

MINUTES  
 PUBLIC HEARING AND ADMINISTRATIVE MEETING  
 OMAHA CITY PLANNING BOARD 1:30 P.M. – JANUARY 6, 2016  
 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, December 28, 2015.

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

MEMBERS NOT PRESENT: None

STAFF PRESENT: Dave Fanslau, Assistant Planning Director  
 Cheri Rockwell, Current Planning Manager  
 Chad Weaver, Long Range Planning Manager  
 Eric Englund, Planning Board Administrator  
 Jennifer Taylor, Law Department  
 Rikki Flott, Recording Secretary

Brinker Harding, Vice Chair, called the meeting to order, introduced the Planning Board members as well as the Planning Department staff. He stated that the notice of the meeting was published. Harding further stated that copies of the agenda are located on the table in front of the board. He explained the 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.

**PUBLIC HEARING AND ADMINISTRATIVE MEETING**

**Subdivisions**

|    |   |           |  |
|----|---|-----------|--|
| 8. | C10-16-006 (D)<br>C12-16-007<br>Holy Name Housing Corporation | REQUEST:  | Preliminary and Final Plat approval of ADAMS PARK REPLAT 1, a minor plat inside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth, with rezoning from R6 to R4 and R6 |
|    |   | LOCATION: | South of the 36th Court and Maple Street intersection  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval of the rezoning from R6 to R4 and R6. Approval of the waiver of Section 53-8(4)(a) for Lot depth. Approval of the Preliminary Plat, subject to the following conditions: 1) Provide sidewalks as required by the Subdivision Ordinance. 2) Compliance with all applicable stormwater management ordinances and policies. Approval of the Final Plat subject to submittal of an acceptable final subdivision agreement, if necessary, prior to

forwarding the request to the City Council for final action. Mr. Magid seconded the motion which carried 7-0.

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|----|--|-----------|---|
| 9. | C10-16-008 (D)<br>C12-16-009<br>Brian Wragge | REQUEST:  | Preliminary and Final Plat approval of NORTH 90TH PLAZA REPLAT 3, a minor plat inside the city limits, with rezoning from DR and CC to CC |
|    |  | LOCATION: | 3809 North 90th Street  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval of the rezoning from CC and DR to CC. Approval of the preliminary plat subject to: 1) Removing either the existing driveway or the currently-unused western most driveway return. 2) Submittal of a tree mitigation plan and/or a tree maintenance plan. 3) Submittal of an application to rezone the property to include the MCC Overlay District. 4) Compliance with all applicable stormwater management ordinances and policies. Approval of the final plat, subject to the conditions of preliminary plat approval and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding to City Council. Mr. Magid seconded the motion which carried 7-0.

**Rezoning**

|     |  |           |   |
|-----|--|-----------|---|
| 14. | C10-16-014 (D)<br>Hawkins Construction Company | REQUEST:  | Rezoning from CC to GI (property is also located within an existing ACI-1(50) Overlay District) |
|     |  | LOCATION: | 2505 Oak Street   |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval. Mr. Magid seconded the motion which carried 7-0.

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|-----|--|-----------|---|
| 15. | C8-16-015 (D)<br>C10-16-016<br>Omaha Chinese Culture Association | REQUEST:  | Rezoning from R2 and R3 to R3 and approval of a Special Use Permit to allow a <i>Social club</i> in a R3 District |
|     |  | LOCATION: | 8206 Blondo Street  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval of the rezoning from R2 and R3 to R3. Approval of the Special Use Permit to allow a Social club in a R3 District, subject to the following conditions: 1) Remove the private parking area from the Blondo Street right-of-way or enter into a lease with the City to allow it to remain prior to occupancy of the building. 2) Submit a landscape plan that provides 3 new tree plantings to the south of the existing building prior to forwarding the request to the City Council. 3) Submit an application for an MCC Overlay District to the property prior to forwarding the request to the City Council. 4) A limit of 296 occupants. 5) Compliance with the site and landscape plan. 6) Compliance with the submitted operating statement. 7) Compliance with all applicable stormwater management ordinances and policies. Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 7-0.

|     |  |           |   |
|-----|--|-----------|---|
| 16. | C10-16-020 (D)<br>Baceline Investments | REQUEST:  | Approval of an MCC-Major Commercial Corridor Overlay District |
|     |  | LOCATION: | 5414 North 90th Street  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval. Mr. Magid seconded the motion which carried 7-0.

