PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, June 1, 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 June 1, 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, May 23, 2011.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

1.  C10-11-022
    C12-11-023
    Garden Ridge, L.P. a Texas Limited Partnership (Laid Over from 4/6/11 and 5/4/11)
    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:  LAYOVER 7-0.

2.  C10-11-006
    C12-11-016
    Metropolitan Community College (Laid Over from 4/6/11)
    REQUEST:  Preliminary and Final Plat approval of MCC ELKHORN CAMPUS, a subdivision inside the city limits, with rezoning from AG to R6
    LOCATION:  829 North 204th Street
    DISPOSITION:  LAYOVER 4-2.  Laid over for 60 days.
Overlay Districts

3. C11-11-082
   Olsson Associates
   (Laid over from 5/4/11)
   REQUEST: Approval of a PUD-Planned Unit Development Overlay District
   LOCATION: Southeast of Sterling Ridge Drive and Pacific Street

DISPOSITION: APPROVED 7-0.

Rezonings

4. C10-11-050
   Don Gardiner (Laid Over from 4/6/11 and 5/4/11)
   REQUEST: Rezoning from MU to R6
   LOCATION: East and West of North Main Street North of Blondo Street

DISPOSITION: APPROVED 6-1. Approval of the rezoning from MU to R6.

5. C10-09-028
   Arlene J. Cosgrove
   (Laid over from 2/4/09)
   REQUEST: Rezoning from DR and GI to GI (portions of which property lie within the flood fringe and floodway)
   LOCATION: Southwest of 63rd and Arbor Streets

DISPOSITION: APPROVED 7-0. Approval of the rezoning from DR-Development Reserve District and GI-General Industrial District to GI (portions of which property lie within the flood fringe and floodway).

Special Use Permits

6. C8-11-064
   Holy Name Housing Corporation
   (Laid Over from 4/6/11 and 5/4/11)
   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 to address the practicality of a reduction in the amount of the required off-street parking.

Conditional Use Permits

7. C7-11-071
   Tracy Huey
   (Laid Over from 5/4/11)
   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: APPROVED 7-0. Approval of the Conditional Use Permit to allow Restaurant (drive-in or fast food) subject to: 1) Compliance with a revised overall site/landscape plan that provides for: a) A minimum of 90 off-street parking stalls (including 4 handicapped accessible stalls); b) A minimum of 20% pervious coverage; and c) Alteration to the traffic circulation pattern that provides for one-way traffic going north adjacent to the northeastern 13 parking stalls and appropriate markings and signage. 2) Compliance with the proposed building elevation; 3) Compliance with the proposed operating plan; 4) Compliance with all other applicable regulations; 5) Resubmittal and approval of a new building permit for the site revisions and drive-thru (pick-up) window; including submittal of acceptable grading plans; and 6) Application for and approval of a Certificate of Occupancy.
8. C7-11-005
Metropolitan Community College
(Laid Over from 4/6/11)

REQUEST: Approval of a Conditional Use Permit to allow *College and university facilities* in a R6 District, with a waiver of Section 55-226 Height to 70'

LOCATION: 829 North 204th Street

DISPOSITION: LAYOVER 4-2. Laid over for 60 days.

(REGULAR AGENDA)

Annexation

9. C19-11-087
Planning Department on behalf of the City of Omaha

REQUEST: Approval of the 2011 Annexation Package

LOCATION: 1) Glenbrook and Adjacent Areas and Sorensen Parkway (SID 250); 78th Street to 83rd Street, Craig Street to Sorensen Parkway
2) Le Beau West (SID 288); West of 154th Street to West of 153rd Street, Madison to Harrison Streets
3) Pacific Hollow and Adjacent Areas (SID 322); East of 152nd Street to UPRR, South of Hickory Street to Pacific Street
4) Oakbrook Meadows (SID 327); West Papio Creek to 156th Street, Nina Street to South of Howe Street
5) Oakbrook Meadows (2nd Addition) (SID 359); North of Grover Street to Nina Street, West Papio Creek to 156th Street
6) Pacific Meadows 2nd Addition and Adjacent Areas (SID 347); 160th Street to UPRR, West Dodge Road to South of Jones Street
7) Autumn Ridge (SID 354); 168th Street to West of 174th Street, “Q” Street to North of “O” Street
8) Hawthorne (SID 393); 180th Street to West of 174th Street, “Q” Street to South of “L” Street
9) Banyan Hills (SID 388); East of 174th Street to 169th Street, South of Shirley Street to Pacific Street
10) Wynnewood 1st Addition and Adjacent Areas (SID 362); North of Nebraska Avenue to Sorensen Parkway, Wenninghoff Road to 78th Street
11) Miracle Hills Golf Course and Adjacent Area; 120th Street to Papillion Creek, Blondo Street to Miracle Hills Drive

