MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – JULY 1, 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, June 22, 2015.

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

MEMBERS NOT PRESENT: Trenton Magid
David Rosacker

STAFF PRESENT: James Thele, Planning Director
Dave Fanslau, Assistant Planning Director, Current Planning
Chad Weaver, Long Range Planning
Eric Englund, Planning Board Administrator
Alan Thelen, Law Department
Bernard in den Bosch, 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)

Overlay Districts

<table>
<thead>
<tr>
<th>No.</th>
<th>Request</th>
<th>Approval of a Major Amendment to a PUD- Planned Unit Development Overlay District (laid over from 04/01/15)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>C11-08-105 (D) Ehrhart Griffin &amp; Associates</td>
<td>9515 West Center Road</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the Major Amendment to a PUD-Planned Unit Development Overlay District, subject to submittal of a revised site/landscape plan providing a sidewalk along the West Center Frontage Road before submittal to the City Council. Mr. Rosenbaum seconded the motion which carried 5-0.
(REGULAR AGENDA)

Subdivisions

9. C12-15-166 (D)  
   View 132 LLC  
   REQUEST: Preliminary and Final Plat approval of 132 VIEW, a minor plat inside the city limits  
   (property is also located within a pending MCC Overlay District)  
   LOCATION: Northeast of 132nd and "I" Streets

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the Preliminary Plat, subject to the following conditions: 1. Coordinate with the Public Works Department to determine whether or not an update to the traffic study is necessary and provide for any identified improvements, 2. Compliance with all applicable stormwater management ordinances and policies, 3. Provide sidewalks as required by the Subdivision Ordinance. 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. Rosenbaum seconded the motion which carried 5-0.

11. C12-15-168 (D)  
    Brinshore Development  
    REQUEST: Preliminary and Final Plat approval of HIGHLANDER 75 NORTH REPLAT 1, a minor plat inside the city limits (property is also located within a pending ACI-1(PL) Overlay District)  
    LOCATION: Northwest of 30th and Patrick Streets

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the preliminary plat subject to the following conditions: 1. Providing for all improvements identified in the final approved traffic study, 2. Coordinating with the Public Works Department regarding the configuration of the north end of 31st Street, and 3. Providing sidewalk along the north side of Lot 1 (by easement within the lot boundaries if necessary). He also moved for approval of the Final Plat as amended by the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement. Mr. Rosenbaum seconded the motion which carried 5-0.

Rezonings

13. C10-15-172 (D)  
    Rick Cox  
    REQUEST: Rezoning from DR to R2  
    LOCATION: 6003 North 52nd Street

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.

    Barry Stych  
    REQUEST: Rezoning from R3 to R4  
    LOCATION: 2618 and 2624 North 137th Street

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.

16. C10-15-175 (D)  
    Planning Department on behalf of the City of Omaha  
    REQUEST: Rezoning from R5(35) to R4  
    LOCATION: For several properties generally located south of Patrick Avenue, west of 31st Street, north of Charles Street and east of John A. Creighton Boulevard

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.
18. C10-15-177 (D) **Boundaryline Surveys**  
**REQUEST:** Rezoning from DR and R2 to DR and R2  
**LOCATION:** South of 169th Circle and Ontario Street

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.

19. C10-15-178 (D) **Kylee Simon**  
**REQUEST:** Rezoning from DS to CBD (property is also located within an existing ACI-1(PL) Overlay District)  
**LOCATION:** 999 North 16th Street

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.

20. C7-15-179 (D)  
C10-15-180 **Dave Paladino**  
**REQUEST:** Rezoning from R2 and CC to CC, with approval of an ACI-2(50)-Area of Civic Importance Overlay District, and approval of a Conditional Use Permit to allow *Warehousing and distribution (limited)* in a CC District (portion of property is located within an existing ACI-2(50) Overlay District)  
**LOCATION:** Southwest of 72nd and Maple Streets

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the rezoning from R2 and CC to CC, approval of the ACI-2(50) Overlay District, and approval of the Conditional Use Permit to allow Warehousing and distribution (limited) in a CC district subject to the following: 1. Obtaining waivers for an excessive FAR and parking reductions from the Zoning Board of Appeals, 2. Constructing new sidewalks and curbside landscaping per the ACI-2 regulations along all street frontages, 3. Complying with 55-935 wall materials, 4. Continue working with the Planning Department regarding landscaping along the north side of the structure, 5. Compliance with the Public Work's comment regarding designing the site as if the property line were 14' south of its current location, 6. Compliance with the operating statement, 7. No outdoor storage of materials, 8. Compliance with all other applicable regulations, and 9. The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. Mr. Rosenbaum seconded the motion which carried 5-0.

