MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – DECEMBER 3, 2014
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, November 24, 2014.

MEMBERS PRESENT: Anna Nubel, Chair
Brinker Harding, Vice Chair
Van C. Deeb
Greg Rosenbaum
Trenton Magid
David Rosacker

MEMBERS NOT PRESENT: Arnold Nesbitt

STAFF PRESENT: James Thele, Planning Director
Dave Fanslau, Acting Assistant Director, Current Planning
Cheri Rockwell, Acting Manager, Current Planning
Alan Thelen, Law Department
Rikki Flott, Recording Secretary

Anna Nubel, 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)

Special Use Permits

2. C8-14-175 (D)
Nebraska Electrical Services
REQUEST: Approval of a Special Use Permit to allow Custom manufacturing in a CC District (property is also located within a MCC Overlay District and Flood Fringe Overlay District)

LOCATION: 22101 West Maple Road

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval of the Special Use Permit to allow Custom Manufacturing in a CC-Community Commercial District subject to: 1) Submittal of a revised site plan prior to forwarding this request to City Council that adequately addresses the following: (a) Providing one (1) handicap accessible parking stall, and (b) Providing at a minimum 7% interior parking lot landscaping in compliance with Section 55-928 OMC, 2) No outdoor storage is permitted, 3) Compliance with the revised site and landscape plans, 4) Compliance with the operating statement, 5) Compliance with MCC Overlay District signage and retaining wall regulations, 6) Compliance with an approved Flood Plain Development Permit, and 7) Compliance with all other applicable regulations. Mr. Rosenbaum seconded the motion, which carried 6-0.
### C8-14-176 (D)
#### Ardon Investments, LLC

**REQUEST:** Approval of a Special Use Permit to allow Convenience storage in a CC District (property is also located within a MCC Overlay District and Flood Fringe Overlay District)

**LOCATION:** 22101 West Maple Road

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval of the Special Use Permit to allow Convenience storage in a CC-Community Commercial District subject to: 1) Submittal of a revised site plan prior to forwarding this request to City Council that adequately addresses the following: (a) Providing one handicap accessible parking stall, with access aisle, for the parking area near the kiosk, (b) Removing the reference to the pole sign location, (c) Revising the storage buildings so the storage units open to face the interior, and (d) Providing the monument sign rendering for review and approval by the Planning Department, 2) Perimeter fencing being constructed as a solid wood, vinyl or masonry enclosure, 3) No outdoor storage is permitted, 4) Compliance with the revised site and landscape plans, 5) Compliance with the MCC Overlay District retaining wall regulations, 6) Compliance with the operating statement, 7) Compliance with an approved Flood Plain Development Permit, and 8) Compliance with all other applicable regulations. Mr. Rosenbaum seconded the motion, which carried 6-0.

### Regular Agenda

#### Subdivisions

| 7. | C10-14-227 (D) C12-14-228 Todd Lieberman/ Brinshore Development | REQUEST: Preliminary Plat approval of HIGHLANDER 75 NORTH, a subdivision inside the city limits, with rezoning from R5(35) and R7 to LC-ACI-1(PL), R7 and R7-ACI-1(PL) | LOCATION: Generally, North of Parker Street and South of Grant Street, East of 32nd Street and West of the North Freeway |

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved to layover the request. Mr. Rosenbaum seconded the motion, which carried 6-0.

#### Overlay Districts

| 8. | C11-14-226 (D) Todd Lieberman/ Brinshore Development | REQUEST: Approval of a PUR-Planned Unit Redevelopment Overlay District | LOCATION: Generally, North of Parker Street and South of Grant Street, East of 32nd Street and West of the North Freeway |

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved to layover the request. Mr. Rosenbaum seconded the motion, which carried 6-0.

| 9. | C9-08-136 (D) Mike Schulz | REQUEST: Rescission of a PK-Overlay District in a R7 District | LOCATION: 1504 Yates Street |

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion, which carried 6-0.
Rezonings

11. C10-14-231 (D)  
    Dennis Kosmicki  
    REQUEST: Rezoning from DR to R2  
    LOCATION: 8704 Boyd Street

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved Mr. Rosenbaum seconded the motion, which carried 6-0.

12. C10-14-232 (D)  
    3824 Farnam LLC  
    REQUEST: Rezoning from R7 to NBD (property is also located within an existing ACI-1(PL) Overlay District)  
    LOCATION: 401 South 41st Street

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion, which carried 6-0.

13. C10-14-233 (D)  
    3824 Farnam LLC  
    REQUEST: Rezoning from GC to NBD (property is also located within an existing ACI-1(PL) Overlay District)  
    LOCATION: 3824 Farnam Street

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion, which carried 6-0.

