**MINUTES**
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – February 6, 2013
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, January 28, 2013.

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

**MEMBERS NOT PRESENT:** None

**STAFF PRESENT:**
- Rick E. Cunningham, Planning Director
- Chad Weaver, Assistant Director, Current Planning
- Dave Fanslau, Manager, Current Planning
- Cheri Rockwell, Current Planning
- Alan Thelen, Law Department
- Debbie Hightower, Recording Secretary
- Rikki Flott, Recording Secretary

Mr. Neary, 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.

**(REGULAR AGENDA)**

**Subdivisions**

| 14. | C12-13-036 (D) C8-13-035 E & A Consulting Group, Inc. | REQUEST: Preliminary and Final Plat approval of PFEIFER ADDITION REPLAT 1, a subdivision outside the city limits, with a waiver of Section 53-9(9) Sidewalks of the Municipal Code and approval of a Special Use Permit to allow development in the North Hills Environmental Overlay District | LOCATION: 13412 North 47th Street |

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved for approval of the Special Use Permit to allow development in the North Hills Environmental Resources Overlay District; approval of the waiver of Section 53-9(9) Sidewalks of the Municipal Code; and approval of the Preliminary Plat...
subject to: 1) Coordinating and adjusting the proposed driveway grades with the Douglas County Engineer’s office; 2) Placing the building envelope and driveway area on the Final Plat; and 3) Submittal of an acceptable final subdivision agreement, if necessary. Approval of the Final Plat subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if required. Mr. Hoich seconded the motion which carried 7-0.

**Rezonings**

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<thead>
<tr>
<th>No.</th>
<th>Property Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
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<tbody>
<tr>
<td>15.</td>
<td>C10-13-037 (D)</td>
<td>Rezoning from DS to CBD (said property is also located within the ACI-1(PL)-Area of Civic Importance Overlay District)</td>
<td>701 South 24th Street</td>
</tr>
<tr>
<td>16.</td>
<td>C10-13-017 (D)</td>
<td>Rezoning from R4(35) to R5</td>
<td>5613 and 5615 Seward Street</td>
</tr>
<tr>
<td>17.</td>
<td>C10-13-018 (D)</td>
<td>Rezoning from R4(35) to R5</td>
<td>1409 and 1413 North 60th Street</td>
</tr>
<tr>
<td>21.</td>
<td>C10-06-054 (D)</td>
<td>Approval of a Major Amendment to a Mixed Use District Development Agreement for Pacific Street West</td>
<td>Southeast of 204th and Pacific Streets</td>
</tr>
</tbody>
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At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved for approval. Mr. Hoich seconded the motion which carried 7-0.

**Special Use Permits**

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<tr>
<th>No.</th>
<th>Property Number</th>
<th>REQUEST</th>
<th>LOCATION</th>
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<tbody>
<tr>
<td>23.</td>
<td>C8-13-027 (D)</td>
<td>Approval of a Special Use Permit to allow General office in a R7-PUD District</td>
<td>4318 Fort Street</td>
</tr>
</tbody>
</table>
At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved for approval of the Special Use Permit to allow General Office in a R7-PUD District subject to the following: 1) Compliance with the proposed operating statement and building elevations; 2) Obtaining all necessary permits; and 3) Compliance with all applicable development regulations. Mr. Hoich seconded the motion which carried 7-0.

| 24. | C8-13-028 (D) Holy Name Housing | REQUEST: Approval of a Special Use Permit to allow General Office in a R7-PUD District | LOCATION: 4320 Fort Street |

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved for approval of the Special Use Permit to allow General Office in a R7-PUD District subject to the following: 1) Compliance with the proposed operating statement and building elevations; 2) Obtaining all necessary permits; and 3) Compliance with all applicable development regulations. Mr. Hoich seconded the motion which carried 7-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

| 2. | C10-11-006 (D) C12-11-016 Metropolitan Community College | 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 |

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved to layover the request. Mr. Hoich seconded the motion which carried 7-0.

Conditional Use Permits

| 4. | C7-11-005 (D) Metropolitan Community College | 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 |

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved to layover the request. Mr. Hoich seconded the motion which carried 7-0.

