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, October 26, 2015.

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

MEMBERS NOT PRESENT: Greg Rosenbaum

STAFF PRESENT: 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.

(HOLD OVER CASES)

Special Use Permits

<table>
<thead>
<tr>
<th></th>
<th>C8-15-269 (D) Scooter’s Coffee</th>
<th>REQUEST: Approval of a Special Use Permit to allow a Restaurant (drive-in or fast food) in a GI District (laid over from 10/7/15)</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.</td>
<td></td>
<td>LOCATION: 5921 &quot;F&quot; Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the Special Use Permit subject to: 1) Submittal of a revised site/landscape plan, acceptable to the Planning Department, that includes additional interior parking lot landscaping in some of areas shown as “proposed striping/painting”, includes the overall off-street parking requirement calculations, and relocates the drive-through window to the opposite side of the building prior to forwarding the request to the City Council for final action. 2) Compliance with the revised site/landscape plan. 3) Compliance with the proposed operating statement. 4) Obtaining the necessary building permits and certificate of occupancy. 5) Compliance with all other applicable regulations. Mr. Nesbitt seconded the motion which carried 6-0.
**Subdivisions**

9. **C12-15-284 (D)**  
   Baceline Investments  
   **REQUEST:** Preliminary and Final Plat approval of FORT DIVISION REPLAT 2, a minor plat inside the city limits  
   **LOCATION:** 5414 North 90th Street

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the preliminary plat subject to: 1) Obtaining a waiver of the rear yard setback requirement and the impervious coverage from the Zoning Board of Appeals before submitting the preliminary plat to the City Council for action. 2) Providing a reciprocal parking easement for the parking stalls on the south side of the building and for the drive aisle on the east side of the property. 3) Submittal of an application to rezone the property to include the MCC Overlay District. 4) Compliance with all applicable stormwater management ordinances and policies. Approval of the final plat, subject to the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding to City Council. Mr. Nesbitt seconded the motion which carried 6-0.

10. **C12-15-285 (D)**  
    TerraForm Companies  
    **REQUEST:** Preliminary and Final Plat approval of PEPPERWOOD VILLAGE REPLAT 2, a minor plat inside the city limits  
    **LOCATION:** 520 North 152nd Avenue Circle

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the Preliminary Plat, subject to the following: 1) Compliance with all applicable stormwater management ordinances and policies. 2) Installation of sidewalks as required by the Subdivision Ordinance. Approval of the Final Plat, subject to the conditions of Preliminary Plat approval, and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the Final Plat to City Council. Mr. Nesbitt seconded the motion which carried 6-0.

11. **C10-14-160 (D)**  
    C12-14-161 Wes Neuhaus  
    **REQUEST:** Preliminary Plat approval of LAKEVIEW POINTE, a subdivision outside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth, with rezoning from AG to R4, R5 and MU with approval of a Mixed Use District Development Agreement  
    **LOCATION:** Northwest of 168th and Fort Streets

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved to layover the request for rezoning from AG to R4, R5 and MU and to layover the Preliminary Plat to allow the applicant time to meet with city staff and address the access and right-of-way issues, the trail configuration and other related comments on the dam site property, the issues with the proposed R5-zoned lots, and provide stormwater detention areas onsite. Mr. Nesbitt seconded the motion which carried 6-0.

12. **C11-15-215 (D)**  
    C12-15-216 Uptown Properties, LLC and DBA Uptown Urban Dwellings  
    **REQUEST:** Preliminary and Final Plat approval of 31 MASON WEST, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
    **LOCATION:** Northwest of 31st and Mason Streets

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the PUR, subject to submittal of a final PUR plan that provides for landscaping being added on the east and west sides of Building 2 prior to forwarding to Council, approval of the waiver of Section 53-8(4)(a) for Lot Depth, and approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) Coordinate with Planning and Public Works regarding the disposition of the alley. 3) The
project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 4) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 5) The applicant must work with Public Works to develop an acceptable PCSMP. 6) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 7) Compliance with all applicable stormwater management ordinances and policies. He also moved for approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

| 13. | C11-15-217 (D)  
C12-15-218  
Uptown Properties, LLC and DBA  
Uptown Urban Dwellings | REQUEST: | Preliminary and Final Plat approval of 524 PARK AVENUE, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
LOCATION: | 524 Park Avenue |

