PLANNING BOARD AGENDA

Public Hearing and Administrative Meeting
Wednesday, March 6, 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 March 6, 2013.

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

MEMBERS NOT PRESENT:  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, February 25, 2013.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1.  C10-12-237  C12-12-238
    Legacy Primary, LLC

    REQUEST: Final Plat approval of CAMP LEGACY PLACE, a subdivision outside the city limits, with rezoning from AG to DR

    LOCATION: Southeast of 168th and Ida Streets

    DISPOSITION: APPROVED 6-0. Approval of the Final Plat subject to submittal of an acceptable final subdivision agreement before forwarding the request to the City Council for final action.

2.  C10-12-235  C12-12-236
    Chicks and Bricks, LLC

    REQUEST: Final Plat approval of BLUEBARN HILL, a subdivision inside the city limits, with rezoning from HI to CBD (said property is also located within the ACI-1(PL) and NCE Overlay Districts)

    LOCATION: Southwest of 10th and Pacific Streets

    DISPOSITION: APPROVED 6-0. Approval of the Final Plat subject to submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>C10-13-033</td>
<td>Preliminary Plat approval of SOUTHPONTE ESTATES, a subdivision outside the city limits, with rezoning from AG to DR and R4</td>
<td>Southeast of 211th and Pacific Streets</td>
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<td>C12-13-034 Mike Kahre/PAC 211, LLC</td>
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**DISPOSITION:** APPROVED 4-1. Approval of the Preliminary Plat subject to the following being addressed with or prior to submittal of a Final Plat: 1) Including provisions in the subdivision agreement for the grade coordination and widening of Pacific Street to 3 lanes adjacent to the subdivision; 2) Submittal of a paving plan that provides for the paving of all stub streets to the property line and includes the appropriate temporary turnarounds; 3) Providing a noise attenuation easement on Lot 48 that measures 115 feet from the centerline of Pacific Street; 4) Including provisions in the subdivision agreement for sidewalks along Pacific Street along with sidewalks along both sides of all internal streets; 5) Providing 12’ sidewalk chamfers on all corner lots; 6) Including the 3:1 + 20’ or the 100-year storm within Outlot A: 7) Including the north detention area within an outlot; 8) Including provisions within the subdivision agreement for compliance with all applicable stormwater management ordinances and policies; 9) Including provisions for use, ownership and maintenance of the outlots in the subdivision agreement and as a note on the Final Plat; 10) Providing a letter of approval from Douglas County regarding emergency warning and noxious weed control; 11) Including the area to the south of the surface drainage easement in Lot 11 in Outlot A; 12) Placing the footprints of the buildable area on the Final Plat for Lot 1 through 12; 13) An acceptable debt ratio of 4% or less; 14) Providing sufficient screening, landscaping and buffering in the outlot to the Planning Department’s satisfaction; and 15) Addressing any other ancillary issues that are identified by the Planning Department as a result of the revised site plan.

Special Use Permits

<table>
<thead>
<tr>
<th>Case</th>
<th>Request</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>C8-13-029 John Jeanetta</td>
<td>Approval of a Special Use Permit to allow Large group living in a R7 District, with Reasonable Accommodation</td>
<td>4842 Sprague Street</td>
</tr>
</tbody>
</table>

**DISPOSITION:** APPROVED 5-0. Approval of the Special Use Permit to allow *Large group living* in an R7 District, with Reasonable Accommodation subject to: 1) Receiving a waiver from the Zoning Board of Appeals for the total number of off-street parking stalls and for parking within the front yard setback prior to issuance of the Special Use Permit or any building permits for the site; 2) Providing two on-site handicapped-accessible parking stalls; 3) Submittal of a subdivision that replats the property into one lot; 4) Providing a permanent sidewalk and utility easement for the proposed sidewalk along Sprague Street; 5) Providing a minimum distance of 25 feet between the property line and the entrance gate to the parking lot, if one is installed; 6) Compliance with the submitted site plan; 7) Compliance with the updated operating statement; 8) Compliance with the submitted Reasonable Accommodation application; and 9) Compliance with all other applicable regulations.
(REGULAR AGENDA)

Master Plan Referrals

<table>
<thead>
<tr>
<th></th>
<th>Requestor</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
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<tbody>
<tr>
<td>5</td>
<td>C3-13-045</td>
<td>Approval of the Omaha’s Historic Boulevard Master Plan</td>
<td>Omaha and 3-mile extraterritorial jurisdiction</td>
</tr>
<tr>
<td>6</td>
<td>C3-13-047</td>
<td>Approval of the NORTH OMAHA SENIOR COTTAGES - PHASE II TIF REDEVELOPMENT PROJECT PLAN</td>
<td>5315 St. Richards Plaza</td>
</tr>
<tr>
<td>7</td>
<td>C3-13-061</td>
<td>Approval of an amendment to Chapter 55 regarding interior parking lot landscaping</td>
<td>Omaha and 3-mile extraterritorial jurisdiction</td>
</tr>
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DISPOSITION: APPROVED 5-0.