21. C10-15-185 (D) **Ivan Rodriguez**  
**REQUEST:** Rezoning from GI to R5  
**LOCATION:** 2110 Poppleton Avenue

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.

**Special Use Permits**

22. C8-15-181 (D) **YMCA of Greater Omaha**  
**REQUEST:** Approval of a Major Amendment to a Special Use Permit (assumed) to allow a *Recreational club* in a R6 District  
**LOCATION:** 13010 Atwood Avenue

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the Major Amendment to a Special Use Permit (assumed) to allow Recreational Club in R6, subject to: 1. Compliance with the submitted sign plans, subject to reducing the height of the monument sign to a maximum of 6 feet, 2. Removal of all other signage on the site, 3. Approval of the necessary signage waivers from the Zoning Board of Appeals, 4. Compliance with all other applicable regulations, and 5. Compliance with the plans and conditions of the Minor Amendment approved January 9, 1997. Mr. Rosenbaum seconded the motion which carried 5-0.
At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of a Special Use Permit to allow Large group living in a R7 District subject to: 1. Receiving a waiver from the Zoning Board of Appeals for the following prior to sending this request to the City Council: a. Parking in the front yard, b. Perimeter parking lot landscaping, and c. Impervious coverage for proposed Lot 2, 2. Revising the site plan to provide a depth of 40 feet for the new five-stall parking lot prior to sending this request to City Council, 3. A limit of 12 residents in the facility (not including house managers), 4. The facility being limited to this operator only (Bethlehem House), 5. Compliance with the revised site plan, 6. Compliance with the proposed operating statement, 7. Compliance with all other applicable regulations, and 8. The applicant receiving a Certificate of Occupancy from the Permits and Inspections Division of the Planning Department. Mr. Rosenbaum seconded the motion which carried 5-0.

**Conditional Use Permits**

At the Planning Board meeting held on July 1, 2015, Mr. Harding moved for approval of the Major Amendment to the Conditional Use Permit (assumed) to allow a Secondary educational facility in a DR District subject to the following conditions: 1. Obtaining the necessary waiver from the Zoning Board of Appeals for parking in the front yard setback for nonresidential uses in a residential district, 2. Submittal of a revised landscape plan providing for 7 trees along Glenn Street, 3. Compliance with the proposed site plan, 4. Compliance with the proposed operating statement, 5. Compliance with the building elevations, 6. Compliance with the storm shelter provisions in Section 55-787, 7. Compliance with all stormwater management regulations, and 8. Obtaining all necessary permits and Certificates of Occupancy. Mr. Rosenbaum seconded the motion which carried 5-0.

**ADMINISTRATIVE MEETING ONLY**

At the Planning Board meeting held on July 1, 2015, Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval.

Mr. Rosenbaum 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 prior to forwarding the request to the City Council. Mr. Deeb seconded the motion which carried 5-0.
## PUBLIC HEARING AND ADMINISTRATIVE MEETING

### (REGULAR AGENDA)

#### Master Plan Referral

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<tr>
<th></th>
<th>C3-15-160 Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the RAIL AND COMMERCE BLDG TIF REDEVELOPMENT PROJECT PLAN</th>
<th>LOCATION: 950 South 10th Street</th>
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At the Planning Board meeting held on July 1, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the project was within the Omaha Rail and Commerce Historic District and involved repurposing the former dilapidated warehouse site. She added that the 4-story building included indoor parking for tenants on the lower level and a new first level dedicated to approximately 90 business uses. She further explained that first level tenants included Boyd Jones Construction, Blue Stem Energy solution and new restaurant and that the second and third floor was new office businesses. Ms. Hadley then stated that the project also included construction of a new 2-story garage for tenant use, streetscaping and lighting along Mason Street, improved parallel parking on the south side and improved diagonal parking on Mason Street.

Karen Bluvas, Dahlman Neighborhood Association, appeared before the Board. Ms. Bluvas stated that she and members of the neighborhood association met with representatives of the owner to discuss the project and that all were in favor of the request.