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the waiver of Section 53-8(4)(a) for Lot Depth, approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 3) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 4) The applicant must work with Public Works to develop an acceptable PCSMP. 5) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 6) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

| 14. | C11-15-219 (D)  
C12-15-220  
Uptown Properties, LLC and DBA  
Uptown Urban Dwellings | REQUEST: | Preliminary and Final Plat approval of 825 PARK AVENUE, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
LOCATION: | 825 Park Avenue |

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the PUR, subject to submittal of a final PUR plan that provides for the sidewalk easement being at least 4’ and matching the sidewalk to the south prior to forwarding to Council, approval of the waiver of Section 53-8(4)(a) for Lot Depth, approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 3) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 4) The applicant must work with Public Works to develop an acceptable PCSMP. 5) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 6) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

| 15. | C11-15-221 (D)  
C12-15-222  
Uptown Properties, LLC and DBA  
Uptown Urban Dwellings | REQUEST: | Preliminary and Final Plat approval of 31 POPPLETON, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
LOCATION: | 1313 South 31st Street |

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the PUR, subject to submittal of a final PUR plan that provides for screening being provided on the south side of the site prior to forwarding to Council, approval of the waiver of Section 53-8(4)(a) for Lot Depth, approval of
At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the PUR, subject to submittal of a final PUR plan that provides for screening being provided on the south side of the site prior to forwarding to Council, approval of the waiver of Section 53-8(4)(a) for Lot Depth, approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 3) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 4) The applicant must work with Public Works to develop an acceptable PCSMP. 5) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 6) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

| 16. | C11-15-223 (D)  
    | C12-15-224  
    | Uptown Properties, LLC and DBA  
    | Uptown Urban Dwellings  
|---|---|---|---|
| REQUEST: | Preliminary and Final Plat approval of 31 PACIFIC, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
| LOCATION: | 1113 South 31st Street |
shall be required prior to the recording of the final plat. 2) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 3) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 4) The applicant must work with Public Works to develop an acceptable PCSMP. 5) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 6) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

### Overlay District

<table>
<thead>
<tr>
<th>No.</th>
<th>Request Number</th>
<th>Requesting Agent</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>C11-15-236 (D)</td>
<td>Uptown Properties, LLC and DBA Uptown Urban Dwellings</td>
<td>Approval of a PUR-Planned Unit Redevelopment Overlay District</td>
<td>542 South 30th Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval. Mr. Nesbitt seconded the motion which carried 6-0.

### Rezonings

<table>
<thead>
<tr>
<th>No.</th>
<th>Request Number</th>
<th>Requesting Agent</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>23</td>
<td>C10-15-289 (D)</td>
<td>CFM Realty</td>
<td>Rezoning from DR to MU</td>
<td>Southwest of Coventry Drive and &quot;V&quot; Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval. Mr. Nesbitt seconded the motion which carried 6-0.

### Conditional Use Permits

<table>
<thead>
<tr>
<th>No.</th>
<th>Request Number</th>
<th>Requesting Agent</th>
<th>Request</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>25</td>
<td>C7-15-288 (D)</td>
<td>Dave Schenck</td>
<td>Approval of a Conditional Use Permit to allow Safety services in a GI District</td>
<td>5921 “F” Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the Conditional Use Permit subject to: 1) Removal of abandoned restaurant signage (including directional signs) and abandoned metal sign posts. 2) Proper maintenance of the existing landscaping per Section 55-718(e). 3) Compliance with the site/landscape plan. 4) Compliance with the operating statement. 5) The applicant obtaining a certificate of occupancy. 6) Compliance with all other applicable regulations. Mr. Nesbitt seconded the motion which carried 6-0.
26. C7-08-006 (D) Fr. Tom Neitzke

REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Secondary educational facilities in a R3 District (property is also located within an ACI-2(50) Overlay District)

LOCATION: 7400 Western Avenue

At the Planning Board meeting held on November 4, 2015, Mr. Harding moved for approval of the Major Amendment to a Conditional Use Permit to allow Religious Assembly in a R3 District subject to: 1) Obtaining approval of the necessary waivers from the Zoning Board of Appeals for the proposed setback of 6 feet for the monument sign along 72nd Street and for the total sign budget. 2) Submittal of a revised site and/or sign plan providing a monument sign with a height of no more than 12 feet above average grade for the monument sign along 72nd Street. 3) Submitting renderings of the future sign along North 74th and Seward Streets in compliance with the R3 district monument sign regulators. 4) Compliance with the revised site and/or sign plan. Mr. Nesbitt seconded the motion which carried 6-0.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1. C12-15-192 Bernard Morello

REQUEST: Final Plat approval of SOUTH OMAHA REPLAT 23, a subdivision inside the city limits (laid over from 08/05/15)

LOCATION: Generally located west of Dahlman Avenue and south of "A" Street

At the Planning Board meeting held on November 4, 2015, Dave Fanslau, Assistant Planning Director, stated that the Department recommended to layover the request pending necessary approvals of the Preliminary Plat from City Council.

Mr. Nesbitt moved to layover the Final Plat pending necessary approvals from City Council. Mr. Magid seconded the motion which carried 6-0.


REQUEST: Final Plat approval of ANDRESEN MEADOWS ESTATES, a subdivision outside the city limits, with rezoning from AG to DR and R4 (laid over from 10/07/15)

LOCATION: Southwest of 176th and Emmet Streets

At the Planning Board meeting held on November 4, 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. Harding moved for approval of the rezoning from AG to DR and R4 and approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement and placement of the easements for the interceptor sewer on the final mylars prior to forwarding the request to the City Council for final action. Mr. Magid seconded the motion which carried 6-0.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(REGULAR AGENDA)

Master Plan Referrals

| 4. | C3-15-004  
Planning Department on behalf of the City of Omaha | REQUEST: | Approval of an Amendment to the 2015 Consolidated Plan |
|----|---------------------------------------------------|----------|-----------------------------------------------------|
|    | LOCATION:  
Omaha and 3-mile extraterritorial zoning jurisdiction |          |                                                     |

At the Planning Board meeting held on November 4, 2015, Jim Anderson, Planning Department, presented the request. Mr. Anderson stated that the 2015 Action Plan was previously approved and that the amendment to this plan reduced funding amounts for 2 projects. He explained that the $200,000.00 reduction in the Rental Rehabilitation Program and $200,000.00 reduction in the Multi-family Rehabilitation Program created funding for the Urban Homestead Program.

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

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

| 5. | C3-15-281  
Planning Department on behalf of the City of Omaha | REQUEST: | Approval of the SYCAMORE APTS TIF REDEVELOPMENT PROJECT PLAN |
|----|---------------------------------------------------|----------|---------------------------------------------------------------|
|    | LOCATION:  
Northwest of 30th Avenue and Pacific Street |          |                                                               |

At the Planning Board meeting held on November 4, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the project was in the Leavenworth neighborhood and that the neighborhood was approximately 87 percent residential rental properties. She commented that several properties in the area had code violations. She then stated that the project proposed construction of two buildings with 22 total one bedroom units and onsite parking. She displayed elevation and landscape renderings and explained that public improvements included new sidewalks, sidewalk repairs and streetscaping.

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

Todd Wyatt, 1019 S. 43rd St., appeared before the Board in opposition, but it was determined he was interested in a separate case on the agenda.