(REGULAR AGENDA)

| 19. | C10-13-025 (D) Ames Plaza, LLC | REQUEST: Rezoning from R3 to R5 | LOCATION: Approximately 5800 Fowler Avenue |

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved to layover the request the request to allow the applicant additional time to submit additional site, landscape plan and elevation information. Mr. Hoich seconded the motion which carried 7-0.
At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved to layover the rezoning request so that the applicant can submit an application for a minor subdivision plat and both cases can be acted upon concurrently. Mr. Hoich seconded the motion which carried 7-0.

At the Planning Board meeting held on February 6, 2013, Mr. Kelley moved to layover the Special Use Permit to allow **Large group living** in a R7 District to allow the applicant time to provide additional information and all of the necessary requirements outlined in Section 55-763(c)(3), address parking issues that are non-compliant with the Zoning Code and submit a subdivision of the property to 1 lot that adequately addresses the proposed parking within Sprague Street right-of-way. Mr. Hoich seconded the motion which carried 7-0.

**ADMINISTRATIVE MEETING ONLY**

**Subdivisions**

1. **C10-12-200**  
   C12-12-201  
   AZ 21, LLC  
   **REQUEST:** Final Plat approval of WINDGATE RANCH, a subdivision outside the city limits, with rezoning from AG to DR, R3 and R4  
   **LOCATION:** South of Pacific Street at 208th Street

At the Planning Board meeting held on February 6, 2013, Chad Weaver, Assistant Planning Director, stated that the department recommends approval of the final plat subject to submittal of an acceptable final subdivision agreement and addressing the four items on the recommendation report prior to forwarding the request to City Council.

Mr. Hoich moved for approval of the Final Plat subject to submittal of an acceptable final subdivision agreement and addressing the following prior to forwarding the request to City Council for final action: 1) Expanding the limits of Outlot A to include the full extent of the drainageway; 2) Amending the configuration of Outlot B so that it has at least 20 feet of frontage on a public right-of-way; 3) Amending the Final Plat so that sidewalk chamfers on corner lots are 12’ (or, more precisely, 12.02’, resulting from 8.5’ X 8.5’ triangles); and 4) Adding a note on the plat that there shall be no direct vehicular access to Pacific Street from Lots 5-7 and Lots 12-14 and a note that there shall be no direct vehicular access to 208th Street from Lots 1-5 and Lots 23-26. Mr. Nesbitt seconded the motion which carried 7-0.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Special Use Permits

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<tr>
<th></th>
<th>C8-12-129 Central States</th>
<th>REQUEST: Approval of a Special Use Permit to allow a Broadcast tower in a GC District</th>
<th>LOCATION: 3509 Center Street</th>
</tr>
</thead>
</table>

At the Planning Board meeting held on February 6, 2013, Sam Mandolfo, 2611 South 117th Street, appeared before the board on behalf of a broadcasting tenant. Mr. Mandolfo stated he initially approached the Veterans Administration (VA) Hospital approximately three years ago to add an additional antenna on their building but the VA currently has four different carriers on the building and after two years the VA indicated that they were not interested in any additional antennas on any part of their property. Mr. Mandolfo pointed out that the VA is in the process of replacing the current hospital which will include a “green roof” with no carriers; the current carriers will be displaced in the future. Mr. Mandolfo stated that he is representing the applicant Central States Tower but AT&T Wireless is the tenant; currently AT&T is located on the Center Mall but the service is not adequate for the VA Hospital and the Douglas County facility because of blocking from the hospital. He then stated there would still be issues with inadequate service even if the hospital is built at a shorter height. He further stated that the proposed site has adequate room, is properly zoned and the Planning Department has made a recommendation for approval at a reduced height. Mr. Mandolfo stated that he talked to Field Club extensively; there was a neighborhood meeting but the new President and the Board eventually indicated they were not interested. Mr. Mandolfo further stated that Center Street is the high point, everything to the south, east and west falls away, to the north is primarily residential, the park will not work because the City will not enter into a long term lease agreement and other sites such as Field Club Elementary does not have enough room. He stated that the proposed location is behind a building so there is no exposure from the street where other nearby locations would be in the front of a building in a parking lot and would not be feasible. Mr. Mandolfo concluded that the proposed location is the only location that has the necessary space therefore he is willing to accept the recommended height of 105.

