PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, May 4, 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 May 4, 2011.

MEMBERS PRESENT: John Hoich, Chair
Arnold Nesbitt, Vice Chair
Anna Nubel
R. J. Neary
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, April 25, 2011.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1. C10-11-027
C12-11-028
Southern Valley Limited Partnership

REQUEST: Final Plat approval of SOUTHERN VALLEY REPLAT ONE, a cluster subdivision inside the city limits, with rezoning from R4(35) to R5

LOCATION: Southwest of 17th and “Q” Streets

DISPOSITION: APPROVED 7-0. Approval of the final plat subject to: 1) Submittal of an amended subdivision agreement, if necessary; and 2) Including the required front and rear yard setback on the final plat mylars as was done on the final plat mylars for Southern Valley.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Master Plan Referrals

2. C3-11-051  
   Planning Board on behalf of the City of Omaha (Laid Over from 4/6/11)  
   REQUEST: Approval of the BMAKK CORPORATION REDEVELOPMENT PROJECT PLAN  
   LOCATION: 1440 Read Street and 6924 North 14th Avenue  
   DISPOSITION: APPROVED 7-0.

Subdivisions

3. C10-11-022 (D)  
   C12-11-023  
   Garden Ridge, L.P., a Texas Limited Partnership (Laid Over from 4/6/11)  
   REQUEST: Preliminary and Final Plat approval of GARDEN RIDGE ADDITION, a subdivision inside the city limits, with approval of an MCC Overlay District  
   LOCATION: Northwest of 129th Avenue and West Center Road  
   DISPOSITION: LAYOVER 7-0.

Rezonings

4. C10-11-004 (D)  
   Ruth L. Dailey (Laid Over from 1/5/11)  
   REQUEST: Rezoning from R4(35) and R8 to R8 and CC  
   LOCATION: 5821 and 5825 North 30th Street and 2907 Laurel Avenue  
   DISPOSITION: LAYOVER 7-0.

5. C10-98-193  
   Continental 159 Fund, LLC (Laid Over from 4/6/11)  
   REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Legacy  
   LOCATION: Southwest of 168th Street and West Center Road  
   DISPOSITION: APPROVED 6-1. Approval of the Major Amendment to the Legacy Mixed Use Agreement provided the following conditions are addressed and an acceptable Mixed Use Development agreement is submitted prior to forwarding to City Council: 1) An application for subdivision; 2) Update all text changes that need to be addressed; 3) Refine the design details of the proposed park square feature; and 4) Work with the developer to determine the timing of the construction of sidewalks that should already have been constructed.

6. C10-11-050 (D)  
   Don Gardiner (Laid Over from 4/6/11)  
   REQUEST: Rezoning from MU to R6  
   LOCATION: East and West of North Main Street North of Blondo Street  
   DISPOSITION: LAYOVER 7-0.
(REGULAR AGENDA)

Subdivisions

7. C10-10-100
   C12-10-101
   Bella Terra, LLC

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

   LOCATION: Southeast of 132nd and Pacific Streets

   DISPOSITION: APPROVED 6-0. Approval of the rezoning from DR to DR, R4, R6 and MU contingent upon submittal of an acceptable mixed use development agreement prior to forwarding to City Council. Approval of the revised preliminary plat provided the applicant addresses the following conditions to the satisfaction of the Planning Department prior to forwarding the request to the City Council: 1) Provide a note on the final plat that there will be no access to Sterling Ridge Drive from Lot 1 or 18 for the first 200 feet from Pacific Street; 2) Provide a letter from METRO (formerly MAT) indicating that the applicant has worked with METRO to accommodate transit service now or in the future; 3) Provide for all improvements identified in the final, approved, traffic study; 4) Submit 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)); 5) Submit an acceptable tree canopy loss analysis and mitigation plan; 6) Provide a minimum 40’ right-of-way connection between the existing Crawford Street stub and 127th Street. Work with staff to design an acceptable 10’ pedestrian/bicycle connection between 126th and 127th Streets; 7) Provide for a public right-of-way connection from 130th Street to the proposed private drive/easement and provide a more continuous connection through the parking lots adjacent; 8) Provide sanitary sewer to each lot as required by Section 53-9(5) of the subdivision ordinance; 9) Include provisions in the subdivision agreement for installation and maintenance of the sidewalks on the double fronted lots; 10) Show all utility easements on the plat; 11) Provide evidence of approval of a U.S. Army Corps of Engineers Section 404 permit; 12) Provide a Post Construction Storm Water Management Plan that demonstrates a no-net increase in storm water runoff from the 2, 10 and 100-year storm events, as well as control of the first ½ inch of storm water runoff; and 13) Coordinate with the Parks Department staff regarding all recreation and open space improvements. Approval of the final plat subject to compliance with all of the conditions of revised preliminary plat approval and subject to submittal of an acceptable subdivision agreement being submitted prior to forwarding to the City Council for final action.