|     |                                     |           |                        |
|-----|-------------------------------------|-----------|------------------------|
| 17. | C10-16-021 (D)<br>Jose Luis Sanchez | REQUEST:  | Rezoning from GI to R5 |
|     |                                     | LOCATION: | 2228 Poppleton Avenue  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval. Mr. Magid seconded the motion which carried 7-0.

|     |  |           |                        |
|-----|--|-----------|------------------------|
| 18. | C10-16-023 (D)<br>Fred and Barbara Scarpello | REQUEST:  | Rezoning from GI to R5 |
|     |  | LOCATION: | 1214 South 22nd Street |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval. Mr. Magid seconded the motion which carried 7-0.

**Conditional Use Permits**

|     |                               |           |  |
|-----|-------------------------------|-----------|--|
| 19. | C7-16-017 (D)<br>Mark Sanford | REQUEST:  | Approval of a Conditional Use Permit to allow <i>Pet services</i> in a GI District |
|     |                               | LOCATION: | 7820 "F" Street  |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval of a Conditional Use Permit to allow Pet services in a GI District subject to: 1) The applicant receiving any necessary license(s) from the State of Nebraska for the boarding of dogs before the issuance of a Certificate of Occupancy. 2) All boarding and activities being confined to indoors and no noticeable external effects. 3) Compliance with the proposed site plan. 4) Compliance with the operating statement. 5) Compliance with all applicable regulations. Mr. Magid seconded the motion which carried 7-0.

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|-----|--|-----------|--|
| 20. | C7-16-018 (D)<br>Valor Christian Academy | REQUEST:  | Approval of a Conditional Use Permit to allow <i>Secondary educational facilities</i> in a R2 District |
|     |  | LOCATION: | 2941 North 80th Street   |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved for approval of the Conditional Use Permit to allow a Secondary educational facility in a R2 District, subject to the following conditions: 1) Compliance with the site plan. 2) Compliance with the operating statement. 3) Compliance with the storm shelter provisions in Section 55-787. Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 7-0.

**Rezoning**

|     |                                     |           |   |
|-----|-------------------------------------|-----------|---|
| 11. | C10-16-011 (D)<br>Czech Village LLC | REQUEST:  | Rezoning from GI to NBD                           |
|     |                                     | LOCATION: | 1247, 1249, 1253, 1257 and 1261 South 14th Street |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved to layover. Mr. Rosacker seconded the motion which carried 7-0.

|     |                                     |           |   |
|-----|-------------------------------------|-----------|---|
| 12. | C10-16-012 (D)<br>Czech Village LLC | REQUEST:  | Rezoning from GI to NBD                     |
|     |                                     | LOCATION: | 1249, 1253, 1255 and 1257 South 15th Street |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved to layover. Mr. Rosacker seconded the motion which carried 7-0.

|     |                                   |           |  |
|-----|-----------------------------------|-----------|--|
| 13. | C10-16-013 (D)<br>14 Williams LLC | REQUEST:  | Rezoning from GI to NBD                        |
|     |                                   | LOCATION: | 1406, 1408, 1410, 1412 and 1414 William Street |

At the Planning Board meeting held on January 6, 2016, Mr. Nesbitt moved to layover. Mr. Rosacker seconded the motion which carried 7-0.

**(HOLD OVER CASES)**

**Master Plan Referrals**

|    |  |           |  |
|----|--|-----------|--|
| 1. | C3-15-294<br>Planning Department on behalf of<br>the City of Omaha | REQUEST:  | Approval of the BLUE LION PROJECT TIF REDEVELOPMENT PROJECT PLAN (laid over from 12/02/15) |
|    |  | LOCATION: | Southeast of 24th and Lake Streets   |

At the Planning Board meeting held on January 6, 2016, Bridget Hadley, City Planner, presented the request which is the reactivation of the Blue Lion Center. The Union for Contemporary Art will occupy approximately 90% of the building and two commercial bays at the corner of 24<sup>th</sup> and Lake would be reserved for retail businesses. The site includes a parcel/alleyway that has been vacated and will be a part of the Blue Lion Center. She indicated that a meeting was held on December 2, 2015 with neighborhood representatives and concerns were heard and questions were addressed. Hadley stated that the project meets with the North Omaha Village Master Plan and is a catalyst in the direction of the cultural arts and entertainment district.

