

MINUTES  
 PUBLIC HEARING AND ADMINISTRATIVE MEETING  
 OMAHA CITY PLANNING BOARD 1:30 P.M. – JUNE 3, 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, May 25, 2015.

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

MEMBERS NOT PRESENT: Arnold Nesbitt  
 Greg Rosenbaum

STAFF PRESENT: James Thele, Planning Director  
 Dave Fanslau, Acting Assistant Director, Current Planning  
 Chad Weaver, Long Range 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)**

**Rezoning**

4.	C10-98-193 (D) West Center Lodging, LLC	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for Legacy (laid over from 05/06/15)
		LOCATION:	Northwest of Oak Drive and Wright Street

At the Planning board meeting held on June 3, 2015, the case was withdrawn at the request of the applicant.

**(REGULAR AGENDA)**

**Subdivisions**

10.	C12-15-133 (D) Planning Department on behalf of the City of Omaha	REQUEST:	Preliminary and Final Plat approval of E.V. SMITH'S ADDITION REPLAT 11, a minor plat inside the city limits
		LOCATION:	Southwest of 18th and Clark Streets

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

11.	C10-77-247 (D) C10-15-134 C12-15-135 IV K, LLC	REQUEST:	Preliminary and Final Plat approval of KOHLL'S PLACE, a minor plat inside the city limits, with rezoning from GC and R7 to NBD, along with the repeal of a PK-Parking Overlay District (property is also located within an existing ACI-1(PL) Overlay District)
		LOCATION:	Southeast of Leavenworth Street and Park Avenue

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the rezoning from GC and R7 to NBD, approval of the repeal of the PK-Parking Overlay District, and approval of the Preliminary Plat, subject to the following conditions: 1) Coordinate with the Public Works Department on providing the appropriate alley vacation language on the plat, 2) Pay the City fair-market value for the vacated right-of-way prior to the recording of the final plat, and 3) Compliance with all applicable stormwater management ordinances and policies. He also moved 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 5-0.

12.	C10-15-136 (D) C12-15-137 Joseph & Melissa Goeden	REQUEST:	Preliminary and Final Plat approval of GOEDEN ACRES, a minor plat outside the city limits, with rezoning from AG to DR (property is also located within a flood fringe overlay district)
		LOCATION:	1150 North 252nd Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the rezoning from AG-Agricultural District to DR-Development Reserve District (portions of the property lie within the flood fringe), approval of the Preliminary Plat subject to the applicant providing for provisions of installing sidewalks along the 252nd Street frontage or submitting a letter agreeing to waive the right to protest any future sidewalk improvement district, and approval of the Final Plat subject to compliance with the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the request to the City Council. Mr. Magid seconded the motion which carried 5-0.

13.	C10-13-194a (D) C12-13-194 Ready Mix Concrete Company	REQUEST:	Final Plat approval of READY MIXED RAILROAD ADDITION, a subdivision inside the city limits, with rezoning from GI and HI to GI (a portion of the property is also located within the flood fringe overlay district)
		LOCATION:	4765 South 135th Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the final plat subject to compliance with the conditions of the original preliminary plat approval and 1) Providing an access easement across Lot 1 to the benefit of Lot 3, and 2) Submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council. Mr. Magid seconded the motion which carried 5-0.

15.	C10-15-140 (D) C12-15-141 Swain Enterprises, Inc.	REQUEST:	Preliminary and Final Plat approval of ARMSTRONG INDUSTRIAL PARK, a minor plat outside the city limits, with rezoning from DR and GI to GI (a portion of property is also located within the flood fringe and floodway overlay district)
		LOCATION:	Southeast of 87th Street and Sorensen Parkway

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the rezoning from DR and GI to GI (portions of which property lie within the flood fringe and floodway), and approval of the preliminary plat subject to: 1) Providing for the modification of the signal at 87th Street and Sorensen Parkway to accommodate the new northbound approach, 2) Providing for the extension of the public sanitary sewer to a point adjacent to Lot 1 to serve the lot, 3) Providing for a 10' wide, 6" concrete trail be installed along the west side of Wenninghoff Road in lieu of sidewalk; the design and estimate for the trail must be approved by the Parks Advisory Board prior to bidding, 4) Verifying that Outlot A is large enough to accommodate the 3:1 +50' section or the 100-year storm flow (whichever is greater), 5) Compliance with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality, and 6) Including provisions for use, ownership and maintenance of the outlot in the subdivision agreement. He also moved for approval of the final plat as amended by the preliminary plat conditions of approval and submittal of an acceptable final subdivision agreement. Mr. Magid seconded the motion which carried 5-0.

**Rezoning**

19.	C10-15-142 (D) Clayton Gauff	REQUEST:	Rezoning from HI to R5
		LOCATION:	2530 "Z" Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

20.	C10-15-143 (D) Sameer Bhatia	REQUEST:	Rezoning from DR and R2 to R2 (property is also located within an existing ED-Environmental Overlay District)
		LOCATION:	5106 Lockwood Lane

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

21.	C10-15-144 (D) Custard Cats, LLC	REQUEST:	Approval of an ACI-3(PL) Overlay District and Approval of a MCC-Major Commercial Corridor Overlay District
		LOCATION:	7201 Military Avenue

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

22.	C10-15-145 (D) Ken & Mary Johansen	REQUEST:	Rezoning from DR and R6 to DR
		LOCATION:	3505 North 160th Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

23.	C10-15-146 (D) E & A Consulting Group	REQUEST:	Rezoning from R3 and R4 to R4
		LOCATION:	13630 and 13636 Ohio Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

24.	C10-15-147 (D) Mike Wilberger	REQUEST:	Rezoning from GI to R5
		LOCATION:	6705 Gilmore Avenue

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

25.	C10-05-208 (D) Lamb Real Estate	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for Roanoke Business Park
		LOCATION:	Southeast of 120th and Fort Streets

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the Major Amendment to the Roanoke Business Park Mixed Use Development Agreement subject to submittal of five (5) originally signed acceptable Mixed Use Development Agreements and the following conditions prior to forwarding to City Council: 1) Submittal of an acceptable administrative subdivision in order to combine Lots 19-21 into Lot 1, Roanoke Business Park Replat 1. Mr. Magid seconded the motion which carried 5-0.