John Crane, Boyd Jones Construction, 4360 Nicholas St., appeared before the Board. Mr. Crane stated that Boyd Jones Construction was the new owner and tenant of the building.

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

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

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<th>C3-15-161 Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of THE STERLING APTS TIF REDEVELOPMENT PROJECT PLAN</th>
<th>LOCATION: 541 South 24th Street</th>
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At the Planning Board meeting held on July 1, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the existing building had multiple building code violations and was adjacent to a current rehabilitation project. She explained that project included rehabilitation of the building into 25 studio apartments, 20 on-site parking stalls, and basic streetscaping. She added that the developer spoke with the Department regarding future rehabilitation of buildings in the area.

Todd Heistand, 2223 Dodge St., NuStyle Development, appeared before the Board. Mr. Heistand stated that Tax Increment Financing (TIF) funds allowed rehabilitation of the building rather than demolition.

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

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

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<tr>
<th></th>
<th>C3-15-162 Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the 16th Street Business Improvement District (BID)</th>
<th>LOCATION: Properties along 16th Street from Dodge Street to Howard Street</th>
</tr>
</thead>
</table>

At the Planning Board meeting held on July 1, 2015, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the requested BID was within the existing Downtown BID and was within Nebraska State statute regulations. She added that the creation of the BID assisted the funding of the
remaining streetscaping along 16th Street to complete Phase 3 of the improvements.

Bernard in den Bosch, City Law, appeared before the Board. Mr. in den Bosch explained that the first two Phases were funded with approximately $2.5 million in City bonds, $1 million in private contributions and that a deficit of approximately $2.4 million was needed to complete Phase 3. He added that assessments, along with private contributions, were necessary to secure additional funding for completion of the project. He further explained that notices regarding the formation of a new BID were sent to property owners within the Downtown BID and that a public meeting was held on November 14, 2014 with approximately 30 attendees. The plan was then presented to the Downtown BID and they adopted a resolution in February 2015 supporting the new BID.

Chris Jerram, City Council, District 3, appeared before the Board. Mr. Jerram stated that public and stakeholder meetings were held over approximately a 4 year span to discuss the new BID and all were in support. He added that the new BID plan would not be implemented, and assessments would not be added, without necessary secured private contributions for completion of Phase 3. He explained that because of existing vaults beneath the right-of-way, costly engineering solutions were needed to safely construct the 16th Street improvements and noted that the project also added parking to the area.

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

Mr. Harding moved for approval. Mr. Deeb seconded the motion which

| 6. | C3-15-163 Planning Department on behalf of the City of Omaha | REQUEST: Approval of an Amendment to the Transportation Element of the City's Master Plan regarding Complete Streets |
| LOCATION: Omaha and 3-mile extraterritorial jurisdiction |

At the Planning Board meeting held on July 1, 2015, Derek Miller, Planning Department, presented the request. Mr. Miller stated that a committee comprised of City staff, Douglas County Health Department, CHI Health, Live Well Omaha and Omaha By Design developed a Complete Streets Omaha policy to plan, design and maintain City streets. He added that the plan was the foundation for effective and efficient transportation. Mr. Miller explained that upon final approval, implementation and development of the plan was approximately a 5-year process.

Larry Johnson, Nebraska Trucking Association, appeared before the Board in support of the request. Mr. Johnson stated that he was a member of the policy and planning committee for Complete Streets and that the policy was an important tool for future transportation planning.

Addy Pour, Director, Douglas County Health Department, appeared before the Board in support of the request and stated that she was also part of the committee. She explained that community stakeholders attended meetings held by the committee and provided input regarding the proposed plan. She added that the majority of the stakeholders were in favor of the plan. Ms. Pour expressed the importance of the need to develop a plan that created modes of transportation for the community to easily access a variety of health facilities and safe modes of alternate transportation to and from work.

Liz Beezy, 912 N 49th St, appeared before the Board in support of the request. Ms. Beezy stated that she was a member of the Mode Shift Omaha Board, which advocated alternate modes of transportation. She then stated that after review of the Complete Streets policy, all Board members were in favor of the plan, but were concerned with the process of exceptions to the plan and the need for a more aggressive timeline.

