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

8. C12-13-043 (D)
   Jason Protiva

   REQUEST: Preliminary and Final Plat approval of DINGO ACRES, a subdivision outside the city limits
   LOCATION: 10703 and 10707 North 72nd Street

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.
9. C12-13-049 (D)  
SS Glenn, LLC  
REQUEST: Preliminary and Final Plat approval of BRANDO, a minor plat inside the city limits  
LOCATION: Southwest of 29th Street and Dewey Avenue

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.

10. C10-13-050a (D)  
C12-13-050  
Alan Frost  
REQUEST: Preliminary and Final Plat approval of FROST’S HILLTOP, a minor plat outside the city limits, with rezoning from AG to DR  
LOCATION: 10425 Rainwood Road

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.

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

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.
Rezonings

17. C10-13-046 (D)  
Charles Grimes  
REQUEST: Rezoning from R3 to R5  
LOCATION: 510 and 512 South 55” Street

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for approval of the rezoning from R3 to R5. Ms. Nubel seconded the motion which carried 6-0.

18. C10-04-237 (D)  
KDI Omaha, L.P.  
REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Sorensen Park Plaza  
LOCATION: Northwest of 72” Street and Crown Point Avenue

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.

Special Use Permits

20. C8-13-048 (D)  
AMD Auto Plaza  
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District  
LOCATION: 5825 North 90” Street

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.

21. C8-94-174 (D)  
Douglas County School District 0001  
REQUEST: Approval of a Major Amendment to a Special Use Permit to allow Outdoor sports and recreation in a DR District  
LOCATION: 2110 "O" Street

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for 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. Ms. Nubel seconded the motion which carried 6-0.

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 204” Street

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for approval of the Major Amendment to the presumed Special Use Permit. Ms. Nubel seconded the motion which carried 6-0.
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

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved for approval of the vacation subject to the retention of any necessary easements. Ms. Nubel seconded the motion which carried 6-0.

Subdivisions

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

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved to 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. Ms. Nubel seconded the motion which carried 6-0.

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

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved to layover 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. Ms. Nubel seconded the motion which carried 6-0.

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

At the Planning Board meeting held on March 6, 2013, Mr. Kelley moved to layover. Ms. Nubel seconded the motion which carried 6-0.
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

At the Planning Board meeting held on March 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 before forwarding the request to the City Council for final action.

Mr. Hoich moved for 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. Mr. Nesbitt seconded the
motion which carried 6-0.

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

At the Planning Board meeting held on March 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 prior to forwarding the request to the City Council.

Mr. Nesbitt moved for 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. Ms. Nubel seconded the
motion which carried 6-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

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

At the Planning Board meeting held on February 6, 2013, Dan Walsh, appeared before the Board on
behalf of the applicant. Mr. Walsh stated that the preliminary plan showed Lots 1 – 10 for 212th Circle. In
an effort to address concerns from the neighbors, a revised plan was created to build a separation of 58'
from the boundary line of the two subdivisions to Lot 3. Also the distance from the property line to the
edge of the cul-de-sac was increased to 40'; and the distance of the property line to the west boundary of
Lot 9 to 85'. He stated that the builder of the proposed villas has constructed similar projects along Pacific
Street, which have been valued at approximately $400,000. Mr. Walsh stated that the cul-de-sac drains
into a detention basin. He noted that the Planning Department has stated that the project is consistent
with Omaha's Master Plan and have recommended approval. He noted that the villas will replace a metal
storage shed which is currently located on the property.
In response to Mr. Kelley, Mr. Walsh clarified that he was seeking approval for the revised plan that included the 9 villa lots instead of the 10. Mr. Weaver advised that either plan with the property submittals could be accepted by the Board to be forwarded on to City Council.

