

MINUTES
 PUBLIC HEARING AND ADMINISTRATIVE MEETING
 OMAHA CITY PLANNING BOARD 1:30 P.M. – AUGUST 5, 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, July 27, 2015.

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

MEMBERS NOT PRESENT: None

STAFF PRESENT: James Thele, Planning Director
 Cheri Rockwell, 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.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1.	C10-14-127 (D) C12-14-128 FRK Development, LLC	REQUEST:	Final Plat approval of INDIAN POINTE (Lots 161-266, Outlots D-K), a subdivision outside the city limits, with rezoning from AG to DR and R4
		LOCATION:	Northeast of 192nd and Sahler Streets

At the Planning Board meeting held on August 5, 2015, Mr. Harding moved to layover the final plat to allow additional time for the applicant to adequately address the following outstanding original conditions of approval: 1) Coordinating with the Public Works Department regarding an acceptable General Obligation paving plan, 2) Placing a note on the plat that there shall be no access from Lot 165 to George B. Miller Parkway, 3) Providing a 35 foot no build easement along both sides of the parkways, 4) Coordinating all park and parkway improvements with the Parks Department and approval of the park and parkway by the Park Board, 5) Coordinating with the Parks Department on whether a side-path could be provided under the power line easement, 6) Eliminating the remaining two cul-de-sacs unless the determination can be made by the City that there is adequate justification for retaining them, 7) Including provisions for a contribution to Douglas County’s 180th Street bridge project in the subdivision

agreement, 8) Coordinating the design of the roundabouts and the traffic calming features with the Public Works Department, 9) Providing for the construction of all intersection curb ramps, and all sidewalks fronting outlots, in conjunction with the initial infrastructure improvement project in the subdivision agreement, 10) Providing the required standard noise attenuation easement language on the plat, 11) Coordinating with the owner of 18544 West Maple Road and providing for the closure of their access to West Maple Road and its relocation to Big Elk Parkway, 12) Coordinating with the Public Works Department for the design and construction of the interceptor sewer project, 13) Coordinating the proposed 24" interceptor sewer crossing under 180th Street with the future 180th Street widening project, 14) Including provisions for maintenance of sidewalks along all double fronted lots included in the subdivision agreement, 15) Submittal of an acceptable tree canopy analysis. Mr. Nesbitt seconded the motion which carried 7-0.

(REGULAR AGENDA)

Subdivisions

11.	C12-15-189 (D) The Salvation Army	REQUEST:	Preliminary and Final Plat approval of RENAISSANCE, a minor plat inside the city limits
		LOCATION:	Northeast of 38th and Cuming Streets

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved approval of the Preliminary Plat subject to the applicant providing improved curb ramps along Cuming Street and approval of the Final Plat, subject to compliance with the condition of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the plat to the City Council. Mr. Rosacker seconded the motion which carried 7-0.

12.	C10-05-291 (D) 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 August 5, 2015 Mr. Harding moved for approval of the rezoning plan from DR to R6 and MU subject to 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 and approval of the revised preliminary plat subject to: 1) Providing an acceptable financial contribution for the Bedford Avenue Bridge project in the subdivision agreement. 2) Providing for a ten (10) foot concrete trail along the eastside of the West Papillion Creek. 3) Submittal of a letter from Douglas County Environmental Services that indicates a noxious weed plan has been approved. 4) Compliance with all applicable stormwater management ordinances and policies. 5) Providing an acceptable overall debt ratio of 4% or less. He also moved for approval of the final plat subject to compliance with the conditions of preliminary plat approval and subject to the following being addressed prior to forwarding the final plat to the City Council for final action: 1) Approval of a Flood Plain Development Permit. 2) Submittal of an acceptable final subdivision agreement. Mr. Rosacker seconded the motion which carried 7-0.

13.	C10-15-190 (D) C12-15-191 Bill Alford	REQUEST:	Preliminary and Final Plat approval of GRAYHAWK VILLAGE REPLAT 1, a minor plat inside the city limits, with rezoning from MU to DR and MU
		LOCATION:	Southwest of 144th Street and West Maple Road

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval of the rezoning from MU to DR and MU, subject to submittal of a final Mixed Use Development Agreement and approval of the Preliminary plat subject to the applicant: 1) Providing an access easement for Lot 3 and Outlot A back to the existing private street on Lot 2 and showing this easement on the plat. 2) Verifying that Outlot A is sized so that the drainageway still accommodates either the 3:1 + 20' section, or the 100-year storm flow, whichever is greater. 3) Submitting an acceptable Minor Amendment to the Mixed Use Development Agreement. He also moved for approval of the Final Plat subject to compliance with the conditions of Preliminary Plat and submittal of an acceptable final subdivision agreement that provides for the use, ownership, and maintenance of the outlot, prior to forwarding the plat to the City Council. Mr. Rosacker seconded the motion which carried 7-0.

