MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – March 5, 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, February 24, 2014.

MEMBERS PRESENT: R. J. Neary, Chair
John Hoich
Van C. Deeb
Arnold Nesbitt
Greg Rosenbaum

MEMBERS NOT PRESENT: Anna Nubel, Vice Chair
Brinker Harding

STAFF PRESENT: James Thele, Acting Planning Director
Dave Fanslau, Acting Assistant Director, Current Planning
Cheri Rockwell, Acting Manager, Current Planning
Chad Weaver, Manager, Long Range 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.

(REGULAR AGENDA)

Master Plan Referral

<table>
<thead>
<tr>
<th>3.</th>
<th>C3-14-023 (D) Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the CASS ST. APTS TIF REDEVELOPMENT PROJECT PLAN</th>
</tr>
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<tbody>
<tr>
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<td>LOCATION: 7023 Cass Street</td>
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At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.
5. C3-14-026 (D)  
Planning Department on behalf of the City of Omaha  
REQUEST: Approval of the Old Millard Community Redevelopment Area Designation  
LOCATION: An area generally bounded by "L" Street on the northeast, south to Cottner Street, west to 134th Street, south to "Q" Street, west to Cottner Street, north to Millard Avenue, west to the West Branch Papio Creek, and then following the property lines north and east to Stevens Street on the north back to "L" Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.

Subdivisions

7. C10-14-027 (D)  
C12-14-028  
Midtown Triangle, LLC  
REQUEST: Preliminary and Final Plat approval of MIDTOWN TRIANGLE, a minor plat inside the city limits, with rezoning from CC and GI to NBD (property is also located within an ACI-1(PL) Overlay District)  
LOCATION: Northwest of 30th and Leavenworth Streets

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the rezoning from CC-ACI-1(PL) and GI-ACI-1(PL) to NBD-ACI-1(PL), approval of the Preliminary Plat, subject to addressing the following conditions prior to forwarding to City Council: 1) Public Work’s concerns about the northeast corner node, 2) Coordinating the placement of on-street parking with Public Works, and 3) Obtaining a waiver from the Administrative Board of Appeals regarding the two driveways accessing the site, 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 the City Council. Mr. Deeb seconded the motion which carried 5-0.

8. C12-14-029 (D)  
WM Grace Co. LLC  
REQUEST: Preliminary and Final Plat approval of KRANTZ SUBDIVISION REPLAT 1, a minor plat inside the city limits  
LOCATION: 7820 "L" Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the Preliminary Plat subject to: 1) The applicant providing for provisions of installing sidewalks along all street frontages within a subdivision agreement or agreeing to waive the right to protest a future sidewalk improvement district within a subdivision agreement, and 2) 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 request to the City Council. Mr. Deeb seconded the motion which carried 5-0.

9. C12-14-030 (D)  
Midtown REI, LLC  
REQUEST: Preliminary and Final Plat approval of ABBoud’S FIRST ADDITION REPLAT ONE, a minor plat inside the city limits  
LOCATION: 6201 South 90th Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 4-0-1, with Mr. Neary abstaining.
10. C10-14-031 (D)
C12-14-032
Dillon Companies, Inc.

REQUEST: Preliminary and Final Plat approval of DILLON’S SADDLE CREEK, a minor plat inside the city limits, with rezoning from GC and GI to CC and approval of an MCC Overlay District

LOCATION: 888 South Saddle Creek Road

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the rezoning from GC and GI to CC-MCC, approval of the Preliminary Plat, subject to the following conditions: 1) Provide for the release of the easement on the north end of Lot 1 (Book 871, Page 43) prior to the recording of the plat, 2) Coordinate with METRO regarding changes or possible improvements for transit bus service, and approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council. Mr. Deeb seconded the motion which carried 5-0.

13. C10-14-037a (D)
C12-14-037
Batis Development

REQUEST: Preliminary and Final Plat approval of CYNET COMMERCIAL PLAZA REPLAT 2, a minor plat inside the city limits, with a waiver of Section 53-8(4)(d) for lot frontage, and approval of an MCC Overlay District (Lot 1)

LOCATION: Southwest of 136th and "Q" Streets

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the MCC-Major Commercial Corridor Overlay District (Lot 1), approval of the waiver of Section 53-8(4)(d) for lot frontage (Lot 2), approval of the Preliminary Plat subject to: 1) The applicant providing a note on the final plat mylars that states that there shall be no direct access from Lot 1 to "Q" Street, 2) Compliance with all applicable stormwater management ordinances and policies, 3) Extending the access easement to the north 230 feet of the west 155 feet of Lot 1, Cynet Commercial Plaza (13715 “Q” Street), at a useable location, and approval of the Final Plat subject to compliance with the Preliminary Plat conditions of approval and submittal of an acceptable final subdivision agreement, if required. Mr. Deeb seconded the motion which carried 5-0.

14. C10-00-040 (D)
C12-14-038
Royce Grayhawk

REQUEST: Preliminary and Final Plat approval of WEST GRAYHAWK REPLAT THREE, a minor plat inside the city limits, with Approval of a Major Amendment to the Mixed Use District Development Agreement for West Grayhawk

LOCATION: Southwest of 147th Street and West Maple Road

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the Major Amendment to the Mixed Use Development Agreement subject to the following conditions and submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action: 1) Creating a pedestrian connection from Evans Plaza southward to the existing R6 zoning, and 2) Providing for the continuation of the stub street on the existing Lot 1, Replat 2, West Grayhawk, approval of the Preliminary Plat subject to: 1) Renaming Evans Street to Evans Plaza, and approval of the Final Plat subject to compliance with the condition of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Deeb seconded the motion which carried 5-0.
16. C10-14-041 (D)  
C12-14-042  
Bluestone Development  
REQUEST: Preliminary and Final Plat approval of CASS PLACE, a minor plat inside the city limits, with rezoning from R2 to R8 and approval of an ACI-2 Overlay District  
LOCATION: 7023 Cass Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.