Mr. Magid moved for approval. Mr. Rosacker seconded the motion which carried 6-0.

| 6. | C3-15-282  
Planning Department on behalf of the City of Omaha | REQUEST: | Approval of the KOUNTZE PARK II TIF REDEVELOPMENT PROJECT PLAN |
|----|---------------------------------------------------|----------|---------------------------------------------------------------|
|    | LOCATION:  
Several properties within an area generally bounded by Ames Avenue on the north, Florence Boulevard on the east, Pratt Street on the south and 23rd Street on the west |          |                                                               |

At the Planning Board meeting held on November 4, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the project was part two of a previously approved redevelopment plan for substandard homes, vacant homes and vacant lots in the area. She explained that Habitat for Humanity was revitalizing the area for home owners and planned 20 new construction homes with 3 to 5 bedrooms. She further explained that public improvements included some sidewalk improvements and streetscaping.

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

Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 6-0.
At the Planning Board meeting held on November 4, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the project was in the Leavenworth neighborhood and included 100 units total for sale to be completed in 4 phases over a 4 to 5 year period. She added that the first Phase included 21 for-sale row houses located on 3 of the 12 project sites. She then stated that the Planning and Public Works Departments worked with developer to meet requirements and then displayed renderings and elevation plans of the row houses.

Steven Held, 11506 Nicholas St., appeared before the Board. Mr. Held stated that he was available to answer questions regarding the project.

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

In response to Ms. Nubel, Ms. Hadley stated that the Rows at Soma TIF project from 2007 was also completed in phases over approximately a 5-year span.

Mr. Rosacker moved for approval. Mr. Magid seconded the motion which carried 6-0.

At the Planning Board meeting held on November 4, 2015, Jennifer Taylor, City Law Department, presented the request to the Board. Ms. Taylor stated that the designated area for the request was 11th to 12th Streets, Capital Avenue to Dodge Street and was currently a surface parking lot. She then stated that the original Downtown Northeast Redevelopment Plan was approved in December 1996 and included a 33 block area, identified guidelines for redevelopment in the area and included the proposed site. She added that the plan contemplated that any new project within the redevelopment area be presented as an Amendment to the plan and noted that the plan was amended for a variety of projects in the area. Ms. Taylor stated that the proposed project was a 16-story headquarters building for HDR with approximately 1,000 employees and created additional density downtown.

Larry Jacobsen, Restoration Exchange Omaha, appeared before the Board in support of the request. Mr. Jacobsen stated that Restoration Exchange Omaha was in support of the project but questioned the number of employees, the number of parking spaces, the number of additional parking spaces needed, studies regarding other forms of transportation, and if the Bus Rapid Transit (BRT) project planned for completion in 2018 was considered. He was wanted more information regarding the planned improvements to North 11th Street and noted that 2 historical buildings fronted North 11th Street.

Craig Moody, Mode-Shift Omaha, 510 S. 57th St., appeared before the Board in support of the request. Mr. Moody stated that he also wanted more information on the scope of work for the parking garage and if alternate modes of transportation were considered. He noted that 11th Street was important connector street and requested that the design of the first floor of the building created an active and vibrant environment.

Evan Schwites, Metro Transit, 3060 S 32nd St., appeared before the Board in support of the request. Mr Schwites explained that the BRT project proposed a station on the southwest corner of 11th and Dodge Streets and also questioned consideration of alternative modes of transportation.

Dale Rabideau, 14506 Stone Ave, appeared before the Board in opposition. Mr. Rabideau stated that he was opposed because the ratio of 1 parking stall to 1 employee contradicted many transportation plans
for Omaha. He discussed that survey statistics showed Omaha residents used alternate modes of transportation and that consideration was not given for HDR employees using alternate modes of transportation. He then commented that an increased number of vehicles increased road maintenance costs and environmental emissions concerns.

Greg Nash, 1112 S 11th St., appeared before the Board in opposition. Mr. Nash stated that he lived in the historic building on 11th Street previously mentioned and that he was concerned with fate of the historic buildings in the area.

