MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – JUNE 4, 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, May 26, 2014.

MEMBERS PRESENT: R. J. Neary, Chair
Arnold Nesbitt, Acting Vice Chair
John Hoich
Van C. Deeb
Brinker Harding

MEMBERS NOT PRESENT: Anna Nubel, Vice Chair
Greg Rosenbaum

STAFF PRESENT: James Thele, 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

| 7. | C3-14-103 (D) Planning Department on behalf of the City of Omaha | REQUEST: Approval of the Saddle Creek South Community Redevelopment Area Designation |
|    |                                                          | LOCATION: An area generally bound by Pacific Street on the northeast, south along 48th Street to Center Street, west to 51st Street, north to Poppleton Avenue, east to 50th Street, north to Pacific Street and then east to the original starting point |

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved to layover the approval of the Saddle Creek South Community Redevelopment Area Designation. Mr. Hoich seconded the motion, which carried 5-0.
Rezonings

13. C10-99-272 (D)  
    C10-14-115 Mike Hogan Development Co.  
REQUEST: Rezoning from MU to R7 and approval of a Major Amendment to the Mixed Use District Development Agreement for Whispering Hills  
LOCATION: Northeast of 110th and Corby Streets

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved for approval of the Major Amendment to the Whispering Hills District Development Agreement for Lot 1, Whispering Hills Replat to allow for the removal of that lot from the mixed use development subject to the submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action. Approval of the rezoning from MU to R7 subject to the Major Amendment conditions being met prior to forwarding to City Council for final action. Mr. Hoich seconded the motion, which carried 5-0.

14. C10-14-109 (D)  
    Nick Kirshenbaum  
REQUEST: Approval of a MCC-Major Commercial Corridor Overlay District  
LOCATION: 14225 “Q” Street

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved for approval. Mr. Hoich seconded the motion, which carried 5-0.

15. C10-14-110 (D)  
    P. Drickey  
REQUEST: Rezoning from DS to CBD (property is also located within an ACI-1(PL) Overlay District)  
LOCATION: 1516 Leavenworth Street

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved for approval. Mr. Hoich seconded the motion, which carried 5-0.

16. C10-14-111 (D)  
    Patio Dome, LLC  
REQUEST: Rezoning from GI to CC and approval of a MCC-Major Commercial Corridor Overlay District  
LOCATION: Northeast of 50th Street and South Saddle Creek Road

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved for approval. Mr. Hoich seconded the motion, which carried 5-0.

Special Use Permits

18. C8-14-112 (D)  
    Roy Dailey  
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a GC District  
LOCATION: 3702 North 30th Street

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved to layover the the request to provide the applicant time to submit a revised site plan addressing parking and landscaping issues and to make application for rezoning of the site to the CC-ACI-1 District. Mr. Hoich seconded the motion, which carried 5-0.

19. C8-14-113 (D)  
    Mike Sharif  
REQUEST: Approval of a Special Use Permit to allow Automotive sales in a CC District  
LOCATION: 13125 “Q” Street

At the Planning Board meeting held on June 4, 2014, Mr. Nesbitt moved for approval of the Special Use Permit to allow Automotive sales, subject to: 1) Applying for and approval of an MCC overlay district, 2) Removal of western access point along Q Street and 132nd Access point, 3) Submitting a revised
site/landscaping plan that: (a) Removes the western access point along Q Street and the 132nd Street access point, (b) Shows interior parking lot landscaping, (c) Includes the continuation of the existing perimeter parking lot landscaping where the access points have been removed with one tree planting per 500 square feet, (d) Includes 3’ high shrub screening along Q Street, and (e) Shows the continuation of the existing 5’ sidewalk where the access points have been removed, prior to forwarding to City Council, 4) Removal of the existing pole sign, 5) Striping of parking stalls in the existing parking lot, 6) Compliance with all applicable regulations, and 7) Compliance with the operating statement.. Mr. Hoich seconded the motion, which carried 5-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

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<th>REQUEST:</th>
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<td>1.</td>
<td>Revised Preliminary Plat approval of LEYTHAM, a subdivision outside the city limits, with a waiver of Section 53-8(2) for alley width and 53-8(4) for lot frontage, with rezoning from AG to DR, R4, and MU and approval of a NCE-E (Neighborhood Conservation/Enhancement) Overlay District (laid over from 6/5/13)</td>
<td>Northeast of 168th and State Streets</td>
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At the Planning Board meeting held on June 4, 2014, Ken Pollard, Lamp Rynearson & Associates, 14710 W. Dodge Rd, appeared before the Board to answer any questions on behalf of the applicant.

Winston Anderson, 8665 N. 162nd Plaza, appeared before the Board in opposition. Mr. Anderson stated that he resided in the subdivision east of the development and that the plat map presented today did not reflect changes discussed at the previous meeting regarding density, lack of greenspace, ingress/egress, and a wetland study. He then displayed photos taken from his property showing the mature tree line abutting the development to the west of his property and discussed the extreme drop in grade change from his property to the development. He then expressed concern that the natural waterway along the east side of the proposed development remain as a buffer and also to maintain drainage issues. Mr. Anderson restated that his concerns were drainage issues, the solution to the extreme grade change, absence of a completed wetland study, keeping the mature trees and greenspace as a buffer, and high density.