14. C10-14-234 (D)  
    Joseph A Wise III  
    REQUEST: Rezoning from R4 to R5  
    LOCATION: 1402 and 1406 North 65th Street and 6506 and 6510 Hamilton Street

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion, which carried 6-0.

Conditional Use Permits

15. C7-14-236 (D)  
    Katherine Lasette  
    REQUEST: Approval of a Conditional Use Permit to allow a Day care (general) in a GI District  
    LOCATION: 10828 John Galt Boulevard

At the Planning Board meeting held on December 3, 2014, Mr. Deeb moved for approval of a Conditional Use Permit to allow Day care services (general) in a GI District subject to: 1) Compliance with the site plan, 2) Compliance with the submitted 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 prior to operation of the facility. Mr. Rosenbaum seconded the motion, which carried 6-0.

ADMINISTRATIVE MEETING ONLY

1. C12-14-152  
    Pacific Windgate II, LLC  
    REQUEST: Final Plat approval of WINDGATE RANCH TWO REPLAT 1, a subdivision outside the city limits, with rezoning from DR and R4 to DR and R4  
    LOCATION: East of 214th and Frances Streets

At the Planning Board meeting held on December 3, 2014, Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the final plat, subject to the conditions of the recommendation report prior to forwarding the request to City Council.
Mr. Rosenbam moved for approval of the rezoning from DR and R4 to DR and R4 and approval of the final plat subject to compliance with the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council. Mr. Deeb seconded the motion, which carried 6-0.

(REGULAR AGENDA)

Master Plan Referral

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<td>C3-14-217</td>
<td>REQUEST: Approval of the ROCHESTER APTS. TIF REDEVELOPMENT PROJECT PLAN</td>
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<td>Planning Department on behalf of the City of Omaha</td>
<td>LOCATION: 1015 North 14th Street</td>
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At the Planning Board meeting held on December 3, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley displayed a map of the area and stated that the project was within the Arts and Trades District of the 2030 Downtown Master Plan. She added that the project was also within the Nicholas Street Historic District and that the currently vacant building was a proposed conversion to 75 market rate apartments. She then explained that TIF funds would be used for 46 parking stalls, streetscaping and the completion of 14th Street.

Todd Heistand, 2223 Dodge Street, appeared before the Board and stated that he was available to answer questions regarding the project.

In response to Mr. Rosenbaum, Mr. Hadley stated that there was approximately a 5% vacancy rate from the downtown area to the midtown area and that with larger businesses in the area, that rate would stay the same. In response to Ms. Nubel, Mr. Heistand stated that finishing 14th Street and future adjacent development would create more parking and that parking may be an issue during large yearly events, such as the College World Series. He also responded that parking would only affect nearby businesses during their large special events 3 or 4 times per year and that he was working with the owner to the east regarding parking issues for the adjacent businesses. In response to Mr. Harding, Mr. Heistand stated that parking was not currently metered along 14th Street and would not be metered after completion of construction.

Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval.

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

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<td>5.</td>
<td>C3-14-237</td>
<td>REQUEST: Approval of the NCE-Neighborhood Conservation and Enhancement District Inventory and Initiative</td>
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<td>Planning Department on behalf of the City of Omaha</td>
<td>LOCATION: Omaha and 3-mile extraterritorial jurisdiction</td>
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At the Planning Board meeting held on December 3, 2014, Jed Moulton, City Planning, presented the request. Mr. Moulton stated that the requested change amended the Master Plan with the Neighborhood Conservation Enhancement Inventory and Report, which focused on neighborhood conservation district planning. He added that the request focused on the historic artifacts of the neighborhood commercial nodes that existed during the streetcar era, such as the Dundee, Benson, South 10th Street and 33rd and California Street areas. He then then explained that the purpose was to develop a long range strategy for these areas as commercial anchors to facilitate zoning code changes and assist with development.

In response to Ms. Nubel, Mr. Moulton stated that the demand for walking pedestrian urban environments has increased nationally and that the focus was to apply similar standards and best practices to the Omaha area. He added that public access to the report would be available in approximately spring of 2015.

Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval.

Mr. Deeb moved for approval. Mr. Magid seconded the motion, which carried 6-0.
**Subdivisions**

| 6. | C10-14-159a  
|    | C12-14-159  
|    | J Dubbya Land, LLC | REQUEST: | Revised Preliminary Plat and Final Plat approval of PRIME BUSINESS PARK REPLAT, a subdivision inside the city limits and Approval of a MCC-Major Commercial Corridor Overlay District (portion of property within flood fringe, flood way and MCC Overlay District) |
|    |                            | LOCATION: | Southwest of Old Highway 64 and West Maple Road |

At the Planning Board meeting held on December 3, 2014, Doug Dreessen, 10836 Old Mill Road, appeared before the Board on behalf of the applicant. Mr. Dreessen stated that sidewalks were added to the revised preliminary plat, appropriate approvals received regarding the septic systems and that a flood plain development application permit was pending.