Brent Beller, Baird Holm Law Firm, 1700 Farnam Street, appeared before the board on behalf of the owner/applicant and offered to answer any questions.

Brigitte McQueen Shew, 6235 Florence Blvd, Executive Director/Founder of The Union for Contemporary Art, appeared before the board and offered to answer any questions.

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

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

**Subdivisions**

|    |   |           |  |
|----|---|-----------|--|
| 2. | C10-14-160<br>C12-14-161<br>Wes Neuhaus | REQUEST:  | Preliminary Plat approval of LAKEVIEW POINTE, a subdivision outside the city limits, with a waiver of Section 53-8(4)(a) for Lot depth, with rezoning from AG to R4, R5 and MU with approval of a Mixed Use District Development Agreement (laid over from 11/04/15) |
|    |   | LOCATION: | Northwest of 168th and Fort Streets  |

At the Planning Board meeting held on January 6, 2016, Jaime Suarez, 4234 S 174<sup>th</sup> Avenue, appeared before the Board on behalf of the applicant. He stated that the 40 acre development site is currently farmland and adjacent to Dam Site 15A, a 220 acre lake currently being developed by the Papio NRD. Suarez stated that the goal of Lakeview Pointe development is to create a mixed-use community in northwest Omaha with a "Main Street USA" feel. He further added that the project has evolved since the inception due to the close collaboration with the Papio NRD, Omaha Parks and Recreation and the YMCA. Suarez stated that the project will share access to the lake across HWS Cleveland Blvd and will include proposed construction of an enhanced community pier that can offer various experiences with handicap accessibility and the potential to host various events such as farmers markets, tasting events, cook-offs, movies and concerts.

In response to Magid, Suarez stated the development will be an SID that will include the mixed use development.

Ben Wormington, 16834 Brown Circle, appeared before the Board. Wormington requested that there be more interaction with the neighborhoods surrounding the project and he would like to gain more information and have more direct involvement with the developers before the project moves forward.

Dave Fanslau, Assistant Planning Director, stated that the Department recommends approval of the rezoning from AG to R4, R5 and MU subject to the submittal of an acceptable mixed-use development agreement being submitted with the Final Plat, approval of the waiver of Section 53-8(4)(a) for lot depth and approval of the Preliminary Plat subject to the 27 conditions in the recommendation report being addressed prior to the submittal of the Final Plat.

Mr. Rosenbaum moved for approval of the rezoning from AG to R4, R5 and MU, subject to submittal of an acceptable Mixed Use Development Agreement to be submitted with the Final Plat. Approval of the waiver of Section 53-8(4)(a) for Lot depth. Approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Provide a revised preliminary plat, if necessary. 2) Provide for all improvements identified in the final approved traffic study. 3) Coordinate with Public Works on the following: (a) The design of the through movement connection between the intersection of 168th Street and Hartman Avenue and the intersection of HWS Cleveland Boulevard and Jaynes Street. (b) The design of the median on 168th Avenue/Hartman Avenue on its approach to 168th Street and on HWS Cleveland Boulevard on its approach to Fort Street. (c) An acceptable design of the street section for the eastbound approach to 168th Street and Hartman Avenue. (d) An acceptable GO paving plan. (e) An acceptable design for the proposed on-street parking and for the roundabouts. 4) Construct right-turn lanes on southbound 168th Street at Hartman Avenue, on westbound Fort Street at 169th Street, and on westbound Fort Street at HWS Cleveland Boulevard. 5) Coordinate with the Papio-Missouri River NRD on the paving of HWS Cleveland Boulevard (enter into a cost-sharing arrangement as needed to facilitate the paving). 6) Remove the note on the plat designating Outlot F to be used for signage. 7) Place the following notes on the plat: (a) "169th Street shall be restricted to a right-in/right-out only movement at Fort Street in the future" (b) "There shall be no direct access onto 168th Street from Outlots F or G" (c) "There shall be no direct access onto Fort Street from Outlot F" 8) Provide for traffic calming on all streets longer than 1,000 feet. 9) Provide storm sewer design computations and final plans to the Douglas County Engineer's office for review that relate to the handling of roadway and site drainage along the development boundary adjacent to Fort and 168th Streets. 10) Extend storm sewer outfalls from the development to within 2 feet of the normal pool elevation (1,169 feet) of the adjacent dam site and have adequate energy dissipation structures and erosion control measures (turf reinforcement mat or riprap) installed at the outlet. 11) Provide all sidewalks within the right-of-way as required by the Subdivision Ordinance (including along Fort and 168th Street frontages). 12) Coordinate with Douglas County to grade the subdivision with the future improvement of Fort and 168th Streets. 13) Provide a cut and fill analysis to ensure that the proposed pier will not diminish the flood storage of the dam project. 14) Coordinate the final design of the pier improvements with the Parks Department and PMRNRD. 15) Prepare plans for and install permanent markers outlining the limits of the dam embankment to ensure that no structures or trees are installed on or in the embankment. 16) Label a 35 foot no-build easement on the plat for the entire length of the east side of HWS Cleveland Boulevard (with the exception along the frontage of the two multi-use buildings within Lots 54 and 59). 17) Receive approval from the Park and Recreation Advisory Board on final boulevard design and estimates prior to bidding. 18) Coordinate the final trail design proposed in the park with both the Parks Department and the PMRNRD. 19) Any improvements approved for location in the park, (e.g. the pier), will require an operation and maintenance agreement with the City of Omaha. 20) Reconfigure Lots 32-53 so they can comply with the minimum site area per unit for townhouse development in the R5 District or receive a waiver from the Zoning Board of Appeals. 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) Include a provision in the subdivision agreement that assigns responsibility for the routine maintenance and snow removal of the parking areas located on public right-of-way. 24) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area. 25) Provide a letter of approval from Douglas County regarding noxious weed control. 26) Work with city staff in finalizing an acceptable tree mitigation plan. 27) An acceptable debt ratio of 4% or less. Mr. Deeb seconded the motion which carried 7-0.