Herb Freeman, President of Full Circle Ventures, Inc., and owner of the property, appeared before the Board. In response to Mr. Neary, Mr. Freeman stated that the developer leveled the land of Mr. Anderson’s residential neighborhood, creating the excessive drop in grade between the properties. He then stated that he planned to keep as many mature trees as possible on the development and noted that the density was previously approved by the Board and in compliance with the Master Plan. Mr. Freeman added that two wetland studies were previously completed and that the project excluded wetlands from the development area.

Dave Fanslau, Acting Assistant Planning Director stated that connectivity to abutting developments was required and noted that prior approvals for the development were received from the Board and City Council. He stated that the Department recommended approval of the rezoning and approval of the NCE overlay, subject to 3 conditions of the recommendation report. He stated that the Department also recommended approval of the waivers and approval of the revised preliminary plat, subject to the 19 conditions of the recommendation report.

Mr. Hoich moved for approval of the rezoning plan to rezone from AG to DR, R4 and MU, approval of the NCE (Neighborhood Conservation/Enhancement) overlay subject to the applicant addressing the
following: 1) Although this development proposes the use of the Smart Code standards, it is being used in conjunction with the current City mixed use standards. Even if the standard mixed use development agreement format is not being used the same information should be provided, such as the area of land needed to meet the 10 percent minimum office space, the 12 percent maximum fast food, the amount of open space, the number of Center ID signs, and a sign budget. The development agreement and regulations proposed for this development is still under review and some additional information may need to be provided, 2) The permitted uses within Leytham should be the same as the City’s approved Mixed Use regulations. There are uses listed as permitted by minor amendment. The MU section of the code, Section 55-563 list uses that are permitted or permitted through the use permit process which involves a major amendment, and 3) The Smart Code mentions a CRC, Consolidated Review Committee and the Minor and Major Amendment process. The Law Department will need to review this section to ensure that it fits with the City’s regulations. Mr. Hoich also moved for approval of the waiver of Section 53-8(2) Streets and Alleys and Section 53-8(4) Lots of the Omaha Municipal Code and approval of the revised preliminary plat subject to the applicant submitting a revised preliminary plat application with, or prior to, submitting the final plat application that addresses the following: 1) Coordinating with Douglas County to grade the subdivision to match the future grading profiles of State and 168th Streets and pave to three lanes adjacent to the development along State and 168th Streets, 2) Provide standard noise attenuation easement language on the plat for the noise attenuation easement along State Street, 3) Resolve all street design and construction issues and waivers prior to the submittal of the final plat application, 4) Providing that all corner lots at street intersections are chamfered at 8.5’ x 8.5’, 5) Provide for constructing temporary turnarounds at the terminus of all temporarily dead-ended streets, 6) Provide the appropriate access easements on the outlots for vehicular and pedestrian movement where necessary, 7) Submit cross-sections of all drainageways along with drainage calculations for a 100-year storm. Based on this information provide drainage easements greater than or equal to the standard 3:1 plus 20' or the 100-year storm flow, whichever is greater, 8) Coordinate the design of the HWS Cleveland Boulevard round-a-bout leg with the developer to the east to ensure consistent entrance geometry, 9) Obtain approval of parkway and boulevard acquisition and improvements and the “no build” easement from the Parks and Recreation Advisory Board before the submittal of the final plat application, 10) Coordinating with the property owner north of the subdivision to provide for the dedication of the full ROW section along the ½ mile East-West street at its intersection with 168th Street, 11) Submit a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area, 12) Providing for the maintenance of the sidewalks for lots with multiple frontages in the final subdivision agreement, 13) Note on the plat and in the subdivision agreement (and in the covenants) that all snow removal on sidewalks adjacent to outlots shall be by the nearest property owner in cases where there are outlots between right of way and buildable lots, 14) Cover the maintenance of the sidewalks for lots with multiple frontages in the subdivision agreement. Maintenance shall be provided privately now and in the future; even after annexation, 15) Submit a letter from Douglas County Environmental Services that indicates a noxious weed plan has been approved, 16) Prepare a post construction stormwater plan and maintenance agreement, 17) Prepare and submit a tree canopy loss analysis and, if necessary, a tree canopy loss mitigation plan, 18) Prepare and submit a wetlands analyses and, if any wetlands are damaged, a 3:1 mitigation plan, and 19) Provide for the private use, ownership and maintenance of all outlots in the subdivision agreement. Since there are so many outlots, an outlot section should be added to the subdivision agreement. Mr. Deeb seconded the motion, which carried 5-0.

