

MINUTES
 PUBLIC HEARING AND ADMINISTRATIVE MEETING
 OMAHA CITY PLANNING BOARD 1:30 P.M. – OCTOBER 7, 2015
 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, September 28, 2015.

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

MEMBERS NOT PRESENT: None

STAFF PRESENT: James Thele, Planning Director
 Dave Fanslau, Assistant Planning Director
 Cheri Rockwell, Current Planning
 Eric Englund, Planning Board Administrator
 Alan Thelen, Law Department
 Rikki Flott, Recording Secretary

Anna Nubel, Chair, called the meeting to order, introduced the Planning Board members as well as the Planning Department staff, and explained the Planning Board’s public hearing procedures.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

The requests listed below were voted on concurrently in accordance with the Planning Department’s recommendation report.

No one appeared in opposition.

Subdivisions

2.	C10-15-195 (D) C12-15-196 JHBF, LLC	REQUEST:	Final Plat approval of ANDRESEN MEADOWS ESTATES, a subdivision outside the city limits, with rezoning from AG to DR and R4
		LOCATION:	Southwest of 176th and Emmet Streets

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved to layover the Final Plat to allow for the submittal of a wetland analysis (and mitigation plan if necessary) and show interceptor sewer easements on the plat. Mr. Magid seconded the motion which carried 7-0.

(HOLD OVER CASES)

Rezoning

4.	C10-15-200 (D) Jennifer Zhang	REQUEST:	Rezoning from GO to CC, with approval of a MCC-Major Commercial Corridor Overlay District (laid over from 08/05/15)
		LOCATION:	6315 Center Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 7-0.

(REGULAR AGENDA)

Subdivisions

9.	C10-15-263 (D) C12-15-264 204 FStreet, LLC	REQUEST:	Preliminary Plat approval of GRANDVIEW, a subdivision outside the city limits, with rezoning from AG to DR, R4 and R6
		LOCATION:	Northwest of 204th and "F" Streets

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the rezoning from AG to DR and R4, approval of the rezoning from AG to R6, subject to submittal of an acceptable PUD-Planned Unit Development Overlay District development plans and the applicant requesting the MCC Overlay District prior to forwarding the rezoning to the City Council for final action, and approval of the Preliminary Plat subject to the following conditions: 1) Coordinating with the NDOR regarding a traffic study, the street connection to 204th Street, and the need for a southbound right-turn lane at 204th and Street "A". 2) Providing a technical memorandum to the City that evaluates the signal warrants at 204th and Street "A" and provides for the required improvements. 3) Providing for the improvement of "F" Street to three lanes. 4) Constructing the Street "F" approach to "F" Street to as a three-lane section with a 4 foot median; with dedication of any additional right-of way. 5) Revising the intersection of Street "A" and "J" to incorporate a roundabout and configured in conformance with the City's comments. 6) Eliminate the cul-de-sac. 7) Revise the subdivision layout to eliminate single loaded streets where feasible. 8) Revise the subdivision layout so that the Street "J" and "L" intersection is as nearly as possible to a right angle. 9) Provide for temporary paved turnarounds at the end of all stub streets. 10) Provide traffic calming on all street segments in excess of 1,000 feet. 11) Coordinate with Public Works regarding an acceptable general obligation paving plan. 12) Provide a note on the plat that states that Lot 189-191 will not have direct access to Street "A" (the parkway) or reconfigure the subdivision layout so that no lots back onto the parkway. 13) Provide a note on the plat that states that no lot or outlot shall have direct access to 204th and "F" Streets. 14) Provide access to Outlot "C" (green corner) from Street "B". 15) Include the standard noise attenuation easement language on the final plat(s). 16) Provide for sidewalks as required on all street frontages; including 204th and "F" Streets. 17) Compliance with all applicable stormwater management ordinances and policies. 18) Encapsulate any drainageway within an outlot that is sized to include the 3:1 +20' or the 100 year storm; whichever is greater. 19) Provide for a 10 foot wide concrete trail along the north side of "F" Street. 20) Provide design and cost estimates for the neighborhood park (Lot 248), parkway and trail improvements for Park Advisory Board approval prior to approval of a final plat. 21) Provide a "green corner" in compliance with Section 53-9(14)(a-e) of the subdivision ordinance. 22) Provide street trees in compliance with Section 53-9(11) of the subdivision ordinance. 23) Submit a letter of approval of a noxious weed plan. 24) Provide for the use, ownership and maintenance of the outlots in the subdivision agreement. 25) Submit a letter confirming that acceptable emergency warning is being provided for the area. 26) Submittal of an acceptable tree canopy mitigation plan. 27) Eliminating buildable lots that back onto the parkway. 28) Including building footprints in compliance with the R4 District setback regulations (including the 35 foot no build easement) on all of the buildable lots adjacent to the parkway. 29) The overall debt ratio being under the accepted 4%. 30) Submittal of a revised preliminary plat, if necessary. Mr. Magid seconded the motion which carried 7-0.