**Rezoning**

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|----|-------------------------------|-----------|--|
| 3. | C10-15-316<br>Buchanan Energy | REQUEST:  | Rezoning from GI to CC and approval of an MCC-Major Commercial Corridor Overlay District (laid over from 12/02/15) |
|    |                               | LOCATION: | Southeast of 63 <sup>rd</sup> and Center Streets   |

At the Planning Board meeting held on January 6, 2016, Jeffrey Guyette, 7315 Mercy Road, appeared before the Board on behalf of the applicant, Bucky's Convenience Stores. He stated that after the layover from the previous meeting he met with the neighboring community who were concerned with the development. Guyette stated that he met with Joe Neary and his father who are east of the development to discuss several options and site plans regarding the shared driveway but they were not interested in any options for a shared driveway. He further stated that he presented the same site plans to Jay Noddle that were submitted to the City. Guyette stated that he assured Noddle that the site would be developed in a first class manner to make sure that the canopy and the building would match the elements of the Aksarben community.

Jay Noddle, Noddle Companies, 2285 S 67<sup>th</sup> Street in Aksarben Village, appeared before the Board in opposition on behalf of Aksarben Future Trust and the developer stakeholders in the neighborhood. He stated that he met with Guyette and Buchanan on December 7, 2015 and discussed the site plan that showed three alternative curb cuts. Noddle stated that they also discussed guidelines and principles but it was important that the neighbors understand how it would all work together. He stated that when he met with Olsson & Associates initially they did not have a current plat showing the eight acres to the south. Noddle further stated that Olsson offered to include everything on one drawing but at a later time Olsson communicated that they did not know what site plan was going to be used and not to expect anything until January 8<sup>th</sup> or beyond. Noddle concluded that there will be concerns if there is no access off Center Street and with all of Bucky's traffic coming in on 63<sup>rd</sup> Street but a site plan has not been received for the adjacent owners.

Joe Neary, 7522 Shirley, appeared before the Board in opposition on behalf of Triple N Enterprises which owns the property at 6165 Center and would be the eastern neighbor to the proposed Bucky's. He stated that the City requested that he look at the possibility of a shared driveway but there are concerns due to high traffic and 24/7 fuel trucks. Neary added that they were not offered any type of compensation for the agreement. He stated that a decision was reached to not share a driveway due to higher volume traffic.

In response to Nesbitt, Neary answered that compensation would be a secondary reason to not share a driveway.

Guyette stated that compensation was offered in the way of paving the road back to Arbor so employees or customers could exit onto Arbor Street to relieve some of the traffic on Center. He stated that he also explained to Neary that all development costs and lost sales would be paid as well as maintaining the drive access as well.