26.	C10-02-092 (D) Jerry Torczon	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for Whispering Ridge
		LOCATION:	Southwest of 171st Street and West Maple Road

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the Major Amendment to the Whispering Ridge Mixed Use Development Agreement subject to submittal of an acceptable Mixed Use Development Agreement and submittal of an acceptable administrative subdivision to create Lots 1 and 2, Replat 16, and Lot 1, Replat 8 prior to forwarding to City Council. Mr. Magid seconded the motion which carried 5-0.

28.	C10-15-158 (D) Dave and Jennifer Holoch	REQUEST:	Rezoning from GI to NBD (property is also located within an existing ACI-1(50) Overlay District)
		LOCATION:	1718 and 1720 South 13th Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval. Mr. Magid seconded the motion which carried 5-0.

**Special Use Permits**

30.	C8-15-148 (D) Jeff's Wash N Glo, LTD	REQUEST:	Approval of a Special Use Permit to allow <i>Automotive sales</i> in a CC District (property is also located within an existing MCC Overlay District)
		LOCATION:	2707 South 156th Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the Special Use Permit to allow Automotive sales in a CC-MCC District, subject to the following conditions: 1) Provide an acceptable landscaping plan that matches the layout of the site plan prior to forwarding the request to the City Council, 2) Amend the operating statement to limit the drive-through car washing/detailing area for internal use only prior to forwarding the request on to the City Council, 3) Provide acceptable building elevations prior to forwarding the request to the City Council, 4) Compliance with the off-street parking requirements, 5) No services allowed on-site other than automotive sales, 6) Compliance with the MCC Overlay District regulations, 7) Compliance with the proposed site and revised landscape plans, 8) Compliance with the revised operating statement, 9) Compliance with all applicable stormwater management ordinances and policies, and 10) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 5-0.

31.	C8-15-149 (D) C10-15-150 Atchley Investments, LLC	REQUEST:	Approval of a Special Use Permit to allow <i>Automotive sales</i> in a CC District, with approval of an MCC-Major Commercial Corridor Overlay District
		LOCATION:	14404 Stony Brook Boulevard

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the MCC-Major Commercial Corridor Overlay District, and approval of the Special Use Permit to allow Automotive sales in a CC District, subject to the following conditions: 1) Revise the site plan to clearly indicate provided parking stalls vs. display area, 2) No services allowed on-site other than automotive sales, 3) Compliance with the MCC Overlay District regulations, 4) Compliance with the proposed site and landscape plan, 5) Compliance with the proposed operating statement, 6) Compliance with the submitted building elevations, 7) Compliance with all applicable stormwater management ordinances and policies, and 8) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 5-0.

**Conditional Use Permits**

32.	C7-15-151 (D) Red Brick Development, LLC	REQUEST:	Approval of a Conditional Use Permit to allow a project in excess of 8,000 square feet of gross floor area within the existing Dundee NCE-C Overlay District
		LOCATION:	5018 Underwood Avenue

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the Conditional Use Permit subject to compliance with the proposed site plan and building elevations and the following condition: 1) Obtaining waivers for compact parking, drive aisle width, and perimeter parking lot landscaping from the Zoning Board of Appeals. Mr. Magid seconded the motion which carried 5-0.

33.	C7-15-152 (D) Cornerstone Printing & Marketing	REQUEST:	Approval of a Conditional Use Permit to allow <i>Business support services</i> in a GO District
		LOCATION:	1515 South 75th Street

At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the Conditional Use Permit to allow Business and support services in a GO District subject to: 1) Compliance with the submitted site plan, 2) Compliance with the operating statement, 3) Compliance with all applicable stormwater management regulations, 4) Obtaining a Certificate of Occupancy from the Permits and Inspections Division, and 5) Compliance with all other applicable site development regulations. Mr. Magid seconded the motion which carried 5-0.

**Vacations**

35.	C14-15-154 (D) Planning Board	REQUEST:	Vacation of the south six (6) inches of the east/west alley south of Farnam Street between 68th Avenue and 69th Street, adjacent to Lot 22, Sunset Terrace, abutting the north property line of 310 South 68th Avenue
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At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the proposed vacation, subject to all easements being reserved in the vacating ordinance. Mr. Magid seconded the motion which carried 5-0.

36.	C14-15-155 (D) Planning Board	REQUEST:	Vacation of 207th Street (formerly known as Hillcrest Street/207th Plaza) from Glenn Street north to previously vacated right-of-way (adjacent to Elkhorn Middle School)
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At the Planning board meeting held on June 3, 2015, Mr. Harding moved for approval of the proposed vacation, subject to all easements being reserved in the vacating ordinance. Mr. Magid seconded the motion which carried 5-0.

**PUBLIC HEARING AND ADMINISTRATIVE MEETING**

**Master Plan Referral**

1.	C3-15-062 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of ROWS ON SOUTH HILL (formerly known as WILLIAM ROWS) TIF REDEVELOPMENT PROJECT PLAN (laid over from 03/04/15)
		LOCATION:	1228, 1230, 1234 South 10th Street and 1229, 1233 South 11th Street

At the Planning Board meeting held on June 3, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the proposed project consisted of new construction of 36 row houses with 2 bedrooms, 2 baths and garages. She then displayed an aerial map, site plan layout and rendering of the site and explained that the existing funeral home site would be repurposed. She further explained that the development provided home ownership opportunities, density for the area, 2 private one-way drives and parking along 10<sup>th</sup> and 11<sup>th</sup> Streets.