10.	C10-13-051 (D) C12-13-052 NDOR	REQUEST:	Preliminary and Final Plat approval of NDOR INDUSTRIAL, a minor plat inside and outside the city limits, with rezoning from CC and LI to LI
		LOCATION:	2829 North 204th Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the rezoning from CC and LI to LI, approval of the Preliminary Plat, subject to the following conditions: 1) Adding a note to the Final Plat that indicates Lot 1 shall have no direct vehicular access to 204th Street. 2) Provide sidewalks as required by the Subdivision Ordinance. 3) Compliance with all applicable stormwater management ordinances and policies, and for 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 to the City Council. Mr. Magid seconded the motion which carried 7-0.

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

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the rezoning from AG to DR and MU, subject to the following conditions and submittal of an updated Mixed Use Development Agreement prior to forwarding to City Council: 1) Submittal of an acceptable Mixed Use District Development Agreement with the elimination of pole sign language in the Signage section and in the Sign Table chart along with an updated sign table indicating a maximum 12' height for monument signs and updated lot exhibits. 2) The Mixed Use Development Agreement must contain language stating that Urban Design Article XXII applies to this agreement. 3) The applicant must show that the proposed trail does not terminate into a dead end on the west side of the site, and for approval of the Revised Preliminary Plat subject to the following conditions: 1) 145th Street sidewalks and parking must be in the ROW. 2) Providing for sidewalks along all right-of-way frontages. 3) Providing for improvement of the existing 2-lane section of Ida Street (from west of 146th Avenue to the subdivision frontage) to a 3-lane section. 4) Ida Street improvements shall account for the proximity of the existing trail on the south side of Ida St. which crosses the box culvert west of 146th Avenue. Coordinate with Douglas County on the improvements necessary (curb and gutter, etc.). 5) Providing for use, ownership, and maintenance of the outlet in the subdivision agreement. 6) Coordinating the proposed site grades along the southern and eastern boundaries of the platting, adjacent to Ida and 144th Streets with the future improvement of these roadways. 7) Providing for the "green corner". He also moved for approval of the Final Plat subject to meeting the conditions of the Preliminary Plat and submittal of an acceptable final subdivision agreement prior to forwarding the plat to the City Council. Mr. Magid seconded the motion which carried 7-0.

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

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved approval of the rezoning from GI to CC (property is also located within an ACI-2(PL) Overlay District), and approval of the Final Plat subject to submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council for final action. Mr. Magid seconded the motion which carried 7-0.

Overlay Districts

13.	C11-15-265 (D) 204 FStreet, LLC	REQUEST:	Approval of a PUD-Planned Unit Development Overlay District
		LOCATION:	Northwest of 204th and "F" Streets

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the PUD subject to submittal of a detailed construction schedule and final acceptable civil site plan, landscape plan, grading plan, utility plan and architectural building elevations in compliance with all applicable site development regulations. Mr. Magid seconded the motion which carried 7-0.

Rezoning

14.	C10-15-257 (D) Sister M. Lucy Astuto	REQUEST:	Rezoning from GI to R5
		LOCATION:	2214 and 2216 Poppleton Avenue

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 7-0.