In response to Deeb, Dave Fanslau, Assistant Planning Director, stated that the rezoning is what is before the board but Public Works does not support another curb cut on Center Street and suggested that they work with the neighbor to the east. He further stated that rezoning is not tied to a specific site plan but once a property is rezoned the site can be laid out a number of different ways with a number of different uses.

Fanslau stated that the department recommends approval.

Magid stated that he has concerns with regard to an extra curb cut on Center and suggested to continue working with the neighbor to the east. Fanslau added that Public Works can answer any questions relating to traffic concerns.

Ryan Haas, Omaha Public Works Department, confirmed that there is a traffic signal at 63<sup>rd</sup> Street with full access. He stated that there are several concerns as to how 62<sup>nd</sup> Street, the proposed driveway and the existing driveway will lay out. Haas explained that the ideal configuration from a traffic and operations

standpoint would be to have a single combined driveway that would line up directly with the public street across the way to the north and would consolidate all potential vehicle conflicts and provide for the safest and most efficient operations at the location. He further added that any site plan that has an access configuration that does not meet the City's driveway regulations is not administratively approvable but there is an established process by taking the waiver request to the Administrative Board of Appeals to decide. Haas concluded that there are also concerns with the two-way left turn lane which would have a potential for head on collisions.

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

**(REGULAR AGENDA)**

**Master Plan Referrals**

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|----|--|-----------|--|
| 4. | C3-16-001<br>Planning Department on behalf of<br>the City of Omaha | REQUEST:  | Approval of the AVANTI TIF<br>REDEVELOPMENT PROJECT PLAN |
|    |  | LOCATION: | Southeast of 10th and Pierce Streets                     |

At the Planning Board meeting held on January 6, 2016, Bridget Hadley, City Planner, presented an aerial of the Avanti TIF project redevelopment site. She stated that the project has been before the City previously but proposes a redesign with 19 row homes that will be "for sale" properties. Hadley added that there seems to be a desire to transition from apartments and existing housing to a newer "for sale" projects in the strong and stable neighborhood. The units will be two (2) bedrooms with either a one car or two car garage option. She submitted a rendering of the proposed elevations which show seven (7) units on S 10<sup>th</sup> Street, eight (8) units on Pierce Street and (4) four units proposed along the alley. The project is presently going through urban design review with regard to materials. Hadley asked for approval and offered to answer any questions.

Sean Kelley, 7134 Pacific Street, appeared before the Board and offered to answer any questions.

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

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

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|----|--|-----------|--|
| 5. | C3-16-002<br>Planning Department on behalf of<br>the City of Omaha | REQUEST:  | Approval of the BD3-BLACKSTONE TIF<br>REDEVELOPMENT PROJECT PLAN |
|    |  | LOCATION: | 3814, 3909, 3913 and 3921 Farnam Street                          |

At the Planning Board meeting held on January 6, 2016, Bridget Hadley, City Planner, stated that the project is located in the Blackstone Business District which has seen continued revitalization by rehabilitating properties for a better and higher use. She pointed out that there has been a lot of activity in the Blackstone District located within the center of the Mutual of Omaha and UNMC campuses. The total BD3 project will have 10 market rate apartment units and approximately 13,000 square feet of commercial retail with basic streetscaping at the site. Hadley offered to answer any questions.

Tom McLeay, 144 S. 39<sup>th</sup> Street, appeared before the Board on behalf of the development team and offered to answer any questions.

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

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

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|----|--|-----------|--|
| 6. | C3-16-003<br>Planning Department on behalf of<br>the City of Omaha | REQUEST:  | Approval of the COLONIAL TIF<br>REDEVELOPMENT PROJECT PLAN |
|    |  | LOCATION: | 140 and 144 South 38th Street                              |

At the Planning Board meeting held on January 6, 2016, Bridget Hadley, City Planner, stated that the project is the Colonial Hotel/Colonial Apartments located at the corner of 38<sup>th</sup> and Farnam and will consist of the removal of the existing residential property and structures with a partial alley vacation from 38<sup>th</sup> to the north/south alley of the property line. A rendering of the site plan with a revision was shared showing the public alley. As the alley is vacated the property will revert back to the abutting property owners. The vacation will include a public access easement which means the alley will continue to function as a regular public alley. Parking will be along the north and south side of the alley which abuts the Colonial Hotel project. She added that the Colonial Apartment building is currently in terrible condition and will be repurposed into 40 market rate apartment units (13 studios, 16 one bedrooms, 11 two bedrooms) and brought up to code and fit in with other apartment units available in the Blackstone District. Hadley asked for approval and indicated that the development team is present to answer any questions.