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

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

**Subdivisions**

2.	C12-15-067 Tom McLeay	REQUEST:	Preliminary and Final Plat of W. JOHNSTON COMMONS, a cluster subdivision inside the city limits, with a waiver of Section 53-9 for Sidewalks (laid over from 03/04/15)
		LOCATION:	1228, 1230, 1234 South 10th Street and 1229, 1233 South 11th Street

At the Planning Board meeting held on June 3, 2015, Tom McLeay, 8712 W. Dodge Rd., appeared before the Board. Mr. McLeay stated that the request was in conjunction with the TIF Redevelopment Project Plan presented today for construction of 36 row houses and that he was available to answer questions.

In response to Ms. Nubel, Mr. McLeay stated that he met with the Dahlman Neighborhood Association and neighbors to discuss the project and that neighbors supported the proposed project.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the waiver of Section 53-9 for sidewalks, approval of the Preliminary Plat subject to the 9 condition on the recommendation report, and approval of the Final Plat subject to conditions of the recommendation report prior to forwarding the request to City Council.

Mr. Magid moved for approval of the waiver of Section 53-9(9) for sidewalks adjacent to Lot 28 – 35, approval of the Preliminary Plat subject to: 1) Modifying Outlot A and Lots 1, 8, 13, 14, 19, and 26 so that the whole street is within the outlot, 2) Designing the corners in the street in Outlot A to accommodate the design vehicle, 3) Providing for construction of the private streets to City standards, 4) Providing a public access easement over the private streets, 5) Providing a utility easement over the private street, 6) On-street parking improvements are subject to Public Works review and approval. Construction of the 10th Street parking will be required to match the existing street and parking section at 10th and Worthington Streets, 7) Compliance with all applicable stormwater management ordinance and policies; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality, 8) Including provisions for the use, ownership and maintenance of the outlot(s) in the subdivision agreement, and 9) The applicant coordinating with the Public Works Department regarding an acceptable signage plan to show how the one-way streets will circulate, and approval of the final plat as amended by the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the final plat to City Council. Mr. Rosacker seconded the motion which carried 5-0.

**Rezoning**

3.	C10-97-029 Verizon Wireless	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Business & Education Campus to allow a 129 foot tall <i>Broadcast tower</i> (laid over from 04/01/15)
		LOCATION:	Northeast of 72 <sup>nd</sup> and Pine Streets

At the Planning Board meeting held on June 3, 2015, John Yochum, 413 E Willard Ave., Deshler, Nebraska, appeared before the Board on behalf of the applicant. He stated that the request for the tower met conditions required by the Department and that existing covenants would be discussed privately with involved parties.

Wayne Rasmussen, Attorney, 1005 S. 107<sup>th</sup> Ave, appeared before the Board in opposition. Mr. Rasmussen stated that he represented the owner of adjacent Lots 1 and 2, an assisted living facility project, and that objections were the close proximity, height, and view of the tower from the proposed assisted living facility. He added that an existing agreement required the owner of Lot 3 to obtain approval from the owner of Lots 1 and 2 prior to development on Lot 3. He then submitted a letter to the Board which outlined concerns and the terms of the existing agreement.

Mr. Deshler stated that the applicant was not opposed to meeting with the owner of Lots 1 and 2 to further discuss the existing covenants. He displayed simulated views of the tower from multiple directions and noted that an existing power substation, light poles and power lines were visible from the site.

Dave Fanslau, Assistant Planning Director, stated that the use was allowed within the existing mixed-use district and that private covenants were not considered when evaluating rezoning or development of sites. He stated that the Department recommended approval subject to the 5 conditions on the recommendation report.

Mr. Harding moved for approval of the Major Amendment to a Mixed Use District Development Agreement for Aksarben Business & Education Campus to allow a 129 foot tall Broadcast tower subject to: 1) Submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action, 2) Compliance with the site and elevation plans, 3) Compliance with all other applicable rules and regulations, 4) Providing a governmental access statement, and 5) Submittal of an annual report that describes the location and operating characteristics of all broadcast towers within the City and its extraterritorial jurisdiction. Mr. Magid seconded the motion which carried 5-0.

**Conditional Use Permits**

5.	C7-06-036 RGK Investments LLC	REQUEST:	Approval of a Major Amendment to a Conditional Use Permit to allow a Garden Center in association with a <i>Horticultural operation</i> in a DR District (laid over from 04/01/15)
		LOCATION:	6056 North 156th Street

At the Planning Board meeting held on June 3, 2015, Larry Jobeun, 11440 W. Center Rd, appeared before the Board on behalf of the applicant. Mr. Jobeun stated that the applicant requested the Department allow 4 employees to park along Kansas Avenue and to extend the required removal of existing planting stock in the bufferyard until August 31, 2015.

Dave Fanslau, Assistant Planning Director, stated that parking vehicles along Kansas Ave was not safe and that he was not opposed to an extended date for removal of existing planting stock. He explained that the Department reserved the right to request a show-cause hearing if requirements of the Conditional Use Permit were not met by the applicant, with possible revocation of the Permit if non-compliant. He then stated that the Department recommended approval subject to the 11 conditions on the recommendation report.

Mr. Jobeun stated that the applicant agreed to comply with no parking along Kansas Ave and that an extension date of September 1, 2015 for removal of planting stock was acceptable.