15.	C10-98-193 (D) Verizon Wireless, LLC	REQUEST:	Approval of a Major Amendment to a Mixed Use District Development Agreement for Legacy to allow a <i>Broadcast tower</i>
		LOCATION:	17677 Wright Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the Major Amendment to a Mixed Use District Development Agreement for Legacy to allow a Broadcast tower subject to submittal of an acceptable amendment to the mixed use district development agreement that provides landscape screening around the lease area in accordance with the Telecommunication Facilities Performance Standards prior to forwarding the request to the City Council for final action. Mr. Magid seconded the motion which carried 7-0.

18.	C10-15-268 (D) Dave Paladino	REQUEST:	Rezoning from DS to CBD (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District)
		LOCATION:	1624 Cuming Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 7-0.

19.	C10-15-275 (D) RESUMO, LLC	REQUEST:	Rezoning from HI to CBD (property is also located within an ACI-1(PL)-Area of Civic Importance Overlay District)
		LOCATION:	Northwest of 11 th and Mason Streets

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 7-0.

Special Use Permits

20.	C8-15-258 (D) Sandra Kosierowski	REQUEST:	Approval of a Special Use Permit to allow <i>Day care services (general)</i> in a R4 District
		LOCATION:	17118 Patterson Drive

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the Special Use Permit to allow Day care services (general) in a R4 District subject to the following conditions: 1) The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. 2) Compliance with storm shelter regulations. 3) Compliance with the submitted site plan.

4) Compliance with the proposed operating statement. 5) Compliance with all applicable development regulations. Mr. Magid seconded the motion which carried 7-0.

21.	C8-15-269 (D) Scooter's Coffee	REQUEST:	Approval of a Special Use Permit to allow a <i>Restaurant (drive-in or fast food)</i> in a GI District
		LOCATION:	5921 "F" Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved to layover the request to allow additional time for the property owner to: 1) Apply for a Conditional Use Permit to allow Safety services in a GI District. 2) Obtain a Certificate of Occupancy for the Vehicle storage use (this will require compliance with the screening requirements (Section 55-770(3)(a). And, the applicant to: 1) Provide the overall off-street parking requirement calculations for the site. 2) Revise the proposed site plan to provide 5% interior parking lot landscaping. 3) Revise the proposed site plan by flipping the location of the drive-through window to allow for stacking compliance. Mr. Magid seconded the motion which carried 7-0.

23.	C8-11-081 (D) Lakeside AutoRecyclers, Inc.	REQUEST:	Approval of a Major Amendment to a Special Use Permit to allow <i>Scrap and salvage services</i> in a HI District
		LOCATION:	1404 Grace Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved to layover the Major Amendment to a Special Use Permit to allow Scrap and salvage services to allow the applicant additional time to submit a site plan showing the proposed transfer station along with where materials will be stored, updating the operating statement to include a detailed operations plan for clean-up, operations and maintenance of the facility and providing assurances that the storage of materials above Grant Street (extended) will not be permissible. Mr. Magid seconded the motion which carried 7-0.

24.	C8-13-051a (D) NDOR	REQUEST:	Approval of a Major Amendment to a Special Use Permit (assumed) to allow <i>Maintenance and service facilities</i> in a LI District
		LOCATION:	2829 North 204th Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the Major Amendment to the Special Use Permit (assumed) subject to the following conditions: 1) Compliance with the site plan. 2) Compliance with the operating statement. 3) Compliance with all applicable regulations. Mr. Magid seconded the motion which carried 7-0.

Conditional Use Permits

27.	C7-15-272 (D) US Cellular	REQUEST:	Approval of a Conditional Use Permit to allow a <i>Broadcast tower</i> in a GI District
		LOCATION:	2222 North 84th Street

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved to layover the request to allow the applicant additional time to: 1) Provide coverage maps of the specific site and its relationship to other tower sites showing the variation in coverage provided in 20 foot increments between 70 and 150 feet. 2) Coordinate with the Department on the proposed cell tower location. 3) Submittal of a rezoning application to include the property in the MCC Overlay District. 4) Providing a new elevation that includes no barbed wire on top of the fencing. Mr. Magid seconded the motion which carried 7-0.

