

MINUTES
 PUBLIC HEARING AND ADMINISTRATIVE MEETING
 OMAHA CITY PLANNING BOARD 1:30 P.M. – August 7, 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, July 29, 2013.

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

MEMBERS NOT PRESENT: Greg Rosenbaum

STAFF PRESENT: James Thele, Acting Planning Director
 Cheri Rockwell, Acting Manager, Current Planning
 Chad Weaver, Long Range Planning
 Eric Englund, Current Planning
 Alan Thelen, Law Department
 Rikki Flott, Recording Secretary

R. J. 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.

(HOLD OVER CASES)

Subdivisions

1.	C10-13-072 (D) C12-13-073 Clarendon Properties, Inc.	REQUEST:	Preliminary Plat approval of WATERFORD VILLAGE, a subdivision outside the city limits, with rezoning from AG to DR and MU (laid over from 4/3/13)
		LOCATION:	Northwest of 144th and Ida Streets

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of approval of the rezoning from AG to DR and MU, subject to addressing the following items prior to forwarding to City Council: 1) Providing a minimum of the mandatory 10% office requirement for Mixed Use Districts, 2) Creation of an acceptable plaza area that meets the intent of the Mixed Use District site development standards per 55-564(e) OMC, 3) Submittal of an acceptable Mixed Use District Development Agreement and for approval of the Preliminary Plat, addressing the following items prior to or with submittal of an application for Final Plat: 1) Rename Waterford Village Plaza to 145th Street, 2) Provide for sidewalks

along all right-of-way frontages and along the north/south street, 3) Correct the existing right-of-way and proposed dedications shown adjacent to 144th Street, 4) Provide for improvement of the existing 2-lane section of Ida Street (from west of 146th Avenue to the subdivision frontage) to a 3-lane section, 5) Ida Street improvements shall account for the proximity of the existing trail on the south side of Ida St. which crosses the box culvert west of 146th Avenue. Coordinate with Douglas County on the improvements necessary (curb and gutter, etc.), 6) A 125' street right-of-way dedication measured from the centerline of 144th Street west will be required for the entire length of the site, 7) Provide an access easement to Lot 4, 8) Both of the proposed driveway connections, to 144th and Ida Streets, shall be restricted to right-in/right-out vehicular turning movements at the time the streets are upgraded to a 4-lane section with raised medians, 9) Direct access to 144th Street and Ida Street will not be permitted, with exception of the 146th Street and Waterford Village Drive connections shown on the plat, 10) Provide the required noise attenuation easement and place the standard noise attenuation easement language on the final plat, 11) Provide for use, ownership, and maintenance of the outlot in the subdivision agreement, 12) Submittal of a traffic signal warrant analysis for the intersection of 144th and Ida Streets (accounting for the trips generated by the proposed development), and provide for any improvements, 13) Coordinating the proposed site grades along the southern and eastern boundaries of the platting, adjacent to Ida and 144th Streets with the future improvement of these roadways, and 14) Compliance with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality. Mr. Hoich seconded the motion which carried 6-0.

3.	C10-01-111 (D) C12-01-111a Warehouse 51, LLC	REQUEST:	Revised Preliminary Plat of SEATON INDUSTRIAL PARK and Final Plat approval of SEATON INDUSTRIAL PARK (Lot 2), a subdivision outside the city limits, with rezoning from DR to GI (laid over from 7/10/13)
		LOCATION:	Southeast of I-680 and Irvington Road

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved to layover as requested by the applicant. Mr. Deeb seconded the motion which carried 6-0.

(REGULAR AGENDA)

Master Plan Referrals

5.	C3-13-143 (D) The Papio-Missouri River Natural Resources District	REQUEST:	Approval of a Conservation Easement
		LOCATION:	North of the Allwine Prairie Preserve located northwest of 144 th and State Streets

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved to layover as requested by the applicant. Mr. Deeb seconded the motion which carried 6-0.

Subdivisions

10.	C10-13-104 (D) C12-13-105 Northridge, LLC	REQUEST:	Revised Preliminary and Final Plat approval of NORTHRIDGE, a subdivision outside the city limits, with rezoning from AG to DR and R4
		LOCATION:	Northeast of 186th and Pacific Streets

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of the rezoning from AG to DR and R4 and approval of the Revised Preliminary Plat subject to the following being addressed prior to or with Final Plat approval by the City Council: 1) Provide a tree canopy analysis and provide for mitigation, if necessary, 2) Update the Revised Preliminary Plat to reflect consistent lot numbering as shown on the Final Plat, 3) Provide for compliance with all applicable stormwater management ordinances and policies, 4) Provide for sidewalks along all public streets, 5) Work with the Parks, Recreation and Public Property Department in regards to acceptable park fee language in the final subdivision agreement, and 6) An acceptable debt ratio of 4% or less. She also moved for approval of the Final Plat subject to the following being addressed prior to forwarding the Final Plat to the City Council for final action: 1) Satisfactorily addressing all conditions of Revised Preliminary Plat approval, 2) Submittal of an acceptable final subdivision agreement. Mr. Hoich seconded the motion which carried 5-0, with Mr. Neary abstaining.