Special Use Permits

| C8-14-060 McNeil Company Builders | REQUEST: Approval of a Large Project Special Use Permit to allow Multiple-family residential in a CC District (laid over from 05/07/14) | LOCATION: 5505 South 120th Street |

At the Planning Board meeting held on June 4, 2014, Jim Boozer, 10250 Regency Cir., appeared before the Board on behalf of the applicant. Mr. Boozer stated that since the last Planning Board meeting, discussions held with adjacent property owners successfully resolved issues and that a revised site plan was submitted to the Department.
John Fullenkamp, 11440 W. Center Rd. appeared before the Board. Mr. Fullenkamp stated that he represented adjacent property owners, Project Harmony and Oak Hills Country Club, and that both parties were in agreement with the terms of the revised site plan. He explained that Project Harmony agreed to modifications of the easement, with the conditions that the developer constructed the modifications and also shared future maintenance costs. He added that Project Harmony also agreed to minimizing the building to two stories, with no windows or doors on the north side of the building which faced their healing garden, and to the installation of berms, landscaping and fencing to shelter their healing garden from the proposed building. Mr. Fullenkamp then explained that Oak Hills Golf Course agreed to an increased setback of the building, recessed and screened decks, impact resistant building materials, no entrances, exits or sidewalks on the side facing the golf course, and landscaping and berms between the properties. He added that the location of the pool was moved to the northwest side of the property and that landscaping, berm and fencing would be installed to protect the pool from flying golf balls. He mentioned that the applicant agreed to include language in the tenant leases and from the owner of potential damage from golf balls and also agreed to clean up the existing fence from overgrown trees.

Mr. Boozer stated that the applicant was in agreement with Mr. Fullenkamp's requests.

Dave Fanslau, Acting Assistant Planning Director stated that the Department recommended approval of the request, subject to the four conditions on the recommendation report.

Mr. Harding moved for approval of the Large Project Special Use Permit to allow Multiple family residential in a CC District subject to the following being addressed prior to forwarding the request to the City Council: 1) Compliance with the proposed site plan, 2) Compliance with the proposed landscape plan, 3) Compliance with the proposed concept elevations, and 4) Compliance with all other applicable codes and regulations. Mr. Hoich seconded the motion, which carried 4-0-1, with Mr. Nesbitt recusing.

(REGULAR AGENDA)

Master Plan Referral

| REQUEST | Approval of the HOTEL OMAHA BY EXPRESS TIF REDEVELOPMENT PROJECT PLAN |
| LOCATION | Northeast of 24th and Farnam Streets |

At the Planning Board meeting held on June 4, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley displayed a map and explained that the project was within the Joslyn District as mentioned in the Master Plan and included six surface lots and one city lot with a pending purchase agreement by the developer. She further explained that the proposed project was a boutique hotel, Hotel Omaha by Express, with an outsourced reservation system, and targeted the corporate market. Ms. Hadley displayed renderings and stated the proposed project was a five-story hotel with 132 rooms, meeting room space, and retail space along the 24th and Farnam Streets corner. She then stated that parking was below the hotel and accessed from Farnam Street, with landscape screening along Farnam. She mentioned that the Joslyn neighborhood housing study completed in 2012 characterized this area as having challenges that included little housing stock, an abundance of low-quality retail, an endless supply of surface parking and wide streets. In response to Mr. Nesbitt, Ms. Hadley stated that the use was not intended as extended stay only, but targeted the corporate businesses in the area.

Kurt Trivedi, 1536 Cuming St., appeared before the Board. Mr. Trivedi stated that the hotel was designed to meet the needs of the corporate traveler, such as office services in the lobby area, a small lounge, and guest rooms equipped with information technology.

Sean Davis, 1536 Cuming St., appeared before the Board. Mr. Davis stated that the proposed hotel would serve area businesses, but also families visiting the area. In response to questioning by the Board,
he explained that retail uses were proposed along 24th Street and that extended-stay clientele was not the target market, but rooms were accommodating for extended-stay.

Mr. Trivedi explained to the Board that the standard hotel room was 12 feet by 24 feet and that their rooms were 14 feet by 32 feet. He further explained that the design was business oriented and that every room included a refrigerator and microwave but no large cooking appliances. He then responded to the Board that a portion of surface parking was covered by the building but not underground. Ms. Hadley explained that parallel street parking was proposed along Farnam Street.

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

Mr. Nesbitt moved for approval. Mr. Harding seconded the motion, which carried 5-0.

| 4. | C3-14-100 | Planning Department on behalf of the City of Omaha | REQUEST: Approval of THE STATE TIF REDEVELOPMENT PROJECT PLAN | LOCATION: 528 South 29th Street |

At the Planning Board meeting held on June 4, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the existing building had some historical characteristics, but the developer was not pursuing historic tax credits, and that the building had issues with high vacancy and was on the City code and condemnation list. She explained that the project would be a complete rehabilitation of the 3-story building from 20 apartment units, into 21 market-rate apartment units, with parking available behind the building.

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

Mr. Hoich moved for approval. Mr. Nesbitt seconded the motion, which carried 5-0.

| 5. | C3-14-101 | Planning Department on behalf of the City of Omaha | REQUEST: Approval of the AKSARBEN VILLAGE ZONE 3 TIF REDEVELOPMENT PROJECT PLAN | LOCATION: Southwest of 64th Avenue and Frances Street |

At the Planning Board meeting held on June 4, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley displayed and discussed a map of the original Aksarben Village development program prepared in 2006. She then explained that the proposed project on Lot 6 and Lot 4 of Zone 3 was multi-family housing and included 2 buildings; a 4-story building with 45 apartments units and 31 underground parking stalls, and a 3-story building with 4 loft-style and 4 ground level apartment units. Ms. Hadley also stated that because the use was proposed for residential instead of mixed-use, a Minor Amendment to the Mixed-Use Dev Agreement was needed.

