PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, October 2, 2013, 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 2, 2013.

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

MEMBERS NOT PRESENT: Thomas O. Kelley
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 23, 2013.

ADMINISTRATIVE MEETING ONLY

Subdivisions

| 1. | C10-13-119 C12-13-120 Pacific Windgate, LLC | REQUEST: Final Plat approval of WINDGATE RANCH II (formerly known as WINDGATE (Lot 97-363, O.L. E-O), a subdivision outside the city limits, with rezoning from AG to DR and R4 (laid over from 9/4/13) |
| LOCATION: West of 204th Street, north and south of Blue Sage Parkway |

DISPOSITION: LAYOVER 5-0. Layover for the final plat 60 days (30 if they're ready) to allow the applicant additional time to submit a wetland analysis and mitigation plan if necessary.
2. **C10-05-144**  
   **C12-05-145**  
   AVG-CFM 204Q, LLC  
   **REQUEST:** Final Plat approval of COVENTRY RIDGE, a subdivision outside the city limits, with rezoning from AG, R6 and MU to DR and R4  
   **LOCATION:** Northwest of 204th and Harrison Streets

**DISPOSITION:** APPROVED 5-0. Approval of the rezoning from AG, R6 and MU to DR and R4. Approval of the Final Plat subject to submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council for final action.

3. **C10-13-152**  
   **C12-13-153**  
   Essex Communities  
   **REQUEST:** Final Plat of COTTAGES OF OAKDALE, a cluster subdivision inside the city limits, with rezoning from R6 to R5 and repeal a PUD-Planned Unit Development Overlay District  
   **LOCATION:** 9515 West Center Road

**DISPOSITION:** APPROVED 5-0. Approval of the Final Plat subject to 1) Working with the Public Works Department regarding the turnarounds at the end of the private driveways, 2) Resubmittal of the Final Plat if lots are reconfigured, and 3) Submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council for final action.

4. **C10-13-155**  
   **C12-13-156**  
   Charleston Homes, LLC  
   **REQUEST:** Final Plat approval of ARBOR VIEW (Lot 1-127, O.L. A-D), a subdivision outside the city limits, with rezoning from AG to DR and R4  
   **LOCATION:** Northwest of 204th Street and Ames Avenue

**DISPOSITION:** APPROVED 5-0. Approval of the Final Plat subject to the following being addressed prior to forwarding the request to the City Council for final action: 1) Submittal of a letter from the Omaha Post Office Customer Relations Coordinator that establishes delivery points for the development; 2) Update the mylars to label the untitled street east of 205th Street as “204th Avenue” and the untitled street west of 208th Street as “208th Avenue; 3) Submittal of a tree canopy analysis and mitigation plan, if necessary; and 4) Submittal of an acceptable final subdivision agreement.

**PUBLIC HEARING AND ADMINISTRATIVE MEETING**

**(HOLD OVER CASES)**

**Subdivisions**

5. **C10-13-150**  
   **C12-13-151**  
   American National Bank  
   **REQUEST:** Preliminary Plat of AMERICAN NATIONAL BANK SADDLE CREEK, a subdivision inside the city limits, with rezoning from GI to GO (property is also located within an ACI-2-(PL) Overlay District) (laid over from 8/7/13)  
   **LOCATION:** 520 and 600 South Saddle Creek Road

**DISPOSITION:** LAYOVER 5-0. Layover the Preliminary Plat and rezoning 60 days (30 if they’re ready) to allow the applicant time to continue working with the adjacent property owner and city staff regarding access off of Saddle Creek Road and the Emile Street right-of-way dedication.
### 6. C10-13-178
C12-13-179
DP Metro Capital

**REQUEST:** Preliminary Plat approval of GROVE RIDGE (formerly 192ND AND LEAVENWORTH), a subdivision outside the city limits, with rezoning from AG to DR and R6 (laid over from 9/4/13)