Mr. Harding moved for approval of the Major Amendment, subject to the following: 1) Submittal of a revised site plan providing the following: (a) A 30' bufferyard along the south property line with the required landscaping screen at the interior of the bufferyard, (b) A 15' bufferyard along the west property line, except where the storage bins are located the bufferyard is reduced to 8', with the required landscaping screen at the interior of the bufferyard, (c) A 10' bufferyard along the north property line with an extensive landscaping screen of the storage bins and off-street parking area, (d) An acceptable overall landscaping plan, and (e) Provide at least 2 handicapped accessible stalls, 2) No storage of product or equipment is allowed in the bufferyard areas, 3) No employee parking is allowed on Kansas Avenue, 4) Approval of the necessary waivers from the Zoning Board of Appeals, 5) Installation of sidewalk along Kansas Avenue now and along 156th Street at the time the street is widened, 6) No net increase in stormwater runoff and provide of the treatment of the first ½ inch of stormwater for water quality, 7) Any existing planting stock located within the bufferyards must be moved out by September 1, 2015, 8) Compliance with the submitted revised site plan, 9) Compliance with the original operating statement, 10) Compliance with the original conditions of approval, and 11) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 5-0.

**(REGULAR AGENDA)**

**Master Plan Referral**

6.	C3-15-128 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of TURNER PARK & 31 DODGE TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	3102-3106 Dodge Street and 118 North 31st Street

At the Planning Board meeting held on June 3, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the request was the rehabilitation of the Turner Park Apartments, which is on the National Register of Historic Places, and an existing aged building on the adjacent property to the north. She explained the Turner Park Apartment project was proposed for 54 units and the site to the north was 12 units, for a total 66 affordable housing units. She added that a zoning waiver was needed for 6 additional units in the Turner Park building and that basic streetscaping was proposed.

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

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

7.	C3-15-129 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of BENSON MIXED-USE TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	Southwest of 60th Street and Northwest Radial Highway

At the Planning Board meeting held on June 3, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the proposed project was the demolition of the existing Great Western Bank building and the construction of a development with market rate apartments and commercial space. She added that Phase I was the construction of 2,800 square feet of commercial space and 99 market-rate residential units. She then explained that upon completion of Phase I, commercial offices would move to the new commercial space and Phase II was demolition of the existing bank building and construction of an additional 8,000 square feet of commercial space, 42 additional residential units and a structured parking garage with approximately 215 stalls. She stated that public improvements included streetscaping, sidewalks and parking along North 60<sup>th</sup> and Binney Streets. In response to Ms. Nubel, Ms. Hadley explained that the parking garage was private.

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

Mr. Rosacker moved for approval. Mr. Deeb seconded the motion which carried 4-0-1, with Mr. Harding recusing.

8.	C3-15-130 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of SORENSEN PLACE TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	Northeast of 60th Street and Sorensen Parkway

At the Planning Board meeting held on June 3, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the proposed project was a mixed use redevelopment of 120 residential units, commercial space, a Family Dollar and a convenience store. She explained that the site was 17 acres and that 60 residential units were preferenced for seniors and 60 for veterans. She added that the development created jobs and the various infrastructure improvements included lighting, sewer, water treatment, retaining walls, and tree mitigation.

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

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

**Cases 9 & 14 were heard concurrently, but voted on separately:**

9.	C3-15-131 6300 Arbor Street, LLC	REQUEST:	Approval of an Amendment to the Future Land Use Element of the City's Master Plan
		LOCATION:	South of 63rd Street and West Center Road

At the Planning Board meeting held on June 3, 2015, Michael Wees, consultant to Noddle Company, appeared before the Board on behalf of the applicant, 6300 Arbor Street LLC, which is a subsidiary of Aksarben Future Trust. Mr. Wees stated that the request was in conjunction with the University of Nebraska-Omaha (UNO) arena project to the west of the site. He further explained that the Aksarben Future Trust acquired the site and committed to designating a portion to UNO for arena parking. He added that prior agreements were made between UNO, Aksarben Future Trust and the City regarding the proposed parking lot and off-site street improvements. Mr. Wees stated that 2 lots containing 3.2 acres were proposed for the UNO parking lot and that an agreement was made with Broadmoor Development for future development of 236 market rate apartment units and a 4-story, 268 stall parking garage on the remaining 4.6 acres.

Dave Fanslau, Assistant Planning Director, stated that Department recommended approval of the Amendment to the Future Land Use Element of the City's Master Plan, approval of the rezoning, approval of the Major Amendment to the Mixed Use Development Agreement subject to conditions on the recommendation report, and approval of the preliminary plat subject to the 7 conditions on the recommendation report.

In response to the Board, Mr. Wees displayed a schematic design of the apartment building and explained that 4-story apartment buildings were planned on the north and south of the proposed parking garage. He further explained that the plans met the Aksarben Village design guidelines and also needed Future Trust approval and Aksarben Village Architectural Control Committee approval before final plans and construction. He added that the parking garage was exclusive to the apartment residents and that the surface parking lot to the west was proposed for UNO.

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

**Subdivisions**

14.	C12-06-053 C10-15-138 C12-15-139 6300 Arbor Street, LLC	REQUEST:	Preliminary Plat approval of AKSARBEN VILLAGE SOUTH, a subdivision inside the city limits, with rezoning from MH, GC and GI to MU, with approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Village (a portion of property is also located within the flood fringe overlay district)
		LOCATION:	South of 63rd Street and West Center Road

At the Planning Board meeting held on June 3, 2015, Michael Wees, consultant to Noddle Company, appeared before the Board on behalf of the applicant, 6300 Arbor Street LLC, which is a subsidiary of Aksarben Future Trust. Mr. Wees stated that the request was in conjunction with the University of Nebraska-Omaha (UNO) arena project to the west of the site. He further explained that the Aksarben Future Trust acquired the site and committed to designating a portion to UNO for arena parking. He added that prior agreements were made between UNO, Aksarben Future Trust and the City regarding the proposed parking lot and off-site street improvements. Mr. Wees stated that 2 lots containing 3.2 acres were proposed for the UNO parking lot and that an agreement was made with Broadmoor Development for future development of 236 market rate apartment units and a 4-story, 268 stall parking garage on the remaining 4.6 acres.