15.	C12-15-194 (D) Sheltering Tree, Inc.	REQUEST:	Preliminary and Final Plat approval of SHELTERING TREE, a minor plat inside the city limits
		LOCATION:	7400 Military Avenue

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved to layover the request. Mr. Nesbitt seconded the motion which carried 7-0.

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

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval of the rezoning from AG to DR and R4 and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Approval of the 2015 update to the Interceptor Sewer Master Plan will be required prior to forwarding the Preliminary Plat to City Council. 2) Coordinate with the proposed Indian Pointe Phase II subdivision on the interceptor sewer construction. If the Andresen Meadows Estates development precedes Indian Pointe Phase II in construction, the applicant will be required to construct the interceptor sewer to the extents of the subdivision. 3) Provide easements for the interceptor sewer and show on the final plat. 4) Provide a contribution to the future 180th Street bridge. 5) Coordinate with Public Works and Douglas County Engineer's office on street connections and right-of-way dedications. 6) Place a note on the plat that "there shall be no direct vehicular access to 180th Street from any lots or outlots abutting said street." 7) Provide a 115 foot noise attenuation easement from the centerline of 180th Street and the standard noise attenuation easement language on the final plat. 8) Coordinate with the Parks and Public Works Departments on the construction of a 10' wide concrete trail along the east side of 180th Street and show on the final plat. 9) Continue working with city staff in finalizing an acceptable tree mitigation plan. 10) Provide a wetland analysis. 11) Receive a permit from the U.S. Corps of Engineers prior to any grading on the site. 12) Provide traffic calming on all streets longer than 1,000 feet. 13) Coordinate with the Douglas County Engineer's office to grade the subdivision to the ultimate five-lane profile of 180th Street. 14) Provide sidewalks as required by the Subdivision Ordinance. 15) Compliance with all applicable stormwater management ordinances and policies. 16) Include provisions for the use, ownership and maintenance of the outlots in the final subdivision agreement. 17) Provide a letter of approval from Douglas County regarding noxious weed control. 18) An acceptable debt ratio of 4% or less. Mr. Rosacker seconded the motion which carried 7-0.

Overlay Districts

18.	C11-13-095 (D) Foundations Development, LLC	REQUEST:	Approval of a Major Amendment to a PUD-Planned Unit Development Overlay District
		LOCATION:	4502 South 60th Street

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval of the Major Amendment to the Planned Unit Development Overlay District subject to: 1) Compliance with the storm shelter protection standards set forth in OMC Section 55-787 at the time of building permit submittal. 2) Compliance with the approved building elevations. 3) Compliance with the site and landscape plans. 4) Compliance with all applicable stormwater management ordinances and policies. 5) Compliance with all applicable ordinances and regulations. 6) The applicant obtaining all necessary permits. Mr. Rosacker seconded the motion which carried 7-0.

19.	C9-97-123 (D) Planning Department on behalf of the City of Omaha	REQUEST:	Repeal of a PK-Parking Overlay District
		LOCATION:	Southeast of 18th and Clark Streets

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

Rezoning

20.	C10-15-197 (D) Planning Department on behalf of the City of Omaha	REQUEST:	Rezoning from R5 to R4
		LOCATION:	3114 Seward Street

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

21.	C10-15-198 (D) George Petersen	REQUEST:	Rezoning from GO to CC
		LOCATION:	8258 Hascall Street

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

24.	C10-15-205 (D) McNeil Company	REQUEST:	Rezoning from R4(35) to R4
		LOCATION:	4953 Mayberry Street

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

Special Use Permits

25.	C7-10-062 (D) C8-15-193 Sheltering Tree, Inc.	REQUEST:	Approval of a Special Use Permit to allow <i>Large group living</i> , along with a Major Amendment to a Conditional Use Permit to allow <i>Secondary educational facilities</i> in a R2 District (property is also located within an existing ACI-3(PL) Overlay District)
		LOCATION:	7400 Military Avenue

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved to layover the request. Mr. Nesbitt seconded the motion which carried 7-0.

Conditional Use Permits

26.	C7-15-202 (D) Douglas County School District 0001	REQUEST:	Approval of a Conditional Use Permit to allow <i>Secondary education facilities</i> in a R4 District
		LOCATION:	3529 "Q" Street

At the Planning Board meeting held on August 5, 2015 Mr. Harding moved for approval of the Conditional Use Permit to allow a Secondary educational facility in a R4 District, subject to the following conditions: 1) Compliance with the proposed site plan. 2) Compliance with the proposed operating statement. 3) Compliance with the building elevations. 4) Compliance with the storm shelter provisions in Section 55-787. 5) Compliance with all stormwater management regulations. 6) Obtaining all necessary permits and Certificates of Occupancy. Mr. Rosacker seconded the motion which carried 7-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(HOLD OVER CASES)