Karen Hughes, 1024 Dodge St., appeared before the Board in opposition. Ms. Hughes stated that she resided at the Ford Lofts adjacent to the east of the site and was concerned with access to her parking lot. She explained that she accessed her parking lot from 11th Street and was concerned with the vacation of 11th Street.

Eric Williams, 909 N 49th St., appeared before the Board in opposition. Mr. Williams expressed that the proposed project and future projects in the area were inter-related and was concerned with demolition of historic buildings. He stated that he supported dense urban development in the downtown area, but was opposed to the one-to-one ratio of parking. He then stated that he wanted more information on additional projects planned upon approval of the proposed project.

Ms. Taylor stated that approximately 1,000 employees would be shifted to the downtown location and that the parking garage was one part of the project. She then stated that parking needs would be satisfied were presently undetermined and that the City was working with the developer on the parking issue. She added that HDR was aware of the BRT and was considering all transportation options. Ms. Taylor explained that the intent of the developer for 11th Street was as a connector street, but that plans were not finalized. She stated that future inter-related plans in the area were not finalized and also needed approval by the Board. She noted that this request was the first step in a long approval process for the project and required more public hearings. In response to the Board, Ms. Taylor stated that shared parking in the garage for public use was an option and could be discussed with the developer.

Mike Bonner, 16304 Corby St., appeared before the Board in opposition. Mr. Bonner stated that he wanted more information how 11th Street connected from north downtown Omaha to the Old Market area. Ms. Taylor explained that the 11th Street connection was undetermined, but was stressed the importance to the project and to the City.

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

Mr. Deeb moved for approval of the request. Mr. Magid seconded the motion which carried 6-0.

19. C11-15-229  
C12-15-230  
Uptown Properties, LLC and DBA  
Uptown Urban Dwellings  
REQUEST: Preliminary and Final Plat approval of 33 MASON SOUTH, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District  
LOCATION: Southwest of 33rd and Mason Streets

At the Planning Board meeting held on November 4, 2015, Steven Held, 11506 Nicholas St., appeared before the Board. Mr. Held stated that the proposed project was 18 residential units within 4 buildings and displayed renderings of the buildings. He then stated that he worked with the Planning Department regarding design and connectivity. He explained that the alley to west of the site would be vacated and the width of alley increased with a perpetual public access easements.

Dr. Todd Wyatt, 1019 S. 33rd St., appeared before the Board in opposition. Mr. Wyatt stated that he wanted more information regarding the project and was concerned with the increased density. In response to the Board, he then stated that he held a neighborhood meeting yesterday and was interested in meeting with the developer regarding the project.

Mike Bonner, 16304 Corby St., appeared before the Board in opposition. Mr. Bonner stated that he owned the property at 915 South 33rd Street and was concerned with increased density, increased traffic,
safety of pedestrian traffic, and esthetics of the buildings. He also stated that he wanted more information regarding the project.

Die Farrow, 904 S 33rd St., appeared before the Board in opposition. Ms. Farrow stated that she lacked information also and was also opposed to the modern design of the building. She was also concerned with lack of parking and the price of the units.

Martin Janousek, 4602 Center St., appeared before the Board in opposition. Mr. Janousek stated that he was also opposed to the design.

Mr. Held stated that each unit had a garage, density was beneficial to the neighborhood, home-ownership in the area was low and that he worked with the Planning Department on the design of the project. In response to the Board, Mr. Held stated that neighbors were notified of the neighborhood meeting approximately 15 days prior to the meeting date. In response to Ms. Nubel, Mr. Held agreed to have a neighborhood meeting.

Dave Fanslau, Assistant Planning Director stated that the applicant worked with the Planning and Public Works Departments on the submittal for approximately one year. He further explained that the Planned Unit Redevelopment Overlay District set guidelines for redevelopment in older neighborhoods. He verified that parking met regulations and that site development regulations were met. Mr. Fanslau stated that the Department recommended approval of the PUR, approval of the waiver for lot depth, approval of the preliminary plat subject to the 7 conditions on the recommendation report, and approval of the final plat subject to preliminary plat approval and submittal of a final subdivision agreement prior to forwarding to City Council.

