This document states the disposition of cases before the Planning Board at their Public Hearing and Administrative meeting held on November 6, 2013.

MEMBERS PRESENT:  R. J. Neary, Chair
                  Anna Nubel, Vice Chair
                  John Hoich
                  Van C. Deeb
                  Thomas O. Kelley
                  Arnold Nesbitt
                  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, October 28, 2013.

ADMINISTRATIVE MEETING ONLY

Subdivisions

| REQUEST: Final Plat approval of WATERFORD VILLAGE, a subdivision outside the city limits, with rezoning from AG to DR and MU, and approval of a Mixed Use Development District Development Agreement |
| LOCATION: Northwest of 144th and Ida Streets |

DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to DR and MU, subject to the following conditions and submittal of an updated Mixed Use Development Agreement prior to forwarding to City Council: 1) Submittal of an acceptable Mixed Use District Development Agreement with the elimination of pole sign language in the Signage section and in the Sign Table chart along with an updated sign table indicating a maximum 12’ height for monument signs and updated lot exhibits, 2) The Mixed Use Development Agreement must contain language stating
that Urban Design Article XXII applies to this agreement, and 3) The applicant must show that the proposed trail does not terminate into a dead end on the west side of the site. Approval of the Final Plat subject to the following conditions and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council: 1) 145th Street sidewalks and parking must be in the ROW, 2) Providing for sidewalks along all right-of-way frontages, 3) Providing for improvement of the existing 2-lane section of Ida Street (from west of 146th Avenue to the subdivision frontage) to a 3-lane section, 4) Ida Street improvements shall account for the proximity of the existing trail on the south side of Ida St. which crosses the box culvert west of 146th Avenue. Coordinate with Douglas County on the improvements necessary (curb and gutter, etc.), 5) Providing for use, ownership, and maintenance of the outlot in the subdivision agreement, and 6) Coordinating the proposed site grades along the southern and eastern boundaries of the platting, adjacent to Ida and 144th Streets with the future improvement of these roadways.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

2. C10-13-188
   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, and rezoning from R1 to R2 (laid over from 10/2/13 and 9/4/13)
   LOCATION: 2102 South 105th Street

DISPOSITION: APPROVED 5-2. Approval of the rezoning from R1 to R2 and approval of the Preliminary Plat, subject to the applicant waiving the right to protest a future sidewalk improvement district. Approval of the Final Plat, subject to the condition of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council. DENIAL 5-2. Denial of the waiver of Section 53-9(9) for Sidewalks.

Special Use Permits

3. C8-13-165 (D)
   Tawanna Washington
   REQUEST: Approval of a Special Use Permit to allow Automotive sales in a GC District (laid over from 10/2/13 and 9/4/13)
   LOCATION: 3101 and 3113 North 30th Street

DISPOSITION: APPROVED 7-0. Approval of a Special Use Permit in a GC District, subject to the following conditions: 1) Removal of all existing barbed wire located on site prior to forwarding the request to the City Council, 2) The applicant receiving a Certificate of Occupancy from the Permits Division of the Planning Department for the new Automotive sales use, 3) Compliance with the revised site and landscape plan, and 4) Compliance with all other applicable regulations.
Conditional Use Permits

4. **C7-13-203 (D)**
   - C10-98-129
   - SBA Communications Corporation

**REQUEST:** Approval of a Conditional 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) (laid over from 10/2/13)

**LOCATION:** 5933 South 118th Circle

**DISPOSITION:** APPROVED 7-0. Approval of the Conditional Use Permit to allow a Broadcast tower in a GI District with a waiver of Section 55-506 Height to 104 feet subject to: 1) Compliance with an amended site plan that includes no barbed wire on top of the fencing, 2) Compliance with an amended landscaping plan that extends the landscaping along the south side of the lease area, 3) Compliance with an amended elevation that includes a tower no taller than 104 feet, 4) Obtaining FAA approval prior to application for a building permit, 5) Compliance with all other applicable rules and regulations, 6) Providing a governmental access statement, 7) Submittal of an annual report that describes the location and operating characteristics of all broadcast towers within the City and its extraterritorial jurisdiction. Approval of the Major Amendment to the MD-Major Development Overlay District.