**LOCATION:** Northeast of 192nd and Leavenworth Streets

**DISPOSITION:** APPROVED 4-1. Approval of the rezoning from AG to DR and R6, subject to a PUD being approved concurrently. Approval of the Preliminary Plat subject to the following conditions: 1) Submittal of a revised preliminary plat application with the first phase Final Plat application, if necessary, 2) Dedication and improvement of a 50 foot right-of-way section to connect from the ½ mile point of 192nd Street to 190th Street with Phase II, 3) Coordinating with the Planning Department and Public Works Department regarding the final location of the on-street parking, design of the on-street parking areas and providing for private maintenance of the parking areas in the subdivision agreement, 4) Providing for traffic calming on all streets in excess of 1,000 feet, 5) Including the permanent easement along 192nd Street at the outlet of a culvert on the Final Plat, 6) Compliance with all applicable stormwater management ordinances and policies is required; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality, 7) Submittal of a wetland analysis prior to submittal of an application for revised preliminary and/or final plat and submittal of a wetland mitigation plan, if required, with an application for revised Preliminary and/or Final Plat, 8) Including provisions for use, ownership and maintenance of the outlet in the subdivision agreement, 9) Submitting a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area, 10) Submitting a letter of approval of a Noxious Weed Plan from Douglas County, and 11) An acceptable debt ratio of 4% or less.

### 7. C10-13-188 (D)
C12-13-189
Bill and Jean Pullen

**REQUEST:** Preliminary and Final Plat approval of PULLEN PLACE, a subdivision inside the city limits, with a waiver of Section 53-9(9) for sidewalks, with rezoning from R1 to R2 (laid over from 9/4/13)

**LOCATION:** 2102 South 105th Street

**DISPOSITION:** LAYOVER 5-0. Layover the rezoning, Preliminary and Final Plat to allow the applicant additional time to meet with the adjacent homeowners.

### Overlay Districts

### 8. C11-13-177
DP Metro Capital

**REQUEST:** Approval of a Planned Unit Development Overlay District (laid over from 9/4/13)

**LOCATION:** Northeast of 192nd and Leavenworth Streets

**DISPOSITION:** APPROVED 5-0. Approval of the PUD subject to submittal of final site and landscaping plans that accurately show all of the sidewalks rather than sidewalk “line work”.

### Special Use Permits

### 9. C8-13-165 (D)
Tawanna Washington

**REQUEST:** Approval of a Special Use Permit to allow Automotive sales in a GC/CC District

**LOCATION:** 3117 and 3207 North 30th Street

**DISPOSITION:** LAYOVER 5-0. Layover the Special Use Permit to allow Automotive sales in a GC District to allow the applicant time to meet with city staff regarding the submittal.
10. C8-13-146 Maria Torres

REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Body and fender repair in a GC District (the site is also located within an NCE-C-Neighborhood Conservation/Enhancement District)

LOCATION: 2540 South 10th Street

DISPOSITION: APPROVED 4-0. Approval of the Major Amendment to the Special Use Permit to allow Body and fender repair subject to the following conditions being met prior to forwarding the request to the City Council: 1) Submittal of a site and/or landscape plan that provides 5 foot perimeter landscaping along South 10th Street and Bancroft Avenue, 2) Providing for 1 tree every 50 feet within the landscaping strip, 3) Closing the northern most driveway access, 4) Restriping the parking lot to provide customer parking and providing 2 handicapped accessible parking spaces in compliance with Section 55-740 OMC, 5) Removing the northern most pole sign along South 10th Street, 6) Painting the garage doors, 7) Removing the 3 parking stalls located south of the building that back onto Bancroft Avenue, 8) The body and fender repair use is limited to this user only, 9) The applicant obtaining a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department for the body and fender repair business, 10) Compliance with the proposed operating statement, and 11) Compliance with all applicable development regulations.

(REGULAR AGENDA)

Master Plan Referral

11. C3-13-206 Planning Department on behalf of the City of Omaha

REQUEST: Approval of the 2014 Action Plan

LOCATION: Omaha and 3-mile extraterritorial zoning jurisdiction

DISPOSITION: APPROVED 4-0.