18. C10-14-044 (D)  
C12-14-045  
Majestic Pointe, LLC  
REQUEST: Preliminary Plat approval of MAJESTIC POINTE, a subdivision outside the city limits, with rezoning from AG to DR, R4 and MU  
LOCATION: Southwest of 168th and State Streets

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.

Overlay Districts

20. C11-14-043 (D)  
Bluestone Development  
REQUEST: Approval of a PUD-Planned Unit Development Overlay District  
LOCATION: 7023 Cass Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.

Rezonings

23. C10-14-050 (D)  
Teodora Castaneda  
REQUEST: Rezoning from GI to R5  
LOCATION: 4129 Lake Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.

24. C10-14-051 (D)  
Planning Department on behalf of the City of Omaha  
REQUEST: Rezoning from R4(35) to R4  
LOCATION: 4230 Ohio Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.

25. C10-14-052 (D)  
Planning Department on behalf of the City of Omaha  
REQUEST: Rezoning from R5(35) and GC to R5  
LOCATION: 3109, 3111 and 3113 Franklin Street, 1622 North 31st Street, 3218, 3220, 3222 and 3224 Charles Street, 3114 Seward Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.
26. C10-14-053 (D)
Planning Department on behalf of
the City of Omaha
REQUEST: Rezoning from R5(35) to R5
LOCATION: 3711, 3717, 3718 and 3726 Parker Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.

27. C10-14-054 (D)
RL Grinnell Corporation
REQUEST: Rezoning from HI to CBD and approval of an ACI-1(PL) Overlay District
LOCATION: Northwest of 13th and Nicholas Streets

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.

28. C10-97-029 (D)
St. Paul II Newman Center
REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Business & Education Campus
LOCATION: Northeast of 71st Street and Poppleton Avenue

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the Major Amendment to the Aksarben Business and Education Campus Mixed Use District Development Agreement for Lots 4 and 5, Replat 4, Aksarben Business and Education Campus, to allow *Multiple family residential, Religious Assembly, and Surface parking* subject to submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action. Mr. Deeb seconded the motion which carried 4-0-1, with Mr. Neary abstaining.

### Special Use Permits

29. C8-14-055 (D)
Edward Greve
REQUEST: Approval of a Special Use Permit to allow *Automotive sales* in a CC District
LOCATION: 1300 Veterans Drive

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the Special Use Permit to allow *Automotive sales* in a CC District subject to: 1) Submittal of a revised, accurate site plan that complies with Section 55-883(d) prior to forwarding the request to the City Council, 2) No outside display of vehicles, 3) Providing an additional parking stall to meet the minimum required for the use, 4) The use permit is for this applicant only, 5) Compliance with the proposed operating statement and revised plans, 6) Compliance with all applicable regulations, and 7) The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. Mr. Deeb seconded the motion which carried 5-0.

32. C8-14-060 (D)
McNeil Company Builders
REQUEST: Approval of a Large Project Special Use Permit to allow *Multiple-family residential* in a CC District
LOCATION: 5505 South 120th Street

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved to layover the request. Mr. Deeb seconded the motion which carried 5-0.
### Conditional Use Permits

<table>
<thead>
<tr>
<th>No.</th>
<th>Code</th>
<th>Applicant</th>
<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>33.</td>
<td>C7-14-058 (D)</td>
<td>Tiere Scott and Trina Donovan</td>
<td>Approval of a Conditional Use Permit to allow Day care services (general) in an LI District</td>
<td>2920 North 118th Street</td>
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At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of a Conditional Use Permit to allow **Day care services (general)** in an LI District subject to: 1) Submittal of a revised, accurate site plan that complies with all regulations as outlined in Section 55-883(d) prior to the issuance of the Conditional Use Permit., 2) Compliance with the revised site plan, 3) Compliance with the submitted operating statement, and 4) Compliance with all applicable regulations. Mr. Deeb seconded the motion which carried 5-0.

| 34. | C7-14-059 (D) | God's Missionary Baptist Church | Approval of a Conditional Use Permit to allow Religious assembly in a R2 District | Southwest of 49th Street and Nebraska Avenue |

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of a Conditional Use Permit to allow **Religious assembly** in a R2 District, subject to the following conditions prior to the issuance of any building permits: 1) Revise the site plan to modify the eastern access point from 20 feet to a maximum width of 16 feet, 2) Submit a landscape plan that addresses the following: (a) Provide a 25 foot street yard landscaping minimum depth along the northern portion of the site, (b) Including the adequate number of new trees, and (c) Provide a minimum 4 foot high continuous landscape screen adjacent to the eastern and northern parking lots, 3) Coordinate with the adjacent property owner and provide for the public improvement of the unpaved portion of 49th Street along the site’s frontage, 4) Work with city staff on acceptable exterior building materials, 5) Provide sidewalks along 49th Street and Nebraska Avenue, 6) Compliance with the revised site plan, 7) Compliance with the submitted landscape plan, 8) Compliance with the proposed operating statement, 9) Compliance with all applicable stormwater management ordinances and policies, and 10) Compliance with all applicable regulations. Mr. Deeb seconded the motion which carried 5-0.

| 35. | C7-88-236 (D) | Evangelical Bible Church | Approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R2 District | 7820 Fort Street and 5112 North 78th Street |

