MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – August 3, 2011
LEGISLATIVE CHAMBER - OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET

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, July 25, 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

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

Mr. Hoich, 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 listed below were voted on concurrently in accordance with the Planning Department’s recommendation report.

No one appeared in opposition.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1. C12-11-095 (D) Keith B. Edquist

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

Ms. Nubel moved to LAY OVER. Laid over as requested by the applicant. Mr. Kelley seconded the motion which carried 7-0.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

2. **C10-11-022 (D) C12-11-023**

   **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

   Ms. Nubel moved to LAY OVER. Laid over for 60 days, as requested by the applicant. Mr. Kelley seconded the motion which carried 7-0.

REGULAR AGENDA)

Master Plan Referrals

9. **C3-11-138 (D)**
   Lanoha Real Estate Company

   **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

   Ms. Nubel moved to LAY OVER. Laid over as requested by the applicant. Mr. Kelley seconded the motion which carried 7-0.

Subdivisions

15. **C12-11-128 (D)**
    Irvington Warehouse, LLC

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

   **LOCATION:** South of 92nd and Fremont Streets

   Ms. Nubel moved to LAY OVER. Laid over to allow the applicant additional time to address the following: 1) The Plat incorrectly labels 90th Street as 91st Plaza and 2) The creek, including the 3:1, plus 20 foot easement needs to be included in an outlot to be owned and maintained by the applicant. Mr. Kelley seconded the motion which carried 6-0 with Mr. Neary abstaining.

Rezonings

19. **C10-11-122 (D)**
    Vicky Stadther
    McDonalds USA LLC

   **REQUEST:** Rezoning from GI-ACI-1(PL) to CC-ACI-1(PL)

   **LOCATION:** 2410 Cuming Street

   Ms. Nubel moved to LAY OVER. Laid over as requested by the applicant. Mr. Kelley seconded the motion which carried 7-0.
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 an LO District

LOCATION: Northeast of 85th Avenue and Cass Street

Ms. Nubel moved to LAY OVER. Laid over as requested by the applicant. Mr. Kelley seconded the motion which carried 7-0.

**Conditional Use Permits**

27. C7-11-134 (D) Fustafa Aden

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

Ms. Nubel moved to LAY OVER. Laid over to allow the applicant time to submit a parking study. Mr. Kelley seconded the motion which carried 7-0.

**REGULAR AGENDA**

**Subdivisions**

13. C10-11-123 (D)

REQUEST: Preliminary and Final Plat approval of TWO FIFTEEN PACIFIC PLACE, a subdivision outside the city limits, with rezoning from AG to R2

LOCATION: Southwest of 214th and Pacific Streets

Ms. Nubel moved to APPROVE. Approval of the rezoning from AG to R2; approval of the Preliminary Plat, subject to submittal of a full-size copy of the plat indicating the location of the property line between proposed Lots 1 and 2 prior to forwarding the request to City Council; and approval of the Final Plat, subject to compliance with the condition of Preliminary Plat approval and submittal of an acceptable subdivision agreement, if necessary, prior to forwarding the Final Plat to City Council. Mr. Deeb seconded the motion which carried 7-0.

14. C12-11-125 (D)

REQUEST: Preliminary and Final Plat approval of DILLON REAL ESTATE 1, a subdivision inside the city limits

LOCATION: Northeast of 33rd and “Q” Streets

Ms. Nubel moved to APPROVE. Approval of the Preliminary Plat subject to the applicant submitting an application to add the MCC Overlay District; and approval of the Final Plat subject to compliance with the condition of Preliminary Plat approval and submittal of an acceptable subdivision agreement, if necessary. Mr. Deeb seconded the motion which carried 7-0.

16. C10-11-132 (D)

REQUEST: Preliminary and Final Plat approval of CORNHUSKER INDUSTRIAL PARK REPLAT 8, a subdivision inside the city limits, with rezoning from GI to GC and approval of an MCC Overlay District

LOCATION: Northeast of 84th and “J” Streets

Ms. Nubel moved to APPROVE. Denial of the rezoning from GI to GC; approval of the MCC Overlay District; approval of the Preliminary Plat subject to: 1) Revising the dedication language on the plat and
2) Removing any language referring to a minimum depth of utilities and assigning responsibility for damages; and approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable subdivision agreement, if necessary, prior to the request being forwarded to City Council. Mr. Deeb seconded the motion which carried 6-0 with Mr. Neary abstaining.