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

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved to layover the Preliminary Plat and rezoning to allow the applicant time to work with the adjacent property owner and city staff to work together regarding access off of Saddle Creek Road and Emile Street right-of-way dedication. Mr. Deeb seconded the motion which carried 6-0.

15.	C10-05-144 (D) C12-05-145 AVG-CFM 204Q, LLC	REQUEST:	Revised Preliminary Plat of COVENTRY, a subdivision outside the city limits, with rezoning from AG, R6 and MU to DR, R4, R6 and MU and approval of a Major Amendment to a Mixed Use District Development Agreement
		LOCATION:	Northwest of 204th and Harrison Streets

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of the rezoning from AG, R6 and MU to DR, R4, R6 and MU, subject to submittal of an acceptable final Mixed Use District Development Agreement prior to forwarding the rezoning to MU to the City Council for final action and for approval of the revised Preliminary Plat subject to the following conditions being address with or prior to submittal of a final plat: 1) Submittal of an acceptable final approved traffic study and providing for all improvements identified, 2) The right-in/right-out access to Harrison Street being 660' west of the centerline of 204th Street, 3) Any ¼ mile access to 204th Street being approved by the NDOR, 4) Dedication of right-of-way and street improvements to connect to the rest of the public streets within the site if the ¼ mile access to 204th Street is approved by the NDOR, 5) Coordinating with the Public Works Department regarding the appropriate location of, dedication of right-of-way and improvement of public streets through Lot 142 and 143, 6) Providing a 100' section of right-of-way from the center line of 204th Street, 7) Connecting 209th Street into the proposed roundabout to provide for better access between the neighborhood and commercial area, 8) Entering into an interlocal agreement with Douglas and Sarpy County regarding Harrison Street improvements, 9) Including a note on the Final Plat that states that there will be no access to Spence Drive from Lot 16, 10) Including a note on the Final Plat that states that there will be no access to 204th Street from Lot 142, 143 and Outlot "C", 11) Including a note on the Final Plat that states that there will be no access to Harrison Street from Lot 13 through 16, 143 or Outlot "A", 12) Providing for temporary turnarounds at the terminus of all temporarily dead-ended streets, 13) Providing traffic calming on all streets longer than 1,000 feet, 14) Providing a noise attenuation easement 115' from the center line of 204th Street and showing the standard easement language on the Final Plat. If Lot 143 is to include residential uses, then also provide the 115' noise attenuation easement along

Harrison Street on that lot, 15) Providing for sidewalks as required. Provisions for maintenance of the sidewalks on all double fronted lots needs to be included in the final subdivision agreement, 16) Site grades, street connections and storm sewer discharges being coordinated with the future improvement of Harrison Street, 17) Compliance with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality, 18) Park Board approval of the boulevard plans and cost estimates, 19) Including provisions for use, ownership and maintenance of the outlots the final subdivision agreement, 20) Providing a letter of approval of a Noxious Weed Plan from Douglas County, and 21) An acceptable overall debt ratio of 4% or less. Mr. Hoich seconded the motion which carried 6-0.

Zoning

16.	C10-13-137 (D) Legacy Homes Omaha, LLC	REQUEST:	Rezoning from R3 to R4
		LOCATION:	13624 Miami Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval. Mr. Hoich seconded the motion which carried 6-0.

17.	C10-13-138 (D) S and R Development, LLC	REQUEST:	Rezoning from R7 to CC (property is also located within an ACI-1(50)-Area of Civic Importance Overlay District)
		LOCATION:	3201 South 24 th Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved approval. Mr. Hoich seconded the motion which carried 6-0.

18.	C10-13-140 (D) Bethany Lutheran Church	REQUEST:	Rezoning from AG and R5 to R5
		LOCATION:	4200 North 204 th Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval. Mr. Hoich seconded the motion which carried 6-0.

19.	C10-13-144 (D) Aton E. Poggenpohl	REQUEST:	Rezoning from R4(35) to R5
		LOCATION:	5718 Seward Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval. Mr. Hoich seconded the motion which carried 6-0.

Conditional Use Permits

22.	C7-13-142 (D) JMJ Partners, LLC	REQUEST:	Approval of a Conditional Use Permit to allow <i>Multiple family residential</i> in a GC District (the site is also located within an ACI-1(PL)-Area of Civic Importance Overlay District)
		LOCATION:	3928 Farnam Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of the Conditional Use Permit to allow Multiple family residential in a GC-ACI-1(PL) District subject to: 1) Compliance with an amended site plan that depicts 6' of curbside landscaping and a 5' sidewalk, 2) Compliance with the proposed operating statement, and 3) Compliance with all other applicable regulations. Mr. Hoich seconded the motion which carried 5-0, with Mr. Kelley abstaining.