DISPOSITION: APPROVED 7-0. Approval of the 2011 Annexation Package to include: 1) Glenbrook and Adjacent Areas and Sorensen Parkway (SID 250); 78th Street to 83rd Street, Craig Street to Sorensen Parkway; 2) Le Beau West (SID 288); West of 154th Street to West of 153rd Street, Madison to Harrison Streets; 3) Pacific Hollow and Adjacent Areas (SID 322); East of 152nd Street to UPRR, South of Hickory Street to Pacific Street; 4) Oakbrook Meadows (SID 327); West Papio Creek to 156th Street, Nina Street to South of Howe Street; 5) Oakbrook Meadows (2nd Addition) (SID 359); North of Grover Street to Nina Street, West Papio Creek to 156th Street; 6) Pacific Meadows 2nd Addition and Adjacent Areas (SID 347); 160th Street to UPRR, West Dodge
Road to South of Jones Street; 7) Autumn Ridge (SID 354); 168th Street to West of 174th Street, “Q” Street to North of “O” Street; 8) Hawthorne (SID 393); 180th Street to West of 174th Street, “Q” Street to South of “L” Street; 9) Banyan Hills (SID 388); East of 174th Street to 169th Street, South of Shirley Street to Pacific Street; and 10) Wynnewood 1st Addition and Adjacent Areas (SID 362); North of Nebraska Avenue to Sorensen Parkway, Wenninghoff Road to 78th Street.

Master Plan Referrals

10. C3-11-088
Planning Department on behalf of the City of Omaha
REQUEST: Public Property Acquisition
LOCATION: 20229 Hopper Street, 20706 Flavin Street and property north of the northwest corner of the intersection of 204th Street and West Maple Road
DISPOSITION: APPROVED 7-0.

11. C3-11-090
Planning Department on behalf of the City of Omaha
REQUEST: Approval of the NORTH OMAHA VILLAGE REVITALIZATION PLAN
LOCATION: Omaha and 3-mile extraterritorial jurisdiction
DISPOSITION: APPROVED 7-0.

12. C3-11-091
Planning Department on behalf of the City of Omaha
REQUEST: Approval of the 3703 DAVENPORT LLC TIF REDEVELOPMENT PROJECT PLAN
LOCATION: 3703 Davenport Street
DISPOSITION: APPROVED 7-0.

Subdivisions

13. C10-11-092
C12-11-093
St. John's Greek Orthodox Parish of Omaha, Nebraska
REQUEST: Preliminary and Final Plat approval of ST. JOHN'S GREEK ORTHODOX, a subdivision inside the city limits, and approval of an ACI-1(PL) Area of Civic Importance Overlay District
LOCATION: Northwest of 29th Street and St. Mary's Avenue
DISPOSITION: LAYOVER 7-0. Laid over to allow the applicant to address any issues with the PK-Parking Overlay District request.

14. C12-11-094
Lamp, Rynearson & Associates, Inc.
REQUEST: Preliminary and Final Plat approval of UNION PACIFIC PLACE REPLAT 5, a subdivision inside the city limits
LOCATION: Southwest of 12th and Mike Fahey Streets
DISPOSITION: APPROVED 6-0.

15. C12-11-095
Keith B. Edquist
REQUEST: Preliminary Plat approval of NORTHERN HILLS AIRPARK, a subdivision outside the city limits
LOCATION: Northeast of 72nd Street and Bennington Road
DISPOSITION: APPROVED 7-0. Approval of the preliminary plat subject to meeting the following conditions prior to submittal of an application for final plat approval: 1) Providing a right-of-way dedication of 17 feet along 72nd Street (a total of 50 feet from the centerline of 72nd Street); 2) Placing a note on the final plat that states that when 72nd Street is widened, in the future, a median break will only occur at the ¼ and ½ mile and that all other driveways will either become right-
in/right-out only or be closed; 3) Grading 72nd Street to match the future profiles and paving 72nd Street to 3-lanes adjacent to the subdivision; 4) Improving all existing driveways onto 72nd Street to current standards; this includes, but is not limited to, consolidating the driveways on Lots 4 and 5 into a single shared driveway at the common lot line; 5) Removal of the proposed driveway on the lot line between Lots 3 and 4; 6) Relocation of the septic fields out of the area to be dedicated as additional right-of-way, and/or including in the subdivision agreement provisions to hold the city and the county harmless for any damages that may occur in the future to the septic fields if they are not relocated; 7) Providing a letter of approval of the subdivision from the NDEQ; 8) Providing for sidewalks along 72nd Street and Bennington Road as required; 9) Providing for compliance with Chapter 32 Storm Water Management; and 10) Providing a note on the final plat that states that while the property is zoned AV only those uses defined under Aviation facilities will be allowed, including: Landing fields, aircraft parking and service facilities, and related facilities for operation, service, fueling, repair, storage, charter, sales and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