Subdivisions

2.	C10-15-111 C12-15-112 CFHJR LLC	REQUEST:	Preliminary Plat approval of SKY VIEW RIDGE, a subdivision outside the city limits, with rezoning from AG to DR, R7 and MU (laid over from 05/06/15)
		LOCATION:	Northwest of 204th Street and West Center Road

At the Planning Board meeting held on August 5, 2015, David Levy, Baird Holm Law Firm, 1700 Farnam St., appeared before the Board on behalf of the applicant. Mr. Levy stated that the parcel was family-owned since approximately 1960 and that the applicants were family members. He explained that the proposed plan was for mixed used development with residential and commercial uses and that the applicant was willing to comply with Department recommendations.

Laurie Grove, 21011 Arbor Ct., appeared before the Board in opposition. Ms. Grove stated that her residence in Skyline Villas was directly west of the site and that she was concerned with noise, increased traffic, and increased density. She added that she was also concerned with the safety of vehicles exiting westbound from 204th Street and merging with traffic along West Center Road.

Ken Voelte, 21023 Arbor Ct., appeared before the Board in opposition. Mr. Voelte stated that he was concerned with traffic safety. He explained that West Center Road was a major highway and decreased from 2 lanes to 1 lane after exiting westbound from 204th Street and that visibility was a concern at the proposed intersection at approximately 210th and West Center Road.

Ryan Haas, Public Works Department, appeared before the Board. Mr. Haas stated that the review of the traffic study was not completed and was required to be completed prior to submittal of the final plat. He added that the access ramp from 204th Street westbound to West Center Road required the proposed full movement intersection to shift from the quarter mile point to the half mile point. He then explained that because traffic accessing the proposed development site was expected to exit east to the main intersection, increased traffic at the entrance to the Skyline Villas subdivision was expected to be minimal.

Cheri Rockwell, Current Planning Manager, stated that the intersection of 204th Street and West Center Road was designated as a 165-acre mixed-use center. She explained that 15.39 acres was designated for mixed-use office/commercial development and approximately 1,000 residential apartment units. She then stated that the Department recommended approval of the rezoning from AG to DR and MU, subject to the submittal of a Mixed-Use District Development Agreement and approval of the preliminary plat subject to the 16 conditions on the recommendation report and applicant withdrawing the request for R7

zoning. She added that multi-family residential was allowed in mixed-use zoning and that R7 zoning regulators were included in the development agreement.

Mr. Harding moved for denial of the rezoning from AG to R7, approval of the rezoning from AG to DR and MU, subject to submittal of an acceptable Mixed Use Development Agreement to be submitted with the Final Plat, and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Provide for all improvements identified in the final approved study, 2) Extend an access/sewer/utility easement on the plat across Lot 11 and/or Lot 13 to the benefit of Lot 12 and extend the public sanitary sewer to Lot 12, 3) Abut Lot 9 to the access/utility/sewer easement, 4) Do not landscape the proposed 210th Street medians north of Arbor Street (which may have to be removed), 5) Adjust the property lines to include the sidewalks along 210th Street within the right-of-way, 6) Construct all intersection curb ramps and sidewalks fronting Outlots A and B in conjunction with the initial infrastructure improvement project, 7) Place a note on the plat indicating that there shall be no direct access onto 210th Street from Lots 3 or 14, 8) Work with city staff in finalizing an acceptable tree mitigation plan, 9) Submit a wetland mitigation plan if any wetlands are damaged, 10) Place all drainageways in an outlot sized to accommodate either the 3:1 + 20' section or the 100 year-storm flow, 11) Provide sidewalks as required by the Subdivision Ordinance, 12) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies, 13) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement, 14) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area, 15) Provide a letter of approval from Douglas County regarding noxious weed control, and 16) An acceptable debt ratio of 4% or less. Mr. Magid seconded the motion which carried 7-0.

3.	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 (laid over from 06/03/15)
		LOCATION:	Northwest of 192nd and "Q" Streets

At the Planning Board meeting held on August 5, 2015, Larry Jobeun, 11440 W. Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun stated that the proposed request was for a storage facility use and that the previously approved development plan from 2001 for mixed-use development had changed. He explained that the site was now 8 lots instead of 7 lots, access points were reduced from 5 driveways to 3 driveways, with the main access point along Orchard Avenue, and that the site had to meet the adopted Urban Design regulations. He further explained that the plan also included a green corner for 1 outlot and detention basin, and noted that buffer was maintained. He stated that the proposed 4-story building met regulations and was allow-traffic use with no outdoor storage. Mr. Jobeun then displayed a rendering of the facility and explained that the proposed height was 45 feet with approximately 10 feet below grade and that a grade change from Orchard Avenue on the north property line to the south property line also affected elevations. He then stated that the applicant met with neighbors to discuss the project and approximately 30 neighbors attended, along with representatives from the Planning and Public Works Departments. He added that issues with grouping of buildings and plaza space were addressed and requirements were satisfied.