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

Mr. Deeb moved for approval. Mr. Rosenbaum seconded the motion which carried 5-0.
At the Planning Board meeting held on July 1, 2015, Jim Theiler, Sewer Maintenance Division of the Public Works Department, presented the request. Mr. Theiler stated that the Sanitary Sewer element of the Master Plan was updated approximately every 3 to 5 years and that the 2009 update indicated a need for downstream capacity improvements to support growth. He added that Carollo Engineers was hired to implement a plan for updates and further explained that Carollo also obtained stakeholder input regarding proposed improvements. He stated that the plan significantly reduced costs, but revealed challenges for funding future projects. Mr. Theiler stated that the executive summary submitted to the Board highlighted short term and long term capital improvements for the metropolitan area served by the sewer system. He then stated that the short term plan revealed a need to expand the system to the Present Development Zones and that the estimated cost of improvements was $14 million dollars. He added that fees to connect to the sewer system were updated through 2019 and that recommendations for sewer system improvements were in conjunction with needed transportation improvements.

Ryan Haas, Public Works Department, stated that roadway and sewer improvements were critical infrastructure components of new development areas. He explained that the Arterial Street Improvement Program was enacted in 2005 to help fund roadway widening projects and needed updated in conjunction with sewer system updates. He further explained that input was received from community stakeholders and a consultant was hired to develop roadway models for needed improvements and to create an updated fee schedule that addressed capacity issues and needed infrastructure improvements.

John Fullenkamp, 11440 W. Center Rd, appeared before the Board on behalf of his clients. Mr. Fullenkamp stated that discussions were held with members of the development community regarding funding the construction of 180th Street and needed improvements to 168th Street. He then explained that stakeholders understood the need for a significantly increased ASIP fee for continued roadway development and were also in support of the interceptor sewer system plan and fee schedule.

Jim Lang, attorney, 11718 Nicholas St appeared before the Board on behalf of his clients and stated that he was in support of the request. Mr. Lang then stated that he supported all comments made by Mr. Fullenkamp.

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

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

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

Mr. Rosenbaum moved for approval. Mr. Harding seconded the motion, which carried 5-0.
At the Planning Board meeting held on July 1, 2015, Cassie Seagren, Mayor’s Office, appeared before the Board. Ms. Seagren stated that the main goals of the proposed annexation package were to eliminate “islands”, or areas surrounded by the City, financially create a net-positive for the City, and maintain public safety. She then stated that the proposed annexation added 13,808 new residents, approximately one billion dollars in new valuation, and financially was net-positive for the City over a 10-year period. Ms. Seagren explained that four areas were not net-positive for the City, but of those 4 areas, 3 were islands within the City and that 2 areas had a property tax increase. She further explained that the Omaha Fire Department (OFD) currently served the areas, road projects currently in the Capital Improvement Program (CIP) would be maintained as scheduled and that 10 police officers and 1 parks landscaper position would be added.

Lee Hamann, McGrath North Law Firm, 1601 Dodge St., appeared before the Board on behalf of the Plantation Home Owners Association. Mr. Hamann stated that the Plantation neighborhood was not an SID and that they supported the annexation, but hoped to retain the private street, sewer system and water system.

Michael York, 5735 S 185th St, appeared before the Board in opposition. Mr. York stated that he was a resident of Rolling Meadows and that he was concerned with maintenance of the roads, the prior purchased community well, and septic tanks. He then questioned if sidewalks or street lights would be installed by the City.

Lynn Blagg, 18318 Sunset Ln., appeared before the Board in opposition. Ms. Blagg stated that she was not opposed to the request but was also concerned with maintenance and ownership of the community well. She also questioned the possibility of connection to the City sewer system.

Ms. Seagren explained that the City would assume the current well maintenance contract for Rolling Meadows and that the wells for the Plantation would remain private. She added that the cost of street lights for residents were based on the use of street lights throughout the City and that retention of private roads could be accommodated. In response to Ms. Blagg, Ms. Seagren explained that concerns regarding future connection to the City sewer system could be addressed through the Mayor's hotline or Public Works Department.

Angelo, with the Plantation, appeared before the Board. He explained that he was not opposed to tax assessments and that he was concerned with well permits and changes that may or may not occur within the neighborhood after the annexation.

Ms. Seagren mentioned that Rolling Meadows planned two Board meetings during July to further discuss the annexation and that she was available to discuss future concerns regarding the annexation.

Dave Fanslau, Assistant Planning Director, explained that the proposed annexation areas were currently within the City zoning jurisdiction and that permit and zoning requirements remained the same. He added that the proposed annexation met the intent of the Master Plan and that the Department recommended approval.

