr. Neary moved to ADJOURN the meeting at 2:59 pm. Mr. Deeb seconded the motion which carried 5-0.

_________________________________________
Date Approved

_________________________________________
Anna Nubel, Chair

Debbie Hightower, Planning Board
Recording Secretary