Chris Zech, 4958 S. 193rd St., appeared before the Board in opposition. Mr. Zech stated that his residence was across the street from the site and that he was concerned with building height, distance from the residences, decreased property values, increased traffic, access points along 193rd Street and crime. He briefly discussed other similar storage facilities that were more commercially located. He then explained that many residents were unable to attend the neighborhood meeting and that he had difficulty contacting the applicant for additional meetings for further discussion of the proposed project.

Ken Adams, 5112 S. 193rd St., appeared before the Board in opposition. Mr. Adams stated that he was also concerned with access along 193rd Street and the parameters of the traffic study.

Mr. Jobeun stated that the use was allowed within mixed-use zoning and was a low traffic generator. He noted that the 36 foot width of the street accommodated the mixed-use and adjacent residential areas, and reiterated that the number of access points was reduced. He added that the design of the facility met all requirements and regulations.

In response to the Board, Mr. Jobeun explained that main access point 3 on the north of the property was full access and that the access was a short distance from 192nd Street. He also explained that lighting was regulated by ordinance and that Urban Design code regulated developments to minimize impact to adjacent residential properties. He then stated that because of the low traffic of the use, a parking ratio was not required. Mr. Rosenbaum expressed that the height of the building was not compatible with the adjacent residential neighborhood.

Cheri Rockwell, Current Planning Manager, explained that the building height was allowed within the mixed-use district and that the request met all regulations. She stated that the Department recommended approval of the rezoning, approval of the Major Amendment to the Mixed-Use District Development Agreement subject to conditions on the recommendation report, approval of the preliminary plat subject to the 6 conditions of the recommendation report and approval of the final plat subject to conditions of the recommendation report.

Mr. Zech stated that the use was not appropriate for the neighborhood.

Mr. Harding moved for approval of the rezoning from MU to DR and MU. Mr. Magid seconded the motion which carried 6-1, with Mr. Deeb dissenting. Mr. Harding moved for approval of the Major Amendment to the Mixed Use District Development Agreement for The Woodlands, subject to submittal of five (5) originally signed acceptable Mixed Use Development Agreements prior to forwarding to City Council. Mr. Magid seconded the motion which carried 4-3, with Mr. Rosenbaum, Mr. Deeb and Mr. Rosacker dissenting. Mr. Harding moved for approval of the Preliminary Plat, subject to the following conditions: 1) Construct a deceleration lane for southbound 192nd Street at its intersection with the private street in Outlot B. 2) Note on the plat that Outlot B (the private street) access will be restricted to right-in/right-out access at the time 192nd Street is improved to a 4-lane divided street. 3) Coordinate with the Douglas County Engineer's office to grade the subdivision to the ultimate 5-lane profile of 192nd Street. 4) Provide sidewalks along all rights-of-way, including along the 192nd Street frontage. 5) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 6) Include provisions for use, ownership and maintenance of the outlots in the final subdivision agreement. Mr. Magid seconded the motion which carried 4-3, with Mr. Rosenbaum, Mr. Deeb and Mr. Rosacker dissenting. Mr. Harding 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 to the City Council. Mr. Nesbitt seconded the motion which carried 4-3, with Mr. Rosenbaum, Mr. Deeb and Mr. Rosacker dissenting.

Special Use Permits

4.	C7-15-125 C8-15-120 C10-15-121 Redbird Group, LLC	REQUEST:	Approval of a Special Use Permit to allow <i>Convenience storage</i> and a Conditional Use Permit to allow <i>Warehousing and distribution (limited)</i> in a CC District, with approval of an MCC-Major Commercial Corridor Overlay District (laid over from 05/06/15)
		LOCATION:	Northeast of 204th and Farnam Streets

At the Planning Board meeting held on August 5, 2015, Russ Daub, 2800 S. 110th Ct., appeared before the Board on behalf of the applicant. Mr. Daub stated that the commercially zoned site was situated along a major highway and that the property adjacent to the north, and a parcel to the west, were also zoned community commercial. He displayed a photo of an existing tree line separating the site from the Elk Valley neighborhood to the east and described another mature tree line along the north border of the site. He added that the barrier to the west was a highway. He then displayed a design of the building and explained that the height of the facility was reduced from four stories to three stories, and noted that