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

**Subdivisions**

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<tr>
<td>10.</td>
<td>C12-15-167 Charlotte Rasmussen</td>
<td>Preliminary and Final Plat approval of ERIKSEN ACRES, a minor plat outside the city limits, with waivers of Section 53-8(2)(g) for street width, Section 53-8(4)(d) for lot frontage, Section 53-9(3) for Street surfacing and Section 53-9(9) for Sidewalks</td>
<td>LOCATION: 10313 North 72nd Street</td>
</tr>
</tbody>
</table>
At the Planning Board meeting held on July 1, 2015, Charlotte Rasmussen appeared before the Board. Ms. Rasmussen stated that she owned the property and currently resided at the approximately 5-acre site. She explained that she intended to subdivide the property into 2 lots and build a new home on the northeast corner of the site. She then explained that an asphalt surface easement along the north side of the property gave access to the 2 properties to the east and was maintained by the land owners. She added that 1 neighbor was opposed and 1 neighbor was in favor of removal of 3 large mature trees on the west to meet the 22 foot width requirement for the private drive. Ms. Rasmussen then mentioned she had questions regarding zoning and needed further discussions regarding right-of-way on the final plat to determine final placement of her new home. She explained that a 40 foot easement was recorded in 1993, but the document was not part of her submittal. She then stated that she anticipated the on-site waste water treatment facilities approval from the NDEQ by next week.

Dave Fanslau, Assistant Planning Director, suggested Ms. Rasmussen meet with her surveyor and the Department to discuss issues with the final plat before submittal to the Department. He then stated that the Department recommended approval of the waiver for street width and sidewalks, denial of the waiver for lot frontage and street surfacing, approval of the preliminary plat subject to the 5 conditions on the recommendation report, and to layover the final plat.

Mr. Harding moved for approval of the waiver of Section 53-8(2)(g) for street width to 22 feet, approval of the waiver of Section 53-9(9) for sidewalks, denial of the waiver of Section 53-8(4)(d) for lot frontage (a 40 foot wide outlot along the extent of the northern boundary should be provided), denial of the waiver of Section 53-9(3) for street surfacing (street surfacing should meet the minimum construction and depth requirements), approval of the preliminary plat subject to: 1. Compliance with Section 55-901 of the Zoning Ordinance for the North Hills Environmental Resources Overlay District; and including a note on the final plat regarding same, 2. Providing the existing and proposed building footprints and on-site wastewater treatment facilities locations on the final plat, 3. Providing a 40 foot wide outlot along the extent of the northern boundary of the plat for the private way, 4. Obtaining any necessary Zoning Board of Appeals waivers for any setback nonconformities created by the outlot, and 5. Approval of the on-site wastewater treatment facilities prior to approval of a final plat, and he moved to layover the final plat until disposition of the waiver requests have been determined and/or the conditions of the preliminary plat recommendation have been addressed. Mr. Deeb seconded the motion which carried 5-0.

At the Planning Board meeting held on July 1, 2015, Rick Anderson, Croker Huck Law, 2120 S. 72nd St., appeared before the Board on behalf of the applicant. Mr. Anderson stated that the property was currently utilized as a farm and was surrounded by a City park and industrial uses along the west property line, industrial and residential along the north, residential to the southeast corner of the property and the Sarpy County border along the south property line. He added that a railroad track lined with tree berm also bordered the north of the property to the eastern portion of the property. Mr. Anderson stated that the property consisted of 4 proposed lots; 3 outlots and 1 lot platted and zoned for industrial use. He added that a creek lined with tree canopies on both sides bisected the lot from north to south and that the industrial rock crushing use was proposed for the north side of the property. He then explained that the rock crusher would be located within the required distance from the bordering residential areas at approximately 1,100 or more feet from the nearest residential property. He further explained that the rock crusher would be rented and temporarily located on the site for approximately one to three months per year. Mr. Anderson stated that the site was not proposed for retail, would have approximately 5 non-permanent employees, no equipment storage, and mentioned that the business offices were located off-site. He commented that the City of Omaha Future Land Use Map designated the area for industrial and open space uses and explained that a street dedication was planned for South 60th Street. He mentioned
that the applicant met with neighbors to discuss the project.