8. C10-11-084
   C12-11-085
   Fort Street Senior Community, LLC

   REQUEST: Preliminary and Final Plat approval of CYPRESS POINTE, a minor plat inside the city limits, with rezoning from CC to R6

   LOCATION: Southwest of 60th Street and Hartman Avenue

   DISPOSITION: APPROVED 7-0. Approval of the rezoning from CC to R6. Approval of the preliminary plat subject to: 1) Compliance with all applicable storm water management regulations; and 2) Working with METRO regarding the potential placement of a permanent bus shelter at this location. Approval of the final plat subject to submittal of an acceptable final subdivision agreement, if necessary.

Overlay Districts

9. C11-11-082 (D)
   Olsson Associates

   REQUEST: Approval of a PUD-Planned Unit Development Overlay District

   LOCATION: Southeast of Sterling Ridge Drive and Pacific Street
DISPOSITION: LAYOVER 7-0. Laid over the PUD to allow the applicant additional time to submit the following: 1) A revised site plan in compliance with all applicable site development regulations; 2) Schematic architectural plans and elevations sufficient to indicate building height, bulk, materials and general architectural design; 3) A required off-street parking schedule in compliance with Article XIV of the Omaha Municipal Code; and 4) A statement of proposed compliance with Section 55-763(f)(1)-(3) Supplemental Regulations of the Omaha Municipal Code and/or the proposed floor plans indicating said compliance.

10. C11-11-086  
    Fort Street Senior Community, LLC  
    REQUEST: Approval of a PUD-Planned Unit Development Overlay District  
    LOCATION: Southwest of 60th Street and Hartman Avenue

DISPOSITION: APPROVED 7-0. Approval of the PUD subject to submittal of schematic architectural plans and elevations sufficient to indicate building height, bulk, materials and general architectural design prior to forwarding the request to City Council.

Rezonings

11. C10-11-077 (D)  
    Lofts at 14th LLC  
    REQUEST: Rezoning from DS to CBD (subject property is located within an ACI-1(PL) Overlay District)  
    LOCATION: 802 South 14th Street

DISPOSITION: APPROVED 7-0. Approval of the rezoning from DS to CBD (subject property is located within an ACI-1 (PL) Overlay District).

12. C10-11-078 (D)  
    1301 Holdings LLC  
    REQUEST: Rezoning from DS to CBD (subject property is located within an ACI-1(PL) Overlay District)  
    LOCATION: 1301 Jones Street

DISPOSITION: APPROVED 7-0. Approval of the rezoning from DS to CBD (subject property is located within an ACI-1 (PL) Overlay District).

Special Use Permits

13. C8-11-064 (D)  
    Holy Name Housing Corporation  
    REQUEST: Approval of a Special Use Permit to allow Large group living in a R7 District and “Reasonable Accommodation”  
    LOCATION: Northeast of Fort Street and Fontenelle Boulevard

DISPOSITION: LAYOVER 7-0. Laid over the Special Use Permit to allow Large group living subject to the applicant submitting the following information: 1) A parking study that shows required and provided off-street parking for all proposed uses on the St. Richard’s Campus.

14. C8-11-068  
    Fidelity Towers, Inc. and AT&T Wireless  
    REQUEST: Approval of a Special Use Permit to allow a Broadcast tower in an AG District with a waiver of Section 55-87 Height to 125 feet  
    LOCATION: 17515 Pacific Street

DISPOSITION: DENIED 7-0.
15. C8-11-075 (D) Tom Heaney
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District
LOCATION: 10808 Blondo Street

DISPOSITION: LAYOVER 7-0. Laid over to provide the applicant time to submit a revised site plan, an operating statement and make application for a rezoning of the site to include the MCC Overlay District designation.

