MINUTES
PUBLIC HEARING AND ADMINISTRATIVE MEETING
OMAHA CITY PLANNING BOARD 1:30 P.M. – FEBRUARY 3, 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, January 25, 2016.

MEMBERS PRESENT: Brinker Harding, Chairman
Arnold Nesbitt, Vice Chairman
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
Alan Thelen, Law Department
Rikki Flott, Recording Secretary

Brinker Harding, Chairman, 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.

(REGULAR AGENDA)

Subdivisions

| 3. | C10-15-263 (D)  
C12-15-264  
204 FStreet, LLC | REQUEST: Revised Preliminary Plat approval of GRANDVIEW and Final Plat approval of GRANDVIEW (Lots 1-225, Outlots A-I), a subdivision outside the city limits, with rezoning from AG to DR, R4 and R5 | LOCATION: Northwest of 204th and "F" Streets |

At the Planning Board meeting held on February 3, 2016, Mr. Deeb moved for approval of the rezoning from AG to DR, R4 and R5, approval of the revised preliminary plat subject to: 1) Coordinating with the NDOR regarding a traffic study, the street connection to 204th Street, and the need for a southbound right-turn lane at 204th and Street “A”. 2) Providing a technical memorandum to the City that evaluates the signal warrants at 204th and Street “A” and provides for the required improvements. 3) Providing for the improvement of “F” Street to three lanes. 4) Constructing the roundabout at the intersection of Street “A” and “J” to align the two east/west approaches so that they serve as a continuous through movement (each of these two approaches are required to intersect the north/south street at a 90 degree angle). 5) Provide for temporary paved turnarounds at the end of all stub streets. 6) Provide traffic calming on all street...
segments in excess of 1,000 feet. 7) Coordinate with Public Works regarding an acceptable general obligation paving plan. 8) Providing a green corner in compliance with Section 53-9(14)(a-e) and including it within its own outlot with frontage to Street “B”. 9) Include the standard noise attenuation easement language on the final plat(s). 10) Provide for sidewalks as required on “F” Street, and if acceptable to the NDOR 204th Street. 11) Compliance with all applicable stormwater management ordinances and policies. 12) Provide design and cost estimates for parkway and trail improvements for Park Advisory Board approval prior to forwarding the final plat to the City Council. 13) Provide for the use, ownership and maintenance of the outlots in the subdivision agreement. 14) Including building footprints in compliance with the R4 District setback regulations (including the 35 foot no build easement) on all of the buildable lots adjacent to the parkway. 15) The overall debt ratio being under the accepted 4%, and for approval of the final plat subject to compliance with the revised preliminary plat conditions and submittal of an acceptable final subdivision agreement prior to forwarding the request to the City Council for final action. Mr. Rosacker seconded the motion which carried 7-0.

4. C10-16-029 (D) C12-16-030 TD2 REQUEST: Preliminary and Final Plat approval of THE RIDGES REPLAT 13, a minor plat inside the city limits, with rezoning from DR to DR and R4 LOCATION: North of Shadow Ridge Drive and west of 181st Street

At the Planning Board meeting held on February 3, 2016, Mr. Deeb moved for approval of the zoning from DR to DR and R4, approval of the Preliminary Plat, subject to the following conditions: 1) Submittal of an application for a Minor Amendment to the existing Special Use Permit for Outdoor sports and recreation. 2) Providing the building envelope on the final plat and a note stating that development on Lot 1 must comply with the site development standards in Chapter 55 OMC. 3) Placing a note on the final plat that there shall be only one vehicular access to Pacific Street from Lot 2, at 188th Plaza. 4) 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, if necessary, prior to forwarding to City Council. Mr. Rosacker seconded the motion which carried 7-0.