Janet Raddish, 5290 Drexel St., appeared before the Board in opposition. Ms. Raddish stated that her residence was located closest to the rock crusher and submitted a signed petition and letters opposing the request. She stated that she was concerned that trees and train tracks were not efficient noise barriers. Her main concerns were noise and dirt from the facility, increased traffic, and the safety of 60th Street. She was also concerned that Harrison Street only allowed two-way traffic in the area and that loaded trucks commuting to and from the business were too heavy to cross the bridge on Harrison Street just west of 60th Street. Ms. Raddish presented multiple photos of the area depicting her concerns regarding the busy traffic, narrow width, "S" curve, narrow railroad bridge, flooding and deteriorating road condition along 60th Street.

Mike Boisserie, 6724 S. 53rd St., appeared before the Board in opposition. Mr. Boisserie stated that his property was adjacent to the site and that he was also concerned with increased traffic. He added that he was also concerned with exposure to dust and the chemical compound silica emitted from the rock crusher. He briefly discussed the negative health effects caused by silica and that the existing trees were not protective barriers.

Vicky Tysor, 5111 Drexel St., appeared before the Board in opposition. Ms. Tysor stated that she resided in the neighborhood for 36 years and that she was also concerned with flooding, noise, and accessibility for emergency vehicles along 60th Street.

Victor Visty, 6812 S 49th Ave., appeared before the board in opposition. Mr. Visty was also concerned with the condition and truck traffic along 60th Street.

Terry Atkins, Lamp Rynearson Associates, 14710 W Dodge Rd., appeared before the Board on behalf of the applicant. Mr. Atkins stated that the existing trees met code requirements as a bufferyard for noise barrier, the rock crusher was within required distance from residential at approximately ¼ mile away, and the steep grade of the land from the north to the south of the property also provided a noise barrier. He added that adjacent residential and industrial zoning areas were within regulation, but conditional, and that the site was zoned as industrial in the City Master Plan. He explained that 60th Street met City standards, the business did not contribute to drainage issues, and that City and State entities enforced regulations regarding dust and noise. Mr. Atkins stated that a work plan for the business was submitted to the Department which regulated crusher operation to 1 to 3 months per year between the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. He then stated that the Police and Fire Departments reviewed the request and had no concerns. He also explained that following discussions with Public Works, the applicant was dedicated to a future straightening of 60th Street, but funding required additional sources.

In response to questions by the Board, Mr. Atkins stated that the business was proposed to open and operate upon demand of need, the rock crusher was within noise regulation at approximately 60 decibels, and that levels of dust emitted would be within regulation.

Ryan Haas, Public Works Department, appeared before the Board. Mr. Haas explained that the Department evaluated the impact the proposed business had on surrounding roadways and that key factors were number of trips generated from the project. He further explained that upon evaluation of the site, a traffic study was not necessary and the Department was not concerned with capacity issues. He added that when outlots were developed in the future, design standards would need to be met. Mr. Haas stated that as a condition of the request, right-of-way along 60th Street was dedicated to the City at no cost and improvements were planned for the future.

Dave Fanslau, Assistant Planning Director, explained that the existing agricultural site was proposed industrial use in the Master Plan and that the submitted request was in compliance with all code regulations. He stated that Department recommended approval of the special use permit subject to the 8 conditions on the recommendation report, approval of the rezoning, approval of the preliminary plat subject to the 3 conditions on the recommendation report and approval of the final plat subject to the conditions of the recommendation report.
Mr. Rosenbaum moved for approval of a Special Use Permit to allow Scrap and salvage services in a GI District subject to: 1. Submittal of a revised site/landscape plan prior to forwarding this request to City Council that adequately addresses the following: a. Providing a revised operating statement indicating the specific days of operation, b. Providing for 20 paved off-street parking stalls and delineating the paved drive aisles, c. Providing a permanent restroom facility in compliance with Section 49 Omaha Municipal Code, d. Obtaining a waiver from the Zoning Board of Appeals for the 300 foot separation requirement and the required number of parking stalls, and e. Providing the appropriate screening which satisfies Section 55-766(b)(2) along the west side of Lot 1, 2. Compliance with the revised site/landscape plan, 3. Compliance with the revised operating statement, 4. The applicant receiving a Certificate of Occupancy from the Permits Division of the Planning Department, 5. Compliance with Article XVII – Performance Standards Omaha Municipal Code, 6. Compliance with Chapter 41 – Air Quality Control Omaha Municipal Code, 7. Compliance with Sections 30-81 through 30-110 Omaha Municipal Code, and 8. Compliance with all other applicable regulations. Mr. Harding seconded the motion which carried 5-0.