Mark Johnson, 11440 West Center Rd., appeared before the Board on behalf of the developer and stated that he was available to answer questions.

Mr. Neary and Ms. Hadley briefly discussed the use of the shared parking garage within the Aksarben Village development. In response to Mr. Nesbitt, she confirmed that the proposed 3-story building included greenspace and landscaping.

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

Mr. Harding moved for approval. Mr. Nesbitt seconded the motion, which carried 5-0.
At the Planning Board meeting held on June 4, 2014, Bridget Hadley, City Planner, presented the request. Ms. Hadley displayed a rendering of Aksarben Village Zone 5 and discussed the existing tenants. She then explained that proposed project incorporated a undeveloped previously approved TIF project within Zone 5 and that upon final approval of Zone 5 Phase 3, TIF funds previously paid would be refunded to the City, then redistributed to taxing jurisdictions. Ms. Hadley then explained that Building 1 was a proposed mixed-use retail and office building with approximately 80,000 square feet, included covered parking stalls and an undisclosed corporate user for that location. She further explained that Building 2 was a proposed mixed-use office and retail building with approximately 125,000 square feet and Pacific Life Insurance Company was secured as a tenant. Ms. Hadley noted that the surface parking garage was part of the project but was not eligible for TIF funding. She concluded that construction of Buildings 3 and 4 would commence in 2015 and consisted of 40 loft-style apartment units, 21 apartment units and retail use.

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

Mr. Harding moved for approval. Mr. Hoich seconded the motion, which carried 5-0.

At the Planning Board meeting held on June 4, 2014, Dave Fanslau, Acting Assistant Planning Director, stated that the Amendment allowed for redevelopment of parcels with existing infrastructure in aging parts of the City and that the Department anticipated redevelopment in those areas to be compatible with neighborhoods. He explained that constrained lot sizes and zoning ordinances created development issues due to the suburban nature of the zoning code. He further explained that the Amendment allowed for a new overlay zoning modeled after the current Planned Unit Development District (PUD) ordinance and that the changes were discussed with developers interested in developing in these areas.

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

**Subdivisions**

At the Planning Board meeting held on June 4, 2014, Jeff Lake, 2111 S. 67th St, Olsson Associates, appeared before the Board on behalf of the applicant. Mr. Lake displayed an aerial map of the site and explained that the project would be completed in four phases. He further explained that the first through third phases would be residential and that the fourth phase would be commercial. Mr. Lake then stated that the applicant worked with the developer to the south of this project to ensure connectivity would meet regulations.
Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the preliminary plat subject to the 32 conditions of the recommendation report.

In response to Mr. Neary, Mr. Lake stated that the site was previously approved for 60-acres of mixed-use development and that proposed commercial use was discussed with abutting property owners. He also mentioned that a multi-family use was proposed within the commercial corner on the south side of the site and that the applicant envisioned commercial development during phase four of the project. He also responded that a recent study expected absorption of the 240 lots within 8 years and confirmed that the development would be an SID, with a debt load less than 4%.

Mr. Hoich moved for approval of the proposed rezoning from AG to DR, R4, R7 and MU, subject to an acceptable final mixed use district development agreement and approval of the preliminary plat subject to the following being submitted with or prior to an application for final plat approval: 1) Submittal of a revised preliminary plat, 2) Provide for all improvements identified in the final approved traffic study, 3) Dedicate 66 feet of right-of-way along Street E with its intersection with State Street to accommodate a left turn lane, 4) Provide for the improvement of 168th and State Streets to three lanes and enter into an inter-local agreement with Douglas County, 5) Coordinate with Douglas County to grade the subdivision to match the future 5-lane section of 168th Street and State Streets, 6) Provide for the dedication of a 66’ ROW and paving of a 3-lane approach centered on the ½-mile line at its intersection with 168th Street. Coordinate with the Prairie Ridge development and/or the adjacent land owner to the south for acquisition, design, and alignment of this public street connection, 7) A street connection shall be made between Street A and the ½-mile connection to 168th St. If this will not be a public street in dedicated ROW, then provide a private street built to City standards in a public access easement through the intervening lots, 8) Reconfiguring Street A to provide an east/west through route at the ¼ mile access from 168th St. curves south and exits the development near the ¼ mile point, 9) Add a note on the plat stating that the 1/8-mile accesses on Street D and Street C shall be restricted to a right-in/right-out only access upon future improvements to State Street and 168th Street along with direct access to 168th Street and State Street, from the adjacent platted lots, will not be permitted, 10) The following access restrictions will need to be added as a note on the final plat: no direct access to Street E from Lots 1 or 178, no direct access to Street B from Lot 179, no direct access to Street D from Lots 245 or 246, no direct access to Street C from Lots 248 or 249, and no direct access to Street A from Lot 251, 11) Place the current Noise Attenuation Easement language on the plat, 12) Coordinate the design of the roundabout with Public Works, 13) Provide an access easement across Lot 247 from Street B to Outlot K, 14) Removing the access points for lots 248 and 249 along Street E, 15) The intersection of Street A with Street B shall be at a 90° angle, 16) Re-aligning the access points to match up located at southwest corner of the development regarding lots 252 and 255, 17) The entire north-south length of Street E needs to be revised to show it as Kilpatrick Parkway with a 65 foot ROW and 35 foot no build easements shown on the plat, 18) Traffic calming on all streets longer than 1,000 feet will need to be provided. Stub streets will need to be paved to the property line providing for temporary turnarounds as well, including stub streets created by final plat phases, 19) Providing sidewalk chamfers on corner lots must be 8.5’ X 8.5’, 20) Providing sidewalks along all street frontages, 21) Drainage basins or other PCSMP features are to be owned and maintained by the District, they need to be platted into separate outlots from those outlots with other purposes, even if the outlots are contiguous, 22) Private trails need to be placed in outlots owned and maintained privately (not by the District). Either relocate the trails to such outlots, or the PCSMP outlots will need to be owned and maintained privately, 23) Provide additional detail for stormwater management, specifically to the southwest corner of the site with regards to the Papio-Missouri Natural Resource District project DS 15-A, 24) Prepare and submit a wetlands analyses and, if any wetlands are damaged, a 3:1 mitigation plan, 25) Any drainage way must be placed in an outlot sized to accommodate either the 3:1 + 20’ section or the 100-year storm flow (whichever is greater), 26) Sanitary sewers shall drain by gravity and eventually connect to the City’s existing sanitary sewer system, 27) Including provisions for use, ownership and maintenance of the outlots in the subdivision agreement, 28) Submittal of a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area, 29) Compliance with all applicable stormwater management ordinances and policies will be required; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality, 30) A letter of approval
of a Noxious Weed Plan from Douglas County will be required, 31) Submit a letter from Douglas County Environmental Services that indicates a noxious weed plan has been approved, and 32) An acceptable debt ratio of 4% or less. Mr. Deeb seconded the motion, which carried 5-0.