Subdivisions

12. C10-13-194a (D) C12-13-194 Ready Mix Concrete Company, a Division of Lyman Richey Corporation

REQUEST: Preliminary and Final Plat approval of READY MIXED RAILROAD ADDITION, a subdivision inside the city limits with rezoning from GI and HI to GI (portions of which property lie within the flood fringe)

LOCATION: 4765 South 135th Street

DISPOSITION: APPROVED 5-0. Approval of the rezoning from GI and HI to GI (portions of the property lie within the flood fringe). Approval of the Preliminary Plat subject to: 1) The applicant receiving approval of a waiver of Section 55-506 for lot width from the Zoning Board of Appeals prior to forwarding the request to the City Council for final action, 2) Providing for a sidewalk along “L” Street for both lots, and 3) Compliance with all applicable stormwater management policies and ordinances. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and subject to submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the request to the City Council for final action.
13.  C12-13-195 (D)  
John Perlebach  
REQUEST:  Preliminary and Final Plat approval of BUCKY'S BENSON ADDITION, a minor plat inside the city limits  
LOCATION:  Northwest of 57th Street and Northwest Radial Highway

**DISPOSITION: APPROVED 5-0.** Approval of the Preliminary Plat subject to the language on the Final Plat stating “Any driveway access granted to Northwest Radial shall be limited to a single right-in/right-out only driveway.” Approval of the Final Plat as amended by the condition of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the request to the City Council for final action.

14.  C10-13-197 (D)  
C12-13-198  
Mark Mitchell  
REQUEST:  Preliminary and Final Plat approval of INTRANSIT 2ND ADDITION, a minor plat inside the city limits with approval of an MCC-Major Commercial Corridor Overlay District  
LOCATION:  Northwest of 52nd and “L” Streets

**DISPOSITION: APPROVED 5-0.** Approval of the MCC Overlay District. Approval of the Preliminary Plat subject to: 1) Providing sidewalks along all street frontages, 2) Adding a note to the final plat mylars that there shall be no direct vehicular access to “L” Street from Lot 4, and 3) Compliance with all applicable stormwater management policies and ordinances. 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 forwarding the request to the City Council.

15.  C12-13-207 (D)  
Jerome Goeken  
REQUEST:  Preliminary and Final Plat approval of GOEKEN ADDITION, a minor plat outside the city limits  
LOCATION:  14210 North 47th Street

**DISPOSITION: LAYOVER 5-0.** Layover the Preliminary and Final Plat to allow the applicant time address the following: 1) Modify the submittal in order to comply with all applicable regulations; or 1) Provide written approval from the NDEQ/Douglas County in regards to acceptable existing and future septic systems, 2) Provide documentation that addresses tree removal/mitigation and slope analysis with grading plans/restrictions to indicate whether a Special Use Permit is needed, 3) Provide an as-built exhibit, 4) Revise the plat to include the location of building envelopes and driveways, 5) Revise the plat to reflect all existing and proposed easements, and 6) Revise the application to include a waiver of sidewalks (if desired).

**Rezonings**

16.  C10-13-196 (D)  
Scott W. White  
REQUEST:  Rezoning from GC to R4  
LOCATION:  1707 Monroe Street

**DISPOSITION: APPROVED 5-0.**

17.  C10-13-199 (D)  
Peter Parkert  
REQUEST:  Rezoning from GI to NBD (property is also located within an ACI-1(50) Overlay District  
LOCATION:  1231 South 13th Street

**DISPOSITION: APPROVED 5-0.**
<table>
<thead>
<tr>
<th></th>
<th>C10-13-200 (D)</th>
<th>REQUEST:</th>
<th>Rezoning from HI to R5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>James Richart</td>
<td>LOCATION:</td>
<td>2540 “Z” Street</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 5-0. Approval of the rezoning from HI to R5 subject to the applicant bringing the site into compliance with the site development regulations of the R5 District (e.g. use and impervious coverage) prior to forwarding the request to the City Council for final action.

<table>
<thead>
<tr>
<th></th>
<th>C10-13-201 (D)</th>
<th>REQUEST:</th>
<th>Rezoning from R3 to R4</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Legend Development</td>
<td>LOCATION:</td>
<td>13619 and 13625 Ohio Street</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 5-0.