Mr. Rosenbaum moved for approval of the rezoning from DR to GI and DR (portions of which property is located within a flood fringe and floodway overlay district), approval of the preliminary plat subject to: 1. The applicant providing for the provisions of installing a sidewalk along South 60th Street or agreeing to waive the right to protest a future sidewalk improvement district within the subdivision agreement, 2. Provide for the use, ownership, and maintenance of the outlots in the subdivision agreement, and 3. Compliance with all applicable stormwater management regulations, and approval of the final plat, subject to the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement prior to forwarding to City Council. Mr. Nesbitt seconded the motion which carried 5-0.

### Rezonings

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<tr>
<th>No.</th>
<th>Code</th>
<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>15</td>
<td>C10-15-174</td>
<td>Rezoning from GI to CC</td>
<td>3744 Lake Street</td>
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At the Planning Board meeting held on July 1, 2015, James Overton, 3217 Ohio St., appeared before the Board. Mr. Overton stated that he remodeled the former office building to City code, but was not aware a Certificate of Occupancy was needed from the City. He added that although zoning under the North Omaha Village Revitalization Plan was residential, most of the surrounding area was currently industrial.

Carol Irey, 3719 Ohio St., appeared before the Board in opposition. Ms. Irey stated that she wanted more information regarding the nature of the social club and was concerned with safety issues and crime in her neighborhood spurred from patrons at the site.

In response to questions by the Board, Mr. Overton stated that the site has operated as a social club for 36 months with no crime activity. He then stated that the site was adjacent to industrial uses along all property lines and that the current use was specifically a motorcycle club. He further explained that he owned the property and that the current tenant had a 5 year lease, with 2 years remaining. He added that the club was for a group of men aged approximately 38 to 60 who met to socialize approximately 2 times per week and that meetings were held until approximately 1:00 a.m. at the latest on weekends.

Dave Fanslau, Assistant Planning Director, explained that the area had a variety of uses as a result of hold-over zoning districts from previous years and that areas were rezoned over time to meet the current Master Plan and Future Land Use Plan. He then stated that the Future Land Use Plan for this area along Lake Street was low-density residential and that because the requested use was not in conformance with the Master Plan, the Department suggested the applicant apply for a special use permit for the site. Mr. Fanslau stated that the Department recommended to layover the request to allow the applicant time to submit a special use permit application.

Ms. Irey stated that she has not seen a motorcycle at the site and Mr. Overton agreed to meet with neighbors to discuss the use.

Mr. Deeb moved to layover to allow the applicant time to submit an application for a Special Use Permit. Mr. Nesbitt seconded the motion which carried 5-0.
At the Planning Board meeting held on July 1, 2015, Chris Wayne, Planning Department, presented the request. Mr. Wayne stated that the properties were owned by the City and that a purchase agreement was completed with Holy Name Housing Corporation for development of the sites. He explained that the request adjusted front yard setback requirements for the properties.

Charles Turner, 3480 Boyd St., appeared before the Board in opposition. Mr. Turner stated that he was opposed to the construction of residential homes and that he was in favor of a plan for North High School to build a football stadium on the lots and adjacent land.

Mary Turner, 3480 Boyd St., appeared before the Board in opposition. Ms. Turner stated that she was the wife of Mr. Turner and that she was also opposed to the request for the same reason as Mr. Turner.

Dave Fanslau, Assistant Planning Director, stated that the property was currently zoned residential and that the request was to remove setback requirements to match existing residences. He added that OPS had not submitted a plan to develop the site and that the Department recommended approval of the request.

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

Special Use Permits

Jennifer Karls, HDR, 8404 Indian Hills Dr., appeared before the Board on behalf of the applicant. Ms. Karls stated that the request was to construct a new building for the Salvation Army currently at the site and move all Salvation Army offices from the old building to the new 4-story building. She then stated that the first floor was for existing offices which served residents and early head-start program, the second and third floor were 33 apartment units for 2 existing programs, and the fourth floor was for a 16-unit large group living for mental health rehabilitation (MHR), which moved off-site approximately 3 years prior. She added that another group living facility for physically handicapped residents was currently located within 1,200 square feet of the site and has existed for over 10 years. Ms. Karls explained that a neighborhood meeting was held to discuss the project and that the only concerns were esthetics of the building.

