PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, October 5, 2011, 1:30 P.M.

Omaha/Douglas Civic Center
1819 Farnam Street
Legislative Chamber

DISPOSITION AGENDA

This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on October 5, 2011.

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

MEMBERS NOT PRESENT: Greg Rosenbaum

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, September 26, 2011.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1. C12-11-095
   Keith B. Edquist
   (Laid Over from 9/7/11)

   REQUEST: Final Plat approval of NORTHERN HILLS BUSINESS PARK (formerly NORTHERN HILLS AIRPARK), a subdivision outside the city limits
   LOCATION: Northeast of 72nd Street and Bennington Road

   DISPOSITION: APPROVED 6-0. Approval of the Final Plat subject to the applicant submitting the following prior to forwarding the final plat to the City Council: 1) Submittal of final plat mylars that provide a right-of-way dedication of 17 feet along 72nd Street (a total of 50 feet from the centerline of 72nd Street); 2) Submittal of a letter of approval of the subdivision from the NDEQ; and 3) An acceptable final subdivision agreement.
2. C10-11-111
   C12-11-112
   Blondo Street Development, LLC

   REQUEST: Final Plat approval of ANDRESEN
   MEADOWS, a subdivision outside the city
   limits, with rezoning from AG to DR and R4
   (portions of which property lie within the flood
   fringe)

   LOCATION: Northeast of 180th and Blondo Streets

   DISPOSITION: APPROVED 6-0. Approval of the rezoning from AG to DR and R4 (portions of
   which property lie within the flood fringe) and approval of the Final Plat subject to submittal of an
   acceptable final subdivision agreement.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Master Plan Referrals

3. C3-11-138 (D)
   Lanoha Real Estate Company
   (Laid Over from 8/3/11)

   REQUEST: Approval of an amendment to the Future
   Land Use Element of the City's Master Plan
   from low density residential to
   office/commercial

   LOCATION: Northeast of 85th Avenue and Cass Street

   DISPOSITION: LAYOVER 6-0. Laid over until the associated rezoning and conditional use permit
   requests (Case #C10-11-140 and C7-11-139) can be recommended for approval.

Subdivisions

4. C10-11-022
   C12-11-023
   Garden Ridge, L.P. a Texas
   Limited Partnership
   (Laid Over from 8/3/11)

   REQUEST: Preliminary and Final Plat approval of
   GARDEN RIDGE ADDITION, a subdivision
   inside the city limits, with approval of an
   MCC-Major Commercial Corridor Overlay
   District

   LOCATION: Northwest of 129th Avenue and West Center
   Road

   DISPOSITION: Withdrawn at the request of the applicant.

5. C12-11-128 (D)
   Irvington Warehouse, LLC
   (Laid Over from 8/3/11)

   REQUEST: Preliminary and Final Plat approval of
   IRVINGTON WAREHOUSE CENTER, a
   subdivision outside the city limits

   LOCATION: South of 92nd and Fremont Streets

   DISPOSITION: APPROVED 5-0. Approval of the Preliminary Plat and approval of the Final Plat,
   subject to submittal of an acceptable subdivision agreement, if necessary, prior to forwarding the
   request to the City Council.

Rezonings

6. C10-11-140 (D)
   C7-11-139
   Lanoha Real Estate Company
   (Laid Over from 8/3/11)

   REQUEST: Rezoning from R2 and LO to LO with
   approval of an MCC Overlay District and
   approval of a Conditional Use Permit to allow
   Medical office in a LO District

   LOCATION: Northeast of 85th Avenue and Cass Street

   DISPOSITION: LAYOVER 6-0. Laid over to allow time for the applicant to resubmit revised plans
   that comply with all applicable regulations.
Conditional Use Permits

7. C7-11-134 (D)  
Fustafa Aden  
(Laid Over from 8/3/11)  
REQUEST: Approval of a Conditional Use Permit to allow General retail sales and Food sales (limited) in a GO-ACI-2(50) District  
LOCATION: 3610 Dodge Street  
DISPOSITION: APPROVED 6-0. Approval subject to: 1) Compliance with the approved site plan; 2) Compliance with the proposed operating statement; and 3) The applicant obtaining a Certificate of Occupancy.

(REGULAR AGENDA)

Master Plan Referrals

8. C3-11-089  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of a Chapter 55 amendment regarding noise regulations (Section 55-803)  
LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction  
DISPOSITION: APPROVED 6-0.

9. C3-11-182  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of a Chapter 55 Amendment regarding use regulations (Section 55-68)  
LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction  
DISPOSITION: APPROVED 6-0.