Dave Fanslau, Assistant Planning Director, stated that Department recommended approval of the Amendment to the Future Land Use Element of the City's Master Plan, approval of the rezoning, approval of the Major Amendment to the Mixed Use Development Agreement subject to conditions on the recommendation report, and approval of the preliminary plat subject to the 7 conditions on the recommendation report.

In response to the Board, Mr. Wees displayed a schematic design of the apartment building and explained that 4-story apartment buildings were planned on the north and south of the proposed parking garage. He further explained that the plans met the Aksarben Village design guidelines and also needed Future Trust approval and Aksarben Village Architectural Control Committee approval before final plans and construction. He added that the parking garage was exclusive to the apartment residents and that the surface parking lot to the west was proposed for UNO.

Mr. Deeb moved for approval of the rezoning from MH, GC and GI to MU, approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Village subject to submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action, and approval of the Preliminary Plat, subject to the following conditions: 1) Coordinate with the Public Works Department on all required public improvements, 2) File a quitclaim deed for any vacated areas which will not be split down the centerline to each of the adjacent landowners concurrently with the final plat, 3) Dedicate a minimum of 12 ½ feet back of curb for all rights-of-way, 4) Dedicate right-of-way (if necessary) to accommodate the standard sidewalks and curb ramps for the southwest corner of Lot 1, 5) Compliance with all flood fringe overlay district requirements, 6) Provide sidewalks as required along all street frontages, and 7) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. Mr. Rosacker seconded the motion which carried 5-0.

16.	C10-00-244 C10-15-156 C12-15-157 Nichols Seeman Investments	REQUEST:	Preliminary and Final Plat approval of THE WOODLANDS REPLAT TWO, a minor plat outside the city limits, with rezoning from MU to DR and MU, with approval of a Major Amendment to the Mixed Use District Development Agreement for The Woodlands
		LOCATION:	Northwest of 192nd and "Q" Streets

At the Planning Board meeting held on June 3, 2015, Larry Jobeun, 11440 W. Center Rd., appeared before the Board on behalf of the applicant. Mr. Jobeun stated that he requested a layover to meet with the Department and neighbors to discuss the project.

MaryAnn Adams, 5112 S. 193<sup>rd</sup> St., appeared before the Board in opposition. Ms. Adams stated that she resided in the Woodland neighborhood and that her concern was no contact with the developer. She was also concerned that the homes along 193<sup>rd</sup> Street fronted the proposed development.

Mr. Jobeun stated that the site was already zoned for mixed-use and agreed to meet with neighbors to discuss the project. Ms. Nubel stated that she would leave the public hearing open.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended to layover the plats, rezoning and amendment to the Mixed-Use Development Agreement.

Mr. Harding moved to layover the request to allow the applicant time to meet with the Planning Department and neighbors. Mr. Magid seconded the motion which carried 5-0.

**Cases 17 & 18 were heard concurrently, but voted on separately:**

17.	C10-05-291 C12-05-292 Jerry Palmer	REQUEST:	Revised Preliminary and Final Plat approval of GINGER CREEK (Lots 1-3), a subdivision outside the city limits, with rezoning from DR to R6 and MU (a portion of property is also located within the flood fringe overlay district)
		LOCATION:	Southeast of 165th Street and West Maple Road

At the Planning Board meeting held on June 3, 2015, Doug Dreessen, 10836 Old Mill Rd., appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the applicant was in agreement with all recommendations by the Department. He added that the applicant had an interest in the lot south of Pinkney Street and wanted to resolve connectivity issues with the property to the west to move the project forward.

Karen Stack, representing SID 444, appeared before the Board in opposition. She stated that her concerns were the process of drainage and erosion running along North 163<sup>rd</sup> Street at Corby Street and north to West Maple Road upon development of the proposed project. She added that erosion issues began after removal of dirt near the creek by the development east of her neighborhood.

Mike Bonner, 16304 Corby St. in SID 444, appeared before the Board in opposition. Mr. Bonner stated that he was not opposed to the development but was also concerned with erosion and infrastructure issues after removal of soil. He added that he was also concerned with access to main arterial streets and the capacity of those streets with increased development and traffic.

Ralph Morasco, 3214 N. 162<sup>nd</sup> Ave. Cir., appeared before the Board. He stated that he was a resident of Huntington Park to the southeast of the site, and east of SID 444, and wanted to clarify that the removal of dirt was actually a removal of the silt pond, which was replaced with new dirt.

Mr. Dreessen stated that the extension of North 163<sup>rd</sup> Street was planned for Phase II of Ginger Creek (Lots 4-35 and Outlot A) and that Phase I of Ginger Creek (Lots 1-3) connected Pinkney Street on the east to North 165<sup>th</sup> Street on the west, added storm drains and infrastructure, and included development of Lot 1 to the north of the site. He added that a possible connector bridge on Bedford Avenue over the Papio Creek would resolve connection issues from east to west and that traffic from the development would not impact North 168<sup>th</sup> Street until a bridge was constructed.

Mr. Dreessen explained to the Board that Phase II was south of the Pinkney Street-Bedford Avenue connection and that a large portion of the site was part of the Papio Creek floodplain. He added that Phase I was the development of approximately 82 apartment units and Phase II added an additional 80 units. He further explained that traffic from the Phase I development was forced to travel to North 165<sup>th</sup> and West Maple Road. In response to Ms. Nubel, Mr. Dreessen stated that beginning construction of Phase I was planned for approximately late 2015 or early 2016. He also mentioned that storm water plans were subject to Public Works standards and that soil removal and floodplain fill was also regulated.

Mr. Bonner briefly discussed the silt pond issue and explained that he was concerned with the steep 40 foot drop at the dead-end north of North 163<sup>rd</sup> Street at Corby Street, which fills with water after rain.