At the Planning Board meeting held on March 5, 2014, Mr. Nesbitt moved for approval of the Major Amendment to a Conditional Use Permit to allow **Religious Assembly** in a R2 district subject to: 1) Revise the site plan to modify the eastern access point from 20 feet to a maximum width of 16 feet, 2) Providing screening in compliance with Section 55-740(g) along the western parking lot on the north side of Fort Street, 3) Compliance with the City’s driveway regulations which requires that the one-way pair of driveways on Fort Street have a maximum allowable width of 16 feet, 4) Providing signage and/or striping indicating one-way traffic for the proposed driveway, 5) Signage complying with Section 55-829, 6) Compliance with the submitted site plan, 7) Compliance with all stormwater management regulations, 8) Compliance with all applicable ordinances and regulations, and 9) The applicant obtaining all necessary permits. Mr. Deeb seconded the motion which carried 5-0.
ADMINISTRATIVE MEETING ONLY

Subdivisions

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<th>REQUEST:</th>
<th>LOCATION:</th>
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<tr>
<td>1</td>
<td>C10-14-003</td>
<td>Final Plat approval of WOOD VALLEY REPLAT 4, a subdivision outside the city limits, with rezoning from R6 to R4</td>
<td>Northeast of 144th and Ida Streets</td>
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<tr>
<td></td>
<td>C12-14-004</td>
<td>Celebrity Homes</td>
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At the Planning Board meeting held on March 5, 2014, Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval of the Final Plat subject to the two conditions stated on the recommendation report prior to forwarding the request to City Council.

Mr. Hoich 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) Submittal of an acceptable final subdivision agreement and 2) Submittal of 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.

(REGULAR AGENDA)

Master Plan Referral

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<th>REQUEST:</th>
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<tr>
<td>2</td>
<td>C3-14-001</td>
<td>Approval of the STEPHEN CENTER TIF REDEVELOPMENT PROJECT PLAN</td>
<td>Southwest of 27th and &quot;Q&quot; Streets</td>
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<td>Planning Department on behalf of the City of Omaha</td>
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At the Planning Board meeting held on March 5, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the Stephen Center serves low to no-income populations through emergency shelter and transitional living opportunities supported by case management, substance abuse recovery and treatment programs. She added that the Stephen Center has been in operation for many years and that an expansion was necessary to meet needs in the Omaha area. Ms. Hadley explained that the existing buildings were demolished and that a proposed 62,000 square foot, 3-story building would be erected to include 62 one, two and three bedroom permanent supportive housing units. She added that the facility would contain a commercial kitchen, a leased emergency shelter space in the basement and 1 unit dedicated for on-staff management.

Mr. Neary questioned the definition of supportive housing and transitional housing. Ms. Hadley responded that permanent supportive housing was on-site housing for individuals with a need for stable housing and that partial rent would be paid. She further explained that transitional housing was temporary housing.

Mr. Hoich moved for approval of the request. Mr. Deeb seconded the motion which carried 5-0.

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<tr>
<td>4</td>
<td>C3-14-025</td>
<td>Approval of the 34 HARNEY APTS TIF REDEVELOPMENT PROJECT PLAN</td>
<td>3327 Harney Street</td>
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<td>Planning Department on behalf of the City of Omaha</td>
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At the Planning Board meeting held on March 5, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that 4 vacant homes on the site with City Code Enforcement violations were demolished and that a new building would be constructed. She added that the development would be 31 multi-family one and two bedroom apartment units and a potential for one additional unit on the ground floor, and that the underground parking would have an entrance off of Harney Street. She added that
there were existing multi-family duplexes adjacent to the site and that there were no development plans for the vacant lot to the south. She also mentioned that the developer was in the process of acquiring rezoning to meet regulations.

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

Mr. Deeb moved for approval of the request. Mr. Nesbitt seconded the motion which carried 5-0.

The following cases (6, 19, 21 & 22) were heard concurrently but voted on separately:

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<tr>
<th>Case</th>
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<tbody>
<tr>
<td>6.</td>
<td>Amendment to Future Land Use Element of the City’s Master Plan</td>
<td>Northeast of 30th and Fort Streets</td>
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<tr>
<td>19.</td>
<td>Preliminary and Final Plat approval of METROPOLITAN PLACE, a minor plat inside the city limits, with rezoning from R4 and GC to CC and approval of an ACI-2 Overlay District</td>
<td>Northeast of 30th and Fort Streets</td>
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At the Planning Board meeting held on March 5, 2014, Neeraj Argarwal, 105 North 31st Avenue, appeared before the Board on behalf of the applicant. Mr. Argarwal stated that he was available to answer questions.

Mr. Nesbitt mentioned that all four cases related to the same site, which was the former Mr. C’s restaurant.

Dave Fanslau, Acting Assistant Planning Director, stated that the site had been vacant and deteriorating for several years. He then stated the new development would be a 4-story mixed use building with office and commercial on the first level, 75 multi-family units on the second through fourth floors, a parking lot to the east of the building, on-street parking, and mass transit available. He added that Metro Community College was a potential user for business offices and student housing. Mr. Fanslau stated that the building meets urban design regulations and discussed that amending the Master Plan would assist in the development of this site and allow commercial use within the entire site. He then stated that the Department recommended approval of the Amendment to the Master Plan in accordance with the recommendation report, approval of the Preliminary Plat, Final Plat, rezoning and ACI Overlay District subject to conditions of the recommendation report, approval of the PUD Overlay District and Conditional Use Permit subject to the conditions of the recommendation report, and approval to repeal the PK Parking Overlay District.