23.	C7-13-148 (D) Calvin L. Hinz Architects, P.C.	REQUEST:	Approval of a Conditional Use Permit to allow <i>Large group living</i> in a GO District (the site is also located within a PUD-Planned Unit Development Overlay District)
		LOCATION:	7815 Farnam Street

At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of a Conditional Use Permit to allow Large group living in a GO-PUD District subject to: 1) Compliance with the proposed site plan, 2) Compliance with the operating statement, 3) Compliance with all applicable regulations, and 4) The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. Mr. Hoich seconded the motion which carried 6-0.0

Vacations

24.	C14-13-141 (D) Planning Board	REQUEST:	Vacation of the south 1 foot of Jackson Street from 15th Street west abutting Lots 1, 2 and 3, Block 171, Original City of Omaha.
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At the Planning Board meeting held on August 7, 2013, Ms. Nubel moved for approval of the proposed vacation, subject to all easements being reserved in the vacating ordinance. Mr. Hoich seconded the motion which carried 6-0.

(HOLD OVER CASES)

Subdivisions

2.	C10-13-053 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 Development District Development Agreement (laid over from 7/10/13)
		LOCATION:	Southwest of 192nd Street and West Dodge Road

At the Planning Board meeting held on August 7, 2013, Jim Boozer, 10250 Regency Circle, appeared before the Board on behalf of the applicant. Mr. Boozer displayed a current plat highlighting the recent changes made. He then explained that the changes included the addition of the 18-acre Rothermund property, relocating an office building along 192nd Street, taking away an access point on 192nd Street and the addition of an access point on the public street running east/west. Mr. Boozer also stated that location of Farnam Street as proposed creates less of a thoroughfare and would reduce the speed of traffic through the residential subdivision. He also stated that the area to the south deemed unbuildable because of existing power lines could be used for parking and landscaping.

Carl Dankof, 213 South HWS Cleveland Blvd, appeared before the Board in opposition. Mr. Dankof displayed pictures of residential Lots A, B and C and explained he was concerned that the outer edge of those lots were too close to the proposed Street and that increased traffic would be a safety issue. Another concern was that the proposed street would run through his property. He also explained that 197th Street was a safety issue because the existing residential homes would be over-exposed to the proposed commercial development.

Dan Botos, 19505 Harney St, appeared before the Board in opposition. Mr. Botos stated that he was concerned with the proposed connection point at Farnam Street and that the flow of traffic into Harney Street would be a traffic safety concern. He then stated that after expressing his concerns to the Planning Department and Councilman Thompson, all parties were in agreement that the proposed connection was unsafe.

David Yudelson, 19520 Leavenworth Street, appeared before the Board in opposition. Mr. Yudelson stated that his first concern was that the 197th Street proposed commercial area still had too many intersections and that eliminating 2 more intersections would increase traffic safety. He stated that another concern was that more area should be dedicated to the city park area instead of dedicating all available area to parking lots or residential apartments. He stated that he was also concerned with the street connection that Mr. Botos discussed.

Mr. Boozer stated that there was no specific design for the proposed street connection north and south and that the design would be addressed further when the area south is developed. He then discussed the park area and that park fees generated from development fees could be used for improvements to the existing park.

Jeff Lake, 2111 South 67th Street, appeared before the Board on behalf of the applicant. Mr. Lake explained that the property line next to the Lot A was a dedicated piece of right-of-way and that HWS Cleveland Boulevard was intended to connect to future developments and not be limited to a cul-de-sac. After questioning from the Board he then discussed that the existing power lines limit design parameters and scenarios. He further discussed the concern with Lots A, B and C and that increasing the green space between the existing homes and the proposed street could be an option. They then discussed that there was a 40foot setback between the existing home and the right-of-way and that the developer would be willing to consider additional berms or landscaping. Mr. Dankof stated that the berm and landscaping would be helpful to preserve the quality of their property.

Cheri Rockwell, Planning Department, stated that the Board recommended approval of the rezoning subject to submittal of an acceptable Mixed-Use Development Agreement and approval of the Preliminary Plat subject to the 25 items on the recommendation report.

Ryan Haas, Public Works, discussed that a stub-off for a public street connection to the south needed to be provided. He also discussed that with the City Master Plan through-street connections are recommended within a 1-mile square to allow for ease of traffic flow and eliminate the use of a single arterial street and that they can evaluate traffic calming measures to eliminate the speed of traffic. He also discussed landscaping and berming in the right-of-ways would need to be consistent with design criteria and maintained by homeowners. In response to Ms. Nubel, Mr. Haas clarified that the Harney Street stub could be relocated but must stay within a certain vicinity and that they prefer the connecting street as proposed to the north and not further to the south.

Mr. Yudelson expressed his concern regarding amending the Department recommendations to eliminate 2 additional access points along 197th Street. Mr. Lake then discussed that the engineering standards for 197th street would be discussed with Public Works. He then discussed the secondary access points for Lots 4 and 6 and that there were guidelines for the proximity of access points. Mr. Lake then stated that the issues could be resolved before submittal of the Final Plat.