In response to Mr. Neary, Mr. Mandolfo confirmed that the area has been looked at extensively.

Ian Swang, 3340 Center Street, appeared before the board in opposition. Mr. Swang stated that he represents over 100 homeowners in the Field Club and Hanscom Park area. He stated that one of his concerns include the permanent blight on the community if the tower were to be installed. Mr. Swang also referred to a letter that was submitted by Councilman Chris Jerram.

Ashley Wilson, 1802 S. 35th Street, appeared before the board in opposition. Ms. Wilson stated that she lives within a block of the proposed tower and has done additional health research for the neighborhood which included information from the American Academy of Pediatrics therefore there is adequate cause for concern. She stated that her zip code has 12% better cell phone coverage than the worldwide average and is only below 10% of the average U.S. city for coverage. Ms. Wilson also pointed out that the number one provider in the area is Verizon.

Sue Schlesinger, 3522 and 3528 Center Street, appeared before the board in opposition. Ms. Schlesinger stated that she owns the property directly across the street from the proposed cell tower. She stated that her concerns relate to urban economic development and the future of the city of Omaha. Ms. Schlesinger stated that the presence of a cell tower would not bode well for economic development and questioned that if the cell tower is granted, will it be permanent and will it generate an economic balance.

Tim Fries, 1916 S. 35th Street, appeared before the board in opposition. Mr. Fries stated that his property is located adjacent to the proposed cell tower which, if installed, will loom over his backyard. He stated that he has serious concerns regarding the safety of the cell tower and the maintenance and upkeep of
the property as indicated by submitted photos. Mr. Fries further stated that his property value will be compromised if the tower is installed. He pointed out that the approval of the cell tower would conflict with the statements from the Omaha master plan regarding long and short term impact of the development in the area. Mr. Fries also stated that the company was not forthright in the process used for approval.

In response to Mr. Neary, Mr. Fries stated that the cell tower company does not own the property and he has not had any contact with the owner. Mr. Fries further stated that there was a cell tower located on the adjacent property when he purchased his home but it was obscured by the trees that have since fallen down.

Mr. Mandolfo stated that AT&T will leasing from the current landowner who has done a lot of clean up and removed the majority of the large trees that posed a hazard to the residents in the area. The owner intends to use the rental proceeds to maintain and improve the property. Mr. Mandolfo further stated that AT&T would be in charge of maintaining the leased area but will landscape between the setback and the leased area and add a retaining wall.

In response to Mr. Nesbitt, Mr. Mandolfo stated that the tower would provide service for AT&T residents and anyone who drives through the area. Mr. Mandolfo stated that AT&T is in the process of upgrading a number of their sites to provide additional and improved service. The demands that smartphones are putting on the infrastructure is substantial, this is not only a capacity and speed issue but is also a service issue for the VA Hospital and the Douglas County facility.

In response to Ms. Nubel, Mr. Mandolfo confirmed that the proposed cell tower would provide improvement to the existing service. He added that there are a number of developments that incorporate cell towers into their initial planning.

Mr. Neary agreed with Mr. Fries that there have been no retaining wall drawings or an effort in regard to the Special Use Permit and the board needs to be assured that the residents do not have to live with this kind of thing in the future. Mr. Mandolfo responded that design criteria will be included and the city has landscaping requirements that have to be met and because of the physical characteristics of the site, a retaining wall will have to be installed but the plans have not yet been submitted at this point in time.

In response to Mr. Kelley, Mr. Mandolfo answered that his client would not build a 50’ cell tower and the height of 105’ is pushing it.

Ms. Wilson pointed out that the property owner did not attend any of the public meetings. She stated that the neighbors want to know if the property owner has a vested interest in the community.

Mr. Swang asked Mr. Mandolfo to comment on the county site and Councilman Jerram’s comments. Mr. Mandolfo pointed out that the landowner was present at the homeowner’s site meeting. Mr. Mandolfo stated that there are environmental issues with the county facilities. He stated that he talked to the person in charge of Douglas County properties and his assistant and consequently it was determined that the Douglas County facility would not work.