16. C8-11-081 Lakeside Auto Recycler’s, Inc.
REQUEST: Approval of a Special Use Permit to allow Scrap and salvage services in a HI District
LOCATION: 1404 Grace Plaza (1351 Locust Street and 2203 North 14th Plaza)

DISPOSITION: APPROVED 7-0. Approval of the Special Use Permit to allow Scrap and salvage services on the subject property subject to: 1) Compliance with the site plan(s); 2) Compliance with the attached operating statement; 3) Compliance with all applicable zoning regulations; 4) Compliance with Sections 30-81 through 30-110 of the Omaha Municipal Code; 5) Compliance with all other applicable regulations; 6) Property subdividing the property and recording said subdivision with the Douglas County Register of Deeds prior to forwarding the request to the City Council; 7) Consolidation of all addresses used to one address as issued by the Current Planning Division of the Planning Department; and 8) Amending and expanding the salvage dealer’s license to include the appropriate address.

17. C8-11-083 (D) Fantastic Beginnings
REQUEST: Approval of a Special Use Permit to allow Day care (general) in a R5(35) District
LOCATION: 4102 South 13th Street

DISPOSITION: APPROVED 7-0. Approval of the Special Use Permit to allow Day care services (general) in a R5(35) District subject to the following conditions: 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 R5(35) district; 2) Submittal of a more detailed operating statement prior to forwarding this request to the City Council; 3) Approval of an administrative subdivision (with the necessary cross access and parking easements) that creates a new lot for the daycare site; 4) Compliance with the proposed site plan; and 5) Compliance with all applicable development regulations.

Conditional Use Permits

18. C7-11-069 C10-98-129 AT&T Wireless
REQUEST: Approval of a Conditional Use Permit to allow a Broadcast tower in a GI-MD District with a waiver of Section 55-506 Height to 150 feet and approval of a Major Amendment to a MD Overlay District Development Agreement
LOCATION: 5808 South 118th Circle

DISPOSITION: LAYOVER 7-0. Laid over for 60 days. The applicant agreed to extend the “shot clock” for 60 days.

19. C7-11-070 (D) Douglas County School District 0001
REQUEST: Approval of a Conditional Use Permit to allow Primary educational facilities in a CC District
LOCATION: 5141 “F” Street

DISPOSITION: APPROVED 7-0. Approval of a Conditional Use Permit to allow a Primary educational facility in a CC district.
20. C8-94-093 (D) 
C7-11-079
EHPV Real Estate Group LLC
REQUEST: Approval of a Conditional Use Permit to allow Outdoor sports and recreation in a GC District and approval of a Major Amendment to a Large Project Special Use Permit
LOCATION: 8100 Cass Street

DISPOSITION: APPROVED 7-0. Approval of a Conditional Use Permit to allow Outdoor sports and recreation in a GC district and approval of the Major Amendment to the Large Project Special Use Permit subject to: 1) Updating the operating statement to clarify if gates will be used; 2) Updating the operating statement to include the 10:30 shut off time for speakers and lighting; and 3) Providing a sidewalk connection from 83rd Street to the building.

21. C7-11-080
Divine Shepherd Lutheran Church
REQUEST: Approval of a Conditional Use Permit to allow Religious assembly in a R4(35) District
LOCATION: 15156 “R” Street (15005 “Q” Street existing church)

DISPOSITION: DENIED 5-2.

22. C7-11-071 (D)
Tracy Huey
REQUEST: Approval of a Conditional Use Permit to allow Restaurant (drive-in or fast food) in a LI District and a Major Amendment to a Conditional Use Permit to allow General retail sales in a LI District
LOCATION: 9939 Redick Circle (Suite 1)

DISPOSITION: LAYOVER 7-0. Laid over to allow additional time for the applicant to submit revised site/landscaping plans, a grading plan, building elevations, impervious coverage and parking calculations.

Vacations

23. C14-11-073 (D)
Planning Board
REQUEST: Vacation of the east/west alley between Farnam and Harney Streets from 13th to 14th Streets

DISPOSITION: APPROVED 7-0. Approval of the proposed vacation subject to retention of all necessary easements.

24. C14-11-074 (D)
Planning Board
REQUEST: Vacation of the east 25 feet of 50th Avenue from “O” Street south 144.06 feet to the back property line of 5015 “O” Street

DISPOSITION: APPROVED 7-0. Approval of the proposed vacation subject to retention of all necessary easements.