**Overlay Districts**

18. C10-11-119 (D)  
   **REQUEST:** Approval of an MCC-Major Commercial Corridor Overlay District  
   Ms. Nubel moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.

19. C10-11-119 (D)  
   **REQUEST:** Approval of an MCC-Major Commercial Corridor Overlay District  
   McDonalds USA LLC  
   **LOCATION:** 10777 “Q” Street  
   Ms. Nubel moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.

**Rezonings**

21. C10-11-120 (D)  
   **REQUEST:** Rezoning from R4(35) to R5  
   Maureen Shelton Gill  
   **LOCATION:** 6759, 6763, 6767, 6771, 6775, 6801, 6805 and 6809 Blondo Street  
   Ms. Nubel moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.

22. C10-11-136 (D)  
   **REQUEST:** Rezoning from HI-ACI-1(PL) to CBD-ACI-1(PL)  
   Pierson Enterprises  
   **LOCATION:** Southwest of 12th and Nicholas Streets  
   Ms. Nubel moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.

**Vacations**

29. C14-11-118 (D)  
   **REQUEST:** Vacation of a 5,474 square foot portion of 78th Street right-of-way south of West Center Road  
   Ms. Nubel moved to APPROVE. Approval of the proposed vacation, subject to retention of all necessary easements. Mr. Deeb seconded the motion which carried 7-0.

30. C14-11-121 (D)  
   **REQUEST:** Vacation of 156th Street right-of-way from West Center Road south  
   Ms. Nubel moved to APPROVE. Denial of the proposed vacation as submitted. Approval of the proposed vacation with the exception of a portion of land on the west that is 50 feet in width at the north end and 80 feet in width on the south end, subject to retention of all necessary easements and submit an application to subdivide and rezone the property prior to forwarding this request to City Council. Mr. Deeb seconded the motion which carried 7-0.

**Dedications**

31. C16-11-141 (D)  
    **REQUEST:** Dedication of the east 9 feet of the south 433.78 feet of Lot 2, Corrigan OPS Addition  
    Property Owner  
    **LOCATION:** Northwest of 42nd Street and “Y” Street  
    Ms. Nubel moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.
Subdivisions

17. **C10-11-130 - Withdrawn**
   - **REQUEST:** Preliminary Plat approval of WEST MAPLE HILLS, a subdivision outside the city limits, with rezoning from AG to DR and R8
   - **LOCATION:** 18404 West Maple Road

Withdrawn at the request of the applicant.

Special Use Permits

24. **C8-11-127 - Withdrawn**
   - **REQUEST:** Approval of a Special Use Permit to allow Automotive sales in a GC District
   - **LOCATION:** 4831 North 90th Street

Withdrawn at the request of the applicant.

Rezonings

3. **C10-11-099**
   - **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

Doug Halvorson, Olsson Associates, 2211 South 67th Street, appeared before the board on behalf of the applicant. Mr. Halvorson stated the proposed Eagles Nest Worship Center is relocating from the Sorensen Parkway area with the new location consisting of 25 acres. The church is expanding tremendously with a vision for a new Worship Center which will be Phase I. Phase II will be a gymnasmium, elementary school with a connected assisted living facility and a sports field. The proposed location is ideal due to the visibility and the access to the interstate. Mr. Halvorson indicated that he agrees with most of the comments and will continue to work with the Planning Department and Public Works. The most difficult issue will be the request for an easement that connects to Wal-Mart. Mr. Halvorson offered to answer any questions.

Chad Weaver, Assistant Planning Director, Planning Department, confirmed the need for an access easement from the north property line (between Lots 5 and 6) that extends to the 99th Street access. He stated that according to Public Works the access is useful and necessary and there needs to be more common access provided especially as the ground to the east develops. Mr. Weaver stated that the department recommends approval subject to the four items listed on the recommendation report.

Mr. Neary questioned if there is a shortage of industrial zoned ground and if this is an appropriate use for industrial zoned ground according to the Master Plan. Mr. Weaver answered that the intersection allows for this type of use on the underlying industrial Master Plan. In this case, with the presence of Wal-Mart there will most likely not be any industrial users.

Mr. Neary asked if the ground has been purchased and is the financing in place for the project. Pastor James Hart, 16 Marina Court, Carter Lake, Iowa, answered that the land has not yet been purchased but is contingent upon all of the approvals but the financing is in place.