Mr. Rosenbaum moved for approval of an amendment to the Master plan to expand the boundary of the existing mixed use area to encompass the site at 5319 N. 30th St. and to designate the portion of that site fronting upon N. 29th St. as high density residential. Mr. Nesbitt seconded the motion which carried 5-0.
the east of the building, on-street parking, and mass transit available. He added that Metro Community College was a potential user for business offices and student housing. Mr. Fanslau stated that the building meets urban design regulations and discussed that amending the Master Plan would assist in the development of this site and allow commercial use within the entire site. He then stated that the Department recommended approval of the Amendment to the Master Plan in accordance with the recommendation report, approval of the Preliminary Plat, Final Plat, rezoning and ACI Overlay District subject to conditions of the recommendation report, approval of the PUD Overlay District and Conditional Use Permit subject to the conditions of the recommendation report, and approval to repeal the PK Parking Overlay District.

Mr. Rosenbaum moved for approval of the rezoning from R4 and GC to CC subject to the following conditions prior to forwarding to City Council: 1) Approval of the Amendment to the Future Land Use Element of the City’s Master Plan, 2) Approval of the ACI-2 overlay district, and 3) Approval of the PUD-Planned Unit Development overlay district, approval of the Preliminary Plat subject to: 1) Coordinating with Metro regarding transit improvements, 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 the City Council. Mr. Nesbitt seconded the motion which carried 5-0.

| 21. | C11-14-049  
    | C7-14-061  
    | 5319 North, LLC | REQUEST: | Approval of a PUD-Planned Unit Development Overlay District and Approval of a Conditional Use Permit to allow Multiple-family residential in a CC-ACI-2 District (pending) |
| LOCATION: | Northeast of 30th and Fort Streets |

At the Planning Board meeting held on March 5, 2014, Neeraj Argarwal, 105 North 31st Avenue, appeared before the Board on behalf of the applicant. Mr. Argarwal stated that he was available to answer questions.

Mr. Nesbitt mentioned that all four cases related to the same site, which was the former Mr. C’s restaurant.

Dave Fanslau, Acting Assistant Planning Director, stated that the site had been vacant and deteriorating for several years. He then stated the new development would be a 4-story mixed use building with office and commercial on the first level, 75 multi-family units on the second through fourth floors, a parking lot to the east of the building, on-street parking, and mass transit available. He added that Metro Community College was a potential user for business offices and student housing. Mr. Fanslau stated that the building meets urban design regulations and discussed that amending the Master Plan would assist in the development of this site and allow commercial use within the entire site. He then stated that the Department recommended approval of the Amendment to the Master Plan in accordance with the recommendation report, approval of the Preliminary Plat, Final Plat, rezoning and ACI Overlay District subject to conditions of the recommendation report, approval of the PUD Overlay District and Conditional Use Permit subject to the conditions of the recommendation report, and approval to repeal the PK Parking Overlay District.

Mr. Rosenbaum moved for approval of the PUD – Planned Unit Development Overlay District, subject to the following items being addressed prior to forwarding to City Council: 1) Obtaining the necessary buffer, height, and parking waivers from the Zoning Board of Appeals, 2) Approval of the amendment to the Future Land Use Element of the City’s Master Plan, 3) Providing updated and approved elevations for the building and retaining walls, 4) Providing an updated site plan showing bike racks and the enclosed dumpster location, and 5) Providing an updated and approved landscaping plan, and for approval of the Conditional Use Permit to allow Multiple family residential in the CC zoning district. Mr. Nesbitt seconded the motion which carried 5-0.
22.  C10-73-180  
5319 North, LLC  
REQUEST:  Repeal of a PK-Parking Overlay District  
LOCATION:  Northeast of 30th and Fort Streets

At the Planning Board meeting held on March 5, 2014, Neeraj Argarwal, 105 North 31st Avenue, appeared before the Board on behalf of the applicant. Mr. Argarwal stated that he was available to answer questions.

Mr. Nesbitt mentioned that all four cases related to the same site, which was the former Mr. C’s restaurant.

Dave Fanslau, Acting Assistant Planning Director, stated that the site had been vacant and deteriorating for several years. He then stated the new development would be a 4-story mixed use building with office and commercial on the first level, 75 multi-family units on the second through fourth floors, a parking lot to the east of the building, on-street parking, and mass transit available. He added that Metro Community College was a potential user for business offices and student housing. Mr. Fanslau stated that the building meets urban design regulations and discussed that amending the Master Plan would assist in the development of this site and allow commercial use within the entire site. He then stated that the Department recommended approval of the Amendment to the Master Plan in accordance with the recommendation report, approval of the Preliminary Plat, Final Plat, rezoning and ACI Overlay District subject to conditions of the recommendation report, approval of the PUD Overlay District and Conditional Use Permit subject to the conditions of the recommendation report, and approval to repeal the PK Parking Overlay District.

Mr. Rosenbaum moved for approval of the request. Mr. Nesbitt seconded the motion which carried 5-0.

Subdivisions

11.  C10-14-033  
C12-14-034  
Boyer Young Development Co.  
REQUEST:  Preliminary and Final Plat approval of ELK RIDGE REPLAT 8, a minor plat outside the city limits, with rezoning to R5  
LOCATION:  East of Elk Ridge Drive and Seward Street

At the Planning Board meeting held on March 5, 2014, Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun stated that he was available to answer questions.