28.	C7-96-105 (D) Dial Cambridge, L.P.	REQUEST:	Approval of a Major Amendment to a Conditional Use Permit to allow <i>Multiple-family residential</i> in a LC District
		LOCATION:	East of 168th Circle between Burke Street and West Dodge Road

At the Planning Board meeting held on October 7, 2015, Mr. Harding moved for approval of the Major Amendment to a Conditional Use Permit to allow Multiple-family residential in a LC District subject to: 1) Construction of the original sidewalk along Davenport Plaza prior to issuance of a Certificate of Occupancy for the new buildings. 2) Compliance with the storm shelter protection standards set forth in OMC Section 55-787 at the time of building permit submittal. 3) Compliance with the site plans approved December 1, 2015. 4) Compliance with the building elevations. 5) Compliance with all applicable ordinances and regulations. 6) The applicant obtaining all necessary permits. Mr. Magid seconded the motion which carried 7-0.

ADMINISTRATIVE MEETING ONLY

Infill & Redevelopment Design Guidelines - This discussion was laid over.

Subdivisions

1.	C10-14-118 C12-14-119 Gottsch Enterprises, LLC	REQUEST:	Final Plat approval of INDIAN CREEK LANDINGS II, a subdivision outside the city limits, with rezoning from AG to R3 (laid over from 09/02/15)
		LOCATION:	Northwest of 192nd Street and West Maple Road

At the Planning Board meeting held on October 7, 2015, Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the final plat subject to the conditions of the recommendation report.

Mr. Deeb moved for approval of the rezoning from AG to R3 and approval of the Final Plat subject to submittal of an acceptable final subdivision agreement and final plat mylars, in compliance with the conditions of the Preliminary Plat approval, prior to forwarding the request to the City Council for final action. Mr. Magid seconded the motion which carried 7-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

3.	C10-15-207 C12-15-208 Neeraj Agarwal	REQUEST:	Preliminary Plat approval of BLAIR COMMONS, a subdivision outside the city limits, with rezoning from DR to R5 and R6 (laid over from 09/02/15)
		LOCATION:	West of 90th Street and south of Blair High Road

At the Planning Board meeting held on October 7, 2015, Neeraj Agarwal, appeared before the Board. Mr. Agarwal stated that a neighborhood meeting was held at the local library and that concerns expressed were the number of affordable housing units and the build-out of 92nd Avenue. In response to the Board, he explained that the primary discussion at the neighborhood meeting was regarding Phase I, which included approximately 192 units on 12 acres of the 26-acre parcel. He added that a timeline for Phase II was uncertain.

Loren Anderson, 9340 Military Rd., appeared before the Board in opposition. Mr. Anderson stated that although meeting notification letters were received 2 days prior to the September 28, 2015 neighborhood meeting, approximately 70 neighbors attended. He then submitted a VHS recording of the meeting to the Board and explained that he was concerned if emergency response was City or County responsibility. He added that he was also concerned with the height of the structure and expressed that he preferred homeownership in the area.

George Cooperider, 5934 N. 92nd Ave., appeared before the Board in opposition. Mr. Cooperider stated that he was President of the Northwest Village Homeowners Association and that his concerns were late notification of the meeting, uncertain timeline of Phase I and Phase II, increased traffic upon connection of 92nd Avenue, and security of the neighborhood. He then submitted to the Board photos depicting the steep grade on 92nd Avenue, along with a copy of his comments. Mr Cooperider also stated that a petition was signed with 148 signatures opposing connection to 92nd Avenue and requesting installation of an 8-foot fence along the southern boundary of the site.

Dave Fanslau, Assistant Planning Director, explained that all conditions on the recommendation report have been met by the applicant and stated that the Department recommended approval of the preliminary plat subject to the 9 conditions on the recommendation report, and approval of the rezoning.

Mr. Harding moved for approval of the rezoning from DR to R5 and R6, and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Provide for all improvements identified in the final approved traffic study. 2) Coordination with NDOR to receive approval of the traffic study and the ROW transfer on Redick Avenue. 3) Providing for 12.01 foot sidewalk chamfers on all lot corners. 4) Paving the stub street of Road A to the southern boundary of the subdivision, and constructing a temporary turnaround. 5) Submittal of a final wetland mitigation plan. 6) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement. 7) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 8) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area. 9) Provide a letter of approval from Douglas County regarding noxious weed control. Mr. Nesbitt seconded the motion which carried 7-0.