In response to Ms. Nubel regarding the comments from Councilman Jerram’s letter, Mr. Mandolfo stated that he was told by the Douglas County property administrator that there was medical waste in the soil; the entire east side of the property is filled and when they were expanding their parking lot they ran into fill and in others areas there was medical waste.

Mr. Rosenbaum stated that he is concerned that the VA Hospital and Field Club do not want it on their property but yet the VA hospital is blocking cell coverage. Mr. Mandolfo confirmed that the VA property presently has four providers and is not opposed to another tower but because of their transition, they require a right to cancel with a 30 day notice therefore it is not economically feasible to sign a short term lease. He stated that AT&T even offered to build a new sign for the hospital anywhere on their property with the cell tower but the VA was not sure where a sign could be placed with the proposed hospital.
Ms. Nubel questioned Mr. Mandolfo as to why AT&T would not wait until the new VA Hospital is built. Mr. Mandolfo answered that the hospital does not have a time frame and AT&T needs to be able to provide service to their customer base so that their clients can look at videos, e-mail, and text. Ms. Nubel asked to look at a coverage map of the area. The city provided a map and Mr. Mandolfo indicated where the problem areas and the proposed site are located. Mr. Mandolfo explained that about 35% of the population does not have a home phone and in the proposed zip code area there is approximately 4,000 households that do not have a home phone. Mr. Mandolfo indicated a large area on the map that has no in-building coverage. He further explained that at 60 feet there is very little improvement, 70 feet has a little improvement but there are still large areas that do not have adequate in-building coverage, at 80 feet there is little improvement but expands the area the other side so that the antennas can be tuned to provide additional service, at 90 feet there are still substantial areas that do not have in-building coverage, at 100 feet the areas are expanded but there is still a large residential area to the north that does not have in home service and at 110 feet there is a substantial area to the north and to the east that does not have service. Mr. Mandolfo concluded that the requested 150 feet would provide very good in-building service to the area.

Ms. Schlesinger stated that the target market for service is commercial; there are no homes in the target area; the service is for the VA hospital and the use of wireless technology. Mr. Mandolfo answered that AT&T wants to provide service to both residential and commercial but the hospital is utilizing wireless technology and the doctors are getting x-rays on their cell phones.

Chad Weaver, Assistant Planning Director, stated that there are guidelines that respond to federal legislation and the City is prohibited from considering some items and required to do certain things. Mr. Weaver stated that it is cumbersome to look at the coverage drawings and it is not exact science. He stated that the planning department tries to do a balancing act to limit the number and the height of the towers throughout the city while providing some coverage. Mr. Weaver stated that the department recommends approval of the Special Use Permit at 105 feet and subject to the seven items on the recommendation report.

Mr. Nesbitt questioned if a recommendation could be added that the landowner provide drawings for the site. Mr. Neary pointed out that the first recommendation requires an amended site and landscape plan.

Mr. Deeb questioned if the city looks at the tower as an improvement. Mr. Weaver responded that the city has to mitigate the impacts and make sure that the location is reasonable.

Mr. Rosenbaum moved for approval of the request for a Special Use Permit to allow a Broadcast tower in a GC District, with a waiver of Section 55-406 Height, subject to: 1) Submittal of an amended site and landscape plan prior to issuance of a building permit that provides for a landscape screen consisting of a hedge or row of evergreen trees having a minimum width of six feet and a minimum height of 15 feet at maturity; 2) Submittal of an amended tower elevation prior to issuance of a building permit that limits the overall height of the monopole to 105 feet; 3) The lease area being large enough and tower being of sufficient structure integrity to allow for co-location of at least two additional providers; 4) Compliance with the revised site, landscaping, and elevations; 5) Compliance with the proposed operating statement; 6) Providing a governmental access statement; and 7) Submittal of an annual report that describes the location and operating characteristics of all broadcast towers within the City and its extraterritorial jurisdiction. Mr. Nesbitt seconded the motion which carried 4-2 with Mr. Hoich abstaining and Ms. Nubel and Mr. Neary dissenting.
Conditional Use Permits