| 10.  | C10-14-104 C12-14-105 Oakwood Homes of Nebraska, LLC | REQUEST: Preliminary Plat approval of PRAIRIE RIDGE, a subdivision outside the city limits, with rezoning from AG to DR and R4 | LOCATION: Northwest of 168th and Ida Streets |

At the Planning Board meeting held on June 4, 2014, Jason Thiellen, 330 N. 117th St., appeared before the Board on behalf of the applicant. Mr. Thiellen stated that the proposed project contained 159 acres of residential development, with four price points ranging from $200,000 to $450,000, and would be completed in four phases. He added that the proposed development connected to the future residential development to the north and a proposed dam site to the west of the site. He then displayed photos and discussed details of the centralized park concept within the development and that the concept was signature of Oakwood developments to bring connectivity to their neighborhoods. Mr. Thiellen further discussed connectivity with access from State Street on the north, through the neighborhood and park, to Ida Street on the south. He added that the applicant was working with Public Works Department on some aspects of the park and mentioned that the development was a Sanitary Improvement District (SID) with a debt ratio under four percent.

Mr. Nesbitt commented that he was concerned with absorption of residential homes in the area, but that the price points of the homes was a positive factor for absorption. In response to Mr. Neary, Mr. Thiellen explained that most of the grading would be natural, but that minimal grading was required between the developments and within the park area. He also stated that the applicant was working with the Public Works Department and HDR regarding grading and connection issues to the south of the site.

Dave Fanslau, Acting Assistant Planning Director, explained that the Department would continue to work with the applicant regarding issues for the preliminary plat and that development phases two through four were outside of the Present Development Zone boundary, but would be reviewed in conjunction with sewer development studies. He stated that the Department recommended approval of the rezoning and approval of the preliminary plat subject to the 30 conditions of the recommendation report.

In response to Mr. Harding, Mr. Fanslau stated that environmental studies were required for final plat approval and Mr. Thiellen commented that the current study would be completed prior before final plat submittal.

Mr. Harding moved for approval of the rezoning from AG to DR and R4 and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Submittal of a Revised Preliminary Plat, 2) Coordinate the locations of all street connections to the north of the subdivision with the proposed Majestic Pointe development, 3) Provide for the improvement of 168th and Ida Streets to three lanes, 4) Dedicate an additional 10 feet along 168th Street for the first 300 feet north of Ida Street and an additional 10 feet along Ida Street for the first 300 feet west of 168th Street, 5) Provide for a 66 foot right-of-way and paving of a 3-lane approach centered on the east-west ½-mile line at its intersection with 168th Street, 6) Provide for access via right-of-way or an outlot from Whitmore Street/173rd Avenue to the unplatted Sunnyside School parcel on the southwest corner of the site, 7) Coordinate with the Public Works Department and NRD in regards to the east/west ½ mile connection (northwest portion of site) and the north/south ½ mile connection (southwest portion of site), 8) Coordinate with the Public Works Department for the street connection and median design for HWS Cleveland Boulevard at its intersections with 168th and Ida Streets, 9) Coordinate all vehicular and pedestrian plans with the NRD to ensure proper alignment with the plans for the future Dam Site 15A project, 10) Eliminate the cul-de-sac on 170th Circle by extending and aligning with one of the existing intersections on the north side of HWS Cleveland Boulevard, 11) Provide a green corner in an outlot at the intersection of 168th and Ida Streets, 12) Provide an access easement from Whitmore Street/168th Avenue to the outlot created for the green corner, 13) Add the following notes on the Final Plat: (a) “There shall be no direct access to Potter Street from Lot 1.” And (b) “There shall be no direct access
from Lots 19, 293, 443 or Outlot ‘M’ to HWS Cleveland Boulevard.