10. C3-11-163  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of the GTMC, LLC TIF REDEVELOPMENT PROJECT PLAN  
LOCATION: 2020 Avenue "J" East  
DISPOSITION: APPROVED 6-0.

11. C3-11-165  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of the 2012 ACTION PLAN  
LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction  
DISPOSITION: APPROVED 6-0.

12. C3-11-166  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of a Surplus Declaration and Disposal of city-owned property  
LOCATION: 3434 South 84th Street  
DISPOSITION: APPROVED 6-0. Approval subject to the property being properly subdivided and rezoned prior to transfer of ownership.

Subdivisions

13. C10-11-164a (D)  
C12-11-164  
C8-11-180  
Christ Community Church of the Christian & Missionary Alliance  
REQUEST: Preliminary and Final Plat approval of CHRIST COMMUNITY CHURCH, a subdivision inside the city limits, with rezoning from DR and GO to DR and GO (portions of which property lie within the flood fringe and floodway) and approval of a Large Project Special Use Permit  
LOCATION: 404 South 108th Court
DISPOSITION: APPROVED 6-0. Approval of the rezoning from DR and GO to DR and GO; approval of the Large Project Special Use Permit in GO subject to compliance with the site plans; approval of the Preliminary Plat subject to providing a maintenance easement for the trail in Outlot A; and approval of the Final Plat as amended by the condition of Preliminary Plat approval.

14. C10-11-167 (D) C12-11-168
Sean Negus
REQUEST: Preliminary Plat approval of COUNTRY CLUB HILLS, a subdivision inside the city limits, with rezoning from R3, R5 and GC to R5
LOCATION: Southwest of 63rd and Girard Streets

DISPOSITION: LAYOVER 6-0. Laid over to allow the applicant time to: 1) Revise the plat to include all of the abandoned railroad right-of-way; 2) Revise the plat to include all of 6221 Girard Street; 3) Apply for rezoning from R3, R5 and GC to R3; 4) Apply for a Special Use Permit for 6221 Girard Street; 5) Provide a drainage study signed by a professional engineer; 6) Provide the supporting documentation for the Post Construction Stormwater Management Plan; and 7) Meet with neighbors prior to the next public hearing.

15. C12-11-169 (D) 3703 Davenport, LLC c/o Thomas H. McLeay
REQUEST: Preliminary and Final Plat approval of THE AUSTIN AT MIDTOWN, a subdivision inside the city limits
LOCATION: Southeast of 38th and Davenport Streets

DISPOSITION: APPROVED 6-0. Approval of the Preliminary Plat and approval of the Final Plat subject to submittal of an acceptable final subdivision agreement, if necessary.

16. C12-11-170 (D) Batchelder Family Trust
REQUEST: Preliminary and Final Plat approval of BATCHELDER HILLS, a subdivision outside the city limits
LOCATION: Southwest of 66th and State Streets

DISPOSITION: APPROVED 6-0. Approval of the Preliminary Plat subject to: 1) Obtaining NDEQ approval of on-site wastewater treatment systems for the proposed lot; and 2) Placement of a note on the Final Plat indicating that any future activities on the site will comply with the North Hills Environmental Overlay District regulations of the Omaha Municipal Code. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council.

17. C12-11-179 (D) Kimley-Horn and Associates
REQUEST: Preliminary and Final Plat approval of VINTAGE OAKS REPLAT 42, a subdivision outside the city limits
LOCATION: Northeast of 168th and Harrison Streets

DISPOSITION: APPROVED 6-0. Approval of the Preliminary Plat subject to the following: 1) An acceptable subdivision agreement; 2) An updated Traffic Impact Analysis; 3) A grading plan that does not disturb the permanent wetland and is acceptable to the Corps of Engineers; and 4) Sidewalks along 167th Street, 168th Street and Harrison Street. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council.

Rezonings

18. C10-94-158 (D) Kimley-Horn and Associates
REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Vintage Oaks
LOCATION: Northeast of 168th and Harrison Streets
DISPOSITION: LAYOVER 6-0. Laid over in order for the applicant to meet with the Planning Department to prepare a complete submittal for review.

19. C10-08-135 (D)
    Jason Lanoha
    REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Ridgeview
    LOCATION: Southwest of 185th Street and West Center Road

DISPOSITION: APPROVED 6-0. Approval subject to submittal of an acceptable mixed use development agreement prior to City Council and includes the following text changes: 1) The bufferyard along the western property line is reduced from the required 30 feet to 20 feet and possibly as little as 15 feet if the applicant can meet Planning Department regulations; 2) The setback along Wright Street is reduced from the required 35 feet to 20 feet; 3) The setback along West Center Road is reduced from the required 35 feet to 15 feet; and 4) An updated site plan that includes landscaping along the north, west and south property lines that matches the landscaping along the south side of Wright Street.