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<tr>
<th>5.</th>
<th>C7-13-012</th>
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<tbody>
<tr>
<td></td>
<td>Sixty Sorensen, LLC</td>
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<tr>
<td>REQUEST:</td>
<td>Approval of a Conditional Use Permit to allow Multiple family residential in a CC District</td>
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<tr>
<td>LOCATION:</td>
<td>Northeast of 60th Street and Newport Plaza</td>
</tr>
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At the Planning Board meeting held on February 6, 2013, Neeraj Agarwal, 405 N. 31st Ave Unit 200, appeared before the board on behalf of the applicant. Mr. Agarwal stated the project will be a 60-unit senior housing development. He further stated that they met with the community and submitted an overview of the project.

Chad Weaver, Assistant Planning Director, stated that the department recommends approval of the Conditional Use Permit to allow multi-family in a CC/MCC district subject to the seven items listed on the recommendation report.

Mr. Hoich moved for approval of the Conditional Use Permit to allow Multiple family residential in a CC/MCC District subject to: 1) Submittal of a revised landscape plan that is in compliance with all applicable landscaping regulations and specifically shows the existing trees that will remain along the northern boundary line in conjunction with the proposed tree mitigation plan for the Final Platting of Sorensen Place; and 2) Revise the site/landscape plan(s) so that the layout of sidewalks are consistent; 3) Compliance with the revised site and landscape plans; 4) Compliance with the submitted operating statement; 5) Compliance with all parking regulations of the Omaha Municipal Code; 6) Compliance with MCC regulations as indicated in Article XXII of the Omaha Municipal Code; and 7) Compliance with all other applicable regulations. Ms. Nubel seconded the motion which carried 6-0 with Mr. Nesbitt absent.

Vacations

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<th>6.</th>
<th>C14-13-013</th>
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<tr>
<td></td>
<td>Property Owner</td>
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<tr>
<td>REQUEST:</td>
<td>Vacation of the alley between North Main Street and 206th Street from Elkhorn Drive to the UPRR property</td>
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At the Planning Board meeting held on February 6, 2013, Tom Dvorak, Carefree, Arizona, appeared before the board. Mr. Dvorak stated that he is a tenant to the adjacent UP property and has owned the property on both sides of the alley for over 30 years. He stated that he is requesting a partial vacate because the alley has always been used as a vacated alley and dead ends at the UP property. Mr. Dvorak submitted conceptual drawings of the requested partial vacate and further stated the alley has no use for connectivity. Mr. Dvorak stated that over 20 years ago there was a verbal agreement with the City of Elkhorn to vacate the alley in exchange for improvements to the culvert at the end of the alley but the paperwork for the vacation was never filed. He concluded that his property is listed for sale and one parcel would make the property more attractive to a potential developer.

Don Ohnstad, 13707 N. 240th Street, Valley, Nebraska, appeared before the board in opposition. Mr. Ohnstad stated that he opposes a partial vacation but if a partial vacation is approved then the property should be given to the Elkhorn Business District or an organization that would benefit the community.

Terry Bull, 2775 County Road 15, Arlington, Nebraska, appeared before the board in opposition. Mr. Bull stated that he owns the property at 2618 N. Main Street and does not see any benefits to the closing of the alley with the exception of the applicant. He stated that there are parking issues in Elkhorn and the alley is used by all merchants for off-street parking, trash, shipments and maintenance.

Chad Weaver, Assistant Planning Director, stated that the alley could potentially be used as a public space in the future therefore the department recommends denial.

Mr. Rosenbaum moved to deny. Mr. Nesbitt seconded the motion which carried 7-0.
Master Plan Referrals