11. C10-14-106 C12-14-107 University of Nebraska Medical Center

REQUEST: Preliminary and Final Plat approval of MARCY ADDITION, a minor plat inside the city limits, with rezoning from R6 and GI to R5

LOCATION: Northeast of 40th and Pacific Streets

At the Planning Board meeting held on June 4, 2014 Melinda Pearson, 7311 S. 128th St., Architectural Manager, University of Nebraska Medical Center (UNMC), appeared before the Board on behalf of the applicant. Ms. Pearson stated that UNMC was constructing a 600,000 square foot Cancer Center to open in 2017 and would need increased parking at that time. She also stated that land was acquired south of Leavenworth Street for proposed temporary parking.

John Coolidge, Lamp Rynearson & Associates, 14710 West Dodge Road, appeared before the Board on behalf of the applicant. Mr. Coolidge displayed a map of the site and described that the existing buildings included a Keiwit plant and vacant industrial structures on the Marin property. He then explained that demolition of pavement and industrial structures were partially completed on the Villalobos property. Mr. Coolidge stated that the project would be completed in two phases and that the first phase was the construction of a parking lot on the Villalobos and Marin properties. He explained that because of grading separation between the residential parcels and the proposed site, the buffer was increased and a landscaping plan was devised to replace trees. He added that the Keiwit property stayed the same in this phase. Mr. Coolidge stated that the applicant met with the Parks Department regarding connectivity through the site and to the trails, and also stated that non-mature trees would be cleared and trees replanted and the unauthorized skate park removed.

Kurt Witzenburg, Holland Basham, 119 S. 49th Ave., appeared before the Board on behalf of the applicant. Mr. Witzenburg stated that the applicant met with multiple neighborhood associations, conducted a trail walk with approximately 15 people while discussing the project, and stated that the neighbors were in favor of the request. He explained that the density of parking lot 64 was reduced on the south end to create an increased bufferyard to the east and that new sidewalks were proposed along Marcy and Pacific streets to enhance connectivity.

Roxanne Roach, 1022 S 38th Ave., appeared before the Board in opposition. Ms. Roach stated that she was not opposed to the request but had questions. She explained that her residence was adjacent to the site and that she owned half of the alley adjacent to her home and the east side of the proposed parking lot. She stated that she was concerned with the maintenance of the alley, lighting from the parking lot, landscaping and trees, construction noise, pedestrian traffic from the trail, increased traffic and the timing...
of the traffic light on 42nd and Pacific Streets. She stated that she was also concerned with the proposed shuttle service.

Dave Fanslau, Acting Assistant Planning Director, stated that Ms. Roach’s concerns would be addressed during discussion for the Parking Overlay District. He then stated that the Department recommended approval of the rezoning, approval of the Preliminary Plat subject to the 10 conditions of the recommendation report, and approval of the Final Plat subject to the conditions of the recommendation report.

Mr. Harding moved for approval of the rezoning from R6 and GI to R5 and approval of the Preliminary Plat, subject to the following conditions: 1) Improve Marcy Street between 38th Avenue and 39th Street to City standards concurrently with or prior to Phase I, 2) Obtain a quitclaim deed from the City for the eastern half of the 39th Street right-of-way to be vacated and record concurrently with the final plat, 3) The plat will need to be clearer on final ownership of the east parcel of the Mason Street right-of-way vacation, 4) Provide sidewalks along all public street frontages, 5) Verify the construction timing and responsibility of the ‘future’ trail connection and account for in the final subdivision agreement, 6) Place the ‘future’ trail connection within the proposed 20’ ingress/egress easement, 7) Extend the proposed 20’ ingress/egress easement to the remaining Mason Street right-of-way located on the eastern edge of the subject site, 8) Coordinate with the Parks Department on any improvements made in the Field Club Trail right-of-way, 9) Pay Watershed Management fees for Lots 1 and 2 prior to the recording of the final plat, and 10) Compliance with all applicable stormwater policies and ordinances. He also moved for 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. Nesbitt seconded the motion, which carried 5-0.

**Overlay Districts**

<table>
<thead>
<tr>
<th>REQUEST:</th>
<th>Approval of a PK-Parking Overlay District in a R5 District (pending)</th>
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<tbody>
<tr>
<td>LOCATION:</td>
<td>Northeast of 40th and Pacific Streets</td>
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<tr>
<td>12.</td>
<td>C9-14-108 University of Nebraska Medical Center</td>
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</table>

At the Planning Board meeting held on June 4, 2014 Melinda Pearson, 7311 S. 128th St., Architectural Manager, University of Nebraska Medical Center (UNMC), appeared before the Board on behalf of the applicant. Ms. Pearson stated that the parking would be used for daytime purposes only and that lighting would be designed within city regulations. She also mentioned that a shuttle service was proposed and that parking would be utilized from 8:00 a.m. to 4:30 p.m. only.