Mr. Kelley moved for approval of the rezoning from AG to R6 and MU, subject to submittal of an acceptable Mixed-Use District Development Agreement with application for Final Plat approval. Approval of the Preliminary Plat subject to the following being addressed with or prior to submittal of a Final Plat: 1) Submittal of an updated traffic impact study and provide for all improvements identified, 2) Coordinate with the Public Works Department on the design of the roundabout at the intersection of Street 1 and Street 2, 3) Coordinate with the Public Works Department and Douglas County on the required modifications to 192nd Street, 4) Entering into an interlocal agreement with Douglas County covering the

192nd Street improvements, 5) Provide for the adjacent landowner's property to be incorporated into the project as part of the ½ mile connection, 6) Coordinate with the NDOR and/or City for right-of-way vacations or acquisitions, 7) Pave to the south property line and provide a temporary turnaround for the connector street south of Farnam Street, 8) Align the intersection of Street 01 with the driveway on the south side, 9) Remove the existing temporary turnarounds at the end of Farnam and 197th Streets, 10) Dedicate right-of-way to provide for a minimum of 50 feet of right-of-way from the centerline along 192nd Street, if needed, 11) Dedicate an additional 10 feet of right-of-way along 192nd Street for the first 300 feet north of Street 1 (the ¼ mile connection), 12) Revise the notes on the plat to state that there shall be no direct access onto West Dodge Road or 192nd Street from any lots abutting those streets, 13) Provide an access easement from Street 2 to Outlot "C" across Lot 3, 14) Revise the design of Street 6 north of Street 1 so that parking lot drive aisles do not terminate onto the street, 15) Coordinate the design and placement of all traffic calming measures with the Public Works Department, 16) Provide the standard noise attenuation easement language on the Final Plat for Lot 15, 17) Provide 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 192nd Street, 18) Including provisions within the subdivision agreement for compliance with all applicable stormwater management ordinances and policies, 19) Providing for all applicable fees as outlined in the Omaha Municipal Code, 20) Coordinate with the Parks Department in regards to improvements to be made to H.W.S. Cleveland Boulevard and how to address insufficient park amenities in this area, 21) Including provisions for use, ownership and maintenance of the outlots in the subdivision agreement, 22) Provide sidewalks as required by City codes, 23) An acceptable debt ratio of 4% or less, and 24) Coordinate with the Public Works Department regarding the potential for berming and landscaping west of Street 7. Ms. Nubel seconded the motion which carried 6-0.

Zoning

4.	C10-13-118 John Perlebach	REQUEST:	Rezoning from R4(35) and GC to CC and approval of an MCC-Major Commercial Corridor Overlay District (laid over from 7/10/13)
		LOCATION:	Northwest of 57th Street and Northwest Radial Highway

At the Planning Board meeting held on August 7, 2013, Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun stated that the site plan has been redesigned to eliminate the residential lot. Mr. Neary stated that neighbors were concerned about lighting and Mr. Jobeun explained that lighting would comply with City ordinance. He added that the applicant was also in excess of the buffer requirement between the site improvements and the adjacent property. Ms. Nubel stated that another neighbor questioned the operating hours and Mr. Jobeun responded that he was unsure but most Bucky's operate 24 hours per day. He concluded that Neighbors would be consulted on landscaping and that retaining walls on the site would be moved further away from the neighboring home.

Andrew Norman, 2932 North 57th Street, appeared before the Board in opposition. Mr. Norman stated that his residence is adjacent to the lot that would no longer be rezoned. He stated that his main concerns about a Bucky's being erected in a residential neighborhood were environmental costs, underground tanks affecting the ground water or land, run-off from the carwash and noise from the establishment. He also suggested that if a Bucky's was developed at the site that the applicant continued to work with neighbors to address landscaping specifics, buffering and lighting concerns.

Rachel Howell, 2927 North 58th Street, appeared before the Board in opposition. Ms. Howell stated that her residence can be seen from the site. She then displayed photos of similar businesses throughout the City and explained that the street configuration of this site was not similar to any of the other sites. She

commented that those businesses were in business, industrial or mixed-use areas, not residential areas. She further explained that egress from the site turning left onto North 58th Street to the traffic signal at Northwest Radial Highway crosses traffic and blocks the street to oncoming traffic and also displayed a photo of the stacking issue. Ms. Howell stated that if the egress was moved further away from the intersection it would still be across from residential driveways as opposed to a collector street that would better accommodate this type of traffic. She added that the only other exit would allow traffic to head west only onto Northwest Radial Highway. Ms. Howell presented folders to each Board member containing the information she presented and mentioned that her concerns were pedestrian traffic safety and the traffic issue.

Patricia Anderson, 2923 North 58th Street, appeared before the Board in opposition. Ms. Anderson stated that she lives in the Bensonhurst neighborhood. She mentioned that this site was a former grocery store and bar and grill and that she confirmed with the applicant that the proposed gas station, car wash and convenience store development would be a 24-hour establishment. She then explained that the property was surrounded on four sides by a variety of residential uses and had concerns that lives would be negatively impacted by late night noise, auto emission and crime from the proposed development. Ms. Anderson was also concerned about the ingress and egress of large business trucks on North 58th Street and that the same street was also a school bus route; there would be heavy traffic with no traffic signals. Ms. Anderson also agreed that pedestrian traffic safety is a concern and stated that the proposed development did not follow the City's plan for protecting the livability of inner city neighborhoods.