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<tr>
<td>7.</td>
<td>C3-12-221 Planning Department on behalf of the City of Omaha</td>
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<tr>
<td>REQUEST:</td>
<td>Approval of the CROSSROADS AREA REDEVELOPMENT PLAN</td>
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<tr>
<td>LOCATION:</td>
<td>Omaha and 3-mile extraterritorial jurisdiction</td>
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At the Planning Board meeting held on February 6, 2013, Bridget Hadley, City Planner, presented the request. Ms. Hadley submitted a revised version of a map indicating the basic boundaries of the Crossroads Redevelopment Area (CRA) plan. She explained that the Crossroads area is significant and was dubbed as the “Crossroads” due to the intersection of two well-known major thoroughfares, 72nd Street and Dodge Street. Crossroads was the location of the Omaha’s second indoor mall which was completed in 1960 and was the western boundary of a major commercial/retail activity for many years and at the same time was the retail hub and shopping anchor for eastern Omaha. Ms. Hadley stated that the Crossroads area remained a prominent section of real estate even though the commercial and retail activity moved westward. She stated that the area is in need of redevelopment, revitalization and recapitalization and remains a distinctive area that has helped define Omaha’s image. There have been efforts with urban design professionals that have looked at the area and led to an urban design element and more recently, through the Transportation Master Plan, has identified opportunities within the Crossroads area for street network enhancements, land use areas, open spaces designed and specifically located to take advantage of the Keystone Trail. Ms. Hadley stated that in 2010 there was a transfer of ownership at the Crossroads Mall and the city stepped forward to offer the redevelopment economic redevelopment tool. The CRA was designated and approved in August 2012 and set the stage to create an area redevelopment plan that encompasses the economic development zone. Ms. Hadley concluded that the area plan is a guide to help with development and sets the stage for the redevelopment visions that the city has for the area.

Chad Weaver, Assistant Planning Director, stated that approval of the plan is the first step and will follow with more specific goals including targeted economic development and planning and urban design code efforts. Mr. Weaver stated that the redevelopment will be somewhat restrictive and will impact property owners with the way the ground is developed if the vision is to be achieved. Mr. Weaver stated that the department recommends approval of the plan.

Mr. Neary commented that there is an upside to property valuation in the area as evidenced by Midtown Crossing and Aksarben redevelopment.

Mr. Hoich moved for approval. Mr. Deeb seconded the motion which carried 7-0.

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<td>8.</td>
<td>C3-13-021 Planning Department on behalf of the City of Omaha</td>
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<tr>
<td>REQUEST:</td>
<td>Approval of the 1405 HARNEY, LLC TIF REDEVELOPMENT PROJECT PLAN</td>
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<tr>
<td>LOCATION:</td>
<td>1405 Harney Street</td>
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At the Planning Board meeting held on February 6, 2013, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the project is a historic tax credit project at the former Corey McKenzie building. She stated that there are two buildings that will be adaptively reused and rehabilitated to create a mixed-use development with ground floor office and retail and 18 market rate apartments on the upper floors. Ms. Hadley indicated that there will be some streetscaping in terms of public infrastructure or public improvements. She stated that parking will be available at Omaha Park One, Omaha Park Two, the Paxton and nearby surface parking.

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

Mr. Kelley questioned if the city have an opinion as to how long the apartment market will last in the downtown area. Ms. Hadley answered that the Downtown Master Plan requires 5,000 new residential units to the area. Since 2009 there have been at least 1,000 residential units that have been added to the
downtown area. There have been recent market studies from developers that indicate that there is a need for 200-400 new residential units per year. Ms. Hadley concluded that there will be more projects to create a “community village” in the downtown area.

Mr. Nesbitt stated that he is not opposed to the project but questioned that if projects are so good, why do the developers need TIF? Ms. Hadley stated that there are a lot of constraints to redevelop in the urban areas that have older buildings and the need for incentives is great.

Rick Cunningham, Planning Director, stated that at some point in time the market will mature in the downtown area where TIF will no longer be required to meet the city’s goals.

Mr. Neary pointed out that new subdivisions are also being absorbed and subsidized by the city.

Chad Weaver, Assistant Planning Director, stated that TIF is used in the inner city and SID in the suburbs and both are tremendous development incentives. Mr. Weaver stated that the department recommends approval.

Mr. Deeb moved for approval. Mr. Kelley seconded the motion which carried 7-0.

At the Planning Board meeting held on February 6, 2013, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the redevelopment is located in the midtown area and is a target market at the western edge of downtown. She stated that the project will include the reconstruction of a new four story building to include 149 market rate apartment units with an 87 stall parking garage. Ms. Hadley stated that the public improvements include some streetscaping and back in diagonal parking along Park Avenue and Dewey.