the grade change from 204th Street east was approximately 27 feet less on portions of the site. Mr. Daub continued to explain that in the proposed plan bufferyards and setbacks were increased, building height was less than maximum regulation, floor area ratios were below maximum standard, and landscaping exceeded the requirement. He then displayed an elevation of the site and explained that the facility was at a lower elevation than the neighborhood to the east, an existing tree line and landscaping bordered the west side of the property, there was no rooftop or outdoor HVAC equipment, and no outdoor storage. He added that the business had a low traffic impact with approximately 2 vehicles per hour and was not a pedestrian site. He also displayed a rendering of the building and explained that building materials included an aluminum and glass entrance, polished block, high-grade metal siding, metal and aluminum windows, and aluminum light shades. He briefly discussed that the building materials and design were compatible with the nearby school and commercial buildings. Mr. Daub stated that the hours of operation were 8:00a.m. to 10:00p.m. and the facility would be monitored with modern security technology. He added that there were no visible doors along Farnam Street, the site was fenced inside the bufferyard area and lighting was regulated by code. He explained that two neighborhood meetings were held to discuss the proposed plan and that approximately 60 people attended from the Elk Valley and Skyline neighborhoods. He added that other forms of communication were letters, emails and telephone calls. Mr. Daub stated that following the meetings, the applicant received no requests for modifications to the plan and that the applicant was willing to consider suggested changes to accommodate concerns.

Bruce Thiebauth, 20580 Rawhide Rd., appeared before the Board in opposition. Mr. Thiebauth stated that he was on the Board of Directors of Skyline and also represented the Skyline Ranches Property Association. He then stated that he was strongly opposed to the use and that the main issues were the potentially negative effects on the surrounding neighborhoods, as stated in section 55-884 of the City of Omaha Municipal Code. He further explained that negative aspects included decreased property values, esthetics, and personal impact. He stated that concerns were insufficient buffer, lighting and height of the facility. He then stated that differences in building heights were not justified at this point as required by Section 55-885 of the municipal code.

John Trowbridge, 20580 Corral Rd., appeared before the Board in opposition. Mr. Trowbridge stated that the storage facility did not meet 3 guidelines within the Master Plan. He explained that the request did not meet the Land Use Element requirement of mixed-use integration because of the single use of the property and that goods and services were not provided for nearby residents, but targeted residents further south. He further explained that the request did not meet the Concept Element for a basic development pattern based on a series of density mixed-use areas with a variety of uses to relieve traffic congestion, allow efficient mass transit use, and reverse the pattern of strip commercial development. He added that an existing mixed use community development was located less than one-mile from the site. Mr. Trowbridge stated that he was opposed to the esthetics of the facility, insufficient tree-line buffer along the east property line and added that the use was not compatible with the adjacent neighborhood.

Don Tolland, 202 S 202nd St., appeared before the Board in opposition. Mr. Tolland stated that his residence was adjacent to the site and that esthetics were discussed at the neighborhood meetings, but both meetings lacked acceptance of the use. He added that his residence lacked mature trees along the adjacent property line and agreed with prior opposition regarding the incompatible use and insufficient buffer.

Byron Adler, 110 S 202nd St., appeared before the Board in opposition. Mr. Adler stated that he was also opposed to the incompatible use, esthetics, lack of mature trees along the east property line and added that he was concerned with decreased property values.

Rich Bertino, 146 S. 202nd St., appeared before the Board in opposition. Mr. Bertino stated that he concurred with prior opposition and was concerned with the safety of teenagers intruding onto the property.

Rex Moats, 131 S. 202nd St., appeared before the Board in opposition. Mr. Moats stated that he was opposed to the special use permit and stated that the storage facility was more compatible with lower-end residential homes.

Mr. Daub explained that the proposed plan included trees along the property line, then the bufferyard and

a fence surrounding the facility inside the bufferyard. He added that the object was to supply services to a large area, the storage facility was redesigned for improved quality, and that the request was in compliance with the Master Plan.

Cheri Rockwell, Current Planning Manager, stated that the property was zoned commercial under the City of Elkhorn jurisdiction and upon annexation by the City of Omaha, comparative commercial zoning was granted for the property. She explained that use permits were required for the requested use within the current zoning district and that design regulations were required with the MCC Overlay District. She added that values of adjacent properties were not a factor upon review for compliance with the Master Plan. Ms. Rockwell stated that the Department recommended approval of the Major Commercial Corridor Overlay District, approval of the special use permit subject to the 6 conditions on the recommendation report, and approval of the conditional use permit subject the 7 conditions on the recommendation report.

Mr. Rosenbaum stated that he was opposed to the request because of the incompatibility of the project with the neighborhood, but that property values were not a factor. He added that a special use permit required the use to be compatible. Mr. Nesbitt stated that the request was determined to be in compliance with the Master Plan and that generalization of patrons should not be considered. Mr. Harding stated that the area was not zoned mixed-use, the Board evaluated compliance of the project with the Master Plan and that the special use permit allowed additional regulators for the project to ensure compatibility.