16. C10-11-096  
   C12-11-097  
   Rod Jobman  
   REQUEST: Preliminary Plat and Final Plat approval of JOBMAN ADDITION, a subdivision inside the city limits, with a waiver of Section 53-9(9) sidewalks of the Municipal Code, and rezoning from R4(35) to R4  
   LOCATION: 5110 Spaulding Street  
   DISPOSITION: LAYOVER 7-0. Laid over for 60 days.

17. C10-07-127  
   C12-07-128  
   Herbert L. Freeman  
   REQUEST: Preliminary Plat approval of LEYTHAM, a subdivision outside the city limits, with rezoning from AG to DR, R4 and MU and approval of a NCE-E-Neighborhood Conservation/Enhancement Overlay District  
   LOCATION: Northeast of 168th and State Streets  
   DISPOSITION: APPROVED 7-0. Approval of the rezoning plan to rezone from AG to DR, R4 and MU; approval of the NC (Neighborhood Conservation) overlay subject to the applicant addressing the following: 1) Although this development proposes the use of the Smart Code standards, it is being used in conjunction with the current City mixed use standards. Even if the standard mixed use development agreement format is not being used the same information should be provided, such as the area of land needed to meet the 10 percent minimum office space, the 12 percent maximum fast food, the amount of open space, the number of Center ID signs, and a sign budget. The development agreement and regulations proposed for this development is still under review and some additional information may need to be provided; 2) Elevations need to be provided; 3) The permitted uses within Leytham should be the same as the City’s approved Mixed Use regulations. There are uses listed as permitted by minor amendment. The MU section of the code, Section 55-563 list uses that are permitted or permitted through the use permit process which involves a major amendment; and 4) The Smart Code mentions a CRC, Consolidated Review Committee and the Minor and Major Amendment process. The Law Department will need to review this section to ensure that it fits with the City’s regulations. Approval of the revised preliminary plat subject to the applicant submitting another revised preliminary plat application with, or prior to, submitting the final plat application that addresses the following: 1) Provide for grading both 168th and State Streets for future five-lane roadways and paving them to three-lane sections; 2) Prepare and submit 1:20 scale exhibits of the 165th and State Streets and 168th and Bondesson Streets intersections; 3) Note on the plat that direct access to both 168th and State Streets from adjacent lots will not be permitted; 4) Note on the plat that the 1/8th mile (from the 168th & State Street intersection) connections to both 168th and State Streets will be restricted right-in/right-out vehicular turning movements; 5) Provide noise attenuation easements at least 115’ from each street’s centerline for both 168th and State Streets; 6) Request a waiver of Section 53-8(4) Minimum design standards for lots with no frontage and for lots that do not meet the 100 foot minimum depth requirement; 7) Resolve all street design and construction issues and
waivers prior to the submittal of the final plat application; 8) Provide for constructing temporary
turnarounds at the terminus of all temporarily dead-ended streets; 9) Provide the appropriate
access easements on the outlots for vehicular and pedestrian movement where necessary; 10)
Submit cross-sections of all drainageways along with drainage calculations for a 100-year storm.
Based on this information provide drainage easements greater than or equal to the standard 3:1
plus 20’ or the 100-year storm path, whichever is greater; 11) Adjust the outlots to encapsulate the
ultimate easement areas; 12) Coordinate the alignment and improvements for both the boulevard
and parkway with the Parks and Recreation Department; 13) Obtain approval of parkway and
boulevard acquisition and improvements and the “no build” easement from the Parks and
Recreation Advisory Board before the submittal of the final plat application; 14) Provide the
required “no build” easement on all private property along both boulevards and parkways; 15)
Submit a letter from Douglas County Emergency Management confirming that acceptable
emergency warning is being provided for the area; 16) Submit a letter from Douglas County
Environmental Services that indicates a noxious weed plan has been approved; 17) Prepare and
submit a tree canopy loss analysis and, if necessary, a tree canopy loss mitigation plan; 18)
Prepare and submit a wetlands analyses and, if any wetlands are damaged, a 3:1 mitigation plan;
and 19) Provide for the private use, ownership and maintenance of all outlots in the subdivision
agreement. Since there are so many outlots, an outlot section should be added to the subdivision
agreement.