<table>
<thead>
<tr>
<th></th>
<th>C10-02-203</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Mixed Use District Development Agreement for West Village Pointe</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Madonna Rehabilitation Hospital</td>
<td>LOCATION:</td>
<td>Northwest of 175th Plaza and Burke Street</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 5-0. Approval of the Major Amendment to the West Village Pointe Mixed Use District Development Agreement to allow *Hospital (general)* subject to submittal of an acceptable final Mixed Use District Development Agreement prior to forwarding the request to the City Council for final action and: 1) Address the Army Corp. of Engineer’s easement that blocks access onto Chicago Street and 175th Plaza, 2) Submittal to Public Works of an updated traffic study, 3) An updated mixed use development agreement with the correct signature page and updated language clarify what pedestrian connections are to be eliminated through Outlot C, 4) An updated Exhibit B indicating the correct plaza calculations, sidewalk widths (5’), and bermed/landscaped areas in the legend, and 5) An updated Exhibit B addressing the 10’ paved trail along 180th Street.

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<thead>
<tr>
<th></th>
<th>C10-02-260</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Mixed Use District Development Agreement for Tivoli</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bert Hancock</td>
<td>LOCATION:</td>
<td>Northwest of 175th Street and West Center Road</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 4-0. Approval of the Major Amendment to the Tivoli Mixed Use District Development Agreement to allow *Multiple family residential* subject to: 1) Addressing Public Works comments that the proposed driveways must include a median and lane widths to match the existing street section across Gold/Arbor Plaza and that each of the driveways must intersect the street at a 90 degree angle, and 2) Submittal of an acceptable final mixed use development agreement.

**Special Use Permits**

<table>
<thead>
<tr>
<th></th>
<th>C8-13-202 (D)</th>
<th>REQUEST:</th>
<th>Approval of a Special Use Permit to allow <em>Indoor sports and recreation</em> in a GI District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>D.R. Anderson Constructors Company</td>
<td>LOCATION:</td>
<td>7417 North 101st Street</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 5-0. Approval of the Special Use Permit to allow *Indoor sports and recreation* in a GI District subject to the following conditions: 1) Compliance with the proposed site plan, 2) Compliance with the proposed operating statement, 3) The applicant obtaining a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department, 4) Ensure that the parking lot lighting is in compliance with Chapter 44 OMC, and 5) Compliance with all applicable development regulations.
### Conditional Use Permits

<table>
<thead>
<tr>
<th>#</th>
<th>Conditional Use Permit Number</th>
<th>REQUEST</th>
<th>DESCRIPTION</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>23.</td>
<td>C7-13-203 C10-98-129 SBA Communications Corporation</td>
<td>Approval of a Special Use Permit to allow a Broadcast tower in a GI District with a waiver of Section 55-506 Height to 124 feet and approval of a Major Amendment to a MD Overlay District Development Agreement (property is also located within an MD Overlay District)</td>
<td>5933 South 118th Circle</td>
<td></td>
</tr>
<tr>
<td>24.</td>
<td>C7-12-159 Pacific West Properties, L.P.</td>
<td>Approval of a Major Amendment to a Conditional Use Permit to allow Multiple-family residential in a CC District</td>
<td>14121 Pierce Plaza</td>
<td></td>
</tr>
</tbody>
</table>

**DISPOSITION:** LAYOVER 5-0. Layover the Conditional Use Permit and Major Amendment to a Major Development Overlay District Development Agreement for 30 days to allow the applicant time to submit additional information to the Planning Department.

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<tr>
<td>25.</td>
<td>C14-13-204 (D) Planning Board</td>
<td>Vacation of the northwest corner of Regency Parkway at Pacific Street</td>
<td></td>
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</tr>
<tr>
<td>26.</td>
<td>C14-13-205 (D) Property Owner</td>
<td>Vacation of 4th Street from Abbott Drive south to the south right-of-way line of Kansas Avenue</td>
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**DISPOSITION:** APPROVED 5-0. Approval of the proposed vacation, subject to all easements being retained in the vacating ordinance.

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**Vacations**

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**MINUTES TO BE APPROVED:** August 7, 2013

If alternative (tape) to the agenda is needed, please advise the Board Secretary at (402) 444-5204. A 72-hour advance notice is required.