Jerry Slusky, 8712 West Dodge Road, appeared in opposition to the request. Mr. Slusky stated that his clients object to the fact that the proposed subdivision will be an R4 while the existing adjacent subdivision is an R1. He stated that his clients also objected to a public street and townhomes being built so close to their subdivision, which the feel is in direct contract to the transitional zoning concept. Referring to the plan submitted by the applicant, Mr. Slusky stated that there are narrow widths between the proposed townhomes while also not being in character with the neighborhood. He stated that Thompson, Dreessen & Dorner had been employed to provide alternative examples of the proposed subdivision with R1 and R2 lots. Mr. Slusky stated that his client would be willing to accept R2 zoning for the proposed subdivision.

Darrin Loftus, 1301 Ranch View Lane, appeared in opposition to the request. Mr. Loftus stated that he supports development in the area. However, he felt that the proposed R4 zoning adjacent to the existing land zoned R1 is extreme. He added that R1 to R2 would be a better transition for the neighborhood. He also stated that, after meeting with the applicant, hardly any changes to the original plan had been made. Mr. Loftus suggested that the plans be closer to the alternative plans created by Thompson, Dreessen & Dorner, which would push the public street farther away from the existing homes and would place backyards adjacent to the existing backyards. In response to Mr. Neary, Mr. Loftus stated that his main objection to the proposed public street is the possible safety issues for the young children in the neighborhood who play in the backyards that would be near the street.

Mike Jensen, 1313 Ranch View Lane, appeared in opposition to the request. Mr. Jensen is Vice-President of the Ranch View Estates Neighborhood Association. He felt that the revised plan provided by the applicant was an improvement than the first since it included a buffer. However, he objected to the R4 zoning that would place the proposed homes too close to one another and would not be in character with the neighborhood. He stated that it was reasonable to expect R2 zoning so close to a neighborhood zoned R1. Mr. Jensen also stated for the safety of children playing in backyards of homes, the street should be on the front side of the homes, not the back. He also stated the HOA members signed a petition requesting R2 zoning as opposed to R4. In response to Mr. Kelley, Mr. Jensen stated on the east side of the creek the R4 zoning is reasonable.

Chad Ellington, 1223 Ranchview Lane, appeared in opposition to the request. Mr. Ellington stated he lives behind the villa lots and a street in his backyard is unacceptable. He then stated he is not against villas but wants it to be acceptable.

Mr. Walsh stated in response to the HOA’s concerns about the buffer presented they are willing to landscape and that they are 10 feet lower in elevation than Ranchview Estates, so they will be looking at rooflines and trees. Mr. Walsh then stated that safety concerns of children can happen in front or backyards.

In response to Mr. Neary, Mark Westergard, E&A Consulting, 330 North 117th Street, stated they haven’t had a chance to review the neighbor's proposed plan in detail because it was presented just before the meeting. He then stated a similar plan was presented by the neighbors previously and he will contrast those changes to their plan. Mr. Westergard stated the lots closest to their property were 5 feet away and are now proposed to be 63 feet from the property line, 58 feet plus a 5 foot setback. He also stated the neighbor’s plan proposes they lose 3 lots instead of 1. He then stated there is a density and valuation issue because lots with the street on the other side would be less desirable flat lots. Mr. Westergard stated the street proposed in the neighbor’s plan has issues with obtaining 404Permits because of the protected creek and also has grading issues. He then stated with the proposed street neighbors are requesting 100% of the trees would need to be gone, but there is an opportunity to save many of the existing trees with their plan. Mr. Westergard stated another concern with the neighbor’s proposed plan is if the lots can be sewered properly because of elevation issues.
Mr. Slusky rebutted that having townhomes in the backyard of R1 would diminish values, and this is the purpose of Master Plan and zoning code and policy of transitional zoning. He then stated although his client suggested a 5 lot plan, the developer’s proposed plan has appeal because of distances but valuation is still an issue with R4 instead of R1. Mr. Slusky suggested revising the plan with the R2 zoning is a good compromise with regards to valuation issues.

Chad Weaver, Assistant Planning Director, stated we should support the zoning code. Mr. Weaver stated the lot sizes are not unusual but the greater concern is the street issue. He stated the existing plan would provide separation from existing homes to new homes, but the street providing for a double-fronted aspect for 3 of the lots is not ideal. Mr. Weaver stated they are willing to work with both engineers with either plan and that the department recommends approval.