Mr. Nesbitt moved for approval of the PUR, approval of the waiver of Section 53-8(4)(a) for Lot Depth, approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) Coordinate with Planning and Public Works regarding the disposition of the alley. 3) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 4) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 5) The applicant must work with Public Works to develop an acceptable PCSMP. 6) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 7) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Deeb seconded the motion which carried 6-0.

<table>
<thead>
<tr>
<th>20.</th>
<th>REQUEST: Preliminary and Final Plat approval of 33 MASON NORTH, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth and Approval of a PUR-Planned Unit Redevelopment Overlay District</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>LOCATION: Northwest of 33rd and Mason Streets</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Steven Held, 11506 Nicholas St., appeared before the Board. Mr. Held stated that he was available to answer questions regarding the project.

Dr. Todd Wyatt, 1019 S. 33rd St., appeared before the Board in opposition. Mr. Wyatt stated that he reviewed the infill development guidelines and commented that a balance was needed for the neighborhood. He added that he was concerned with the large number of units within a small area and that the economics of the neighborhood did not fit with the price of the units.

Die Farrow, 904 S 33rd St., appeared before the Board in opposition. Ms. Farrow stated that she was concerned with the height and esthetics of the 4-story buildings.

Mr. Held briefly discussed that the market dictated the price of the units and that for-sale units was a viable option.
Dave Fanslau, Assistant Planning Director commented that some areas pre-dated current zoning laws and that zoning guidelines provided tools for positive development. He added that the PUR and Infill Development guidelines provided for redevelopment regulations in these older neighborhoods. Mr. Fanslau stated that the Department recommended approval of the PUR, approval of the waiver for lot depth, approval of the preliminary plat subject to the 7 conditions of the recommendation report, and approval of the final plat subject to the conditions of the recommendation report.

Mr. Deeb moved for approval of the PUR, approval of the waiver of Section 53-8(4)(a) for Lot Dept, approval of the Preliminary Plat subject to the following conditions: 1) Public works must approve the sewer and alley public improvement plans which shall be required prior to the recording of the final plat. 2) Coordinate with Planning and Public Works regarding the disposition of the alley. 3) The project must comply with the City’s Infill and Redevelopment Policy for Alternative Lot Access. 4) The applicant must provide for the use, ownership, and maintenance of the outlot in the subdivision agreement. 5) The applicant must work with Public Works to develop an acceptable PCSMP. 6) Sidewalks in disrepair must be replaced and curbside landscaping must be installed and maintained. 7) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of a final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Nesbitt seconded the motion which carried 6-0.

**Special Use Permits**

| REQUEST: | Approval of a Special Use Permit to allow Indoor entertainment, along with a Major Amendment to a Special Use Permit to allow General office, along with a Major Amendment to a Special Use Permit to allow Personal improvement services and Personal services in a GI District, along with approval of a Parking Adjustment for a Mixed Use Development (Section 55-736) |
| LOCATION: | Northeast of 45th and Cuming Streets |
| 24. C8-09-080 | Ray Trimble |
| C8-12-163 | |
| C8-15-274 | |
| C10-15-246 | |

At the Planning Board meeting held on November 4, 2015, the applicant was not present.

Dave Fanslau, Assistant Planning Director stated that the site had existing uses and currently used on-street and off-street parking. He explained that the site was non-compliant and that the request today required the applicant to meet City standards for the site, including parking. Mr. Fanslau stated that the Department recommended approval of the Major Amendment to a Special Use Permit to allow General Office Use in a GI district, subject to the 9 conditions on the recommendation report, approval of the Major Amendment to a Special Use Permit to allow Personal Improvement Services and Personal Services in a GI district, subject to the 9 conditions on the recommendation report, approval of the Special Use Permit to allow Indoor Entertainment in a GI district, subject to the 12 conditions on the recommendation report, and approval of the parking adjustment for mixed use developments subject to the 10 conditions on the recommendation report.