Julie Jorgensen, 3610 Lincoln Blvd., appeared before the Board in opposition. Ms. Jorgensen stated that she was concerned with lack of communication from the applicant regarding the project and that the site was adjacent to residential neighborhoods and parks. She then stated that main concerns were increased density at the site increased crime and solicitation of money in the neighborhood, multiple group homes in the area, the parking variance was less than regulation, institutional esthetics of the new building within the historic district and run-off issues along the north portion of the site.

Becky Brusky, 3602 Lincoln Blvd., appeared before the Board in opposition. Ms. Brusky stated that her main concerns were also increased density, types of residents and esthetics did not conform to the historic district.

Christopher Hake, 3620 Lincoln Blvd., appeared before the Board in opposition. Mr. Hake stated that he was not opposed to the Salvation Army services, but was also concerned with increased residents and esthetics.
Max Allen, 1021 N. 34th St., appeared before the Board in opposition. Mr. Allen stated that he agreed with prior opposition and would like more information regarding the details of the proposed plan.

Ms. Karls explained that the residents and office uses on the first through third floor were moving from the former building to the new building and that the residents of the fourth floor were previously at this location. She further explained that parking was approved by the Department and architectural studies were completed for the site. In response to questioning by the Board, Ms. Karls stated that colored renderings were displayed at the neighborhood meeting but were not available today. She then stated that approximately 30 people attended the neighborhood meeting and that some were in favor of architectural design and some were opposed.

Major Randy Hellstrom, Salvation Army Regional Secretary, appeared before the Board. Maj. Hellstrom stated that the new facility had less density than the existing facility because the largest program currently on-site was moving off-site.

Dr. Linda Berkley, Salvation Army, appeared before the Board. Dr. Berkley stated that she was in charge of social services for the Salvation Army and explained that fewer residents would occupy the new building. She explained that over the years the existing building had one program for residents close in April 2014, residents of the 10 transitional housing units eventually transfer into home ownership or permanent housing off-site, and the divisional headquarters moved off-site in September 2012. She further explained that the program returning to the new building, as previously discussed by Ms. Karls, accounted for less total occupancy at this location than in previous years.

In response to the Board Ms. Karls briefly discussed the colored renderings that were displayed at the meetings and that the colors for the building were changed.

Allison Ingunza, HDR, 8404 Indian Hills Dr., appeared before the Board. Ms. Ingunza stated that she was the site designer for the project and discussed the parking and erosion issues. She explained that erosion on the north portion of the site was caused by severed pipes and would be addressed. She further explained that she worked with the Department regarding parking to increase greenspace and noted that not all on-site residents owned vehicles.

Mr. Hake discussed the change in esthetics and still had concern regarding the final plan. Ms. Ingunza again noted that historical research of the neighborhood was completed and architecturally designed accordingly. Ms. Jorgensen still had concern with density and the amount of social services in the area.

Dave Fanslau, Assistant Planning Director, stated that the area was zoned General Office (GO) and the requested uses were allowed upon approval of the use permits. He added that run-off issues were addressed by the Public Works Department. He then stated that the Department recommended approval of the special use permit and approval of the conditional use permit subject to the 6 conditions on the recommendation report.

Mr. Nesbitt moved for approval of the Special Use Permit to allow Large group living and the Conditional Use Permit to allow Multiple-family residential subject to the following conditions: 1. Obtaining a Zoning Board of Appeals waiver to allow off-street parking within the front yard setback along Cuming Street and to allow the reduced number of required off-street parking stalls, 2. Dedicating right-of-way to a line 12.5 feet behind the curb line, 3. Complying with City's Guidelines and Regulations for Driveway Location, Design and Construction, 4. Providing an updated site plan that delineates bicycle parking, 5. Coordinating with METRO on the placement of and type a transit shelter, and 6. Compliance with all other applicable regulations. Mr. Harding seconded the motion which carried 5-0.

APPROVAL OF MINUTES

Mr. Harding moved to APPROVE the meeting minutes of May 6, 2015, 2015 as written. Mr. Nesbitt seconded the motion which carried 5-0, with Mr. Deeb absent for the vote.
ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 5:14 pm.

Date Approved

Anna Nubel, Chair

Rikki Flott, Planning Board
Recording Secretary