In response to Mr. Neary’s questions regarding landscaping, Ms. Pearson explained that the applicant mailed a letter then met with neighbors regarding the project. She stated that the original design included two rows of parking on the south side and that one row was removed at the request of the neighbors. She then explained that the sideyard setback was increased from 10 feet to 30 feet and that new trees would be planted. Mr. Neary questioned the length of time UNMC would need the parking lot, and Ms. Pearson responded that she did not have an exact time but that the parking was temporary.

Dave Fanslau, Acting Assistant Planning Director, stated that lighting was regulated by City code and that the landscape plan met code regulations. He then stated that the Department recommended approval of the Parking Overlay District subject to the conditions on the recommendation report.

Mr. Harding moved for approval of the PK Overlay District, subject to submittal of a revised site plan that provides the required handicapped-accessible parking stalls prior to forwarding the request to the City Council. Mr. Deeb seconded the motion, which carried 5-0.
Rezonings

17. C10-96-261
SMJ International

REQUEST: Approval of a Major Amendment to a Mixed Use District Development Agreement for Altech Business Park to allow a Broadcast tower

LOCATION: 4002 South 149th Circle

At the Planning Board meeting held on June 4, 2014, Mark Holler, SMJ International for Verizon, 700 S. 18th St., Lincoln, Nebraska, appeared before the Board. Mr. Holler stated that the property was owned by Verizon and was a secured communication facility that served Nebraska and western Iowa. He then explained that a last minute plan to add an addition to the existing building required a revised parking plan to meet code regulations and that the proposed tower location was shifted 25 feet to the east on the new plan. He then displayed a map and briefly discussed the original site and noted where the tower and parking lot would be located with the new plan. He added that the tower location was in the center of the compound and surrounded by a concrete wall with secured access at the entrance. Mr. Holler stated that he was requesting a minimum 80 foot tower to accommodate the hill to the east of the site and accomplish communication goals.

Dorothy Susanne Richardson, appeared before the Board in opposition. Ms. Richardson stated that as a retired telecommunication worker, she was familiar with telecommunications and that her residence was adjacent on the west side of the site. She mentioned that the area was predominantly residential to the south and west of the site and that she was opposed to the tower. She was concerned the tower would interfere with the electronic devices within her home. Ms. Richardson then discussed the surrounding commercial areas to the north and the east and questioned possible alternative tower locations in these areas. She also stated that she opposed the request.

Jackie Donovan, 3850 S. 149th St, Donovan Properties, appeared before the Board in opposition. Ms. Donovan stated that she was the owner of the commercial property to the north and adjacent to the site. She stated that she was concerned the proposed location of the tower was too close to the parking lot of their office building and that the proposed tower would be unsightly. She added that this location was not zoned for the requested use and that other sites were available with no approvals needed. In response to Mr. Neary, Ms. Donovan explained that some of the current office users located in the building were a security business, computer programming businesses, call centers, architects, and insurance agencies.

Ted Grace, developer of Altech Business Park, appeared before the Board in opposition. Mr. Grace stated that this area of the business park was not intended for industrial use and that more appropriate property was available on the northeast end of the business park at 150th and A Circle for the tower. He was also concerned about the marketability of the remaining 12 acres of undeveloped property if the tower was constructed.

Lim Lang, 11718 Nicholas St., appeared before the Board in opposition. Mr. Lang stated that he represented Meadow Brook Estates, a manufactured home park to the west of the site. He added that the tower would be located within 100 feet of the Meadow Brook Estates residents and that concerns were aesthetics and visibility of the tower. Mr. Lang requested that the applicant consider other industrial areas nearby more suitable for the location of the tower.

Jerry Slusky, 8712 West Dodge Rd., appeared before the Board in opposition. Mr. Slusky stated that he represented Donovan Properties and questioned the Law Department regarding the existing Department recommendation and proper notification with the revised plan. Alan Thelen, Law Department, stated that the Amendment did not specify an exact location of the tower, only that the tower was a permissible use. Mr. Slusky commented that a tower did not complement the existing mixed use development in the area, and also agreed with opposition that more suitable locations were nearby.

Mr. Holler stated that he was a contractor for Verizon Wireless and that the proposed tower was owned by Verizon. In regards to the frequency issue, he mentioned that carriers and home electronic devices...
operated on a different frequency and were not proven to interfere with another. In response to Mr. Neary, Mr. Holler stated that an 80 foot tower was the best coverage at minimum, but that he would be willing to investigate alternate locations. In response to Mr. Deeb, he then explained that because of the hill to the west of the site, coverage was reduced with a 50 foot tower. He also explained to Board members that he did not meet with neighbors and that alternative sites were not investigated because Verizon owned the parcel. Mr. Deeb commented that the property was owned by Verizon and located within a business park, and Mr. Harding commented that recommendation of an alternate location was unwarranted because Verizon owned the property.

Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval subject to the 8 items on the recommendation report. He added that a 50 foot tower was permitted by current zoning code outside of the Mixed Use Development Agreement area, but because the facility was not shown on the original plan, the tower location needed approval. He stated that the Department needed a revised plan if the tower location was moved and also noted that the site was already within a commercial area. In response to Mr. Neary, Mr. Holler stated that the applicant was in favor of a layover. Mr. Harding moved to layover for 30 days at the request of the applicant. Mr. Nesbitt seconded the motion, which carried 5-0.