Ms. Stack stated that she was also concerned with the steep drop at the north end of North 163<sup>rd</sup> Street and run-off from surrounding neighborhoods draining into a single drainage way.

Mr. Dreessen explained that single family lots at the south end of the site were part of Phase II development and that a street connection was proposed at North 163<sup>rd</sup> at Corby Street. He further explained that grading would occur, but would not be started until completion of Phase I and that flood elevations may change. In response to Mr. Magid, he stated that Lot 1 was proposed for a pre-school, Lot 3 apartment units, and Lot 2 commercial use.

Dave Fanslau, Assistant Planning director, explained that the street connection at North 163<sup>rd</sup> Street and the storm water system were required upon approval and needed to meet regulations. He then stated that the Department recommended approval of the rezoning subject to conditions on the recommendation report, approval of the preliminary plat subject to the 8 conditions on the recommendation report, and to layover the final plat for Ginger Creek (Lots 1-3). He then stated that the Department recommended approval of the preliminary plat subject to the 12 conditions on the recommendation report and approval of the rezoning for Ginger Creek (Lots 4-35 and Outlot A).

Mr. Harding moved for approval of the rezoning plan from DR to R6 and MU subject to: 1) Submittal of an acceptable final Mixed Use District Development Agreement in compliance with all applicable regulations, prior to forwarding the rezoning to the City Council, approval of the revised preliminary plat subject to: 1) Providing sidewalks along all street frontages, 2) Providing a noise attenuation easement 115' from the centerline of West Maple Road on Lot 3, 3) Verifying that the entirety of Lot 1 is outside of either the 3:1 + 50' section, or the 100-year storm flow of the adjacent creek (whichever is greater), 4) Providing a financial contribution to the Bedford Avenue Bridge project in the final approved subdivision agreement, 5) Approval of a Flood Plain Development Permit, 6) Submittal of a letter from Douglas County Environmental Services that indicates a noxious weed plan has been approved, 7) Compliance with all applicable stormwater management ordinances and policies, and 8) Providing an acceptable overall debt ratio of 4% or less, and to layover of the final plat in order to satisfactorily address all conditions of the revised preliminary plat approval. Mr. Magid seconded the motions which carried 5-0.

18.	C10-08-258 C12-08-259 Jerry Palmer	REQUEST:	Revised Preliminary Plat approval of GINGER CREEK (Lots 4-35 and Outlot "A"), a subdivision outside the city limits, with rezoning from DR to DR, R4 and R6 (a portion of property is also located within the flood fringe and floodway overlay district)
		LOCATION:	Southwest of 163rd and Pinkney Streets

At the Planning Board meeting held on June 3, 2015, Doug Dreessen, 10836 Old Mill Rd., appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the applicant was in agreement with all recommendations by the Department. He added that the applicant had an interest in the lot south of Pinkney Street and wanted to resolve connectivity issues with the property to the west to move the project forward.

Karen Stack, representing SID 444, appeared before the Board in opposition. She stated that her concerns were the process of drainage and erosion running along North 163<sup>rd</sup> Street at Corby Street and north to West Maple Road upon development of the proposed project. She added that erosion issues began after removal of dirt near the creek by the development east of her neighborhood.

Mike Bonner, 16304 Corby St. in SID 444, appeared before the Board in opposition. Mr. Bonner stated that he was not opposed to the development but was also concerned with erosion and infrastructure issues after removal of soil. He added that he was also concerned with access to main arterial streets and the capacity of those streets with increased development and traffic.

Ralph Morasco, 3214 N. 162<sup>nd</sup> Ave. Cir., appeared before the Board. He stated that he was a resident of Huntington Park to the southeast of the site, and east of SID 444, and wanted to clarify that the removal of dirt was actually a removal of the silt pond, which was replaced with new dirt.

Mr. Dreessen stated that the extension of North 163<sup>rd</sup> Street was planned for Phase II of Ginger Creek (Lots 4-35 and Outlot A) and that Phase I of Ginger Creek (Lots 1-3) connected Pinkney Street on the east to North 165<sup>th</sup> Street on the west, added storm drains and infrastructure, and included development of Lot 1 to the north of the site. He added that a possible connector bridge on Bedford Avenue over the Papio Creek would resolve connection issues from east to west and that traffic from the development would not impact North 168<sup>th</sup> Street until a bridge was constructed.

Mr. Dreessen explained to the Board that Phase II was south of the Pinkney Street-Bedford Avenue connection and that a large portion of the site was part of the Papio Creek floodplain. He added that

Phase I was the development of approximately 82 apartment units and Phase II added an additional 80 units. He further explained that traffic from the Phase I development was forced to travel to North 165<sup>th</sup> and West Maple Road. In response to Ms. Nubel, Mr. Dreessen stated that beginning construction of Phase I was planned for approximately late 2015 or early 2016. He also mentioned that storm water plans were subject to Public Works standards and that soil removal and floodplain fill was also regulated.

Mr. Bonner briefly discussed the silt pond issue and explained that he was concerned with the steep 40 foot drop at the dead-end north of North 163<sup>rd</sup> Street at Corby Street, which fills with water after rain.

Ms. Stack stated that she was also concerned with the the steep drop at the north end of North 163<sup>rd</sup> Street and run-off from surrounding neighborhoods draining into a single drainageway.

Mr. Dreessen explained that single family lots at the south end of the site were part of Phase II development and that a street connection was proposed at North 163<sup>rd</sup> at Corby Street. He further explained that grading would occur, but would not be started until completion of Phase I and that flood elevations may change. In response to Mr. Magid, he stated that Lot 1 was proposed for a pre-school, Lot 3 apartment units, and Lot 2 commercial use.