In response to Mr. Kelley, Mr. Weaver stated the subdivision agreement requires the owner or association be responsible for lot maintenance and screening or landscaping provided.

Mr. Kelley stated if he approves he wants to hold the developer responsible, at the developer’s cost, for sufficient buffering and safety concerns. In response to Mr. Neary, Mr. Westergard stated the developer’s intent is to create well-maintained landscaping.

In response to Mr. Kelley, Mr. Slusky stated if the revised plan is approved, covenants should require landscaping, sprinklering and lawn maintenance with ability of enforceability as part of approval would be acceptable. He also stated he has concerns why the R2 zoning is not being discussed.

Mr. Doug Dreessen, 10836 Old Mill Road, appeared on behalf of the opposition. Mr Dreessen stated he was contacted by Mr. Slusky to address their concerns and propose alternative layouts. He then stated the original layout required a large retaining wall on the east side of cul-de-sac and the revised plan moves the cul-de-sac further west to avoid retaining wall. He also stated the revised plan removes the outlot to leave the rear yards green and allow for backyard to backyards. Mr. Dreessen stated they did not go into sanitary sewer or grading details.

In response to Mr. Kelley, Mr. Walsh stated that with a secure fiscal commitment public improvements will begin and this is a project that will proceed this year.

Mr. Kelley moved for 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. Mr. Nesbitt seconded the motion which carried 4-1 with Mr. Hoich dissenting and Ms. Nubel absent.
Special Use Permits

4.  C8-13-029  
    John Jeanetta  
    REQUEST:  
    Approval of a Special Use Permit to allow Large group living in a R7 District, with Reasonable Accommodation  
    LOCATION:  
    4842 Sprague Street

At the Planning Board meeting held on March 6, 2013, Dan Dolezal, Alley Poyner Macchietto, 1516 Cuming Street, appeared before the Board on behalf of Heartland Family Service. Mr. Dolezal stated this is a renovation of the existing Park Crest Apartments into a new 24-unit facility for the Heartland Family Service Family Works Program, which is essentially a drug treatment facility for women undergoing drug addiction.

Chad Weaver, Assistant Planning Director, stated that the department recommends approval of the Special Use Permit to allow Large group living in an R7 District, with reasonable accommodation subject to the 9 items listed on the recommendation report.

Mr. Hoich moved for approval of the Special Use Permit to allow Large group living in a 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. Mr. Kelley seconded the motion which carried 5-0 with Ms. Nubel absent.

(REGULAR AGENDA)

Master Plan Referrals

5.  C3-13-045  
    The Parks Department on behalf of the City of Omaha  
    REQUEST:  
    Approval of the Omaha's Historic Boulevard Master Plan  
    LOCATION:  
    Omaha and 3-mile extraterritorial jurisdiction

At the Planning Board meeting held on March 6, 2013, Pat Slaven, Park Planner, presented the request. Ms. Slaven stated that the City’s historic park and boulevard system dates back to the 1890’s. She then stated a master plan has been developed to protect and enhance the historic boulevards, restore boulevards after future transportation plans and CSO projects are complete, and to reconnect gaps in the system. Ms. Slaven stated Vireo Landscape Architects has been retained to develop the plan.

Dave Ciaccio, Vireo Landscape Architects, 1111 North 13th Street, appeared before the board. Mr. Ciaccio stated that after two meetings involving Parks, Planning, Publics Works, Nebraska State Historical Society, MAPA, Metro and NRD there was a consensus to preserve and protect the historic system. He then stated that each segment of the boulevard system was researched and documented for existing conditions such as landscaping, roadways, environmental factors and if it could have a multi-purpose use with bikes and pedestrians. Mr. Ciaccio stated that the only request from the public was a way-finding and branding system for the historic boulevard system. In response to Mr. Neary, Mr. Ciaccio stated the boulevard system would be a total of 24 miles.