Lillie Knudsen, 9812 Military Road, appeared before the board in opposition. Ms. Knudsen questioned why the church would need so many acres and why the church is moving. Mr. Hart answered that the present location is being leased and is not available for purchase. He indicated that the church has outgrown its present facility with a total of 1,200 parishioners. Mr. Hart stated the ultimate plan is to build a gymnasmium, community center, elementary school and senior living facility with adequate parking.

Mr. Kelley moved to APPROVE. Approval of the rezoning from LI to R7; approval of the PUD subject to:
1) Submittal of an acceptable modified traffic study and development agreement providing for all required improvements prior to forwarding the request to City Council for final action; 2) All site/landscape plans
and building elevations being amended to comply with all applicable regulations prior to being forwarded
to City Council for final action; 3) Submitting a revised phasing schedule that eliminates references to
items that do not comply with all applicable regulations; and 4) The public access easement from the
north property line (between Lot 5 and 6) needs to be extended so that it connects to the driveway on the
west side of the development. Mr. Rosenbaum seconded the motion which carried 7-0.

Special Use Permits

4. C8-11-114  REQUEST: Approval of a Special Use Permit to allow
Bear Properties
(Laid Over from 7/6/11) Restaurant (drive-in or fast food) in a
CBD/ACI-1(PL) District
LOCATION: 1203 Mike Fahey Street

Dennis Hogan, Regency Center, appeared before the board on behalf of the applicant. Mr. Hogan
indicated the request is to allow the operation of a restaurant, Zesto’s, with additional retail space. He
stated he and his client is not opposed to the conditions for approval.

Chad Weaver, Assistant Planning Director, Planning Department, stated that the department
recommends approval subject to the three items listed on the recommendation report.

Mr. Nesbitt moved to APPROVE. Approval of a Special Use Permit to allow Restaurant (drive-in or fast
food) in a CBD-Central Business District, subject to: 1) Screening the transformer adjacent to 12th Street
per Section 55-927; 2) Providing 5 feet of perimeter landscaping along the property line adjacent to the
railroad right-of-way; and 3) Providing for a no net increase in stormwater runoff and treating the first ½"
of stormwater for water quality. Ms. Nubel seconded the motion which carried 6-0 with Mr. Kelley
abstaining.

(REGULAR AGENDA)

Master Plan Referrals

5. C3-11-137  REQUEST: Approval of a Chapter 55 amendment
Planning Department on behalf of regarding temporary signs (55-823, 55-825)
the City of Omaha LOCATION: Omaha and 3-mile extraterritorial zoning
jurisdiction

Chad Weaver, Assistant Planning Director, Planning Department, stated the request represents an
amendment to a code that was written several years ago. This is an effort to provide flexibility for the use
of temporary signs pursuant to regulations from the existing code and amendments to this code with
regard to fees and applications. The department recommends approval.

Mr. Nesbitt moved to APPROVE. Mr. Kelley seconded the motion which carried 7-0.

6. C3-11-146  REQUEST: Approval of a Chapter 55 amendment
Planning Department on behalf of regarding the MCC Corridor Overlay District
the City of Omaha LOCATION: Omaha and 3-mile extraterritorial zoning
jurisdiction

Chad Weaver, Assistant Planning Director, Planning Department, stated the request is a housekeeping
measure. There are references in other parts of the code that will be changed with regard to an ACI
reference. The department recommends approval.

Mr. Rosenbaum moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.
REQUEST: Approval of the PROSPECT VILLAGE NEIGHBORHOOD REDEVELOPMENT PLAN

LOCATION: Generally, Parker Street on the north, Hamilton Street on the south, 30th Street on the east and 36th Street on the west

Jim Anderson, City Planning Department, appeared before the board to present the request. Mr. Anderson stated the redevelopment project is located in North Omaha between Hamilton Street and Lake Street and 30th to 36th Street but excludes the northeast quadrant. The proposed area has many vacant lots, which reflects the economic and fiscal decline that is likely to continue if unchecked. The redevelopment plan proposes the construction of 80 single-family homes on the vacant lots to reverse the decline of which 40 homes will be direct home ownership and 40 will be a rent to own approach to housing development. There will be the necessity to use eminent domain for the redevelopment effort. Redevelopment has started due to the efforts of the ABC Group, a coalition of affordable housing developers that have constructed 21 other homes in the area. With the assistance of the ABC Group and Empowerment Network, the neighborhood participation portion of the redevelopment plan went very well and continues through discussions with neighborhood residents. In addition, this is the first redevelopment plan proposed following the approval of the North Omaha Village Revitalization Plan. Mr. Anderson offered to answer any questions.