Mr. Magid moved for approval of the MCC-Major Commercial Overlay District. Mr. Harding seconded the motion which carried 7-0. Mr. Nesbitt moved for approval of the Special Use Permit to allow Convenience storage in a CC-MCC District subject to: 1) Compliance with the site and landscape plans. 2) Compliance with the operating statement. 3) Compliance with the building elevations. 4) No outdoor storage is permitted. 5) Compliance with the MCC Overlay District regulations. 6) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 5-2, with Mr. Rosenbaum and Mr. Rosacker dissenting. Mr. Nesbitt moved for approval of the Conditional Use Permit to allow Warehousing and distribution (limited) in a CC-MCC District subject to: 1) Submittal of a floor plan to verify the amount of office space. 2) Compliance with the site and landscape plans. 3) Compliance with the operating statement. 4) Compliance with the building elevations. 5) No outdoor storage is permitted. 6) Compliance with the MCC Overlay District regulations. 7) Compliance with all other applicable regulations. Mr. Harding seconded the motion which carried 5-2, with Mr. Rosenbaum and Mr. Rosacker dissenting.

(REGULAR AGENDA)

Master Plan Referral

5.	C19-15-165a Planning Department on behalf of the City of Omaha	REQUEST:	Amendment to the 2015 Annexation Package to include all of Skyline Country - SID 394 (previous annexation maps inadvertently excluded a portion)
		LOCATION:	Omaha and 3-mile extraterritorial jurisdiction

At the Planning Board meeting held on August 5, 2015, Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

6.	C3-15-186 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the 2016-2021 Capital Improvement Program
		LOCATION:	Omaha and 3-mile extraterritorial jurisdiction

At the Planning Board meeting held on August 5, 2015, Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

7.	C3-15-187 Meredith Efken	REQUEST:	Approval of a Local Landmark Designation - Ernest P. Buffett House
		LOCATION:	1015 South 30th Avenue

At the Planning Board meeting held on August 5, 2015, Meredith Efken, 1015 S. 30th Ave., appeared before the Board. Ms. Efken stated that she owned the home, which was the former home of Ernest P. Buffett. She further explained that Ernest P. Buffett owned the Buffet Grocery Store and was an innovator in the retail/grocery industry with retail cooperative organization of his grocery store. In response to Mr. Nesbitt, she stated that the home's historical significance was the connection to the previous owner, Ernest P. Buffet, and explained that the grocery store building no longer existed.

Jed Moulton, Urban Planning, appeared before the Board. Mr. Moulton stated that historical landmarks were designated by cultural or architectural significance and that the home was culturally significant with the story of the owner and architecturally significant by the form and character of the house. Mr. Moulton further explained to the Board that historical designation remained unless revoked upon approval and that restoration of the home was not required for the designation.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

8.	C3-15-188 Lawrence Butler	REQUEST:	Approval of a Local Landmark Designation - Atlas Apartments
		LOCATION:	1609 Binney Street

At the Planning Board meeting held on August 5, 2015, Lawrence Butler, 2907 N. 56th St., appeared before the Board. Mr. Butler explained that the home was historically significant because of the cultural design of the four-plex apartment building in 1903 by local architect Charles W. Rosenberry and that only two buildings of this design remained in north Omaha today. He stated that he planned to renovate the four units and that he was working with city and state offices to obtain financial incentives for restoration of the building.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

9.	C3-15-203 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the AKSARBEN EARLY CHILDHOOD TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	6801 Mercy Road

At the Planning Board meeting held on August 5, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the project proposed a 3-story 70,000 square foot office building for early childhood development, currently located on the UNO campus, and a variety of uses related to early childhood development. She added that approximately 25 jobs would be retained and new jobs created. She displayed preliminary renderings of the site and explained that the project also included on-site surface parking, basic streetscaping and approximately 224 available parking stalls. Ms. Hadley stated that the site needed to be replatted, subdivided and rezoned and that Tetrad and University of Nebraska-Omaha (UNO) entered into a 35-year ground lease, with 3 5-year options.

In response to Mr. Harding, Ms. Hadley explained that the requested Tax Increment Financing (TIF) funds were approximately 18 percent of the project cost and that the percentage was dependent upon the scope of the work. She explained to Mr. Rosenbaum that because property value was not yet determined, she used a conservative value approach when calculating projected values for the TIF application and that property values would be determined by the Douglas County Assessor's Department.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

10.	C3-15-204 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the AKSARBEN SC HOUSING DEVELOPMENT TIF REDEVELOPMENT PROJECT PLAN
		LOCATION:	Northeast of 67th and Pine Streets

At the Planning Board meeting held on August 5, 2015, Bridget Hadley, City Planner, presented the request. Ms. Hadley stated that the request was for one parcel of a larger project with multiple parcels and proposed a 195,000 square foot, 4-story multi-family structure for student housing and academic space. She explained that the first floor was academic space and the remaining floors were for 148 one, town and three bedroom units. She added that Tetrad and the Board of Regents entered into a 40-year ground lease, with one 40-year option, and noted that the site was currently tax exempt. Ms. Hadley stated that project added approximately 18 jobs, basic streetscaping, and dedication of right-of-way to accommodate diagonal parking along 67th Street. She added that parking was also available along the north and east perimeter of the site. She then displayed renderings and elevations of the proposed project and explained that the center would become the Welcome Center for new students arriving to the UNO campus.