(REGENER AGENDA)

Master Plan Referral

5. **C3-13-217**
   - Planning Department on behalf of the City of Omaha

**REQUEST:** Approval of the 9TH & JONES TIF REDEVELOPMENT PROJECT PLAN

**LOCATION:** 901 Jones Street and 716 South 9th Street

**DISPOSITION:** APPROVED 6-0-1. Approval.

Subdivisions

6. **C12-13-209**
   - AOBJ, LLC

**REQUEST:** Preliminary and Final Plat approval of COUNTRY CLUB ESTATES, a minor plat inside the city limits, with a waiver of Section 53-9(9) for Sidewalks

**LOCATION:** Southwest of 66th and State Streets

**DISPOSITION:** APPROVED 7-0. Approval of the waiver of Section 53-9(9), sidewalks. Approval of the preliminary plat subject to: 1) Placing a note on the final plat mylars stating that there shall be no direct vehicular access to State Street from Lots 1 or 3, 2) Showing the location of the existing and potential backup lateral fields on the final plat mylars, 3) Placing the building envelopes and driveway areas on the final plat, 4) Submittal of an acceptable tree canopy loss analysis, and mitigation plan, if required, 5) Compliance with all applicable stormwater management regulations, 6) Providing a letter of approval from the Douglas County Health Department and the Nebraska Department of Environmental Quality (NDEQ) for the existing and/or future septic systems. LAYOVER 7-0. Layover of the final plat in order for the applicant to address the conditions of the preliminary plat approval.
7. C10-13-210  
C12-13-211  
Rod and Kelly Jeck  
REQUEST: Preliminary and Final Plat approval of SKYLINE OAKS III, a minor plat inside the city limits, with a waiver of Section 53-9(9) for Sidewalks, and rezoning from R1 to R1 and R2  
LOCATION: Northwest of Hillandale Road and Skyline Drive

**DISPOSITION:** APPROVED 7-0. Approval of the rezoning from R1 to R1 and R2 and Approval of the waiver of Section 53-9(9) Sidewalks, subject to the applicant waiving the right to protest any future sidewalk improvement district. Approval of the preliminary plat, subject to: 1) Working with the Public Works Department to include provisions in the subdivision agreement regarding the existing encroachments in the street right-of-way, 2) Provide a dedication of right-of-way for the existing Skyline Drive street improvements currently located within Lot 2, 3) The applicant providing a note on the plat that states that if 25% or more of existing tree canopy (mature woodlands) on proposed Lot 2 is to be removed to allow for construction of a new single family home 2:1 mitigation on site will be provided, and 4) Compliance with all applicable stormwater management ordinances and policies. Approval of the final plat, subject to compliance with the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement.

8. C10-13-212  
C12-13-213  
Cinder Block Enterprises, Inc.  
REQUEST: Preliminary and Final Plat of LATOUR, a minor plat inside the city limits, with rezoning from DS to CBD (property is also located within an ACI-1(PL) Overlay District)  
LOCATION: 1915 Jackson Street

**DISPOSITION:** LAYOVER 7-0. Layover at the request of the applicant to allow further discussion with the Public Works Department on closing the northern driveway access onto 19th Street.

9. C12-13-214 (D)  
James and Shirley Ortman  
REQUEST: Preliminary and Final Plat approval of ORTMAN’S SECOND, a minor plat outside the city limits, with a waiver of Section 53-9(9) for Sidewalks  
LOCATION: 3204 Ponca Road

**DISPOSITION:** APPROVED 7-0. Approve the waiver of Section 53-9(9), sidewalks and Approval of the preliminary plat subject to: 1) A note being placed on the final plat that Lot 1 will be required to comply with all provisions of the ED-North Hills Environmental Resources Overlay District, 2) Showing the location of the existing and potential backup lateral fields on the final plat mylars, and 3) Providing a letter of approval from the Douglas County Health Department and the Nebraska Department of Environmental Quality (NDEQ) for the existing and/or future septic systems. Approval of the final plat as amended by the conditions of preliminary plat approval and subject to the submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding this request to the City Council.

**Rezonings**

10. C10-89-168 (D)  
Validus Group, LLC  
REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Oak View  
LOCATION: 3405 Oak View Drive

**DISPOSITION:** APPROVED 7-0. Approval of the Major Amendment to the Oak View Mixed Use District Development Agreement for Lot 20, Oak View, to allow *Indoor sports and recreation*
subject to submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action that includes: 1) An updated and notarized signature page, and 2) A landscape exhibit or language stating that the parking lot islands will be landscaped.

| 11. | C10-13-224 (D) | REQUEST: Approval of a rezoning from R4(35) to R5 | LOCATION: 5612 and 5614 Charles Street |
|     | Suzanna Fields | | |

DISPOSITION: APPROVED 7-0. Approval of the rezoning from R4(35) to R5.