Ron Garake, 19403 Hamilton Circle, appeared before the Board in opposition. Mr. Garake stated that he resided in a division of the Elk Ridge development called The Estates and that he represented the other 4 property owners residing in Hamilton Circle, which was adjacent to Elk Ridge Drive. He stated that their assessed home values are $600,000-$800,000 and stated that their concern was how the price point of the villas at $250,000-$300,000 would affect their assessed property values. He stated that they wanted an opportunity to discuss the development plans, home valuations and plans to provide a landscape barrier separating the properties. In response to questions from the Board, Mr. Garake stated that they have not met with the developer and that a layover would allow for discussions with the developer.

Jennifer Rasmussen, 19402 Hamilton Circle, appeared before the Board in opposition. Ms. Rasmussen stated that she was concerned with the aesthetics of the proposed villas would not be diverse.

Mr. Jobeun displayed a map of the proposed site and stated that the request vacated 2 cul-de-sacs to allow for a gated community and was not changing the lot configuration. He explained that easements would be created for all the affected lots and for the assisted living facility. He further explained that the average value of the villas would be approximately $300,000 and that the existing covenants were ratified and confirmed. In response to Mr. Neary, Mr. Jobeun stated that the developer, Boyer Young Development Company, had met with the declarant, members in charge of the Home Owner’s
Association and architectural review but that he would meet with the neighbors after the meeting to discuss landscaping concerns.

Dave Fanslau, Acting Assistant Planning Director, stated that the request had no impact on the construction of the villas but was to allow for privatized drives. He stated that the Department recommended approval of the rezoning, approval the Preliminary Plat subject to the 6 conditions of the recommendation report, and approval of the Final Plat subject to conditions of the recommendation report. In response to Mr. Neary, Mr. Fanslau stated that he Master Plan promotes a diversity of housing in all areas of the city.

In response to Mr. Rosenbaum, Mr. Jobeun stated that when changes were made to the replat, there were no public meetings but that during the process there were active discussions with the declarant and the developer and that the adjacent neighbors and the declarant were willing to approve the covenants.

Mr. Nesbitt moved for approval of the zoning to R5. Approval of the Preliminary Plat, subject to the following conditions: 1) Submittal of an AutoTURN exhibit showing that a snow plow will be able to execute an eastbound U-turn maneuver at the eastern termination of Seward Street, 2) Submittal of an exhibit showing the curb lines and proposed gate placement for each of the two private streets, 3) Receive approval from the Fire Department for gating the entrance to Outlot “B” as proposed, 4) Provide for the use, ownership and maintenance of the outlots in the final subdivision agreement, 5) Coordinate with Public Works on the proper vacating language on the plat in order to reserve sewer easements for the City and the District, and 6) This plat will not be forwarded to City Council until Elk Ridge Replat 7 has been, and approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council. Mr. Deeb seconded the motion which carried 5-0.

The following 2 cases (12 & 31) were heard concurrently but voted on separately:

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>C10-14-035</td>
<td>Preliminary and Final Plat approval of MICK’S HILLTOP, a minor plat inside the city limits, with rezoning from R7 to CC</td>
<td>7575 Crown Point Avenue</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on March 5, 2014, Doug Dreessen, 10836 Old Mill Road, appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the applicant had no objections to the conditions of the recommendation report and would answer questions regarding the request.

Jackie Night, 7516 Hartman Avenue, appeared before the Board in opposition. Ms. Night stated that the applicant had not contacted her to discuss the request. She then displayed before and after photos of the view of the site from her property and explained that the owner removed all the trees from the site and currently had piles of timber on the land that had been there since last year. She stated that she was concerned with traffic from vehicles entering and exiting the site, crime, crushed rock pavement instead of cement, drainage from the site to her property, a remotely secured facility, and lighting from the site. Ms. Night requested that the case be laid over until the applicant had discussions with the neighbors regarding these items.

Karen Dall, 7603 Crown Point Avenue, appeared before the Board in opposition. Ms. Dall stated that she is the owner of Crown Point Storage which is the property adjacent to the site. She stated that her objection was to outdoor storage and that she was concerned with maintenance of the site, a remotely secured facility, and crime.

Deb Merritt, 7504 Hartman Avenue, appeared before the Board in opposition. Ms. Merritt stated that she resided at the corner of the site and that she also had concerns with crime. She stated that since the trees had been removed and the grading of the land began, drainage from the lot drains to her property and that there was a need for more buffer yard between the properties.
Michael Pick, 5728 Colorado Lane, Washington County, Nebraska, appeared before the Board. Mr. Pick stated that he owned the property and that he had removed the trees and restored the rental hall that exists on the property. He stated that there were currently 2 large piles of trees that he was in the process of removing and that his plans were to proceed with the proposed plan submitted for the site.

In response to Mr. Deeb and Mr. Nesbitt, Mr. Pick stated that he would meet with neighbors to discuss their concerns. He mentioned that neighbors had not contacted him with concerns but that he had met with Ms. Merritt.

Harry Dall, 7603 Crown Point Avenue, appeared in opposition. Mr. Dall stated that he was also an owner of Crown Point Storage and that when he removed trees from his property he kept a line of trees as a buffer between the properties.

Dave Fanslau, Acting Assistant Planning Director, stated that the special use permit for convenience storage use regulated bufferyards and did not allow outdoor storage and that drainage regulations were part of the subdivision agreements within the Plat approval process. He explained that outdoor storage for the small U-haul rental vehicles on the site was allowed with the special use permit for automotive rentals. He added that zoning requirements did not allow crushed rock pavement and that lighting was also regulated by the zoning code. Mr. Fanslau stated that the Department recommended approval of the rezoning and approval of the Preliminary and Final Plat subject to the conditions of the recommendation report. He stated that the Department also recommended approval of the Special Use permits subject to the conditions of the recommendation report.

Mr. Nesbitt moved to layover the request for 60 days to allow the applicant time to meet with neighbors. Mr. Rosenbaum seconded the motion which carried 5-0.