Ms. Hadley explained to Mr. Rosenbaum that because property value was not yet determined, she used a conservative value approach when calculating projected values for the TIF application.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval.

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

Subdivisions

14.	C12-15-192 Bernard Morello	REQUEST:	Preliminary and Final Plat approval of SOUTH OMAHA REPLAT 23, a minor plat inside the city limits, with a waiver of Section 53-8(5) Easements
		LOCATION:	Generally located west of Dahlman Avenue and south of "A" Street

At the Planning Board meeting held on August 5, 2015, Doug Dreessen, Thompson Dreessen Dornier, 10836 Old Mill Rd, appeared before the Board on behalf of the applicant. Mr. Dreessen stated that he was available to answer questions.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended denial of the waiver of Section 53-8(5) Easements, approval of the preliminary plat subject to the conditions on the recommendation report and layover the final plat.

Mr. Dreessen stated that the applicant was in favor of the recommendations by the Department.

Mr. Rosenbaum recommended denial of the waiver of Section 53-8(5) Easements. Mr. Magid seconded the motion which carried 7-0. Mr. Rosenbaum moved for approval of the preliminary plat, subject to vacation of the right-of-way prior to forwarding the final plat to the City Council for final action. Mr. Magid seconded the motion which carried 7-0. Mr. Rosenbaum moved to lay over the final plat to allow time for the City Council to act on the waiver request and the preliminary plat. Mr. Rosacker seconded the motion which carried 7-0.

16.	C10-14-104 C12-14-105 Anchor Pointe Development, LLC	REQUEST:	Revised Preliminary and Final Plat (Lots 1-83, Outlots A-F) approval of ANCHOR POINTE (formerly PRAIRIE RIDGE), a subdivision outside the city limits, with rezoning from AG to DR and R4
		LOCATION:	Northwest of 168th and Ida Streets

At the Planning Board meeting held on August 5, 2015, Larry Jobeun, 11440 W. Center Rd., appeared before the Board on behalf of the applicant. Mr. Jobeun stated that wanted to discuss the Department recommendation to eliminate the cul-de-sac on Weber Circle and extend the street through to Potter Street or 169th Street. He explained the subdivision was a phased development adjacent to a proposed Dam site and that the request today was Phase I for 83 single family lots and outlots. He further explained that the cul-de-sac on Webster was necessary to maintain the trail system from the north property line, through the development outlot and connect to the dam site to the south. He stated that his concern was the trail system would run along residential driveways if the cul-de-sac was omitted and noted that the development proposed only 1 cul-de-sac for amenity purposes. In response to the Board, Mr. Jobeun stated that because of a grade change, the extension of Weber needed to be through 169th Street and requested an extension of Weber Circle if the cul-de-sac was eliminated.

Cheri Rockwell, Current Planning Manager, stated that the Department discouraged cul-de-sacs, unless under special circumstances.

Ryan Haas, Public Works, stated that cul-de-sacs were prohibited by the Department, except for topographical issues, and created issues with crosswalks, street connectivity, snow removal and privatization of public right-of-ways.

In response to the Board, Mr. Jobeun explained that he wanted his concern on record for further discussion with the Department before the request was placed the City Council agenda. He also explained that he met with the developer regarding options for the cul-de-sac request.

Cheri Rockwell, Current Planning Manager, stated that the preliminary plat could be placed on the City Council agenda before the final plat, but the final plat needed to be consistent with the preliminary plat. She stated that the Department recommended approval of the rezoning, approval of the preliminary plat subject to the 25 conditions on the recommendation report, and approval of the final plat subject to the conditions of the recommendation report.