Dave Fanslau, Assistant Planning director, explained that the street connection at North 163<sup>rd</sup> Street and the storm water system were required upon approval and needed to meet regulations. He then stated that the Department recommended approval of the rezoning subject to conditions on the recommendation report, approval of the preliminary plat subject to the 8 conditions on the recommendation report, and to layover the final plat for Ginger Creek (Lots 1-3). He then stated that the Department recommended approval of the preliminary plat subject to the 12 conditions on the recommendation report and approval of the rezoning for Ginger Creek (Lots 4-35 and Outlot A).

Mr. Harding moved for approval of the rezoning from DR to DR, R4 and R6 and approval of the preliminary plat subject to: 1) The applicant making a contribution toward the Bedford Street bridge project, 2) Sizing Outlot A to accommodate either the 3:1 + 50' section, or the 100-year storm flow (whichever is greater), 3) Connecting Street #3 to 163rd Street, 4) Providing the street connection from Pinkney St. to 165th St., with a minimum pavement thickness of 8", 5) Verifying the alignment, for the two streets which terminate adjacent to Lot 6 and to Lot 26, with the streets in the proposed Shadow Glen North Replat 1 subdivision and paving temporary turnarounds if these streets precede the installation of the streets in the adjacent subdivision, 6) Installation and operation of sediment and erosion control measures prior to grading, 7) Providing a post-construction stormwater management plan and maintenance agreement, 8) Providing a 10 foot wide concrete trail within a 40 foot wide trail easement along the east side of the creek, 9) Approval of the park, trail and parkway improvements and expenses approved by the Park and Recreation Advisory Board, 10) Noting in the subdivision agreement that any outlots will be privately owned and maintained, 11) Providing a letter of approval of a Noxious Weed Plan from Douglas County at the time final plat application is submitted, and 12) An overall debt ratio under 4%. Mr. Magid seconded the motion which carried 5-0.

**Rezoning**

27.	C10-97-029 Tetrad Development Corporation	REQUEST:	Approval of a Major Amendment to the Mixed Use District Development Agreement for Aksarben Business & Education Campus
		LOCATION:	6450 Pine Street

At the Planning Board meeting held on June 3, 2015, Larry Jobeun, 11440 W. Center Rd., appeared before the Board on behalf of the applicant. Mr. Jobeun displayed a layout of the undeveloped, irregular-shaped site, along with elevation plans, and stated that the proposed plan was construction of an academic center and 4-story residence hall with 435 total beds on the south portion of the site, and a parking facility available to the student body on the north portion of the site. He added that the development met urban design standards required within the current mixed-use zoning district. He explained that the development would meet the need of an increased student body. Mr. Jobeun then displayed the proposed parking facility site plan and explained that access points were on 67<sup>th</sup> Street, Pacific Street was right-in/right-out access and access was not available along 66<sup>th</sup> Street. He further

explained that because of significant grade change from 67<sup>th</sup> to 66<sup>th</sup> Streets, the structure was built into the hill and that the 50 foot bufferyard on the east exceeded requirements. He noted that the distance from the east side of the structure to the adjacent residential neighborhood on the east was approximately 100 feet and noted that these homes faced north and south. Mr. Jobeun stated that the exposed portion of the parking structure was approximately 15 feet on the south end, approximately 30.5 feet at Pierce Street and approximately 44.5 feet on the north end at Pacific Street. He also explained to the Board that solar panels at the top of the parking structure were for education purposes and provided lighting.

Luke Weatherly, Olsson Associates, 2111 S. 67<sup>th</sup> St., appeared before the Board on behalf of the applicant. Mr. Weatherly explained that an OPPD easement required low vegetation screening along 66<sup>th</sup> Street.

Mr. Jobeun stated that a neighborhood meeting to discuss the project was held on May 6, 2015 and that approximately 40 notified neighbors attended.

Julie O'Gara, 6473 Pierce St., appeared before the Board in opposition. Ms. O'Gara stated that she resided in the neighborhood adjacent to the east of the site and that she was opposed to the parking structure. She explained that her concerns regarding the parking structure were height of the structure, increased lighting, reflection from the solar panels, decreased property values, less greenspace and continued issue with students parking in her neighborhood.

Cindy Steimmer, 6475 Pierce St., appeared before the Board in opposition. Ms. Steimmer stated that she also resided in the neighborhood to the east of the site and that her west windows were a direct view to the proposed parking structure. She then displayed pictures of her current view of greenspace to the west and stated that she was strongly opposed to the parking structure.

Mr. Jobeun explained that lighting was regulated by code, solar panels reflected light to the south, some existing trees would be removed and replaced with trees consistent with the landscape plan.

Dave Fanslau, Assistant Planning Director, stated that mixed-use zoning and adjacent residential zoning was allowed with required bufferyards and landscaping, design standards were required, and sidewalk and street improvements were required with the Urban Design code. He then stated that the Department recommended approval subject to conditions on the recommendation report.

Mr. Deeb moved for approval of the Major Amendment to the Aksarben Business and Education Campus Mixed Use Development Agreement subject to submittal of an acceptable Mixed Use Development Agreement prior to forwarding to City Council. Mr. Harding seconded the motion which carried 5-0.

**Special Use Permits**

29.	C8-15-118 J3F&R, LLC	REQUEST:	Approval of a Special Use Permit to allow <i>Funeral services</i> in a GI District
		LOCATION:	3510 North 33rd Street

At the Planning Board meeting held on June 3, 2015, Ken Johnson, appeared before the Board on behalf of the applicant. Mr. Johnson stated that the project was the new construction and the Thomas family funeral home currently located on North 24<sup>th</sup> Street.