Subdivisions

<table>
<thead>
<tr>
<th></th>
<th>Requestor</th>
<th>REQUEST:</th>
<th>LOCATION:</th>
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<tbody>
<tr>
<td>8</td>
<td>C12-13-043 (D) Jason Protiva</td>
<td>Preliminary and Final Plat approval of DINGO ACRES, a subdivision outside the city limits</td>
<td>10703 and 10707 North 72” Street</td>
</tr>
<tr>
<td>9</td>
<td>C12-13-049 (D) SS Glenn, LLC</td>
<td>Preliminary and Final Plat approval of BRANDO, a minor plat inside the city limits</td>
<td>Southwest of 29” Street and Dewey Avenue</td>
</tr>
<tr>
<td>10</td>
<td>C10-13-050a (D) C12-13-050 Alan Frost</td>
<td>Preliminary and Final Plat approval of FROST’S HILLTOP, a minor plat outside the city limits, with rezoning from AG to DR</td>
<td>10425 Rainwood Road</td>
</tr>
</tbody>
</table>

DISPOSITION: APPROVED 6-0. Approval of the Preliminary Plat subject to: 1) Obtaining NDEQ approval of backup on-site wastewater treatment systems for proposed Lot 2; the location of such backup system will need to be shown on the Final Plat; 2) Placement of a note on the Final Plat indicating that any future activities on the site will comply with the North Hills Environmental Overlay District regulations of the Omaha Municipal Code; and 3) Placement of building envelopes for both proposed lots on the Final Plat. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council.

DISPOSITION: APPROVED 6-0. Approval of the Preliminary Plat subject to: 1) Dedication of adequate right-of-way; 2) Providing an acceptable sidewalk and utility easement along Dewey Avenue; 3) The applicant providing for all on-street parking modifications; and 4) Compliance with all applicable stormwater management policies and ordinances. Approval of the Final Plat, subject to compliance with all conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement before forwarding the request to the City Council for final action.

DISPOSITION: APPROVED 6-0. Approval of the rezoning from AG to DR. Approval of the Preliminary Plat subject to: 1) Complying with the previously approved condition for the waiver of hard surfacing requirements for a residential driveway; and 2) Placement of a note on the Final
Plat that indicates no additional subdivisions will be allowed on the subject property unless it is a fully developed plat with right-of-way improvements and higher lot densities. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council.

| 11. | C10-13-051  
C12-13-052  
Edward Rose Development Company | REQUEST: | Preliminary and Final Plat approval of NDOR INDUSTRIAL, a minor plat inside and outside the city limits, with rezoning from CC and LI to LI | LOCATION: | 2829 North 204th Street |

DISPOSITION: APPROVED 5-0. Approval of the rezoning from CC and LI to LI. Approval of the Preliminary Plat, subject to adding a note to the Final Plat that indicates Lot 1 shall have no direct vehicular access to 204th Street. 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.

| 12. | C10-08-258 (D)  
C12-08-259  
Jerry Palmer | REQUEST: | Revised Preliminary Plat approval of GINGER CREEK (Lot 4 through 35 and Outlot “A”, a subdivision outside the city limits, with rezoning from DR to DR, R4 and R6 (portions of which property lie within the flood fringe and floodway) | LOCATION: | Southwest of 163rd and Pinkney Streets |

DISPOSITION: APPROVED 6-0. Approval of the rezoning from DR to DR, R4 and R6. Approval of the Preliminary Plat subject to: 1) The applicant making a contribution toward the future bridge that will be constructed to the west; 2) Size Outlot A to accommodate either the 3:1 + 50’ section, or the 100-year storm flow (whichever is greater); 3) Connecting Street #3 to 163rd Street; 4) Providing the street connection from Pinkney St. to 165th St., with a minimum pavement thickness of 8”; 5) For the two streets which terminate adjacent to Lot 6 and to Lot 26, pave the streets to the property line and providing a temporary turnaround; 6) Installation and operation of sediment and erosion control measures prior to grading; 7) Providing a post-construction stormwater management plan and maintenance agreement; 8) Providing a 10 foot wide concrete trail within a 40 foot wide trail easement along the east side of the creek; 9) Approval of the park, trail and parkway improvements and expenses approved by the Park and Recreation Advisory Board; 10) Noting in the subdivision agreement that any outlots will be privately owned and maintained; 11) Providing a letter of approval of a Noxious Weed Plan from Douglas County at the time Final Plat application is submitted; 12) An overall debt ratio under 4%; 13) Providing an updated subdivision agreement with correct park fees; and 14) Providing a Preliminary Plat with updated dates.