Mr. Kelley questioned the authorization of eminent domain. Mr. Anderson answered that every redevelopment plan includes the language of eminent domain and is overwhelmingly used in cases to clear up titles for willing sellers but is occasionally used for less than willing sellers.

Willie Barney, Empowerment Network, 2221 North 24th Street, appeared before the board in support of the request. Mr. Barney stated the proposed area was identified four years ago by working with the neighborhood residents and identifying concerns, which included the number of vacant lots and the need for redevelopment.

Michael Maroney, President, Omaha Economic Development and Alliance Building Communities (ABC), 2221 North 24th Street, appeared before the board in support of the request. Mr. Maroney stated that there is a goal to build at least 100 new homes in the next five years to help stabilize and revitalize the community.

Chad Weaver, Assistant Planning Director, Planning Department, stated that the department recommends approval.

Ms. Nubel questioned how the neighborhood got involved. Mr. Anderson answered that it has been a long-term involvement with Empowerment Network but invitations were also sent out regarding a neighborhood meeting to discuss the redevelopment effort. Ms. Nubel questioned how the proposed project dovetails with the North Omaha Village Revitalization Plan that was recently approved. Mr. Anderson stated the plan identifies certain nodes for development into a mixed-use center/village and for that to be successful, the plan also identifies the need for infill housing in the surrounding areas.

Mr. Neary moved to APPROVE. Ms. Nubel seconded the motion which carried 6-1 with Mr. Kelley dissenting.

Mr. Kelley indicated that he voted in favor of the North Omaha Village Revitalization Plan but he cannot support a plan that authorizes the taking of land against peoples will for the use of private development.
8. C3-11-126
Planning Department on behalf of the City of Omaha
REQUEST: Approval of the 2012-2017 Capital Improvement Program
LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction

Chad Weaver, Assistant Planning Director, Planning Department, stated new and existing projects were identified and compared with the amount of money through bonding and projected future bonds. The CIP list was submitted by the department and approved by the Mayor’s committee. The department recommends approval.

Mr. Neary moved to APPROVE. Mr. Deeb seconded the motion which carried 7-0.

10. C3-11-142
Planning Department on behalf of the City of Omaha
REQUEST: Approval of Property Acquisition
LOCATION: West of 60th Street and South of Interstate 80

Dennis Bryers, City Planner, City of Omaha, Parks & Recreation Department, presented the request. Mr. Bryers stated the request is to approve the purchase of two tracts of land owned by Union Pacific for the construction of a trail that will connect the Keystone Trail on the west side to the Field Club Trail on the east side. Construction will begin in the summer of 2012.

Chad Weaver, Assistant Planning Director, Planning Department, stated the department recommends approval.

Mr. Nesbitt moved to APPROVE. Ms. Nubel seconded the motion which carried 7-0.

11. C3-11-143
Planning Department on behalf of the City of Omaha
REQUEST: Approval of the PARK AVENUE DEVELOPMENT, LLC TIF PROJECT REDEVELOPMENT PLAN
LOCATION: 628, 710, 712, 804, 806, and 846 Park Avenue; 709 and 713 South 13th Streets; 2934 Leavenworth Street

Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated the proposed plan would be a Tax Increment Financing (TIF) project. She stated that the plan proposes a total rehab of eight properties to include 137 market rate apartments with significant on street parking improvements as well as improvements to the Leavenworth Street corridor.

Chad Weaver, Assistant Planning Director, Planning Department, stated the department recommends approval.

Mr. Nesbitt asked for an overview regarding the benefits of TIF for the city and the community. Ms. Hadley stated that since the 1980’s there have been 67 TIF projects that have been completed and paid off. TIF is tremendously beneficial and represents an increase of 734% in valuation or approximately $341 million that came back onto the tax rolls as a result of TIF. The total valuation of TIF projects as of May 2011 was $464 million for an increase of $123 million for an added valuation to the tax base. TIF projects are needed for areas that need to be revitalized and redeveloped by bringing in mixes of uses, products, services and housing to an area.