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Jackie Night, 7516 Hartman Avenue, appeared before the Board in opposition. Ms. Night stated that the applicant had not contacted her to discuss the request. She then displayed before and after photos of the view of the site from her property and explained that the owner removed all the trees from the site and currently had piles of timber on the land that had been there since last year. She stated that she was concerned with traffic from vehicles entering and exiting the site, crime, crushed rock pavement instead of cement, drainage from the site to her property, a remotely secured facility, and lighting from the site. Ms. Night requested that the case be laid over until the applicant had discussions with the neighbors regarding these items.

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Mr. Nesbitt moved to layover the request for 60 days to allow the applicant time to meet with neighbors. Mr. Rosenbaum seconded the motion which carried 5-0.

| 15. | C10-14-039  
   C12-14-040  
   Pacific Renaissance, LLC | REQUEST: Preliminary Plat approval of PACIFIC VILLAGE, a subdivision outside the city limits, with rezoning from AG to R6  
LOCATION: Northwest of 192nd and Pacific Streets |

At the Planning Board meeting held on March 5, 2014, Doug Halvorson, Olsson Associates, 2111 S. 67th Street, appeared before the Board. Mr. Halvorson stated that the applicant recently had a neighborhood meeting and then displayed an aerial photo of the project. He explained that the project would be 3-story apartment buildings with 205 total units on a 10-acre mixed-use corner. He also mentioned that there would be a club house and that the residential apartment buildings would contain integral garages; he explained that these would be garages on the lower level of the building with 2 stories of residential units above and the opposite side of the building having 3 stories of residential units. In response to Mr. Neary, Mr. Halvorson stated that all mixed-use corners have a “green-corner”

Kevin Irish, 5416 S. 169th St, appeared before the Board. Mr. Irish mentioned that the City Master Plan allowed up to 250 units at this site but that the project would have 205 units. He then explained that 35 letters references a meeting regarding the project were distributed to surrounding neighbors with only 5 property owners attending. He also explained that this project would have 20 units per acre and that regulations would only allow access on along 192nd Street.

Bruce Kuhn, 19330 Pacific St., appeared before the Board in opposition. Mr. Kuhn stated that he had lived adjacent to the site for 17 years and that he attended the developer’s meeting. He expressed that he was concerned the 5-8 foot berms between his property and the development would not be effective, that his residence would be adjacent to approximately 60 uncovered parking stalls, and that trash container would be placed in close proximity to his residence. He mentioned that the neighbors had not seen elevation or lighting plans, or what the buildings would look like. He added that there were approximately 1,000 units existing within a 1-mile radius and that he was also concerned with residents of the development wandering onto his property, the safety of his children, and the traffic at the intersection of 192nd & Pacific Streets. In response to Mr. Neary, Mr. Kuhn stated that he was concerned that the
project would be too intense for the neighborhood.

Tim Weckerlin, 19259 Poppleton Ave., appeared before the Board in opposition. Mr. Weckerlin stated that he was concerned with traffic at the intersection 192nd & Pacific Streets and that the infrastructure in the area be developed before development occurs. He also questioned the widening plans for the intersection at 192nd & Pacific Street.

Patricia Cantu, 19251 Pierce St., appeared before the Board in opposition. Ms. Cantu stated that she resided in the area and that she was concerned with the lighting from the parking lot because her home would face the parking lot. She added that she was concerned with the high elevation of the site, the safety of the neighborhood, 1 ingress/egress location onto 192nd Street, increased traffic and the number of accidents already occurring at 192nd and Pacific Streets. Ms. Cantu also mentioned she had no details regarding the plans for the development.

Jerry Reimer, 4880 S. 131st St., appeared before the Board. Mr. Reimer stated that he does not oppose the development but was concerned with the connectivity with his adjacent development.

Michaela Daly, 19293 Grey Fawn Plz., appeared before the Board in opposition. Ms. Daly stated that she has owned her property since 1992 and that she was opposed to the development.

Susan Ramsay, 2230 S. 183rd Cir., appeared before the Board in opposition. Ms. Ramsay stated that she was representing The Ridges residents southeast of the development and she was President of the neighborhood Home Owners Association. She then mentioned that they did not receive notification regarding the development and that one concern was the right-in/right-out entrance and how traffic would be allowed to travel north along 192nd Street. She mentioned that another concern was drainage from the higher elevation in the area, which was the development site, into the lower elevation of the neighborhood along the west side of The Ridges. She explained that the drainage from the site spilled into a nearby drainage pond with increased silt, flooding and mud running into their neighborhood area. Ms. Ramsay questioned whether or not a storm water management plan could be in place before and during construction to prevent the spillage.

Travis Teetor, 19309 Briggs St., appeared before the Board in opposition. Mr. Teetor stated he was a Board member of the Pacific Point Home Owners Association and that his neighborhood was on the southwest corner of 192nd & Pacific Street. He stated that their main concern was increased traffic and that 192nd & Pacific Street intersection could not accommodate the increased traffic. He then questioned if the Master Plan regulation of 250 total units for this site included the units at the intersection of 192nd & Leavenworth and mentioned that there were many apartment complexes existing in the area. He added that he was concerned that this was the only corner along the Pacific Street corridor going east to the Regency Parkway with an apartment complex built up to the corner of a major intersection and mentioned that the Master Plan promoted parking lots placed within the interior of the development’s buildings.