In response to Ms. Nubel, Mr. Dreessen explained that the requirement to extend the road to the south end of the property was discussed with the Planning Department. He further explained that the flood plain area was modified with prior map revisions and that an elevation change of approximately 6 feet may require an easement to grade along the property to the south to complete the road.

Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval of the revised preliminary plat, subject to the 6 conditions of the recommendation report, and layover of the final plat, subject to the applicant meeting the conditions of the preliminary plat.

Ryan Haas, Public Work, stated that road connections were a common requirement to facilitate future development connections.

Mr. Rosenbaum moved for approval of the revised preliminary plat subject to: 1) Providing for a deceleration lane on eastbound West Maple Road at 220th Street, 2) Providing a letter of approval from the Douglas County Health Department and the Nebraska Department of Environmental Quality (NDEQ) for the existing and future septic systems prior to submittal of the final plat, 3) Paving the temporary turnaround for the stub street all the way to the subdivision boundary, 4) Providing for sidewalks along all street frontages as required, 5) Compliance with all stormwater management policies and ordinances, and 6) Compliance with an approved Flood Plain Development permit, and to layover of the final plat subject in order to satisfactorily address all conditions of the revised preliminary plat approval. Mr. Deeb seconded the motion, which carried 6-0.

**Rezonings**

| 10. | C10-14-229  
|     | C7-14-230  
|     | James Lemon | REQUEST: | Rezoning from GC and R7 to R4 with Approval of a Major Amendment to a Conditional Use Permit (assumed) to allow Religious assembly in a R4 District |
|     |                            | LOCATION: | Northeast of 30th and Hamilton Streets |

At the Planning Board meeting held on December 3, 2014, Dan Dolezlal, 3552 Farnam St., appeared before the Board on behalf of the applicant. Mr. Dolezal stated that the applicant was preparing a revised plan to meet all recommendations. He commented that the landscape requirement between he 2 access drives was difficult to attain because of the limited space available in the front of the building.

Ms. Nubel commented that the Board visited the site before the meeting and then stated that because the limited space for landscaping, planters may be more suitable. Mr. Deeb commented that the north wall of the adjacent property owner was a safety concern, but was not relevant to the request.
Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the Major Amendment to the Conditional Use Permit, subject to the 7 conditions of the recommendation report. He then stated that the use of planters for landscaping, as recommended in 3(e), was acceptable to allow for ease of pedestrian movement along the sidewalk.

Mr. Deeb moved for approval of the rezoning from GC and R7 to R4 and approval of a Major Amendment to the Conditional Use Permit (assumed) to allow Religious assembly in a R4 District, subject to the following conditions prior to the issuance of any building permits: 1) Submit an application to rezone the site to the ACI-1(PL) Overlay District, 2) Receive a waiver from the Zoning Board of Appeals for the following items: (a) A 10 foot setback for the parking lot from the south property line, (b) Total impervious coverage for the site, 3) Submittal of a revised site and landscape plan that addresses the following items: (a) Provide 10 feet of perimeter landscaping on the east boundary of the site, (b) Provide 10 feet of perimeter landscaping on the north boundary of the site, (c) Provide a 4 foot continuous landscape screen on the south, east and north of the new parking area, (d) Convert the 7 proposed parking stalls south of the interior landscaped median to compact parking, (e) Provide landscaping in front of the church between the two access drives from the back of the curb to as close to the western edge of the building as possible (while still allowing an adequate pedestrian walkway), (f) Provide an additional tree on the landscaped node at the northwest portion of the new parking area, (g) Modify the existing parking lot to provide 3 handicapped-accessible parking stalls, and (h) Accurately depict the existing improvements and property lines of the western portion of the site, 4) Compliance with the revised site and landscape plan, 5) Compliance with the ACI-1(PL) Overlay District regulations, 6) Compliance with all applicable stormwater management ordinances and policies, and 7) Compliance with all other applicable regulations. Mr. Magid seconded the motion, which carried 6-0.

APPROVAL OF MINUTES

Mr. Magid moved to APPROVE the meeting minutes of October 1, 2014 as written. Mr. Rosenbaum seconded the motion which carried 6-0.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 2:05 pm.

_________________________________________
Date Approved

_________________________________________
Anna Nubel, Chair

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Rikki Flott, Planning Board
Recording Secretary