Mr. Deeb moved to APPROVE. Mr. Nesbitt seconded the motion which carried 7-0.
12. C3-11-144
Planning Department on behalf of the City of Omaha

REQUEST: Approval of the LOFTS at 14th, LLC TIF PROJECT REDEVELOPMENT PLAN

LOCATION: 802 South 14th Street

Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated the proposed plan would be a Tax Increment Financing (TIF) project with new construction of 42 market rate apartments. She stated that a market study demonstrates that there is a strong need for market rate apartments in the downtown area. The proposed project will be a mix of one and two bedrooms and studios, parking and will include improvements along Leavenworth Street between 14th and 15th Streets.

Chad Weaver, Assistant Planning Director, Planning Department, stated the department recommends approval.

Mr. Deeb moved to APPROVE. Mr. Nesbitt seconded the motion which carried 7-0.

Rezonings

20. C10-92-239
The Dillon Stores

REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Lakeside Plaza (Lakeside Hills)

LOCATION: 17310 Lakeside Hills Plaza

Rob Hartman, 303 South Topeka, Wichita, Kansas, appeared before the board on behalf of the applicant, The Dillon Stores who are the owners of Baker’s Grocery Store. Mr. Hartman stated he is in agreement of the staff recommendations for items #2 and #3 but objects to item #1 that requires a sidewalk along the west and south side of the project. The fuel center is part of the Dillon’s chain that provides a five-island gas station outlet with a small kiosk that has an attendant to make change. Mr. Hartman stated he feels the sidewalks would be unnecessary because the fuel center is mainly vehicular traffic and does not get a lot of pedestrian traffic. In addition, the mixed-use development is 12 years old with landscaped islands throughout the development and mature existing landscaping. If sidewalks were to be added, the landscape would need to be removed or build a wider median, which would move the project to the east and eliminate more parking spaces. Sidewalks already connect the existing buildings on the outside of the development. Mr. Hartman offered to answer any questions.

Chad Weaver, Assistant Planning Director, Planning Department, stated that the mixed-use plan done in recent history, as far back as five or six years, has been crafted differently. The loop access road looks more like an actual street with far fewer breaks for searching the parking lot. There have been a lot of other improvements for pedestrian access. This is an older center and was designed for vehicles only. He stated the design cannot all of the ills of the center in one fell swoop but he stated the department feels very strongly that to have pedestrian accessibility into the center is critical. As with other regular lots, the mixed-use zoning is brought up to code as much as possible as development changes. Mr. Weaver stated the department would be willing to work with the applicant with regard to different design scenarios between now and Council. Recommends approval subject to the three items on the recommendation report.

Mr. Deeb moved to APPROVE. Approval of the Major Amendment to the Legacy Mixed Use Agreement subject to: 1) A site plan that shows the required 8 foot curbside landscaping and 5 foot sidewalk; 2) Planting trees in the new islands located at the end of the parking aisles on the north side of the gas station; and 3) Submittal of acceptable Mixed Use Development Agreement amendment. Mr. Neary seconded the motion which carried 7-0.
Special Use Permits

25. C8-11-129 (D)  Lehn Land LLC
REQUEST: Approval of a Special Use Permit to allow Convenience storage in a CC District
LOCATION: 20120 Veterans Drive

Steve Perry, Olmsted & Perry Consulting Engineers, Inc., 10730 Pacific Street, appeared before the board on behalf of the applicant. Mr. Perry requested a layover to revise the site plan.

Mr. Nesbitt moved to LAY OVER. Laid over to allow the applicant time to submit a revised site plan and additional information. Mr. Neary seconded the motion which carried 7-0.

Conditional Use Permits

26. C7-09-083  Covenant Presbyterian Church
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R4 District
LOCATION: 15002 Blondo Street

Kenneth Hahn, Kenneth Hahn Architects, 1343 South 75th Street, appeared before the board on behalf of the applicant. Mr. Hahn offered to answer any questions.

Ms. Nubel moved to APPROVE. Approval of the Major Amendment to the Conditional Use Permit to allow Religious assembly in a R4-Single Family Residential (High Density) District subject to: 1) Submittal and compliance of a revised site plan that adds berm screening to the northwest and south of the parking lot and moves the proposed berm screening on the east and north portions of the property closer to the parking lot; 2) Submittal and compliance of an updated operating statement; and 3) Compliance with all other applicable regulations. Mr. Deeb seconded the motion which carried 7-0.