5. C10-97-029 (D) C12-16-031 Noddle Bradford VI, LLC REQUEST: Preliminary and Final Plat approval of AKSARBEN VILLAGE REPLAT 16, a minor plat inside the city limits, with approval of a Major Amendment to a Mixed Use District Development Agreement for Aksarben Business & Education Campus LOCATION: Northeast of 67th and Frances Streets

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval of a Major Amendment to the Mixed Use District Development Agreement for the Aksarben Business & Education Campus subject to submittal of an acceptable mixed use development agreement prior to forwarding the request to the City Council for final action, approval of the preliminary plat subject to the following: 1) Compliance with the City’s Guidelines and Regulations for Driveway Location, Design and Construction. 2) Compliance with an approved Flood Plain Development permit. 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. Rosacker seconded the motion which carried 6-0-1, with Ms. Karnes abstaining.
**Overlay District**

<table>
<thead>
<tr>
<th>No.</th>
<th>C11-73-078 (D)</th>
<th>Darwin Goodsell</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to a PUD-Planned Unit Development Overlay District</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>LOCATION:</td>
<td>Northwest of 78th Street and Sorensen Parkway</td>
</tr>
</tbody>
</table>

At the Planning Board meeting held on February 3, 2016, Mr. Deeb moved to layover the request to allow the applicant additional time to coordinate with the Glenbrook Homeowner’s Association. Mr. Rosacker seconded the motion which carried 7-0.

**Rezonings**

<table>
<thead>
<tr>
<th>No.</th>
<th>C10-16-032 (D)</th>
<th>Planning Department on behalf of the City of Omaha</th>
<th>REQUEST:</th>
<th>Repeal of an existing ACI-1(50) Overlay District</th>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>2505 Oak Street</td>
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<table>
<thead>
<tr>
<th>No.</th>
<th>C10-16-033 (D)</th>
<th>Robert Skradski</th>
<th>REQUEST:</th>
<th>Rezoning from HI to R4</th>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>4971 South 36th Avenue</td>
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<table>
<thead>
<tr>
<th>No.</th>
<th>C10-16-034 (D)</th>
<th>Randall Ashley</th>
<th>REQUEST:</th>
<th>Rezoning from HI to CBD (property is also located within an existing ACI-1(PL) Overlay District)</th>
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<tr>
<td></td>
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<td>LOCATION:</td>
<td>1017 South 10th Street</td>
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<table>
<thead>
<tr>
<th>No.</th>
<th>C10-16-035 (D)</th>
<th>David Kipling</th>
<th>REQUEST:</th>
<th>Rezoning from R2 to R3</th>
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<td></td>
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<td>LOCATION:</td>
<td>2023 North 83rd Street</td>
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<table>
<thead>
<tr>
<th>No.</th>
<th>C10-16-036 (D)</th>
<th>Dugan Funeral Services Inc.</th>
<th>REQUEST:</th>
<th>Rezoning from GI to CC and GI, with approval of an MCC-Major Commercial Corridor Overlay District</th>
</tr>
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<tr>
<td></td>
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<td>LOCATION:</td>
<td>Southwest of 52nd and Center Streets</td>
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</table>

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

<table>
<thead>
<tr>
<th>No.</th>
<th>C10-01-237 (D)</th>
<th>National Park Service</th>
<th>REQUEST:</th>
<th>Approval of a Major Amendment to the Mixed Use District Development Agreement for Gallup University Riverfront Campus</th>
</tr>
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<tbody>
<tr>
<td></td>
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<td>LOCATION:</td>
<td>601 Riverfront Drive</td>
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</table>

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 7-0.
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| 14. | C10-07-003 (D) East Campus Realty | REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for Midtown Crossing | LOCATION: Southeast of 33rd and Farnam Streets |

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

| 15. | C10-16-037 (D) Brian Wragge | REQUEST: Approval of an MCC-Major Commercial Corridor Overlay District | LOCATION: 3809 North 90th Street |

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

| 17. | C10-16-044 (D) BD3 LLC | REQUEST: Rezoning from GC to NBD (property is also located within an existing ACI-1(PL) Overlay District) | LOCATION: 3909, 3913 and 3921 Farnam Street |

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval. Mr. Rosacker seconded the motion which carried 7-0.