| 13. | C10-13-053 (D)  
C12-13-054  
Jasper Stone Development | REQUEST: | Preliminary Plat approval of GATEWAY PARK, a subdivision inside and outside the city limits, with rezoning from AG to R6 and MU, and approval of a Mixed Use District Development Agreement | LOCATION: | Southwest of 192nd Street and West Dodge Road |

DISPOSITION: LAYOVER 6-0. Layover the request for rezoning from AG to R6 and MU. Layover the Mixed Use District Development Agreement to allow the applicant time to revise the plan by accounting for the additional adjacent 18 acres proposed for future office/commercial that is not under same ownership and excluding the area west of the creek in the MU zoning. Layover the Preliminary Plat to allow the applicant time to conduct a traffic impact study and provide for all improvements identified in the final approved study and address all access and right-of-way provisions discussed in this report.
14. C10-13-055 (D)  
C12-13-056  
Edgewater Investments, LLC  

**REQUEST:**  
Preliminary Plat approval of EDGEWATER, a cluster subdivision outside the city limits, with a waiver of Section 53-8(2)(b) for cul-de-sac length and Section 53-9(9) for sidewalks, and rezoning from AG to DR  

**LOCATION:**  
Northeast of 228th Street and Edgewater Road  

**DISPOSITION:** LAYOVER 6-0. Layover of the Preliminary Plat in order for the applicant to submit a revised Preliminary Plat that meets the base zoning site development regulations of the AG zoning district (Section 55-87) or the AG cluster subdivision regulations per Section 55-88(b), Section 55-784 and Section 53 of the Omaha Municipal Code. Both scenarios will need to account for a 50’ right-of-way dedication along 230th Street and north of the centerline along of Edgewater Road and providing a 10 foot concrete trail in a 40 foot easement along the east side of 230th Street.

15. C10-13-057  
C12-13-058  
Austin Realty Co.  

**REQUEST:**  
Preliminary Plat approval of VILLAS OF OMAHA AT BUTLER RIDGE, a subdivision outside the city limits, with rezoning from R6 to DR and R6  

**LOCATION:**  
Northwest of 156th Street and Butler Avenue  

**DISPOSITION:** APPROVED 5-0. Approval of the rezoning from DR and R6 to DR and R6. Approval of the Preliminary Plat subject to the following being addressed with the Final Plat and/or final subdivision agreement: 1) A note on the Final Plat indicating that direct vehicular access will not be allowed to 156th Street from Lot 2 or Outlot “A”; 2) Provide for a deceleration lane for the southbound traffic on 156th Street at Butler Avenue; 3) Provide for the improvement of 156th Street to a three-lane section between Taylor Street and Grand Avenue. The applicant and other involved parties will need to enter into an Interlocal Agreement with Douglas County for the widening of this right-of-way; 4) Provide the standard right-of-way vacation language on the plat; 5) Provide a 115 foot noise attenuation easement from the centerline of 156th Street on proposed Lot 2; 6) Submittal of storm sewer design computations and final plans to Douglas County for review that relate to the handling of roadway and site drainage along the development boundary adjacent to 156th Street; 7) Sidewalks need to be provided along all public streets; 8) Coordinating the proposed grades along the eastern boundary of the plat with the future improvement of 156th Street; 9) Submit cross section information for review that shows the relationship of the proposed site grading to the existing and future 156th Street improvements; 10) Provide a Post Construction Stormwater Management Plan that includes treatment for the first ½ inch of stormwater for water quality and providing for a no-net increase in stormwater runoff must be completed for the proposed project; 11) Include provisions in the subdivision agreement for Watershed Management Fees, in addition to all other applicable fees; 12) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement and on the Final Plat; 13) Provide a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area; 14) Provide a letter of approval from Douglas County Environmental Services for the Noxious Weed Plan; and 15) Provide a letter from the Omaha Post Office Customer Relations Coordinator that establishes delivery points for the development.

**Overlay Districts**

16. C11-13-059  
Austin Realty Co.  

**REQUEST:**  
Approval of a Planned Unit Development Overlay District  

**LOCATION:**  
Northwest of 156th Street and Butler Avenue
DISPOSITION: LAYOVER 5-0. Lay over the request to allow the applicant additional time to submit materials and a revised site plan that is in compliance with all applicable site development regulations and specifically indicates the location of proposed handicapped-accessible parking stalls, provides for effective interior pedestrian circulation, detailed specifics about all retaining walls, acceptable final building elevations sufficient to indicate building height and materials that are consistent with all submitted plans and details/clarification as to what amenities are proposed to be installed on Outlot “C,” as indicated in the submitted Operating and Use Statement.