Mark Robinson, 3320 Emmet St., appeared before the Board in opposition. Mr. Robinson stated that he also represented his mother, Dorothy Robinson at 3331 Emmet Street, and that he resided in the home adjacent on the southwest corner of the site and his mother resided across the street from his home. He then stated that he was concerned with increased traffic, increased noise, and potential safety issues with attendees of the funeral home. He added that he was also concerned that the proposed driveway on Emmet Street would cause traffic issues when exiting his driveway along Emmet Street. Mr. Robinson then stated that he had no contact from the developer or owner regarding the project.

Rita Young, 3227 Pinkney St., appeared before the Board in opposition. Ms. Young stated that she was also concerned with lack of contact from the owner, and increased traffic, and wanted additional

information regarding the project.

Betty Brookins, appeared before the Board in opposition. Ms. Brookins stated that her mother was Dorothy Robinson and that she was also concerned with lack of contact. She explained that she wanted information regarding the details of the project.

James Thomas, Funeral Home Director, 5030 Emmet St., appeared before the Board. Mr. Thomas stated that he contacted the Malcolm X Board, Habitat for Humanity, and Chairman of the North Omaha Neighborhood Alliance Associations; all were in favor of the project. He explained that notifications with contact information were sent to neighbors within a 300 foot radius from the site and that he received 1 phone call regarding the project. Mr. Thomas then explained that approximately 200 funerals were held per year, wakes and visitation ended no later than 9:00 p.m., alternate driveways were available to alleviate traffic issues, police patrol was present upon safety concerns at funerals, and redevelopment of the site was an improvement for the existing site. In response to the Board, Mr. Thomas stated that the new facility added approximately 7 full time jobs and that he was willing to meet with neighbors.

Mr. Johnson explained that the existing use operating at the site was industrial and created an equal level of noise and traffic. Mr. Robinson stated that currently traffic was minimal at the site and through the neighborhood. He explained that he existing site was one driveway along North 33<sup>rd</sup> Street and that he was not opposed to redevelopment, but wanted less traffic.

Dave Fanslau, Assistant Planning Director, explained that Public Works Department had no concerns regarding traffic and stated that the Department recommended approval of the special use permit subject to the 12 conditions on the recommendation report.

Mr. Johnson stated that he applicant was willing to meet with neighbors.

Mr. Magid moved for approval of the Special Use Permit to allow Funeral services in a GI-General Industrial District subject to: 1) Submittal of a revised site/landscape plan that provides screening in accordance with Section 55-717 along the west side of the property abutting the single family home to west prior to forwarding the request to the City Council, 2) Submittal of the vacation petition for the existing alley prior to forwarding the request to the City Council, 3) Obtaining the necessary waiver from the Zoning Board of Appeals for the reduction of the width of the required landscape bufferyard prior to forwarding the request to the City Council, 4) Submittal of acceptable building elevations prior to forwarding the request to the City Council, 5) Submitting a recorded access easement to the remainder alley before the issuance of the Special Use Permit, 6) Coordinating and working with Public Works on the number of proposed access points serving the site, 7) Compliance with the revised site/landscape plan, 8) Compliance with all applicable stormwater management regulations, 9) Compliance with the operating statement, 10) Obtaining a Certificate of Occupancy from the Permits and Inspections Division, 11) Obtaining all necessary permits, 12) Compliance with all other applicable site development regulations, and 13) Applicant meeting with neighbors to discuss the project prior to request being forwarded to City Council. Mr. Harding seconded the motion which carried 4-0-1, with Mr. Rosacker abstaining.

**Conditional Use Permits**

34.	C7-15-153 Lord of Life Lutheran Church	REQUEST:	Approval of a Major Amendment to a Conditional Use Permit (assumed) to allow <i>Religious assembly</i> in a R1 District
		LOCATION:	20844 Bonanza Boulevard

At the Planning Board meeting held on June 3, 2015, Matt Wegener, BVH Architects, 1425 Jones St., appeared before the Board. Mr. Wegener stated that the request was for an addition to the existing Lord of Life Church to accommodate administrative offices, a child care facility and parking lot. He added that landscaping was proposed on the east side of the site as a buffer for the parking lot and west parking lot was existing.

Charles Miske, 21010 Shiloh St., appeared before the Board in opposition. Mr. Miske stated that he supported the church and the request, but that his objection was that placement of the landscape screening on the east portion of the site. He explained that the land adjacent on the east was undeveloped and that residential was adjacent along the west and south portion of the site. He then displayed photos of views from the site and further explained that his preference was screening along the west portion of the site.

David Fanslau, Assistant Planning Director, stated that with zoning regulations, landscape screening was recommended for the eastern portion of the new parking lot and along Bonanza Boulevard to the south of the new building addition or west parking lot. He then stated that the Department recommended approval of the Major Amendment to the Conditional Use Permit subject to the 5 conditions on the recommendation report.

Mr. Wegener stated that the applicant was willing to meet with neighbors and the Skyline Home Owners Association Board to discuss concerns regarding the project. In response to the Board, he explained that screening along the west portion of the site was not budgeted with the proposed plan.

Mr. Harding moved for approval of a Major Amendment to the Conditional Use Permit (assumed) to allow Religious assembly in a R1 District, subject to the following conditions prior to the issuance of any building permits: 1) Submittal of a revised landscape plan that addresses the following items: (a) Provide a 4 foot continuous landscape screen on the southeast and east portion of the new parking lot and (b) Provide 3 additional trees along Bonanza Boulevard to the south of the new building addition or western parking lot, 2) Providing a letter to waive the right to protest any future sidewalk improvement district, 3) Compliance with the revised site and landscape plan, 4) Compliance with all applicable stormwater management ordinances and policies, and 5) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 5-0.

### **APPROVAL OF MINUTES**

Mr. Magid moved to APPROVE the meeting minutes of April 1, 2015 as written. Mr. Deeb seconded the motion which carried 5-0.

### **ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 4:10 pm.

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Date Approved

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Anna Nubel, Chair

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Rikki Flott, Planning Board  
Recording Secretary