Mr. Halvorson stated that the 1/8 mile access points from arterial intersections eventually become right-in/right-out only and that the full access point at the 1/8 mile point along 192nd and Marcy Street was a unique situation. He then mentioned that the proposed development would acquire the 1/4 mile full access point from the arterial street, there would be a need for an access easement through the adjacent property and Grey Fawn Plaza to the north would be obsolete. He acknowledged the grading concerns and assured neighbors that the developer would follow grading regulations.

Dave Fanslau, Acting Assistant Planning Director, stated that the request today was for rezoning and Preliminary Plat approval. He then explained that the Master Plans allowed a mix of office and commercial use and up to 250 units of multi-family housing at any 10 acre intersection and that the proposed units were not being developed as high-density so the units at 192nd & Leavenworth were not included in total unit calculations. He also mentioned that streets would continue to be improved and widened as necessary and that the access points would change with development. He explained that 22 units per acre or less were acceptable at this intersection and that elevations for the site would be
approved with future submittals. Mr. Fanslau also mentioned that zoning codes regulate lighting performance standards and screening of parking lots. Mr. Nesbitt mentioned that increased traffic is not immediate but steadily increases over time.

Ryan Haas, Public Works, stated that the infrastructure along 192nd Street had been widened to 3 lanes, Pacific Street to the east of 192nd Street was widened to 3 lanes and Pacific Street to the west was required to be improved to 3 lanes. He mentioned that with a 3-lane street the central lane would accommodate traffic turning left and that southbound traffic turning right would be unimpeded. He also mentioned that there was potential for traffic leaving the site to be delayed until future connections were made. In response to questioning by the Board, Mr. Haas stated that at access points maintaining right-in/right-out traffic at the driveways was preferred over traffic signals and that he did not have information regarding similar access points. He then responded that traffic accidents at this intersection were not on top 100 list of high crash intersections in the city and that if a crash pattern developed adjustments with signage or timing of lights would be considered. Mr. Haas then responded that if the property adjacent to the site were developed a connection to adjacent properties would be required.

Bob Stubbe, Public Works, appeared before the Board. In response to questioning by the Board, Mr. Stubbe stated that widening the intersection at 192nd and Pacific Street was not in the current Capital Improvement Program (CIP) which was dated through 2019 and that widening would begin at 168th and Pacific Streets and continue west with regard to Pacific Street. He explained that there were a significant number of intersections that would be improved before this intersection and that the current timeframe for improvements at this intersection was potentially beyond 2020 unless a future developer allocated private money for street improvements. Mr. Stubbe also responded that widening helped alleviate congestion issues and made streets safer with the restriction of full movement access and less conflict points.

Mr. Kuhn mentioned that the applicant had a purchase agreement but did not own the property. Ms. Daly explained that she had witnessed area drivers being confused at the turning lane near Grey Fawn Plaza and using the street shoulder to meander around turning traffic. She also mentioned that there was not enough available land to widen 192nd Street to 3 lanes near this area.

Mr. Deeb mentioned that widening this intersection needed to be completed sooner than planned and that he was concerned with traffic. He added that the Board had responsibility in regards to the request and that the developer had a sound project.

Mr. Fanslau stated that the Department recommended approval of the rezoning and approval of the Preliminary Plat subject to the 14 conditions of the recommendation report.

Mr. Nesbitt moved for approval of the rezoning from AG to R6 and approval of the Preliminary Plat subject to the following being addressed with or prior to submittal of a Final Plat: 1) Widen Pacific Street to three lanes along the lot frontage, 2) Coordinate with Public Works on the construction of streets connecting from 192nd Street to the west and north of the platted area, 3) Construct the ingress/egress easement to benefit the public by providing 60 degree parking and sidewalks on both sides, 4) Remove all structures from the noise attenuation easement, 5) Provide the current noise attenuation easement language on the Final Plat, 6) Add the following notes on the Final Plat: (a) There shall be no access from Lot 1 to Pacific Street, (b) Only one access from Lot 1 to 192nd Street shall be granted (across from Marcy Street), and (c) Access will be restricted to right-in/right-out vehicular turning movements at the time that 192nd Street is upgraded to a 4-lane section with raised medians in the future, 7) 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, 8) Include provisions in the subdivision agreement for the grade coordination and widening of 192nd and Pacific Streets adjacent to the subdivision, 9) Including provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies, 10) Submit a tree canopy analysis to determine whether mitigation is required, 11) Work with city staff on the location of the northwestern access easement, 12) Provide sidewalks along all public streets and connect internal pathways to all buildings and the adjacent public network, 13) Pave the private street to the property lines, and 14) Provide
temporary turnarounds at the terminus of all temporarily dead-ends. Mr. Deeb seconded the motion which carried 4-1, with Mr. Rosenbaum dissenting.

### Request 
17. | C10-12-223  
C12-12-224  
Celebrity Homes | REQUEST: Revised Preliminary Plat approval of HIGHLAND HILLS (formerly known as HIGHLAND RIDGE) and approval of the Final Plat of HIGHLAND HILLS (Lot 1-190, Outlot A-B), a subdivision outside the city limits, with rezoning from AG to DR and R4  
LOCATION: Northeast of 168th and Ida Streets

At the Planning Board meeting held on March 5, 2014, Brian Doyle, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Doyle stated that the request for the revised preliminary plat reduced the number of single family lots from 645 lots to 495 lots and that the lots would have larger homes. He also stated that the Final Plat request for Phase I would be 190 single family lots.

Marian Brewer of Denver, Colorado appeared before the Board. Ms. Brewer stated that she is the trustee of the land adjacent to the site and that she was in agreement with a lower density for the area and in favor of the development.

Dave Fanslau, Acting Assistant Planning Director stated that the Department recommended approval of the rezoning, approval of the Revised Preliminary Plat subject to the 21 conditions of the recommendation report and approval of the Final Plat Phase I subject to the conditions of the recommendation report.