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

Mr. Deeb moved for approval. Mr. Kelley seconded the motion which carried 7-0.

At the Planning Board meeting held on February 6, 2013, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the project is a mixed-use project located west of the existing Aksarben Village project and is complimentary to the Aksarben development. The project has been replatted into four different parcels with the requested TIF to be three of the four parcels that will include 60 assisted living memory care units, hotel and 10-12,000 square foot commercial/retail strip. Ms. Hadley stated that TIF will be subject to several requirements of the Planning Department.

In response to Mr. Neary, Ms. Hadley answered that the proposed project is specific to the assisted living, hotel and commercial. She stated that there is a separate parcel located to the south and east that may have independent living in the future and is not included in the requested TIF.

Chad Weaver, Assistant Planning Director, stated that the department recommends approval subject to the applicant to continue to work with the Planning Department and Public Works with regard to on-street parking.
Mr. Kelley moved for approval subject to the developer working with the Planning Department and Public Works to provide on-street parking. Ms. Nubel seconded the motion which carried 7-0.

### Subdivisions

11. **C3-13-039**  
Planning Department on behalf of the City of Omaha  
**REQUEST:** Approval of the NEIGHBORHOOD DEVELOPMENT & HOUSING STUDY  
**LOCATION:** Omaha and 3-mile extraterritorial jurisdiction

At the Planning Board meeting held on February 6, 2013, Chad Weaver, Assistant Planning Director, stated that the study is similar to the downtown plan that was approved several years ago. Mr. Weaver pointed out that the study will update and more specifically look at the district with regard to rights-of-way, transit and bike paths. He further stated that the study will be used as a guide in conjunction with the downtown plan as projects come forward. Mr. Weaver stated that the department recommends approval.

Ms. Nubel moved for approval of the Joslyn Neighborhood Development and Housing Study. Mr. Deeb seconded the motion which carried 7-0.

The following two cases were heard together but voted on separately.

#### Preliminary and Final Plat Approval

12. **C10-13-023**  
**C12-13-024**  
Kimley-Horn and Associates  
**REQUEST:** Preliminary and Final Plat approval of POPPLETON PARK REPLAT ONE, a minor plat inside the city limits, with rezoning from GI to CC and approval of an MCC Overlay District  
**LOCATION:** 360 North Saddle Creek Road

At the Planning Board meeting held on February 6, 2013, Larry Jobeun, 11440 West Center Road, appeared before the board on behalf of the applicant. Mr. Jobeun showed an aerial photo and a site plan of the project which is located on the former Target site. He stated that the proposal is for a Wal-Mart Neighborhood Market with 41,171 square feet that will resemble the other neighborhood markets that have been constructed in the area. Mr. Jobeun further stated that 18 parking stalls will be reserved for Westlake Hardware. He pointed out that Wal-Mart will do a trip generation traffic study but the former Target was 119,000 square feet.

In response to Mr. Neary, Mr. Jobeun stated that there is a significant grade change on the existing west wall therefore a stabilization study has been completed and the retaining wall will be an engineered wall to retain the embankment. He pointed out that the design codes will be met with a maximum height of ten feet.

Margie Magnuson, 4151 Davenport Street, appeared before the board on behalf of the Joslyn Neighborhood Association. Ms. Magnuson stated that the neighborhood is not against development but there has been no meeting with the developer and there are concerns regarding the design and a traffic study. She stated that the Med Center has closed many streets and is in the process of many development projects therefore there has been an increase in traffic on Saddle Creek. Ms. Magnuson also expressed additional concerns with regard to pedestrian safety.

Chad Weaver, Assistant Planning Director, stated that the department recommends approval of the rezoning from GI to CC, approval of the MCC Overlay District and Preliminary Plat subject to the four items on the recommendation report and approval of the Final Plat, as amended, subject to the submittal of a final acceptable subdivision agreement.