#### Special Use Permits

| 18. | C8-16-040 (D) Hansen Property Development, Inc. | REQUEST: Approval of a Major Amendment to a Special Use Permit (assumed) to allow Scrap and salvage services in a GI District | LOCATION: 5940 South 60th Street |

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved to layover of the Major Amendment to the Special Use Permit (assumed) to allow Scrap and salvage services in a GI District in order to allow the applicant additional time to submit and/or provide the following: 1) Removing the fill placed within the boundaries of the floodway immediately. 2) A revised operating statement providing detailed information on the proposed vehicle processing facility, the maintenance/fabrication facility and open storage areas. 3) Providing a timeline on the removal of the fill placed around the remainder of the property and providing information on where the fill will be transported and placed. 4) Providing information on the purpose and the timeline for the temporary access road. 5) Providing a landscape plan showing vegetative cover for the new slope created by the re-grading. 6) Submittal of a flood plain development permit. Mr. Rosacker seconded the motion which carried 7-0.

#### Conditional Use Permits

| 20. | C7-93-161 (D) Millard School District 17 | REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow a Secondary educational facility in a R4 District | LOCATION: 5710 South 176th Avenue |

At the Planning Board meeting held on February 3, 2016 Mr. Deeb moved for approval of a Major Amendment to a Conditional Use Permit to allow a Secondary educational facility in a R4 District, subject to the following conditions: 1) Receive all necessary parking waivers from the Zoning Board of Appeals. 2) Compliance with the site plan. 3) Compliance with the operating statement. 4) Compliance with all original conditions of approval. 5) Compliance with all other applicable regulations. Mr. Rosacker seconded the motion which carried 7-0.
PUBLIC HEARING AND ADMINISTRATIVE MEETING

(REGULAR AGENDA)

Master Plan Referrals

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<tr>
<th></th>
<th>C3-16-027 Planning Department on behalf of the City of Omaha</th>
<th>REQUEST: Approval of the HDR HEADQUARTERS TIF REDEVELOPMENT PROJECT PLAN</th>
<th>LOCATION: Northwest of 11th and Dodge Streets</th>
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<tbody>
<tr>
<td>1</td>
<td>C3-16-028 Planning Department on behalf of the City of Omaha</td>
<td>Approval of the MAYBERRY 51 TIF REDEVELOPMENT PROJECT PLAN</td>
<td>Northwest of 51st and Mayberry Streets</td>
</tr>
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</table>

At the Planning Board meeting held on February 3, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley briefly discussed the Tax Increment Financing (TIF) process and stated that the proposed project met all requirements. She then stated that the proposed project involved basic streetscaping, sidewalks, curbs and gutters along all perimeters of the site and continued streetscaping along 11th Street south of Dodge Street. She explained that HDR and the City promoted future connectivity to the Old Market area. Ms. Hadley stated that the proposed 290,000 square foot office tower was approximately 15 stories in height with approximately 1,150 parking stalls in a 7 to 8 story parking structure. She added that the north side of the site along Capitol Avenue was proposed for 10,000 square feet of retail space to complement the development in process to the north. She then stated that the site was identified in the Master Plan and 2030 Downtown Master Plan for an office tower, and that the project reduced the number of surface parking lots.

Mike Moran, Executive Vice President of HDR, 8404 Indian Hills Dr., appeared before the Board. Mr. Moran stated that features of the proposed building were unique to Omaha and that the building was designed to harvest daylight, counter reflectivity issues, increase shading, and offer renewable energies within the building.

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

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

At the Planning Board meeting held on February 3, 2016, Bridget Hadley, Planning Department, presented the request. Ms. Hadley stated that the proposed project was 193 one-bedroom, two-bedroom and convertible market rate apartment units contained within 3 buildings. She added that the property was currently zoned R8 with requested approval of a Planned Unit Redevelopment (PUR) Overlay District. She then stated that the project proposed 232 total parking spaces to include 94 parking spaces under two apartment buildings, 103 surface parking spaces, and 35 diagonal street surface parking spaces along 51st Street and Mayberry Street. Ms. Hadley explained that public improvements included landscaping, street trees, curbs and gutters, and sidewalks and then displayed renderings of the proposed project. She added that 2 homes on the site were already demolished and 2 were planned for demolition. She noted that the project addressed the need for alternative, or non-permanent, housing for large businesses in the area.