Jonathan Kreinstaff, 3104 North 58th Street, appeared before the Board in opposition. He stated that he lives in the neighborhood and that he also had concerns with increased traffic, vehicles blocking the intersection on 58th Street and crime.

Adam Nordstrom, 2920 North 58th Street, appeared before the Board in opposition. He stated that he is the Director of Teen Challenge of the Midlands, a commercial property and residential facility directly across from the proposed site entrance. He explained that 10-20 students reside at this facility and that he had concerns with the safety of pedestrian traffic, odors from gasoline and noise from the business during overnight hours.

Cheri Rockwell, Planning Department, stated that the Department recommended approval of the rezoning. She stated that the request was amended from the original submittal with the elimination of 2930 North 57th Street. In response to Mr. Neary, Ms. Rockwell stated that the GC District was less restrictive than the CC District and that the addition of MCC regulations would add design criteria.

In response to the Board, Ryan Haas, Public Works Department, addressed the stacking issue along North 58th Street. He stated that the site driveway along North 58th Street would be shifted further away from the Northwest Radial Highway intersection to meet the 60-foot minimum buffer distance requirement. He added that if stacking was still an issue in the future that the problem would be addressed to comply with code provisions. Mr. Haas then responded that the intersection at North 58th and Northwest Radial Highway did not have a left-turn traffic signal, but because traffic patterns and developments change over time intersections are re-evaluated on a case by case scenario and the need for a left-turn traffic signal or adjustment of timing of the traffic light for this particular intersection could be evaluated.

Mr. Jobeun stated that the applicant would meet all City requirements and that the project was consistent with the Master Plan. He added that the developer would work with neighbors as the project progressed and traffic concerns would be addressed.

Mr. Hoich moved for approval. Mr. Nesbitt seconded the motion which carried 5-1, with Mr. Deeb dissenting.

(REGULAR AGENDA)

Master Plan Referrals

6.	C3-13-147 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the 2014-2019 Capital Improvement Program
		LOCATION:	Omaha and 3-mile extraterritorial jurisdiction

At the Planning Board meeting held on August 7, 2013, Chad Weaver, Planning Department, stated that every year the Department discusses project requests from various City departments and that the requests were then submitted to the Mayor's Committee for final approval. He added that this request included a few new projects but others were a continuation from past years. He stated that the Department recommended approval.

Mr. Neary inquired about ADA curb improvement money. Mr. Weaver stated that the funding expires in 2015, and that the curbs being improved met criteria based on intersections and pedestrian traffic. Mr. Neary then inquired about funding for widening streets from 2 lanes streets to 3 lanes. Mr. Weaver explained that the Department would work with Public Works to determine if adding a third lane was necessary.

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

7.	C3-13-149 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of TRIPLE C DEVELOPMENT TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	2601, 2617 and 2619 North 16 th Street and 1518 Ohio Street

At the Planning Board meeting held on August 7, 2013, Bridget Hadley, City Planner, stated that this project was a proposed Family Dollar Store in a redevelopment area of northeast Omaha. She also discussed that this area had high poverty rates and that a reinvestment would help revitalize and stabilize the community by providing neighborhood goods and services and adding approximately 8 to 15 jobs. She explained that the land was vacant and that 3 lots owned by the City and 1 privately owned lot were purchased by the developer. Ms. Hadley stated that the site is within ACI District and design criteria were above the standard design. She also added that a new street, North 15th Avenue, would be constructed just east of the property site.

Cheri Rockwell, Planning Department, stated that the Department recommended approval.

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

8.	C3-13-161 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of VILLAGE EAST SENIOR APARTMENTS TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	2011 North 25th Street

At the Planning Board meeting held on August 7, 2013, Bridget Hadley, City Planner, stated that this development, owned by OEDC, would be 40 residential rental units for seniors age 55 and over and mentioned that there was a strong need for senior housing in the city. She added that the vacant land was purchased from the City and that this would be Phase II of a project started last year. She also explained that this was part of the north Omaha revitalization plan to help rebuild the community and that public improvements would include storm and sanitary sewers, street-scaping and relocation of utility poles.

In response to Mr. Kelley, Ms. Hadley discussed the use of CDBG funds for the project. She explained that CDBG funds were federal funds that are income restricted and that it would be a deferred payment loan.

Michael Maroney, Omaha Economic Development Corporation (OEDC), 2221 North 24th Street, appeared before the Board on behalf of the project. In response to questioning by the Board, Mr. Maroney stated that they were proposing to build additional facilities and buildings in the area that would include a mixture of single-family and multi-family residential and commercial sites and that additional senior housing would depend on the demand.

Cheri Rockwell, Planning Department, stated that the Department recommended approval.

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

The following two cases 9 & 13 were heard concurrently but voted on separately:

9.	C3-13-154 Charleston Homes, LLC	REQUEST:	Approval of a variance from the Future Development Zone specifications of the Urban Development Element of the City of Omaha Master Plan
		LOCATION:	Northwest of 204 th Street and Ames Avenue

At the Planning Board Meeting held on August 7, 2013, Dennis Hogan, Regency Center, appeared before the Board on behalf of the applicant. Mr. Hogan stated that this project would be 272 residential lots that would be developed in two phases. He added that the applicant had met with neighbors and agreed the higher end homes would be built on south end bordering the neighbors. Mr. Hogan mentioned that the Department recommendations were acceptable and that they had met with County and City departments regarding 204th Street and Fort Street improvements.