Mr. Deeb moved for approval of the rezoning from GI to CC; approval of the MCC Overlay District; and approval of the Preliminary Plat subject to: 1) Providing for all improvements identified in the final approved traffic study; 2) Providing ingress/egress, parking and circulation easements to the adjacent properties to the north and south; as well as a drive aisle connection through Lot 2 to the added surface...
parking for Westlake Hardware; 3) Dedicating additional right-of-way for the sidewalks as necessary; and 4) Compliance with all applicable stormwater management ordinances and policies. Approval of the Final Plat, as amended by the conditions of Preliminary Plat approval; and subject to submittal of a final acceptable subdivision agreement, if required. Mr. Nesbitt seconded the motion which carried 7-0.

Rezonings

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<td>18.</td>
<td>C10-13-020</td>
<td>REQUEST:</td>
<td>Rezoning from GI to CC and approval of a MCC Overlay District</td>
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<td>E.R. Newman</td>
<td>LOCATION:</td>
<td>344 North Saddle Creek Road</td>
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At the Planning Board meeting held on February 6, 2013, Kyle Haase, Olsson Associates, 2111 S. 67th Street, appeared before the board on behalf of the applicant. Mr. Haase stated that the project will be a 2,500 square foot restaurant that will include parking lot, landscaping and waste water treatment improvements.

In response to Ms. Nubel, Mr. Haase stated that they are willing to meet with the neighbors.

Margie Magnuson, 4151 Davenport Street, appeared before the board on behalf of the Joslyn Neighborhood Association. Ms. Magnuson stated that the neighborhood has concerns about the look of the project, traffic impact and parking issues.

Chad Weaver, Assistant Planning Director, stated that the present zoning is inappropriate but the project will provide a much improved streetscape and green space along Saddle Creek therefore the department recommends approval of the zoning from GI to CC and MCC.

Ms. Nubel moved for approval of the rezoning from GI to CC and approval of the MCC Overlay District. Mr. Deeb seconded the motion which carried 7-0.

Subdivisions

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<td>13.</td>
<td>C10-13-033</td>
<td>REQUEST:</td>
<td>Preliminary Plat approval of SOUTHPOINTE ESTATES, a subdivision outside the city limits, with rezoning from AG to DR and R4</td>
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<td>C12-13-034</td>
<td>LOCATION:</td>
<td>Southeast of 211th and Pacific Streets</td>
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Mike Kahre/PAC 211, LLC

At the Planning Board meeting held on February 6, 2013, Mark Westergard, E & A Consulting, 330 N. 117th Street, appeared before the board on behalf of the applicant. Mr. Westergard requested that the case be laid over to allow time to meet with the neighbors again.

Chad Weaver, Assistant Planning Director, stated that department is agreeable to a layover.

Mr. Kelley questioned the capital outlay for the city with regard to the sewer connection. Mr. Weaver stated that the sewer connection functions differently but the SID is responsible for other expenditures.

Rick Cunningham, Planning Director, stated that the project is located in an area where there are several other proposed developments/subdivisions that will also need to make water and sewer connections.

Mr. Rosenbaum moved to layover. Mr. Kelley seconded the motion which carried 7-0.
Rezonings

22. C10-04-237 - Withdrawn
   KDI Omaha, L.P.
   
   REQUEST: Approval of a Major Amendment to a Mixed
   Use District Development Agreement for
   Sorensen Park Plaza
   
   LOCATION: Southwest of 72nd Street and Curtis Plaza
   
   Withdrawn at the request of the applicant.

Request to Reconsider

26. C8-11-180
    Christ Community Church
    
    REQUEST: Approval of a Major Amendment to a Large
    Project Special Use Permit in a GO District
    
    LOCATION: 404 South 108th Court
    
    Mr. Deeb moved to reconsider. Mr. Hoich seconded the motion. Motion to reconsider was 2-5 with Ms. Nubel, Mr. Rosenbaum, Mr. Kelley, Mr. Nesbitt and Mr. Neary dissenting. Motion to reconsider was denied.

APPROVAL OF MINUTES

Mr. Nesbitt moved to APPROVE the meeting minutes of December 5, 2012 as written. Mr. Kelley seconded the motion which carried 7-0.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 3:40 pm.

________________________________________________________________________

Date Approved

________________________________________________________________________

Raymond J. Neary, Chair

________________________________________________________________________

Debbie Hightower, Planning Board
Recording Secretary