Chad Weaver, Assistant Planning Director, stated that the department recommends approval of the plan.
In response to Mr. Neary, Mr. Ciaccio stated that there is currently no budget for signage along the Boulevard. In response to questions from the Board, Ms. Slaven stated there are 2 current CSO projects that will initiate the Boulevard Plan; one runs along JC Creighton Boulevard and a second runs along Paxton Boulevard. She added that bike paths would be added depending on how they impact the boulevards, for example JC Creighton Boulevard has an existing trail that could be enhanced. Ms. Slaven concluded that they will also take into consideration tree planting and signage enhancement.

In response to Mr. Nesbitt, Ms. Slaven stated that the Planning Department and Public Works are in the process of devising plans to advise motorists of bike paths and bicyclists.

Mr. Nesbitt moved for approval. Mr. Deeb seconded the motion which carried 5-0 with Ms. Nubel absent.

| 6. | C3-13-047 | The Planning Department on behalf of the City of Omaha | REQUEST: | Approval of the NORTH OMAHA SENIOR COTTAGES - PHASE II TIF REDEVELOPMENT PROJECT PLAN | LOCATION: | 5315 St. Richards Plaza |

At the Planning Board meeting held on March 6, 2013, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the Phase II project was started about a year or two ago at the St. Richard’s Campus. She then stated Phase II is an addition of 10 more duplexes and is part of an inter-generational campus whose occupants will be seniors with incomes at 60% of the median income or below. Ms. Hadley stated the zoning is R7 and the use is permitted. She also stated that other than bringing public utilities to the site, there will be minimal public improvements or public infrastructure and some street-scaping. She then stated this project is a low-income housing tax credit project; a market study was done that does confirm the need for senior housing of this type, as well as the aging housing stock in that area, and this will help with replacement of that house stock.

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

Mr. Deeb moved for approval. Mr. Nesbitt seconded the motion which carried 5-0 with Ms. Nubel absent.

| 7. | C3-13-061 | The Planning Department on behalf of the City of Omaha | REQUEST: | Approval of an amendment to Chapter 55 regarding interior parking lot landscaping | LOCATION: | Omaha and 3-mile extraterritorial jurisdiction |

At the Planning Board meeting held on March 6, 2013, Chad Weaver, Assistant Planning Director, stated that this change will essentially match the way the code is interpreted. He then stated it basically puts 5% on the entirety of the parking lot.

Mr. Deeb moved for approval of the Amendment to Chapter 55. Mr. Hoich seconded the motion which carried 5-0 with Ms. Nubel absent.

**Subdivisions**

| 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 |

At the Planning Board meeting held on March 6, 2013, Don Heine, United Engineering, 20507 Nicholas Circle, appeared before the Board on behalf of the applicant. Mr. Heine stated the plat includes several parcels owned by NDOR and adds an additional parcel located on the north side of Blondo Parkway and combines them into a single lot. He also stated the additional parcel has been deeded over by Edward
Rose to NDOR. Mr. Heine then stated this provides additional right of way frontage for the NDOR property in order to relocate their access driveway from 204th Street easterly to near the edge of the deeded property but does not change the use of the property.

In response to Mr. Neary, Mr. Heine stated he is unsure if Edward Rose is still developing townhomes or apartments along the south side of Blondo Parkway.

James Tollefson, 20221 Pearl Circle, appeared before the Board in opposition. Mr. Tollefson lives adjacent to the property and stated he is concerned if they are expanding the state maintenance yard near his backyard. Mr. Tollefson also inquired about the zoning of the property.

In response to Mr. Tollefson, Mr. Heine stated the state maintenance yard does not expand near his property and the lot doesn’t change in size except for the additional parcel.

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

Mr. Deeb moved for approval of the rezoning from CC and LI to LI. Mr. Deeb also moved for 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 and 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. Mr. Nesbitt seconded the motion which carried 5-0 with Ms. Nubel absent.