28. C7-11-135  America First Real Estate Group
REQUEST: Approval of a Conditional Use Permit to allow Multiple-family residential in a GO District
LOCATION: 819 Dorcas Street

Tom McLeay, America First Real Estate Group, 1004 Farnam Street, Suite 400, appeared before the board on behalf of the applicant and Grace University. Mr. McLeay stated that America First Real Estate Group would be the developer for the project in conjunction with Grace University, the owner of the property. The existing building is six stories and has been unoccupied and vacant for approximately 10-15 years. The Veterans Administration and Grace University would occupy the first and second floors of the building with the second floor retained by Grace University for offices for professors as well as classrooms for the students. The first floor would be utilized for the Veterans Administration’s needed flexibility as well as outreach for veterans in the community. The third through sixth floors would be utilized for multi-family residential for veterans usage to include 46 one bedrooms and 32 studios. The hope is to provide veterans with good clean affordable housing as well as access to the veteran’s services on the first floor. Grace University has offered to provide services to the residing veterans as well as potentially discounted tuition to the university. Mr. McLeay stated that he and Grace University has spoke to several neighbors and neighborhood associations.

Michael James, Executive Vice President, Grace University, 1311 South 9th Street, appeared before the board. The building was previously the former St. Joseph Mental Hospital and was purchased by Hobby Lobby and then donated to Grace University in 2002 but since 2005 the entire building has been completely vacant. The redevelopment of the building will allow Grace University to have the ability to maintain the graduate programs (Masters in Clinical Counseling and Masters in Christian Ministry) and a counseling center. This plan will allow the further expansion of the mission for Grace University and the VA that works well for both organizations with a multi-million dollar investment to the community.

Mr. McLeay stated the footprint of the building will not change but the scope of the project is a complete rehabilitation of the interior of the building including all new electrical, plumbing, windows, etc. The projected budget for the building is $15,000,000. Mr. McLeay offered to answer any questions.
Arnold Breslow, Old Market Homeowner Association, appeared before the board in favor of the request. Mr. Breslow indicated that his organization is very supportive of the project for the neighborhood.

Carol Prokop, 2403 South 8th Street, appeared before the board in opposition. Ms. Prokop questioned how the project was being funded and if the housing will be strictly for veterans. She indicated she is concerned with parking issues, who the residents of the apartments will be and how they will be screened. Mr. McLeay answered that the financing will come from a number of different sources as well as private financing and affordable tax credits for the program. The Veterans Administration and Grace University will be leasing space. In terms of residents, the goal of the building being built will be designed and inhabited by veterans. In addition, there will be over 250 parking spots on the site.

Mr. Nesbitt asked Mr. McLeay to verify the occupancy of the building. Mr. McLeay answered that everything will be done to screen good applicants including criminal background checks. Mr. Nesbitt questioned if every attempt will be made to fill the 78 apartments with veterans. Mr. McLeay answered that every effort will be made to lease 100% of the units to veterans. Mr. James confirmed that if he were concerned about the quality of the individuals in the building, he would not put the students of Grace University within the building. Veterans will be in the building to the extent that the law allows.

Linda Twomey, Department of Veteran Affairs, 4101 Woolworth Avenue, appeared before the board. Ms. Twomey confirmed that a) the space would be leased; and b) there are 167,000 veterans in the VA Nebraska/western Iowa area therefore there should not be a problem to fill the building with veterans. The only veterans that will be eligible for residency are veterans eligible for medical care, which means that an honorable discharge from the military is a requirement.

Chad Weaver, Assistant Planning Director, Planning Department, stated the department recommends approval subject to the four conditions listed on the recommendation report.

Mr. Deeb moved to APPROVE. Approval of a Conditional Use Permit to allow Multiple-family residential in a GO-General Office District subject to: 1) Providing seven (7) handicapped parking stalls on the site; 2) Compliance with the proposed site plan; 3) Compliance with the proposed operating statement; and 4) Compliance with all other applicable rules and regulations. Mr. Nesbitt seconded the motion which carried 7-0.

APPROVAL OF MINUTES

Mr. Neary moved to APPROVE the meeting minutes of July 6, 2011 as written. Mr. Kelley seconded the motion which carried 7-0.

ADJOURNMENT

Mr. Neary moved to ADJOURN the meeting at 3:15 pm. Ms. Nubel seconded the motion which carried 7-0.

Date Approved

_________________________________________

John Hoich, Chair

Debbie Hightower, Planning Board
Recording Secretary