20. C10-11-171 (D)
    Habitat for Humanity
    REQUEST: Rezoning from GI to R4
    LOCATION: 3725 1/2 Ohio Street

DISPOSITION: APPROVED 6-0.

21. C10-11-172 (D)
    David E. Abboud
    REQUEST: Rezoning from R3 to R4
    LOCATION: North of Ohio Street and East of 137th Street

DISPOSITION: APPROVED 6-0.

22. C10-11-173
    Paul Ambrose
    REQUEST: Rezoning from R3 to R6
    LOCATION: 324 North 35th Avenue

DISPOSITION: APPROVED 4-2. Denial of the rezoning from R3 to R6. Approval of the rezoning from R3 to R5 subject to the applicant adequately addressing all Code Enforcement issues prior to forwarding this request to the City Council.

Special Use Permits

23. C8-11-174 (D)
    AT&T Wireless
    REQUEST: Approval of a Special Use Permit to allow a Broadcast tower in a CC District, with a waiver of Section 55-366 Height to 100'
    LOCATION: 710 1/2 North 102nd Street

DISPOSITION: APPROVED 6-0. Approval subject to: 1) The tower being structurally sufficient to allow for co-location; 2) Compliance with the site plan, elevation and operating statement; and 3) Submission of an annual report due January of each year disclosing the location of each tower within the City of Omaha zoning jurisdiction.

24. C8-11-175
    Westside Early Childhood
    REQUEST: Approval of a Special Use Permit to allow Day care (general) in a R2 District
    LOCATION: 9030 Western Avenue

DISPOSITION: APPROVED 4-2. Approval subject to: 1) Approval of a ZBA waiver to allow over 12 children; 2) Compliance with the site plan; 3) Compliance with the proposed operating statement; 4) Compliance with Section 55-787 storm shelter regulations; 5) Making the existing sidewalk contiguous with the sidewalk that stretches from 90th Street to 96th Street and adding and maintaining a crosswalk; and 6) Obtaining an updated Certificate of Occupancy.
25. **C8-11-178 (D)**
   
   **REQUEST:** Approval of a Special Use Permit to allow *Day care (general)* in a R3 District
   
   **LOCATION:** 5622 North 69th Street
   
   **DISPOSITION:** APPROVED 6-0. Approval subject to: 1) The applicant obtaining a waiver from the Zoning Board of Appeals to allow for the care of more than 12 individuals in a *Day care services (general)* facility in the R3 District prior to forwarding the request to the City Council; 2) Submittal of a revised site and landscaping plan that is acceptable to Planning Department staff prior to forwarding the request to the City Council; 3) Stripe parking stalls that comply with City regulations; 4) The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department prior to operation of the facility; 5) Compliance with storm shelter regulations; 6) Compliance with the revised site and landscaping plan; 7) Compliance with the proposed operating statement; and 8) Compliance with all applicable development regulations.

**Conditional Use Permits**

26. **C7-96-292**
   
   **REQUEST:** Approval of a Major Amendment to a Conditional Use Permit to allow *Medical office* in a LO District
   
   **LOCATION:** 535 North 87th Street
   
   **DISPOSITION:** LAYOVER 6-0. Laid over for 30-60 days to allow the applicant time to meet with the neighbors.

27. **C7-11-162 - Withdrawn**
   
   **REQUEST:** Approval of a Major Amendment to a Conditional Use Permit to allow *Religious assembly* in a R7 District
   
   **LOCATION:** 1326 South 26th Street
   
   **DISPOSITION:** Withdrawn at the request of the applicant.

28. **C7-11-176 (D)**
   
   **REQUEST:** Approval of a Conditional Use Permit to allow *Indoor sports and recreation* in a CC District
   
   **LOCATION:** 10765 "M" Street
   
   **DISPOSITION:** APPROVED 6-0. Approval subject to: 1) Compliance with the site plan; 2) Compliance with the operating statement; 3) Compliance with all applicable regulations; 4) Compliance with all applicable sign regulations; and 5) No pole signs.

29. **C7-11-177 (D)**
   
   **REQUEST:** Approval of a Conditional Use Permit to allow *Single family residential (detached)* in a GC District
   
   **LOCATION:** 3524 Leavenworth Street
   
   **DISPOSITION:** APPROVED 6-0.