Case numbers 15 and 16 were heard together but voted on concurrently:

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<th>Case</th>
<th>REQUEST</th>
<th>LOCATION</th>
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<tr>
<td>15.</td>
<td>Preliminary Plat approval of VILLAS OF OMAHA AT BUTLER RIDGE, a subdivision outside the city limits, with rezoning from R6 to DR and R6</td>
<td>Northwest of 156th Street and Butler Avenue</td>
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At the Planning Board meeting held on March 6, 2013, Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun stated the recommendation report for the Preliminary Plat is acceptable except for item number 3, but they are willing to try to work with adjacent developments for contribution to the widening of 156th Street.

Bruce Wilson, Stonebridge Christian Church, appeared before the Board in opposition. Mr. Wilson stated they are the property to the south of the proposed development and recently submitted a letter to the Planning Department with written comments regarding the development. He then stated they are not in opposition of the proposed development; their goal is to clarify conditions rather than have misunderstandings later. Mr. Wilson then stated improved streets and intersections need to be clarified and agreed upon up front by all involved parties, how it will be done, timing, and financial obligations. He also stated surrounding developments should be required to participate in the financing of the infrastructure developments because they will benefit from access also. Mr. Wilson stated another concern is the connecting street should permit Butler Avenue to Fowler Avenue on the west and permit access to traffic heading both east and west on Butler and that there will be minimal construction on Sundays to accommodate traffic flow to and from their church.

Mr. Jobeun stated typically there is no construction on Sundays, but that is a condition they cannot agree upon. He also stated it would be difficult to require participation from existing properties in the financing of the street improvements. Mr. Jobeun then stated an inter-local cooperation agreement is between municipal corporations and not private entities, so it doesn’t work in this situation.

Jeff Lake, Olsson Associates, 2111 S 67th Street, in response to Mr. Wilson’s comment on the design of the road, Mr. Lake stated there is an existing street stub in the Stoneridge neighborhood, Butler Avenue
is abutting the church property then stops. He then stated the intent is to get Butler Avenue to connect to

the roundabout and that they have worked with the Public Works Department on the design of putting in

an “S” curve between the two to attach the west part of the church parking lot to Butler Avenue to connect

the two developments.

Chad Weaver, Assistant Planning Director, stated that with the items of Rezoning and the Preliminary

Plat, the street improvements to South 156th is the only item that seems to be a concern. Mr. Weaver

stated it would be ideal if the surrounding subdivisions had agreed to some portion of the improvements,

and that there is a subdivision agreement from 2005 with the Church where they committed to doing their

portion of the improvements. He then stated this project will not get approved without some contribution

to improvements. Mr. Weaver also stated when the same items came up two years ago the SIDs did

tentatively agree to participate and hopes that can be resolved. Mr. Weaver stated the department

recommends approval of the zoning and the Preliminary Plat.

Mr. Kelley moved for approval of the rezoning from DR and R6 to DR and R6 and 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 1/2 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. Mr. Nesbitt seconded the motion which carried 5-0 with Ms. Nubel absent.

Overlay Districts

<table>
<thead>
<tr>
<th>16.</th>
<th>C11-13-059 Austin Realty Co.</th>
<th>REQUEST: Approval of a Planned Unit Development Overlay District</th>
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<td>LOCATION: Northwest of 156th Street and Butler Avenue</td>
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Mr. Kelley moved to 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. Mr. Nesbitt seconded the motion which carried 5-0 with Ms.

Nubel absent.
Rezonings

| 19. | C10-00-040 Design Associates, Inc. | REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Grayhawk | LOCATION: Southeast of 147th and Spencer Streets |

At the Planning Board meeting held on March 6, 2013, Bob Daley, 1601 Dodge Street, appeared before the Board on behalf of the applicant. Mr. Daley stated this storage unit project was approved four to five years ago and the only change is taking retail out so it is strictly convenient storage. Mr. Daley then stated there was a neighborhood meeting at Champions to address concerns, with approximately 150 neighbors attending.