Tom McLeay, 144 S. 39<sup>th</sup> Street, appeared before the Board on behalf of the development team. He added that the project is a difficult project with a number of moving parts including the alley vacation. McLeay stated that the building is a great and strong historic element in the Blackstone District and he is excited to see the project move forward.

In response to Magid regarding the breakdown of funds, McLeay answered that approximately 50% is for architecture and engineering and 50% for development.

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

Eric Ritz, 2533 Hancock Street, Bellevue, appeared before the Board and reminded everyone that Item #21 is the alley vacation and is a critical portion of the project and is still outstanding.

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

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|----|--|-----------|--|
| 7. | C3-16-005<br>Planning Department on behalf of<br>the City of Omaha | REQUEST:  | Approval of the AKSARBEN VILLAGE ZONE<br>5 HILTON GARDEN INN TIF<br>REDEVELOPMENT PROJECT PLAN |
|    |  | LOCATION: | Southeast of Frances Street and Aksarben<br>Drive  |

At the Planning Board meeting held on January 6, 2016, Bridget Hadley, City Planner, stated that the project is a part of the larger Aksarben Village Redevelopment plan that included several sites including Zone 5 of the Aksarben Village Plan. She stated that Zone 5 came before the board last year as Phase III to finish redevelopment of the site. Zone 5 is being amended to remove a portion of the site to develop a Hilton Garden Inn with 124 rooms with retail on the ground floor as shown on the site plan. She further added that a swimming pool, restaurant, coffee bar and hotel lobby is proposed for the area to activate the street and blanks the parking structure which has already been built. Hadley concluded that the hotel will bring about 45 FTE's or a total of 70 jobs in the area with an opportunity to have the site developed sooner. Hadley requested approval.

Kendra Ringenberg, 1318 N. 187<sup>th</sup>, appeared before the Board on behalf of CFM, the applicant. She explained that when the original TIF was done in 2014 there were five phases anticipated and at that time Phase 5 was expected to be a residential project but the proposed hotel project has increased the project cost and significantly increased the taxable value. The original TIF amount is insufficient therefore a new redevelopment agreement is requested. The original developer, Zone 5 Magnum, has approved the amendment to the redevelopment agreement. Ringenberg offered to answer any questions.

John Mountjoy, CFM Realty Advisors, 1823 Harney, appeared before the Board on behalf of the developer and offered to answer any questions.

Nesbitt commented that he is a proponent of development within the City and a proponent of the use of TIF funds when necessary to develop projects but he has a concern about the frequency of TIF projects that come before the board.

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

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

**Rezoning**

|     |                          |           |                                   |
|-----|--------------------------|-----------|-----------------------------------|
| 10. | C10-16-010<br>Lisboa LLC | REQUEST:  | Rezoning from GC to NBD           |
|     |                          | LOCATION: | 3501, 3522 and 3528 Center Street |

Stephanie Rader, 144 S. 39<sup>th</sup> Street, appeared before the Board on behalf of the applicant. She stated that the principals of Lisboa are not present but she requested approval of the rezoning for potential growth.

Michaela Kelly, 1919 S. 35<sup>th</sup> Street, appeared before the Board in opposition. She stated that she is concerned about added traffic in her single-family neighborhood. Kelly stated that she has not seen any plans but have heard rumors of a brewery opening. She further added that there is limited parking in the neighborhood thus added traffic will cause neighborhood conflicts. Kelley stated that she was also concerned about decreased property values because and the possibility of nightlife business.

Heather Kelly, 1919 S. 35<sup>th</sup> Street, appeared before the Board in opposition. Kelly stated that she is concerned for the safety of the children in the area.

Janice Hanna, 1915 S. 35<sup>th</sup> Avenue, appeared before the Board in opposition. She stated that she is concerned that a future business may be a micro bar. Hanna was also concerned that she has not been invited to any meetings.

Rader stated that there are no specific plans currently for any business on the site. She added that the applicants want to grow the area and possibly add an area with restaurants and keep it family friendly such as the Dundee area. Rader agreed that a meeting will be held when there are specific plans.