**Overlay Districts**

18. C10-11-101
William W. Marshall

**REQUEST:** Approval of an MCC-Major Commercial Corridor Overlay District
**LOCATION:** 8820 Arbor Street

**DISPOSITION:** APPROVED 6-0. Approval of the MCC-Major Commercial Corridor Overlay District.

19. C10-11-098
St. John's Greek Orthodox Parish of Omaha, Nebraska

**REQUEST:** Approval of a PK-Parking Overlay District
**LOCATION:** Northwest of 29th Street and St. Mary's Avenue

**DISPOSITION:** LAYOVER 7-0.

**Rezonings**

20. C10-11-099
C11-11-100
Eagles Nest

**REQUEST:** Rezoning from LI to R7 and approval of a PUD-Planned Unit Development Overlay District
**LOCATION:** East of 99th Street, South of Redick Avenue

**DISPOSITION:** LAYOVER 7-0. Laid over to allow additional time for the applicant to meet with the Planning Department to discuss potential development alternatives for the site.

21. C10-11-102
Reeder Family, LLC

**REQUEST:** Rezoning from R3 to R4
**LOCATION:** 13636 Ohio Street and 13641 Miami Street

**DISPOSITION:** APPROVED 7-0. Approval of the rezoning from R3 to R4.

22. C10-11-103
Timothy J. Wurth

**REQUEST:** Rezoning from DR and R4 to DR and R4
**LOCATION:** 2512 South 105th Avenue and 10620 Gold Plaza

**DISPOSITION:** APPROVED 7-0. Approval of the rezoning from DR and R4 to DR and R4.

**Conditional Use Permits**
23. C7-11-104
   REQUEST: Approval of a Conditional Use Permit to allow Pet services in a GI District
   LOCATION: 13706 "C" Street

DISPOSITION: APPROVED 7-0. Approval of the Conditional Use Permit to allow Pet services in a GI District subject to the following conditions: 1) The applicant receiving any necessary license(s) from the State of Nebraska for the boarding of dogs; 2) The applicant removing all barbed-wire from fencing on the property prior to the issuance of a Certificate of Occupancy; 3) Compliance with the proposed site plan; 4) Compliance with the submitted operating statement; 5) Compliance with all other applicable development regulations; and 6) Compliance with the Pet services use type as defined in the Zoning Code as “Retail sales, incidental pet health services, and grooming and boarding, of dogs... and similar small animals customarily used as household pets, when performed totally within a building and with no observable external effects.”

24. C7-10-026
   REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Automotive repair services in a CC District
   LOCATION: 15949 West Center Road

DISPOSITION: APPROVED 6-0. Approval of the Major Amendment to the Conditional Use Permit to allow Automotive repair services in a CC District, subject to: 1) Submittal and compliance with a revised site plan showing the following changes: a) Add 1 tree along the north property line; b) Show the 6’ privacy fence on the plan as previously approved (150 ft along east property line and 178 feet along south property line); and c) Remove the 3 parallel parking stalls. 2) Compliance with all applicable regulations; 3) No outdoor storage including the overnight parking of vehicles is allowed; 4) All signage being in compliance with the MCC regulations, including the removal of the existing pole and ground signs; 5) The trash enclosure must be in compliance with the MCC regulations; 6) No selling of vehicles is allowed; and 7) Parking lot lighting must be in compliance with city code.

25. C7-11-105
   REQUEST: Approval of a Conditional Use Permit to allow Personal improvement services in a LC District
   LOCATION: 8810 Blondo Street

DISPOSITION: APPROVED 7-0. Approval of the Conditional Use Permit to allow Personal improvement services (the existing 2,625 sq. ft.) in the LC District subject to: 1) Compliance with the existing site use and conditions (2,625 sq. ft. General office and 2,625 sq. ft. Personal improvement services and a minimum of 18 required off-street parking stalls); 2) Extending the sidewalk along North 88th Street to connect with the sidewalk to the north of the site at 2010 North 88th Street; 3) Compliance with all other applicable regulations; 4) That the property owner obtains a Certificate of Occupancy for the Personal improvement services use (2,625 sq. ft.); and 5) That any future expansion of the Personal improvement services use or building complies with all of the provisions of the Zoning Ordinance and that the applicant applies for an amendment to the Conditional Use Permit as appropriate.