Cheri Rockwell, Planning Department, stated that the Department recommended approval.

Ms. Nubel moved for approval. Mr. Nesbitt seconded the motion which carried.

13.	C10-13-155 C12-13-156 Charleston Homes, LLC	REQUEST:	Preliminary Plat of ARBOR VIEW, a subdivision outside the city limits, with rezoning from AG to DR and R4
		LOCATION:	Northwest of 204 th Street and Ames Avenue

At the Planning Board Meeting held on August 7, 2013, Dennis Hogan, Regency Center, appeared before the Board on behalf of the applicant. Mr. Hogan stated that this project would be 272 residential lots that would be developed in two phases. He added that the applicant had met with neighbors and agreed the higher end homes would be built on south end bordering the neighbors. Mr. Hogan mentioned that the Department recommendations were acceptable and that they had met with County and City departments regarding 204th Street and Fort Street improvements.

Cheri Rockwell, Planning Department, stated that the Department recommended approval.

Ms. Nubel Moved for approval of the rezoning from AG to DR and R4 and for approval of the Preliminary Plat subject to the following being addressed with or prior to submittal of a Final Plat: 1) Submittal of a traffic impact study and provide for all improvements identified, 2) Including provisions in the subdivision agreement for the grade coordination and widening of Fort Street and 204th Street to 3 lanes adjacent to the subdivision, 3) Coordinate with Douglas County and the City to determine the necessary improvements to the intersection of 204th and Fort Street, 4) Entering into an interlocal agreement with Douglas County and the City for the improvements of 204th Street and Fort Street, 5) Add the following

notes on the Final Plat: (a) "There shall be no access from Lots 49 and 50 to 207th Street" (b) "There shall be no access from Lots 75 and 255 to Grand Avenue", 6) Providing for traffic calming on any street in excess of 1,000 feet, 7) Providing for the paving of all stub streets to the property line and include the appropriate temporary turnarounds 8) Providing the standard language for noise attenuation easements on the Final Plat, 9) Providing sidewalks along all public streets, 10) Providing 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 Fort Street, 11) Placing the footprint of the buildable area on the Final Plat for Lot 104, 12) Account for or provide clarification on the gap between the OPPD substation and the northeast portion of the plat, 13) Providing for all applicable fees as outlined in the Omaha Municipal Code, 14) Including provisions within the subdivision agreement for compliance with all applicable stormwater management ordinances and policies, 15) Including provisions for use, ownership and maintenance of the outlots in the subdivision agreement, 16) Providing a letter of approval from Douglas County regarding noxious weed control, 17) Providing a letter of approval for established delivery points from the Omaha Post Office, and 18) An acceptable debt ratio of 4% or less. Mr. Deeb seconded the motion which carried 6-0.

12.	C10-13-152 C12-13-153 C11-08-105 Essex Communities	REQUEST:	Preliminary Plat of COTTAGES OF OAKDALE, a cluster subdivision inside the city limits, with rezoning from R6 to R5 and repeal a PUD-Planned Unit Development Overlay District
		LOCATION:	9515 West Center Road

At the Planning Board Meeting held on August 7, 2013, Kent Braasch, Essex Corporation, 11606 Nicholas Street, developer of project, appeared before the board. Mr. Braasch stated that Essex Corporation develops housing options for retirees and empty-nesters in a six state area surrounding and including Nebraska. He stated that the project will be located on the frontage road at 96th and West Center Road. Mr. Braasch stated that the design of the cottages are pedestrian-oriented and encourages pedestrian walking based on the location which is near existing retail and a new development at 90th and Center, Rockbrook area to the west, nearby walking trail and residential area. He stated that there will be 8 single-family lots and one outlot to include a common building at the edge of the property. Each single-family lot will have a private yard allowing the residents to create a personal garden area and something that is very manageable. Mr. Braasch stated that the common area is the heart of the development where a lot of time and effort will be spent with landscaping. The common area is maintained by the homeowners association and the private yards are maintained by the residents. He stated that a great deal of time was spent laying out the site in order to minimize the amount of asphalt and concrete in the area therefore an access road was created from 96th Street and West Center Road. The design of the single-family homes will feature single story living which means all essentials will be located on the first floor with a second floor that can be used for a bedroom or a den. The tudor feel design features approximately 1,560 square feet and is for people that are looking to downsize and a simpler way of life. Mr. Braasch stated that in an attempt to minimize the asphalt, the dead ends were created on the site with the private drive. He stated that he has met with the fire department and they are in agreement with the dead ends but there is not enough space for additional turnaround because of the change in grade. Secondly, the setback on the east side of property is a small area that reduces the setback from 20 foot to 12.83 feet which is needed to create all homes identical.