(REGULAR AGENDA)

Master Plan Referrals

5.	C3-15-259 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the KIEWIT EDUCATION, INNOVATION AND LEADERSHIP (EIL) FACILITY TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	Northwest of 14th and Mike Fahey Streets

At the Planning Board meeting held on October 7, 2015, Don Seten, Planning Department, presented the request. Mr. Seten stated that the site, formerly known as The Yard, was replatted into 3 parcels with 3 separate developments. He explained that this request was for construction of a two-story commercial building on the south portion of the site, with a public improvement budget of approximately \$440,000 to include diagonal parking along North 15th Street. Mr. Seten explained that the facility provided educational training for Keiwit employees, created 36 new jobs and retained 20 existing jobs. He added that the \$20.8 million dollar development was a partnership with Kiewit and Jay Noddle and utilized approximately \$2.3 million in Tax Increment Financing (TIF) funds.

Jay Noddle, Noddle Companies, 2285 S 67th St, appeared before the Board. Mr. Noddle stated that he was available to answer questions.

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

Mr. Deeb moved for approval. Mr. Harding seconded the motion which carried 7-0.

6.	C3-15-260 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the FITZGERALD GATEWAY TIF REDEVELOPMENT PROJECT PLAN 1624 Cuming Street
		LOCATION:	Northwest of 14th and Mike Fahey Streets

At the Planning Board meeting held on October 7, 2015, Don Seten, Planning Department, presented the request. Mr. Seten stated that the proposed project was the rehabilitation of a vacant and dilapidated historic building with 12 residential units on 2 levels and that the historic appearance would be maintained. He added that the project was a \$1.6 million dollar development and utilized approximately \$212,000 in Tax Increment Financing (TIF) funds. He then explained that public improvements included public right-of-way along Cuming Street and parallel parking along 17th Street.

In response to Ms. Nubel, Mr. Seten explained that the courtyards and landscaping provided privacy for entries to the units and that right-of way leases were required for the patio space.

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

Mr. Deeb moved for approval. Mr. Magid seconded the motion which carried 7-0.

7.	C3-15-261 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the WOOLWORTH LOFTS TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	1114 Howard Street

At the Planning Board meeting held on October 7, 2015, Don Seten, Planning Department, presented the request. Mr. Seten stated that the proposed \$12 million dollar project was a mixed-use development of a historic building and utilized historic preservation tax credits and \$1.5 million in Tax Increment Financing (TIF) funds. He explained that the lower level of the building was currently occupied and used for a retail restaurant use and that levels two through five were vacant and underutilized. He then stated that 14,800 square feet on the second level was proposed for office space and that levels three through 5 would occupy 43 one and two-bedroom market rate residential apartment units. Mr. Seten then stated that public improvements included re-pavement of the alley, sidewalks, curb and gutter, landscaping, bike facilities, and lighting of public right-of-way.

Michael Brannan, MM Development, 4524 Farnam St., appeared before the Board as a proponent. In response to Mr. Rosenbaum, Mr. Brannan explained that the approximate start of the project was the end of 2015, with completion approximately one year later.

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

Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 6-1, with Mr. Magid dissenting.

8.	C3-15-262 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the KING SCIENCE REDEVELOPMENT PLAN
		LOCATION:	An area bounded by Sahler Street on the north, Florence Boulevard on the east, Pratt Street on the south and 24th Street on the west

At the Planning Board meeting held on October 7, 2015, Jim Anderson, Planning Department, presented the request. Mr. Anderson stated that the redevelopment area was a four block by four block area with 52 acres of land. He explained that Habitat for Humanity made similar improvements in the area and that the proposed project continued the effort with combined rehabilitation and construction of 40 units. He added that the City encouraged the area as low-density multi-family with anticipation of interested developers.

Mr. Deeb noted the expenses involved with acquisition, demolition, infill and clean-up of the site.