Mr. Harding moved for approval of the rezoning from AG to DR and R4. Mr. Nesbitt seconded the motion which carried 7-0. Mr. Harding moved for approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat for the appropriate phase: 1) Provide for the improvement of 168th and Ida Streets to three lanes. 2) Coordinate the locations of all street connections to the north of the subdivision with the proposed Majestic Pointe development. 3) Provide for a 66 foot right-of-way and paving of a 3-lane approach centered on the east-west ½-mile line at its intersection with 168th Street. 4) Provide for access via right-of-way or an outlot from Whitmore Street/173rd Avenue to the unplatted Sunnyside School parcel on the southwest corner of the site. 5) Coordinate with the Public Works Department for the street connection and median design for HWS Cleveland Boulevard at its intersections with 168th and Ida Streets. 6) Coordinate all vehicular and pedestrian plans with the NRD to ensure proper alignment with the plans for the future Dam Site 15A project. 7) Increase the size of Outlot H to a minimum of 5,000 sq. ft. 8) Eliminate the cul-de-sac on Weber Circle by extending the street through to Potter and/or 169th Street(s). 9) Revise the section of HWS Cleveland Boulevard to be built within Phase I as a continuous 100' in width. 10) Receive approval from Public Works in regards to the access and stacking plan for the proposed school prior to the filing of the final plat which includes Lot 375. 11) Add the following notes on the Final Plat: (a) "There shall be no direct access to Potter Street from Outlot A." (b) "There shall be no direct access from Lot 275, Outlot A or Outlot L to HWS Cleveland Boulevard." 12) Coordinate with Douglas County to grade the subdivision to match the future 5-lane section of Ida and 168th Streets. 13) Include provisions in the subdivision agreement for the grade coordination and widening of Ida and 168th Streets adjacent to the subdivision. 14) Coordinate all Parkway and Boulevard improvements and costs with Parks Department staff. 15) Place building footprints on final plat for all lots located adjacent to Kilpatrick Parkway, HWS Cleveland Boulevard and

Noise Attenuation Easements. 16) Provide the current standard noise attenuation easement language on the final plat. 17) Provide for traffic calming on any street in excess of 1,000 feet. 18) Pave all street stubs to the property line and provide temporary turnarounds. 19) Provide sidewalks as required by the Subdivision Ordinance. Maintenance of the sidewalks for all double-fronted lots will need to be included in the final subdivision agreement. 20) Submit a wetland mitigation plan if any wetlands are damaged are not included within an outlot. 21) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 22) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement. 23) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area. 24) Provide a letter of approval from Douglas County regarding noxious weed control. 25) An acceptable debt ratio of 4% or less. Mr. Nesbitt seconded the motion which carried 7-0. Mr. Harding moved for approval of the Final Plat, subject to the conditions of Preliminary Plat approval relative to Phase I and submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council for final action. Mr. Nesbitt seconded the motion which carried 7-0.

Rezoning

22.	C10-15-199 1702 Cuming LLC	REQUEST:	Rezoning from DS to CBD (property is also located within an existing ACI-1(PL) Overlay District)
		LOCATION:	Northwest of 17th and Cuming Streets

At the Planning Board meeting held on August 5, 2015, the applicant was not present.

Tijuana Smith, 936 S. 181st St., appeared in opposition. Ms. Smith stated that she represented Grace Tabernacle Church of God and Christ located at 1801 Cuming Street. She explained that the church was land-locked and that the only available parking was on the street. She then stated that she wanted more information regarding the request and was concerned with limited on-street parking. Ms. Smith stated that if the request was for a parking structure, she was concerned with the esthetics of a parking structure in a historic area, sufficient lighting and increased crime with more parked vehicles.

Cheri Rockwell, Current Planning Manager, stated that the building on the northwest corner of 17th and Cuming Streets was proposed to be remodeled for commercial use with surface parking on the west portion of the property. She explained that the plan did not meet parking requirements within the current zoning and that the area was proposed Central Business District (CBD) zoning in the Future Land Use Plan of the Master Plan. She further explained that on-site parking was not required with CBD zoning. Ms. Rockwell stated that the Department recommended approval.

Mr. Harding explained to the applicant that the existing building on the west portion of the site was demolished for a proposed 23-stall surface parking lot.

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

23.	C10-15-200 Jennifer Zhang	REQUEST:	Rezoning from GO to CC, with approval of a MCC-Major Commercial Corridor Overlay District
		LOCATION:	6315 Center Street

At the Planning Board meeting held on August 5, 2015, Richard Henkenius, 209 S. 19th St. #525, appeared before the Board on behalf of the applicant. Mr. Henkenius stated that he requested to layover the case for approximately 30 days for further discussions with the Department.

Cheri Rockwell, Current Planning Manager, stated that the Department recommended approval, but agreed to layover the request.

Mr. Rosacker moved to layover for 60 days, 30 if ready, to allow the applicant time to meet with the Department. Mr. Magid seconded the motion, which carried 7-0.

APPROVAL OF MINUTES

Mr. Rosenbaum moved to APPROVE the meeting minutes of June 3, 2015 as written. Mr. Rosacker seconded the motion which carried 6-0-1, with Mr. Nesbitt abstaining. Mr. Rosenbaum moved to APPROVE the meeting minutes of July 1, 2015 as written. Mr. Harding seconded the motion which carried 6-0-1, with Mr. Rosacker abstaining.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 4:41 pm.

Date Approved

Anna Nubel, Chair

Rikki Flott, Planning Board
Recording Secretary