Mr. Harding moved for approval of the Major Amendment to a Special Use Permit to allow “General Office use” in a GI district, subject to the following: 1) Submittal of a revised site plan in compliance with zoning regulations, including the parking area on the south side of Izard Street and providing 3 handicapped stalls in the parking lot west of the building, prior to forwarding this request to the City Council. 2) Submittal of an acceptable landscape plan prior to forwarding this request to the City Council. 3) Compliance with the revised site plan and the landscape plan. 4) Installation of a sidewalk along the south side of Izard Street and the north side of Nicholas Street. 5) Removal of the non-standard paving on the north side of Nicholas Street in the location of the proposed on-street parking and submittal of public improvement plans for the on-street parking through the OPW review process and construction of on-street parking and sidewalks accordingly. 6) No net increase in stormwater runoff and provide for treatment of the first ½ inch of stormwater for water quality. 7) Approval of a lease of ROW application for the 8 parking stalls on the west side of the building that are located partially in the right-of-way. 8) Compliance with the original conditions of approval, as applicable, including the approval of Certificate’s of Occupancy for all uses in the building. 9) Compliance with all other applicable regulations. He moved
for approval of the Major Amendment to a Special Use Permit to allow Personal Improvement Services and Personal Services in a GI district, subject to the following: 1) Submittal of a revised site plan in compliance with zoning regulations including the parking area on the south side of Izard Street and providing 3 handicapped stalls in the parking lot west of the building, prior to forwarding this request to the City Council. 2) Submittal of an acceptable landscape plan, prior to forwarding this request to the City Council. 3) Compliance with the revised site plan and the landscape plan. 4) Installation of a sidewalk along the south side of Izard Street and north side along Nicholas Street. 5) Removal of the non-standard paving on the north side of Nicholas Street in the location of the proposed on-street parking, submittal of public improvement plans for the on-street parking through the OPW review process and construction of on-street parking and sidewalks accordingly. 6) No net increase in stormwater runoff and provide for treatment of the first ½ inch of stormwater for water quality. 7) Approval of a lease of ROW application for the 8 parking stalls on the west side of the building that are located partially in the right-of-way. 8) Compliance with the original conditions of approval, as applicable, including the removal of the barb wire in the northern parking lot and approval of Certificate’s of Occupancy for all uses in the building. 9) Compliance with all other applicable regulations. He moved for approval of the Special Use Permit to allow Indoor Entertainment in a GI district, subject to the following: 1) Submittal of a revised site plan in compliance with zoning regulations and providing 3 handicapped stalls in the parking lot west of the building, prior to forwarding this request to the City Council. 2) Submittal of an acceptable landscape plan, prior to forwarding this request to the City Council. 3) Compliance with the revised site plan and the landscape plan. 4) Installation of sidewalk along the south side of Izard Street and north side of Nicholas Street. 5) Removal of the non-standard paving on the north side of Nicholas Street in the location of the proposed on-street parking and submittal of public improvement plans for the on-street parking through the OPW review process and construction of on-street parking and sidewalks accordingly. 6) No net increase in stormwater runoff and provide for treatment of the first ½ inch of stormwater for water quality. 7) Maximum occupancy for the event space of 645 persons or less if restricted by the fire or building codes. 8) Approval of the requested parking adjustment (C10-15-246). 9) Approval of a lease of ROW application for the 8 parking stalls on the west side of the building that are located partially in the right-of-way. 10) The use ceases operation no later than November 13, 2016. 11) Compliance with the operating statement. 12) Compliance with all other applicable regulations. He also moved for approval of the parking adjustment for mixed use developments pursuant to Section 55-736 of the Municipal Code, subject to: 1) Submittal of a revised site plan in compliance with all zoning regulations and providing 3 handicapped stalls in the parking lot west of the building, prior to forwarding this request to the City Council. 2) Submittal of an acceptable landscape plan, prior to forwarding this request to the City Council. 3) Compliance with the revised site plan and the landscape plan. 4) Remove the non-standard paving on the north side of Nicholas Street in the location of the proposed on-street parking; submit public improvement plans for the on-street parking through the OPW review process, and construction of on-street parking and sidewalks accordingly. 5) No net increase in stormwater runoff. 6) Treat the first 1/2 “of stormwater for water quality. 7) Install sidewalks along Nicholas Street as shown on the site plan and along south side of Izard Street. 8) Maximum occupancy for the sanctuary/event space of 645 persons or less if restricted by the fire or building codes. 9) Approval of a lease of ROW application for the 8 parking stalls on the west side of the building that are located partially in the right-of-way. 10) The indoor entertainment use must cease operation no later than November 13, 2016. Mr. Magid seconded the motions which carried 5-0-1, with Mr. Deeb absent.