Rezonings

<table>
<thead>
<tr>
<th>17.</th>
<th>C10-13-046 (D) Charles Grimes</th>
<th>REQUEST:</th>
<th>Rezoning from R3 to R5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>510 and 512 South 55th Street</td>
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DISPOSITION: APPROVED 6-0. Approval of the rezoning from R3 to R5.

<table>
<thead>
<tr>
<th>18.</th>
<th>C10-04-237 (D) KDI Omaha, L.P.</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Mixed Use District Development Agreement for Sorensen Park Plaza</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>LOCATION:</td>
<td>Northwest of 72nd Street and Crown Point Avenue</td>
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DISPOSITION: APPROVED 6-0. Approval of the Major Amendment to the Sorensen Park Plaza Mixed Use District Development Agreement to allow up to 12% of the development’s land for restaurants (drive-in or fast food) subject to submittal of an acceptable final mixed use district development agreement amendment that includes the following prior to forwarding the request to the City Council for final action: 1) An updated site plan providing shade trees at intervals of not more than 35’ on center within the 10’perimeter parking on internal streets and the 15’ perimeter landscaping along 72nd Street per 55-928(3)(f) OMC; 2) A full size 24x36” Exhibit B; and 3) Five acceptable, original, signed mixed use development agreements.

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<thead>
<tr>
<th>19.</th>
<th>C10-00-040 Design Associates, Inc.</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Mixed Use District Development Agreement for Grayhawk</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>Southeast of 147th and Spencer Streets</td>
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</table>

DISPOSITION: APPROVED 5-0. Approval of the Major Amendment to the Grayhawk Mixed Use District Development Agreement to allow Convenience storage and Warehousing and distribution (limited) subject to submittal of an acceptable final development agreement amendment prior to forwarding the request to the City Council for final action.

Special Use Permits

<table>
<thead>
<tr>
<th>20.</th>
<th>C8-13-048 (D) AMD Auto Plaza</th>
<th>REQUEST:</th>
<th>Approval of a Special Use Permit to allow Automotive sales in a CC District</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>5825 North 90th Street</td>
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</tbody>
</table>

DISPOSITION: APPROVED 6-0. Approval subject to the following conditions: 1) Submittal of revised site plan designating the vehicle display area prior to forwarding this request to the City Council; 2) Compliance with the revised site plan; 3) Compliance with the operating statement; 4) Compliance with all applicable regulations; and 5) No more than 10 vehicles can be displayed.

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<thead>
<tr>
<th>21.</th>
<th>C8-94-174 (D) Douglas County School District 0001</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Special Use Permit to allow Outdoor sports and recreation in a DR District</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>2110 “O” Street</td>
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</tbody>
</table>


DISPOSITION: APPROVED 6-0. Approval of the Major Amendment to a Special Use Permit to allow Outdoor Sports and Recreation in a DR district, subject to: 1) Compliance with site plan and operating statement; 2) Approval of the necessary waivers from the Zoning Board of Appeals; 3) Lighting in compliance with applicable regulations; and 4) Compliance with all other applicable regulations.

22. C8-13-051a (D) NDOR
REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Maintenance and service facilities in a LI District
LOCATION: 2829 North 204th Street

DISPOSITION: APPROVED 6-0. Approval of the Major Amendment to the presumed Special Use Permit.

Conditional Use Permits

23. C7-96-105 (D) Dial-Cambridge, L.P.
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Multiple family residential in a LC District
LOCATION: East of 168th Street between Burke Street and West Dodge Road

DISPOSITION: LAYOVER 6-0. Laid over at the request of the applicant.

Vacations

24. C14-13-041 (D) Planning Board
REQUEST: Vacation of the north/south alley between 18th Street and Florence Boulevard from Charles to Clark Streets

DISPOSITION: APPROVED 6-0. Approval of the vacation subject to the retention of any necessary easements.

25. C14-13-060 Planning Board
REQUEST: Vacation of 113th Avenue from Bel Air Drive, north to the terminus of the dead end street

DISPOSITION: APPROVED 4-1. Approval of the vacation subject to: 1) The retention of any necessary easements; and 2) Additional notice to be given to any adjoining property owners by Public Works.

Request to Reconsider

26. C8-12-129 Central States
REQUEST: Reconsider approval of a Special Use Permit to allow a Broadcast tower in a GC District
LOCATION: 3509 Center Street

After discussion the Planning Board decided not to reconsider this case.