Mr. Jamison Bach, 14721 Spencer Street, appeared before the board in opposition. Mr. Bach stated because his home is the first house on the block, he has contacted Public Works with his concerns on the ingress/egress of storage unit tenants using the round-about-area. He then stated he would like to see signage improved for the round-about area. Mr. Bach stated other concerns are with privacy screen implementation, over-saturation of storage units in the area and maintaining a quality and respectable image for the neighborhood.

Ron Glowen, Design Associates, 2707 North 108th, appeared before the board. In response to Mr. Neary, Mr. Glowen stated that the facility will be screened from Eagle Run Drive with newly planted tree landscaping along the street and with existing trees on the south side. He then stated that a 6 foot chain link black vinyl fence will be installed for security and in front of the fence a row of Colorado Blue Spruce trees will be planted every 17 feet. Mr. Glowen stated all building structures range in size from 9 feet to 12 feet, except on the west side of the property near the entrance there is a 14 square foot sign that is 28 feet in height. He also stated there will be no outdoor storage and that the main entrance was moved from the round-about area to the west side of the property to encourage traffic along Maple Street.

Chad Weaver, Assistant Planning Director, stated the department recommends approval. In response to Mr. Kelley, Mr. Weaver stated the round-about is pedestrian friendly with a splitter island to help slow and deflect traffic for pedestrians crossing. Mr. Bach stated he would like to see yield signage cautioning vehicles to look to the left side.

Mr. Kelley moved for 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 memorandum prior to forwarding the request to the City Council for final action. Mr. Hoich seconded the motion which carried 5-0 with Ms. Nubel absent.

Vacations

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

At the Planning Board meeting held on March 6, 2013, Chad Weaver, Assistant Planning Director, stated the street is a dead-end right of way and the vacation was requested by the Street Maintenance Department. Mr. Weaver stated the access wouldn’t change but it would cease to be a public street and the department recommends approval of the vacation.

Brian Zudan, Chairman of the Executive Board of Fourth Church of Christ Scientist, 1717 South 114th Street, appeared before the board in opposition. Mr. Zudan stated they have concerns that in icy conditions the steep grade from 114th downhill to the east end of parking lot will make it impossible for church goers to exit at 114th Street, so they will need to access 113th street to drive south to Bel Air Drive to exit. He then stated he talked to Mr. Austin Rouser of the City’s Street Maintenance Division and wants to verify that if the street is vacated the City would neither demolish nor put up a barricade on 113th
Avenue and that the City gives the right-of-way to adjacent property owners. Mr. Zudan stated the church has no objections if the street stays open.

Bob Stubbe, Public Works Director, appeared before the board. Mr. Stubbe stated the street would not be closed off but would be private property and the responsibility of the two property owners on east and west side. In response to Mr. Neary, Mr. Stubbe stated the property owner to east would need to maintain the vacated street to maintain access. Mr. Stubbe also stated to accommodate for icy conditions the church could post the street as one-way.

In response to Mr. Neary, Mr. Zudan stated the intersection of 113th Avenue and Bel Air Drive is finished and paved approximately 10 feet to the north then changes to gravel to the east end of the church parking lot.

In response to Mr. Neary, Mr. Stubbe stated the reason for the vacation is because it's a low-used, unimproved section of street and they can remove it as a maintenance requirement. Mr. Stubbe then stated if vacated, half of the vacated street goes to the property owner on the east, the other half to the property owner on the west and both owners share in the cost of paving. Mr. Stubbe also stated the property owner would have a right to build a fence up the right of way line of Bel Air Drive, which would limit the church’s access.

Chad Weaver, Assistant Planning Director, stated public works should engage both property owners on the process to allow for cooperation between the two property owners.

Mr. Kelley moved for 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. Mr. Nesbitt seconded the motion which carried 4-1 with Mr. Neary dissenting and Ms. Nubel absent.

**Request to Reconsider**

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

At the Planning Board meeting held on March 6, 2013, the Planning Board decided not to reconsider this case.

**APPROVAL OF MINUTES**

Mr. Kelley moved to APPROVE the meeting minutes of January 9, 2013 as written. Mr. Nesbitt seconded the motion which carried 5-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 3:35 pm.