Amanda Brewer, Habitat for Humanity, 1701 N. 24th Street, appeared before the Board. Ms. Brewer mentioned prior rehabilitation of residential units in the area and beautification projects of 42 existing residential units.

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

Mr. Deeb moved for approval. Mr. Magid seconded the motion which carried 7-0.

Rezonings

16.	C10-02-262 Ted Zetzman	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for West Dodge Station
		LOCATION:	885 North HWS Cleveland Boulevard

At the Planning Board meeting held on October 7, 2015, Ted Zetzman, Dial Company, 2285 S 67th St., appeared before the Board. Mr. Zetzman explained that the proposed project was for automotive sales on the south portion of the site and that the zoning of the 3 acres to the north of the site remained unchanged.

Matt McKain, 825 N. 185th St., appeared before the Board in opposition. Mr. McKain stated that concerns were safety, over saturation of automobile dealers in the area, increased lighting, and decreased property values. He added that the school adjacent to the southwest of the site already had traffic and parking concerns along Burt Street and 184th Avenue and that automobile delivery vehicles parked along Burt Street and blocked the traffic lane.

Chris Taylor, 878 N. HWS Cleveland Blvd., appeared before the Board in opposition. Mr. Taylor stated that 5 residential homes on HWS Cleveland Boulevard faced the proposed site and that he was concerned with vehicle delivery trucks utilizing this narrow street. He noted that the Master Plan promoted open space and that he was also concerned with safety of the children in the neighborhood, flow of traffic and lighting. In response to Mr. Deeb, Mr. Taylor explained that delivery trucks were noisy and departed the dealerships along HWS Cleveland Boulevard during all hours.

Karen Hennigan, 890 N. HWS Cleveland Blvd., appeared before the Board in opposition. Ms. Hennigan stated that she seconded all the concerns previously stated and that she was also concerned with noise from the dealership P.A. system.

Mr. Harding commented that the approved use was not affected by the zoning change. Mr. Taylor responded that he was aware of the zoning when he purchased his home and he was not opposed to an office use on the site. He noted that the school sports fields were used on the weekends, spring through October, and was concerned with delivery trucks parking on the street.

Abby Fagin, 878 N HWS Cleveland Blvd., appeared before the Board in opposition. Ms. Fagin stated she had the same concerns as prior opponents and that she was concerned with the direct view of the dealership from her home.

Mr. Zetzman stated that the portion of the site fronting HWS Cleveland Boulevard was planned for 2 office buildings. He then stated that a discussion regarding the plan was held with the school principal and concern was only expressed regarding loading of vehicles on the public street, which was a violation of city code. In response to the Board, Mr. Zetzman stated that the site was designed for ease of delivery truck movement and that some interest was shown for the proposed office use fronting HWS Cleveland Boulevard. He added that a loud speaker P.A. system was not planned and that lighting was undetermined, but would comply with city ordinances.

Mr. McKain mentioned to the Board that Sunday basketball games were held at the school and that he was concerned a prospect was not in place for the commercial use to the northwest of the site. Mr.

Zetzman stated that business hours did not include Sunday. He added that Nebraska laws prohibited automobile sales on Sunday.

John Coolidge, Lamp Rynearson, appeared before the Board on behalf of the applicant. Mr. Coolidge explained that the grade was lower on the south portion of the site and that two rows of trees lined HWS Cleveland Boulevard as well as the north edge of the dealership site. Mr. Taylor stated that the grade change was created with construction of the land. Mr. Noddle explained that the location of the dealership and entry points to the business south of the site were planned in consideration of the neighbors to the north of the site and that the dealership would provide proper instruction and facilities for vehicle deliveries.

Dave Fanslau, Assistant Planning Director, stated that loading and unloading product on City right-of-way was prohibited, lighting was regulated within the zoning code and Mixed-Use Development Agreement, noise was regulated by zoning code and that zoning code allowed different adjacent uses without disruption to one another. He added that the Planning Department received complaints and investigated violations of these standards. Mr. Fanslau stated that the proposed use was allowed within mixed-use zoning and that the Department recommended approval of the Major Amendment to the Mixed Use Development Agreement subject to the conditions on the recommendation report.