Mr. Nesbitt moved approval of the rezoning from AG to DR and R4, approval of the Revised Preliminary Plat subject to the following items being addressed prior to or with application for Final Plat approval of each applicable phase of development: 1) Dedicate an additional 10 feet of right-of-way along 168th Street for the first 300 feet north of Ida Street, along with an additional 10 feet of right-of-way along Ida Street for the first 300 feet east of 168th Street, 2) Align the centerline of Potter Street at its intersection with 168th Street with the half-mile line, 3) Receiving the required permits for the proposed street connections to 168th and Ida Streets from the subdivision from the Douglas County Engineer's office, 4) Provide for the widening to a three-lane section and the grading to the ultimate five-lane section for all frontage along 168th and Ida Streets, 5) Submit a 1:20 scale exhibit of the intersection of 166th and Ida Streets to the Public Works Department for review and approval, 6) Add or update the following notes on the Final Plat: (a) “No direct vehicular access from Outlots "B" or "H" to 166th Street.”, (b) “No direct vehicular access from Lots 374 or 388 to North H.W.S. Cleveland Blvd.”, and (c) "No direct vehicular access from Outlot "C" or Lot 387 to Potter Street.", 7) Provide for traffic calming on any street in excess of 1,000 feet, 8) All street stubs will need to be paved to the property line, in addition to providing temporary turnarounds at the terminus of all temporarily dead-ended streets, 9) Coordinate with the Public Works and Parks Departments for the design of North H.W.S. Cleveland Blvd. and receive Parks and Recreation Advisory Board approval for the boulevard improvement plans and costs, 10) The final subdivision agreement will need to include wording for boulevard improvements with estimated costs in Section II. L. 2, 11) 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 boundaries adjacent to 168th and Ida Streets, 12) If a temporary lift station will be used, an exhibit must be submitted showing that sewers served will be able to function by gravity in the future, 13) If a temporary lift station will be used, provide language in the final subdivision agreement that it will be owned and maintained privately, 14) Provide cross sections for review that show the relationship of the proposed site grading to the existing and future 168th and Ida Street improvements, 15) Providing sidewalks as required; including provisions in the subdivision agreement regarding the maintenance of the sidewalks on both sides of double-fronted lots, 16) Provide a pedestrian connection from 167th Avenue to 168th Street through Outlot “G.”, 17) Coordinate with the Planning Department’s Bicycle and Pedestrian Coordinator in regards to providing pedestrian connections between Whitmore Street sidewalks and those along Ida Street, 18) Including provisions for use, ownership and maintenance of the outlots in the subdivision agreement and on the Final Plat, 19) Provide a letter from the Omaha Post Office Customer Relations Coordinator that
establishes delivery points for the development, 20) Compliance with all applicable stormwater management ordinances and policies, and 21) An acceptable debt ratio of 4% or less, and approval of the Final Plat Phase I (Lot 1-190, Outlot “A” and “B”) subject to compliance with conditions of Preliminary Plat approval relative to Phase I and submittal of an acceptable final subdivision agreement prior to forwarding the Final Plat to the City Council. Mr. Rosenbaum seconded the motion which carried 5-0.

### Special Use Permits

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<tr>
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<th>C8-14-056 Elton Foster</th>
<th>REQUEST: Approval of a Special Use Permit to allow Vehicle storage in an GC District</th>
<th>LOCATION: 3601 North 24th Street</th>
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</table>

At the Planning Board meeting held on March 5, 2014, Elton Foster, 3601 North 24th Street, appeared before the Board. Mr. Foster requested a layover to allow time for him to meet other regulations on the property that were not part of the request today. In response to Mr. Neary, Mr. Foster stated that he was not aware of the recommendations from the Department. He then mentioned that he talked to neighbors regarding the request and urged them to attend the Planning Board meeting regarding the request.

Rodney Stewart, 2220 Evans Street, appeared before the Board in opposition. Mr. Stewart stated that he was Mr. Foster’s neighbor. He then stated that he was concerned with the rodents he has seen lingering around the junk vehicles on the site and hoped the applicant would clean up the site.

Ella P. Willis, President of the Neighborhood Action in Facts Association appeared before the Board in opposition. Ms. Willis stated that she wanted to see this area of North 24th Street cleaned up, including the applicant’s site, and she stated that if all owners kept their property clean the neighborhood would improve. She invited the applicant to their neighborhood meeting to discuss improving the neighborhood.

Dave Fanslau, Acting Assistant Planning Director, stated that this site had Code Enforcement violations for the building and the site and that the Department recommended a layover to allow the applicant time to provide the Department information on the use of the building and resolve all violations.

Mr. Foster stated that the Department informed him to bring the lot up to code first then work on the building and that he has started that process. Mr. Fanslau explained to Mr. Foster that the request for the use of the building required him to submit to the Department a more detailed site plan and more details regarding the use of the building. Mr. Neary suggested that Mr. Foster meet with the Department to discuss the request.

Mr. Nesbitt moved to layover for 30 days to allow the applicant time to provide additional information regarding the request, including the use of the building. Mr. Hoich seconded the motion which carried 4-1, with Mr. Neary dissenting.

### APPROVAL OF MINUTES

Mr. Nesbitt moved to APPROVE the meeting minutes of February 5, 2014. Mr. Hoich seconded the motion which carried 5-0.
ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 4:19 pm.

_________________________________________
Date Approved

_________________________________________
Raymond J. Neary, Chair

_________________________________________
Rikki Flott, Planning Board
Recording Secretary