Jerry Slusky, 8712 West Dodge Road, appeared before the board on behalf of the applicant and stated that the project is very exciting and very appealing to Omaha. Mr. Slusky stated that everything has been worked out with the exception of four requests that will be before the Zoning Board of Appeals. He stated that the only relevant issue is the turnaround and as long as everything is sprinklered, the fire department is in approval. Mr. Slusky requested that the board approve without the turnaround requirement.

In response to Ms. Nubel, Mr. Slusky stated that a meeting was held in June 2013 and all issues were addressed to approximately 20-25 neighbors. Mr. Slusky stated that he also received a call from a

neighbor with regard to traffic concerns at the nearby school. He stated that the project is geared toward empty-nesters therefore there should be no problems with traffic at the school. Mr. Slusky added that a second meeting was held with a couple of neighbors who had concerns which were satisfied.

Cheri Rockwell, Planning Department, stated that the department recommends approval of the repeal of the Planned Unit Overlay District, approval of the rezoning from R6 to R5 and approval of the preliminary plat subject to the following conditions being addressed prior to an application for final plat approval: 1) Providing turnarounds at the termination points on the private driveways; 2) Obtaining the necessary waivers from the Zoning Board of Appeals before submittal of the final plat; 3) Compliance with all applicable stormwater management policies and ordinances; and 4) Including provisions for use, ownership and maintenance of the outlot in the final subdivision agreement.

Ryan Haas, Public Works, appeared before the board. Mr. Haas stated that city code dictates that all lots be served by a public street or a private way. He stated that dead ends were created and is not by city standards with regard to individual lots. Mr. Haas made several suggestions with safety as a concern.

In response to Mr. Nesbitt, Mr. Haas stated that the sign off by the fire department does not necessarily address all concerns. He further added that there is data that shows a significant number of incidences with pedestrian collisions of young children and back in maneuvers which is why streets are not terminated.

In response to Mr. Neary, Mr. Haas verified that the first single-family home has a characteristic of a driveway but there is a fact that there are several lots being loaded. He clarified that each lot needs to be served by a street or private way built to city standards.

In response to Mr. Nesbitt, Mr. Slusky stated there could be some movement on both sides with regard to the dead end issue.

In response to Mr. Neary, Alan Thelen, Law Department, answered that the final plat would still need to come before the City Council and the criteria on the final plat is that it substantially conforms to the preliminary plat.

Mr. Nesbitt moved to approve the repeal of the Planned Unit Overlay District; approval of the rezoning from R6 to R5, and approval of the preliminary plat subject to the following being submitted with or prior to an application for final plat approval: 1) Working with the Public Works Department regarding the provision of turnarounds at the termination points on the private driveways, 2) Obtaining the necessary waivers from the Zoning Board of Appeals before submittal of the final plat, 3) Compliance with all applicable stormwater management policies and ordinances, and 4) Including provisions for use, ownership and maintenance of the outlot in the final subdivision agreement. Mr. Hoich seconded the motion which carried 6-0.

14.	C10-13-157 C12-13-158 Mike Moylan	REQUEST:	Preliminary and Final Plat of THE CAPITOL DISTRICT, a minor plat inside the city limits, with rezoning from DS to CBD (property is also located within an ACI-1-(PL) Overlay District)
		LOCATION:	Northwest of 10th Street and Capitol Avenue

At the Planning Board Meeting held on August 7, 2013, Larry Jobeun, 11440 West Center Road, appeared before the board on behalf of the applicant. Mr. Jobeun submitted the proposed recommendation which Public Works agrees with. He stated that the City will initiate the vacation of Davenport Street therefore the design issues will be completed at a later date.

Cheri Rockwell, Planning Department, stated that Ryan Haas, Public Works has reviewed the changes and finds them acceptable. Ms. Rockwell stated that the department recommends approval of the rezoning from DS-ACI-1(PL) to CBD-ACI-1(PL) and approval of the Preliminary Plat, subject to addressing the following items: 1) Coordinating with the Public Works Department for the placement of parking meters on the public portion of Davenport Street if it is to remain a public street; 2) Coordinating with the Public Works Department on the design of Davenport Street; 3) Providing a sidewalk easement from the curb line of 10th Street to the back of the sidewalk in front of the proposed hotel; 4) Coordinating with the Public Works Department to provide acceptable driveway dimensions and locations; 5) The final mylars must be labeled as The Capitol District, Lots 1 through 5; 6) Provide bicycle, transit, and other infrastructure to support the assumptions in the traffic memo; and 7) Compliance with all applicable stormwater management policies and ordinances; and 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 City Council.

Mr. Kelley moved to approve the rezoning from DS-ACI-1(PL) to CBD-ACI-1(PL); approval of the Preliminary Plat, subject to addressing the following items: 1) Coordinating with the Public Works Department for the placement of parking meters on the public portion of Davenport Street if it is to remain a public street; 2) Coordinating with the Public Works Department on the design of Davenport Street; 3) Providing a sidewalk easement from the curb line of 10th Street to the back of the sidewalk in front of the proposed hotel; 4) Coordinating with the Public Works Department to provide acceptable driveway dimensions and locations; 5) The final mylars must be labeled as The Capitol District, Lots 1 through 5; 6) Provide bicycle, transit, and other infrastructure to support the assumptions in the traffic memo; and 7) Compliance with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality. 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. Mr. Nesbitt seconded the motion which carried 6-0.