In response to Ms. Nubel, Mr. Noddle stated that he was willing to discuss the project with concerned neighbors.

Mr. Nesbitt moved for approval of the Major Amendment to the West Dodge Station Mixed Use Development Agreement to allow Automotive sales on Lot 2, West Dodge Station subject to submittal of an acceptable Mixed Use Development Agreement and the additional conditions prior to forwarding to City Council: 1) Submittal of a new site plan that complies with the City's driveway regulations or obtaining a waiver from the Administrative Board of Appeals. 2) Labeling a 35' no build easement along HWS Cleveland Boulevard. Mr. Harding seconded the motion which carried 7-0.

17.	C8-15-266 C10-15-267 American Cancer Society	REQUEST:	Rezoning from LO and GO to GO, and Approval of a Special Use Permit to allow a <i>Hotel</i> in a GO District
		LOCATION:	Southeast of 81st and Dodge Streets

At the Planning Board meeting held on October 7, 2015, John Sova, RDG Planning Design, 900 Farnam St., appeared before the Board on behalf of the applicant. Mr. Sova stated that he was informed of tree removal at the site approximately 2 weeks ago and that the applicant was also unaware of the tree removal. He explained that the American Cancer Society was in a 99 year lease with Methodist Hospital, the owner of the land, and understood that Methodist was responsible for the tree removal. Mr. Nesbitt expressed concern regarding implementation of tree mitigation and Mr. Sova explained that the proposed plan would meet necessary requirements.

Tom Eiserman, Methodist Health Systems, 8511 W. Dodge Rd., appeared before the Board. Mr. Eiserman stated that recently trees fell on the power lines attached to the adjacent fire station and he was informed many trees on the property were deteriorating. He noted that because of deterioration, some trees had already been replaced or removed, but that deteriorated trees remained on the property. He then stated that he requested documentation from the tree removal company that the trees were diseased and who recommended the tree removal. He added that he would communicate the findings to the Planning Department.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended a revised landscape plan in the recommendation report and that the Department would review the revised plan upon submittal. He then stated that the Department recommended approval of the rezoning and approval of the special use permit subject to the 7 conditions on the recommendation report.

Mr. Magid moved for approval of the rezoning from LO and GO to GO and approval of the Special Use Permit to allow a Hotel in a GO District, subject to the following conditions: 1) Submit a revised site plan

that provides adequate parking stall depth along the eastern boundary of the property prior to forwarding the request to the City Council. 2) Submit an acceptable revised landscape plan prior to forwarding the request to the City Council. 3) Compliance with the revised site and landscape plan. 4) Compliance with the submitted operating statement. 5) Compliance with the proposed building renderings. 6) Compliance with all applicable stormwater management ordinances and policies. 7) Compliance with all other applicable regulations. Mr. Rosacker seconded the motion which carried 7-0.

Special Use Permits

22.	C8-15-270 Troy Longe	REQUEST:	Approval of a Special Use Permit to allow a <i>Large group living</i> facility in a R2 District
		LOCATION:	911 South 85th Street

At the Planning Board meeting held on October 7, 2015, the case was withdrawn by property owner.

25.	C8-15-273 US Cellular	REQUEST:	Approval of a Special Use Permit to allow a <i>Broadcast tower</i> in a GC District
		LOCATION:	6601 Blondo Street

At the Planning Board meeting held on October 7, 2015, the case was withdrawn by applicant.

Conditional Use Permits

26.	C7-15-271 Mike Shramek	REQUEST:	Approval of a Conditional Use Permit to allow <i>Warehousing and distribution (limited)</i> in a CC District
		LOCATION:	13131 Fort Street

At the Planning Board meeting held on October 7, 2015, the case was withdrawn by the applicant.

APPROVAL OF MINUTES

Mr. Nesbitt moved to APPROVE the meeting minutes of September 2, 2015 as written. Mr. Rosenbaum seconded the motion which carried 7-0.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 2:50 pm.

Date Approved

Anna Nubel, Chair

Rikki Flott, Planning Board
Recording Secretary