**Conditional Use Permits**

| 27. | C7-15-287 | REQUEST: Approval of a Conditional Use Permit to allow Indoor entertainment in a LC District |
|  | Troy Podraza |  |
|  | 15220 Military Road |

At the Planning Board meeting held on November 4, 2015, David Levy, Baird Holm, 1700 Farnam Street, appeared before the Board on behalf of the applicant and owner of the site. Mr. Levy stated that the request was for continued use of the existing facility, the Ackerhurst Dairy Barn venue, and noted that the previously approved conditional use permit was not perfected. He then stated that the building was on the National Register of Historic Places and received a certificate of approval by the Landmarks Heritage Commission. Mr. Levy explained that the applicant planned connection to City sewer, installation of a fire sprinkler system and was scheduled to attend the Zoning Board of Appeals meeting in December of 2015 for parking and landscaping waivers. He added that the applicant requested a 3-year forbearance for use of the existing gravel parking lot.
Dave Fanslau, Assistant Planning Director, stated that the Department supported the use but was concerned with parking requirements. He added that more information was needed from the applicant to determine parking and landscaping requirements. He explained that the gravel parking lot was not historic to the existing building and that Zoning Board of Appeals waiver approvals needed the support of the Planning Board. Mr. Fanslau stated that the Department recommended a layover to allow the applicant time to meet with City staff to discuss issues regarding the request.

In response to the Board, Mr. Fanslau stated that the Department needed more time to review plans recently submitted by the applicant and that an operating statement was not submitted.

Troy Podraza, 17837 Harney St., appeared before the Board. In response to the Board, Mr. Podraza stated that he owned the building for approximately 4 months and that the site was used primarily for wedding receptions. He also stated that the driveway into the facility was paved and the remainder of the parking lot was gravel. He explained that if waivers were not received, he planned to meet parking regulations before opening for business.

Mr. Magid moved to layover the Conditional Use Permit to allow Indoor entertainment in a LC District to allow the applicant time to meet with city staff to discuss the issues in this report. Mr. Nesbitt seconded the motion which carried 5-1, with Mr. Deeb dissenting.

**Discussion**

<table>
<thead>
<tr>
<th>C7-05-136</th>
<th>REQUEST: Conditional Use Permit to allow Warehousing and distribution (limited) and a Special Use Permit to allow Automotive sales in a GC District</th>
</tr>
</thead>
<tbody>
<tr>
<td>C8-08-047</td>
<td>LOCATION: 5717 North 90th Street</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on November 4, 2015, Ms. Nubel stated that requirements of the previously approved Conditional Use Permit were not met by the applicant. Mr. Harding stated that he supported a “show cause” hearing for the applicant at the December 2, 2015 Planning Board meeting to discuss non-compliance of the permit.

Dave Fanslau, Assistant Planning Director, stated that the Department supported a “show cause” hearing for the applicant.

Mr. Nesbitt moved for approval of a scheduled “show cause” hearing on December 2, 2015, at the regular Planning Board meeting. Mr. Magid seconded the motion which carried 6-0.

**APPROVAL OF MINUTES**

Mr. Nesbitt moved to APPROVE the meeting minutes of October 7, 2015 as written. Mr. Rosacker seconded the motion which carried 6-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 3:33 pm.