**Special Use Permits**

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<tr>
<td>20.</td>
<td>C8-14-114 Thomas Meyer</td>
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<tr>
<td>REQUEST:</td>
<td>Approval of a Special Use Permit to allow Meat packing and related industries in a HI District</td>
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<tr>
<td>LOCATION:</td>
<td>2630 &quot;N&quot; Street</td>
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At the Planning Board meeting held on June 4, 2014, Nate Burnett, REGA Engineering, 1620 S. 70th St., Lincoln, appeared before the Board on behalf of the applicant. Mr. Burnett stated that the request was for a live market that was approved two years at another location, but that due to lack of funding, the project never started. He explained that the existing building would be demolished and a new building constructed. He also mentioned that the applicant submitted a revised site plan to accommodate setback regulations and also submitted a revised operating statement as requested by the Planning Department.

Tom Meyer, 1006 Wright St, appeared before the Board. In response to Mr. Neary, Mr. Meyer stated that he spoke with a few neighbors, but not all neighbors. He then explained that the hoop shed would be used to store the equipment, hay, feed and bagged wood chips and that deliveries would be made via vehicular truck and 26-foot trailer. Mr. Meyer explained to the Board that the animals would be purchased from a contracted seller that raised the animals and that the by-product would be removed by a business such as Darling Company. He further explained that a need for this operation existed in the area and that odor would not be an issue. He added that the facility would be inspected by USDA twice a week and that this type of business currently existed in other areas of the country. Mr. Meyer responded to furthering questioning by the Board that clientele preferred processing of smaller animals and that approximately 300 chickens, 10 sheep, 10 goats, and 20 pigs would be processed daily. In response to the Board, he stated that there was some room for expansion and that processing deer was not the main focus of the business. He added that a portion of the building would be used for retail sales for those clientele that can not afford to purchase an entire animal.

Dave Fanslau, Acting Assistant Planning Director, responded to Mr. Harding that the revised site plan was reviewed by the Planning Department and found to be in compliance, but that the operating statement was received yesterday and needed to be reviewed.

Mr. Burnett stated that the applicant anticipated five employees at the facility and that there was ample space to make adjustments to increase parking to meet regulations. He then discussed the proposed true-grid system and explained that it consisted of a rock or gravel overlay and met storm water regulations. He added that additional information regarding the true-grid system was in the operating statement.
Dan Weaver, 7869 Dewey, appeared before the Board. Mr. Weaver stated that he was not opposed, but wanted more information regarding the request. He added that any type of improvement at this site would benefit the area.

Mr. Meyer mentioned that the existing building on the site currently had multiple code violations.

Mr. Fanslau stated that the use was appropriate for the Heavy Industrial zoning and that the Department changed their recommendation from layover to approval of the request, subject to review of the site plan and operating statement prior to forwarding to City Council.

Mr. Nesbitt moved for approval of a Special Use Permit to allow Meatpacking and related industries in a HI District subject to the Planning Department reviewing the revised site plan and the revised operating statement, prior to forwarding the request to City Council. Mr. Deeb seconded the motion, which carried 5-0.

### Conditional Use Permits

<table>
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<tr>
<th>21.</th>
<th>C7-87-058 Douglas County School District 0001</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a Conditional Use Permit to allow Administrative services in a R5 and R7 District</th>
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<td>LOCATION:</td>
<td>3215 Cuming Street and 730 North 32nd Street</td>
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At the Planning Board meeting held on June 4, 2014, Scott Dye, 1500 Woodmen Tower, appeared before the Board on behalf of the applicant. Mr. Dye stated that the Career Center, used for specialized educational skills, has operated within the Teacher Administration Center (TAC) building for many years and needed more adequate signage for identity. He noted the building was a large facility and that two signs identifying the Career Center were proposed for the corner of North 33rd and Cuming Streets. He added that an identification sign was also proposed for the auditorium in the center of the building, which is frequently used for outside events, and for the TAC building on the east side. He then commented that the existing monument signs were not visible to eastbound traffic on Cuming Street. Mr. Dye explained that the proposed signs were non-illuminated, the auditorium signage would be on a panel to match the concrete color, and the remaining signage would be approximately 10 inches in height and mounted directly to the building.

In response to Mr. Harding, Mr. Dye displayed renderings of the proposed signage and noted the proposed locations for each sign. He also responded that the north entrance was not frequently used and that the main entrance was located on the east side of the building. He explained that the Career Center was on the south side of the building with a small identification sign at the entrance and that the two small deteriorating signs facing Burt and Cuming Streets would be removed. Mr. Dye mentioned that the three existing monument signs and parking restriction signs would remain and noted that the proposed signage would be helpful to parents and event attendees visiting the building for the first time.

Dave Fanslau, Acting Assistant Planning Director, stated that the Department recommended approval subject to the three conditions of the recommendation report.

Mr. Nesbitt moved for approval subject to: 1) Compliance with the site plan and operating statement approved as part of the original conditional use permit, 2) Compliance with submitted signage plans, and 3) Approval of the necessary waivers from the Zoning Board of Appeals. Mr. Deeb seconded the motion, which carried 5-0.
ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 4:13 pm.

Date Approved

_________________________________________
Raymond J. Neary, Chair

_________________________________________
Rikki Flott, Planning Board
Recording Secretary