Special Use Permits

| 12. | C8-13-215 | REQUEST: Approval of a Special Use Permit to allow Scrap and salvage services in a GI District | LOCATION: 1520 Read Street |
|     | NBG Enterprises | | |

DISPOSITION: APPROVED 6-0-1. Approval of a Special Use Permit to allow Scrap and salvage services in a GI District subject to: 1) Submittal of a revised site plan that adequately addresses the number of required off-street parking stalls and clearly delineates areas to be paved for drive aisles prior to forwarding the request to the City Council, 2) Compliance with the revised site plan, 3) Compliance with the submitted operating statement, 4) The applicant receiving a Certificate of Occupancy from the Permits Division of the Planning Department, 5) Compliance with Sections 30-81 through 30-110 of the Omaha Municipal Code, and 6) Compliance with all other applicable regulations.

| 13. | C8-13-216 (D) | REQUEST: Approval of a Major Amendment to a Special Use Permit (assumed) to allow a Recreational club in a R4 District with a waiver of Section 55-186 Height to 40 feet | LOCATION: 2811 North 45th Street |
|     | Girls, Inc. | | |

DISPOSITION: APPROVED 7-0. Approval of the Major Amendment to the Special Use Permit to allow a Recreational club in a R4 District with a waiver of Section 55-186 Height to 40 feet subject to: 1) Subject to providing the necessary right-of-way dedications, 2) Construction of nodes into 45th Street at Corby and Maple Streets in compliance with applicable design standards, 3) Approval of the required Zoning Board of Appeals waivers, 4) All public improvements being constructed to City standards, 5) Compliance with a site plan as amended by conditions 1, 2, 3 and 4, 6) Submittal of an acceptable compliant landscape plan, 7) Compliance with the operating statement, and 8) Compliance with all other applicable rules and regulations.

Conditional Use Permits

| 14. | C7-13-221 (D) | REQUEST: Approval of a Conditional Use Permit to allow Warehousing and distribution (limited) in a CC District | LOCATION: 11005 West Maple Road |
|     | Tidblom Enterprises, LLC | | |

DISPOSITION: APPROVED 7-0. Approval of a Conditional Use Permit to allow Warehousing and distribution (limited) in a CC District subject to: 1) Compliance with the proposed site plan, 2) Compliance with the operating statement, and 3) Compliance with all applicable regulations.
### 15. C7-13-222 (D)
Karen Street Baptist Church

**REQUEST:** Approval of a Major Amendment to a Conditional Use Permit (assumed) to allow Religious assembly in a R4(35) District

**LOCATION:** 6109 Karen Street

**DISPOSITION:** APPROVED 7-0. Approval of the Major Amendment to a Conditional Use Permit to allow Religious Assembly in a R4(35) district subject to the applicant: 1) Obtaining the necessary waivers from the Zoning Board of Appeals for deficiencies in the impervious surface, front yard setback for the addition, perimeter landscaping around parking areas and parking in the front yard setback for nonresidential use in a residential district, 2) Submittal of an acceptable building elevation plan for the proposed building addition, 3) Submittal of an operating statement including the use of the proposed building addition, 4) Submittal of a landscape plan in conformance with Section 55-740 and 55-715, 5) Compliance with the submitted site plan, 6) Compliance with all applicable ordinances and regulations, and 7) The applicant obtaining all necessary permits.

### Vacations

#### 16. C14-13-219 (D)
Property Owner

**REQUEST:** Vacation of the east/west alley between William Street and Woolworth Avenue from 66th Street to the east of the west right-of-way line of the north/south alley

**DISPOSITION:** APPROVED 7-0. Approval of the vacation subject to any necessary easements being retained.

#### 17. C14-13-220 (D)
Property Owner

**REQUEST:** Vacation of a segment of the east/west alley north of "N" Street and east of 131st Street

**DISPOSITION:** APPROVED 7-0. Approval of the vacation subject to any necessary easements being retained.

**MINUTES TO BE APPROVED:** September 4, 2013.

If alternative (tape) to the agenda is needed, please advise the Board Secretary at (402) 444-5150 x.2060. A 72-hour advance notice is required.