Special Use Permits

20.	C8-13-146 Maria Torres	REQUEST:	Approval of a Special Use Permit to allow <i>Body and fender repair services</i> in a GC District (the site is also located within an NCE-C-Neighborhood Conservation/Enhancement District)
		LOCATION:	2540 South 10th Street

At the Planning Board meeting held on August 7, 2013, Maria Torres, 2540 South 10th Street, appeared before the Board. Ms. Torres stated that this business has been in existence for approximately 16 years and that she has owned the business for approximately 1 year. She explained that the request was for the addition of a paint booth inside the existing business.

Joseph Sans, 2540 South 10th Street, appeared before the Board. Mr. Sans explained that the applicant would install landscaping in the areas recommended by the Planning Department, add screening, move unrepaired cars inside the building or fenced area, and striping would be added to the lot. He also presented signatures of approval from neighbors.

William Siedler, Jr., 10050 Regency Circle, 10th & Bancroft, LLC d/b/a Bancroft Street Market, appeared before the Board in opposition. Mr. Siedler stated that he was a member of the group that worked on the South 10th Street Neighborhood Conservation Enhancement (NCE) plan which plan was approved by the Planning Board and City Council in 2010. He explained that the NCE plan district boundaries were the Old Market District on the North, Henry Doorly Zoo on the south, and Lauritzen Gardens on the east. He further explained that the NCE plan had previously been used to promote investors to rehabilitate the area while preserving and enhancing the pedestrian friendly nature of the area.

In response to Mr. Deeb, Ms. Torres stated that when she purchased the business her intent was to keep the existing business on the property.

Cheri Rockwell, Planning Department, stated that the paint booth would be an expansion of the current use on the site and that the site plan submitted didn't allow for a complete review of the request. She stated that the Department recommended layover to allow applicant time to address concerns and resubmit the request. She also discussed that the NCE plan did have an effect on the property but since the use was existing expansion was allowed if current regulations were in compliance.

Mr. Nesbitt moved to layover the request to provide the applicant time to meet with staff, submit a revised site & landscape plan that addresses the concerns outlined in the report and to provide an updated operating statement detailing all the uses at the site, within 60 days or 30 days if ready. Ms. Nubel seconded the motion which carried 6-0.

21.	C8-94-093 Hy-Vee, Inc.	REQUEST:	Approval of a Major Amendment to a Large Project Special Use Permit in a GC District (portions of which property lie within the flood fringe)
		LOCATION:	7910 Cass Street

At the Planning Board meeting held on August 7, 2013, John Brim, Hy-Vee Inc., 5820 Westown Parkway, appeared before the Board. Mr. Brim stated that he had met with neighbors and the Planning Department in April of this year and were now resubmitting the request with revisions based on discussions at the neighborhood meeting. He explained this project would be the addition of a gas station and convenience store at the existing Hy-Vee Grocery Store. Mr. Brim stated that neighbors were concerned with the convenience store location and pedestrian access to the site. He explained that revisions would include the removal of an island near the front of the parking lot to relieve traffic congestion, the addition of sidewalk connections to access the existing store and the proposed convenience store, and the addition of screening along the nearby public trail. He also stated that since the parking lot did not previously meet parking standards that additional parking would be added to meet code requirements for the grocery store.

In response to questioning by the Board, Mr. Brimm stated that neighbors were concerned with the lack of parking and that the new parking lot would allow for additional parking. Cheri Rockwell, Planning Department discussed the parking ratio for grocery stores and Mr. Brim concluded the existing store was lacking approximately 50 stalls.

Ms. Rockwell stated that the Department recommended a layover to allow the applicant additional time to submit required information. She added that the proposed coffee shop information was not included in the operating statement submitted by the applicant. Mr. Brim explained that the submittal showed the proposed coffee shop drive-thru but the Board agreed that the submitted drawing did not offer enough clarity.

Mr. Nesbitt moved to layover the Major Amendment to a Large Project Special Use Permit in a GC District (portions of which property lie within the flood fringe) to allow the applicant time to work with City staff and revise the submittal in the following ways: 1) Clarify the total building coverage on the site, 2) Provide the required 30 foot landscaped buffer adjacent to the new southeastern 55-stall parking lot expansion, 3) Modify the configuration of the southern access drive where it begins to curve, 4) The layout and location of new sidewalks, 5) Determine if landscaping west of the new convenience store is adequate, 6) Review to ensure that all components of the new convenience store comply with all applicable regulations, and 7) Provide building elevations for the new convenience store. Mr. Kelley seconded the motion which carried 6-0.

APPROVAL OF MINUTES

Mr. Kelley moved to approve the meeting minutes of June 5, 2013 and July 10, 2013 as written. Ms. Nubel seconded the motion which carried 6-0 for June 5, 2013 and 5-0 for July 10, 2013, with Mr. Nesbitt abstaining.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 4:29 pm.

Date Approved

Raymond J. Neary, Chair

Rikki Flott, Planning Board
Recording Secretary