Certification of Publication: Planning Board Administrator certifies publication of this agenda in the Daily Record, the official newspaper of the City of Omaha on Tuesday, July 8, 2014.

MEMBERS PRESENT: Anna Nubel, Vice Chair
Arnold Nesbitt
Van C. Deeb
Greg Rosenbaum
Brinker Harding

MEMBERS NOT PRESENT: R. J. Neary, Chair
John Hoich

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

Ms. Nubel, Vice 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.

SPECIAL PUBLIC HEARING AND ADMINISTRATIVE MEETING

(REGULAR AGENDA)

Master Plan Referrals (Annexation)

| LOCATION: Omaha and 3-mile extraterritorial jurisdiction |

At the Planning Board Special meeting held on July 21, 2014, Cassie Seagren, Mayor’s Office, appeared before the Board. Ms. Seagren stated that the proposed annexation package was reviewed by multiple City departments and included 13 SID’s, 4 business parks and Miracle Hills golf course. She explained that the Mayor’s goals were to annex County property located within the City (“islands”), avoid additional police or fire expenses, and avoid SID’s with current road projects, consider the financial feasibility of future projects, and omit those under current contracts.

Steve Curtis, City Finance, appeared before the Board. Mr. Curtis explained that the annexation would add 8,700 residents, add approximately $35.6 million in debt, and add $932 million in valuation. He
further explained that the 10 year projection for revenue from property tax, sales and restaurant tax and highway tax totaled approximately $62 million, and that debt services, warrants, cash and investments and City services brought the 10 year projected balance to approximately $15 million. Mr. Curtis stated that within the 10 year projection, the estimated yearly net positive to the City was approximately $1.5 million and that this figure had potential to fluctuate.

John Fullenkamp, 11440 West Center Road, appeared before the Board in opposition. Mr. Fullenkamp stated that he represented the Brookaven SID 294, I-80 Business Park SID 436, Arbor Oaks SID 418 and Pacific Springs SID 398. He then mentioned that Brookhaven, I-80 Business Park and Arbor Oaks were not in opposition to the annexation package. He added that the Pacific Springs SID was concerned with the future development and expansion of South 180th and Pacific Streets and that Douglas County informed him this intersection was not within their one and six year plans due to budget limitations. In response to Mr. Harding, Mr. Curtis stated that the future widening of roads would be addressed in the platting process.

Mr. Fullenkamp stated that he also represented GMT, LLC, owner of the Miracle Hills Golf Course, and that the owner was opposed to the annexation of Miracle Hills. He explained that the Miracle Hills clubhouse and tennis courts were located within the City, but that the golf course land was within the County and was still an operating golf course. He further explained that the golf course revenue would be minimal to the City and that future improvements, including erection of a bridge over the Big Papillion Creek to connect properties, and significant storm sewer and street improvements would be costly to the City. Mr. Fullenkamp stated that removal of Miracle Hills from the annexation package did not negatively affect the financial viability of the City.

Hal Daub, 314 North 97th Court, Husch Blackwell, appeared before the Board in opposition. Mr. Daub stated that he represented Tom Barker and the partnership that owns Miracle Hills. He also mentioned the golf course was currently a successfully operating business and agreed with Mr. Fullenkamp regarding the lack of tax revenue benefiting the City and high cost of improvements to develop the site. He added that there was no compelling rationale to annex this property and that the City already had zoning jurisdiction for this property. He stated that Mr. Barker requested this property be removed from the annexation package.

Diana Akin, 6019 S. 49th Ave., appeared before the Board in opposition. Ms. Akin stated that her family had owned this residence since 1949 and had questions regarding how the annexation affected their property with regards to revenues, street improvements, sewer system, fire and police service, traffic, crime and zoning.

Bob Stubbe, Public Works appeared before the Board. Mr. Stubbe explained that streets improvements would be upon request by abutting property owners and assessed back to the property owners. Ms. Seagren stated that if annexed, the City of Omaha Fire Department would service this area and that there were no plans for development that would generate increased traffic. She added that the City would be in control of revenues if annexed.

Dave Fanslau, Acting Assistant Planning Director, stated that this property was currently within the City zoning jurisdiction and that Douglas County controlled regulations on animals. He added that driveway regulations would be enforced by the City and investigated upon receiving complaints. He mentioned that grandfathered rights regarding driveway regulations would need to be researched for Ms. Akin’s property.

Desiree Hatfield, 6019 S. 49th Ave., appeared before the Board in opposition. Ms. Hatfield stated that she was concerned with the process of eminent domain by the City if this area was annexed. Mr. Nubel responded that the owner would have to sell their property. Mr. Fanslau mentioned that the City did not freely use eminent domain and did not anticipate changes for this area.

Ms. Seagren stated that Miracle Hills could remain a golf course, if annexed, and that ownership would not change. She explained that the property would generate approximately $12,000 in yearly revenues and did not bring additional debt to the City. She mentioned that the City currently services areas adjacent to the property and that currently there were no plans to develop this property. In response to Mr. Nesbitt, Ms. Seagren stated that she was unaware of why previous administration did not annex this
area but that the annexation of Miracle Hills fulfilled the goals of the current Mayor.

Mr. Fullenkamp discussed that other un-annexed “islands” existed within the City and again discussed the high cost of development for the Miracle Hills property, if annexed.

Ms. Akin stated that she had further questions regarding zoning. Mr. Fanslau assured Ms. Akin that the Harper Valley area would not be rezoned upon annexation and Ms. Nubel stated that further zoning questions could be answered by the Department following the meeting.

Mr. Fanslau stated that the Department recommended approval of the entire 2014 annexation package. He mentioned that request fulfilled the goals of the Master Plan of the City.

Mr. Harding moved for approval of the 2014 Annexation Package, excluding Miracle Hills and Northeast of 60th and Harrison Streets. Mr. Nesbitt seconded the motion, which carried 4-1, with Mr. Deeb dissenting.

**APPROVAL OF MINUTES**

Mr. Rosenbaum moved to APPROVE the meeting minutes of April 2, 2014 and May 7, 2014. Mr. Deeb seconded the motion, which carried 5-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 2:23 pm.

Date Approved

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Raymond J. Neary, Chair

Rikki Flott, Planning Board
Recording Secretary