Dave Fanslau, Assistant Planning Director, stated that the property currently is zoned GC (General Commercial) which is one of the most intense zonings in the City. As part of the case there are three properties proposing to be rezoned but two of the sites have one building and a sea of parking so some of the uses that are of concern are allowed in the GC district. He stated that the Department did recommend a layover and do have some concerns regarding the lack of a plan and no public outreach to the neighbors in the area but regardless there are concerns with the NBD zoning. He further stated that on the future land use plan, the stretch of Center is shown as office and commercial. There is also a concern when a rezoning request is received with no plan attached and if rezoning is recommended for these properties then the City could anticipate that all other remaining commercial properties be rezoned to NBD. Most of the NBD zoning districts in the City, such as South 24<sup>th</sup> Street, Dundee, 24<sup>th</sup> & Lake, are NBD zonings and have on-street parking. NBD zoning does not require on-site parking therefore there are concerns about what Center Street will be and if it will provide the opportunity for on-street parking where NBD zoning might be appropriate. Fanslau stated that the department has recommended a layover to work with Public Works and the applicant to talk about their plan and what it is for Center Street. He concluded that the department cannot recommend rezoning until the bigger plan is known.

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

**Vacations**

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|-----|------------------------------|----------|--|
| 21. | C14-16-019<br>Property Owner | REQUEST: | Vacation of the east/west alley abutting 3804, 3810, 3812 and 3814 Farnam Street and 140 South 38th Street |
|-----|------------------------------|----------|--|

Tom McLeay, 144 S. 39<sup>th</sup> Street, appeared before the Board on behalf of the applicant. He added that the east/west alley runs between the Colonial Hotel and Apartments and the current home. McLeay stated that the same development team owns 3814 Farnam Street and the owners of 3810-3812 Farnam Street, the Brothers Lounge, are aware that access would be needed to their location as well as having access that would continue from the alley which runs north and south to 38<sup>th</sup> Street. He further stated that the space will be more efficiently utilized to create parking and new public access with the overall intent to make the Colonial a viable project with the opportunity for redevelopment. McLeay offered to answer any questions. Brinker questioned whether a portion of the alley that runs north and south on the west side was public access. McLeay referred to the site plan.

Joan Garvey, 4383 Nicholas, appeared before the Board on behalf of the owners of the property at 3810 and 3812 Farnam Street. She indicated that there are concerns with access to the parking lot and garages via the alley. Garvey requested that the approval of vacation of the alley be contingent on there being a permanent public use access that is contiguous or comes up to and assured to touch onto the properties at 3810 and 3812 so there is no possibility of being denied access or have to cross over someone elses property.

Eric Ritz, 2533 Hancock Street, Bellevue, Nebraska, appeared before the Board on behalf of Mark Santo, owner of 221 S. 38<sup>th</sup> Avenue (multi-family apartment complex) which abuts to the west of the existing alley. Ritz requested that the case be laid over to allow for additional time for due diligence on how it would affect the property.

Dave Fanslau, Assistant Planning Director, stated that the request was initiated through the Public Works department and the map submitted was incorrect but the department recommends approval as long as there is public access. He suggested that the case be laid over for 30 days.

McLeay stated that he would object to a layover but pointed out that the vacation does not touch the property in question. He requested that the Board approve the request so the project can move forward.

Fanslau stated that the department recommends approval of the proposed vacation, subject to permanent public access easement being granted and included in the vacating ordinance.

In response to Brinker, Fanslau answered that it would not matter that the map on the plan is incorrect because it was advertised correctly.

Mr. Magid moved for approval of the proposed vacation, subject to permanent public access easement being granted and included in the vacating ordinance. Mr. Rosacker seconded the motion which carried 7-0.

**ELECTION OF OFFICERS**

Mr. Deeb moved to ELECT Brinker Harding as Chairperson of the Planning Board. Mr. Magid seconded the motion which carried 7-0.

Mr. Deeb moved to ELECT Arnold Nesbitt as Vice Chairperson of the Planning Board. Mr. Rosacker seconded the motion which carried 7-0.

**ADJOURNMENT**

It was the consensus of the board to ADJOURN the meeting at 3:19 pm.

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Date Approved

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Brinker Harding, Vice Chair

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Rikki Flott, Planning Board  
Recording Secretary