Larry Jobeun, 11440 W. Center Rd, appeared before the Board on behalf of the applicant Bluestone Development. He stated that Bluestone Development, Lamp Rynearson & Associates and Alley Poyner Macchietto Architecture representatives were present to answer questions. Mr. Jobeun then stated that the existing conditions included 3.36 acres of land currently zoned R8-High-Density Multiple-Family Residential District and that current zoning allowed 294 units, but the proposed project was 193 units. He then explained that 20.5 feet of right-of-way would be dedicated on the south side of the site along Mayberry Street and 8.5 feet along 51st Street and required PUR waivers. He further explained that the 3 proposed apartment buildings included 122 convertible units, 47 one-bedroom units and 24 two-bedroom units with an average living space of 721 square feet and average rents of $1,082 per month. He then discussed the variety of indoor and outdoor amenities provided and noted that the Bluestone Development office would be moved to this location. Mr. Jobeun stated that the underground parking entrances were internal to the
site with no access from the local streets, and that although the on-site parking requirement was 224 stalls, the proposed project included 197 on-site stalls and an additional 35 on-street parking stalls. He then displayed landscaping exhibits and noted that landscape designer John Royster of Big Muddy Workshop would analyze the site to determine new tree placement, preserve existing trees and remove dying trees. He also displayed an overall rendering of the proposed site and explained that building along 51st Street was 65 feet in height, briefly discussed a variety of building materials and noted that the developer worked with the Planning Department to meet Urban Design requirements. He displayed a variety of exhibits of the site and adjacent area comparing structure heights and distances of the project to the residential single-family homes and noted that waivers were necessary for parking, setback and buffer yard requirements. Mr. Jobeun stated that a traffic study was conducted and revealed the street systems had adequate capacity at peak hours. He then stated that a neighborhood meeting was held at the UNO Alumni Center with approximately 75 people in attendance and noted that some changes to the plan were made in response to the meeting. He added that another neighborhood meeting was held at the Elmwood Tower and that approximately 125 people were in attendance. He noted that the developer, Christian Christiansen, also attended the annual meeting of the Elmwood-Aksarben Neighborhood Association on January 16th to answer questions regarding the proposed project. He then stated that letters of support from some of the Home Owners Associations were previously submitted to the Department.

Makayla Brown, 159 Pacific St, appeared before the Board in support of the request. Ms. Brown stated that she was the Program Coordinator and represented Mode Shift Omaha. She then stated that she supported the project and that increased density increased the likelihood of public transportation.

Julie Dierberger, 6189 Walnut St, appeared before the Board in opposition. Ms. Dierberger stated that as of January 22, 2016 she was the new Co-Chair for the Aksarben-Elmwood Park Neighborhood Association and that she requested a layover to allow more time to learn about the project. She explained that the former Co-Chair recently submitted a letter of support for the proposed project, which she and other members did not support and then submitted a letter to the Board indicating such. In response to the Board, she stated that she did not attend the UNO Alumni Center meeting and that she had concerns regarding parking and lack of explanation of the traffic study.

Michelle Drake, 837 S. 51st St., appeared before the Board in opposition. Ms. Drake stated that she emailed the Department and submitted a formal letter signed by homeowners to disregard the previously submitted letter of support. She requested more time to conduct an independent review of the traffic study, make design adjustments to lessen the traffic impact on the neighborhood, and for the developer to meet privately with neighbors immediately affected. She added that she attended the UNO Alumni Center meeting and that questions were allowed, but engaged conversation with the developer was not possible.

Stacy Nelson, 1503 S. 55th St., appeared before the Board in opposition. Ms. Nelson stated that on January 30, 2016 an online petition of opposition to the project was started and presently had 202 signatures. She then noted that the proposed project completion date was fall of 2017 and was concerned that the traffic study revealed by 2018 the southbound lanes of 51st and Leavenworth were anticipating a Level of service F and D during peak hours.

Doug Jeskerna, 926 S. 51st Ave., appeared before the Board in opposition. Mr. Jeskerna stated that he was concerned with tree mitigation and wanted more time to allow a tree study to be conducted to determine the impact on the neighborhood.

Bob Drake, 837 S. 51st St., appeared before the Board in opposition. Mr. Drake stated that he attended the meeting at the UNO Alumni Center and was concerned with the height of the proposed buildings. He briefly discussed similar projects in the area and noted that the structures fit into the neighborhood. He then explained that he was concerned that his home was approximately 20 feet in height, but the height of the proposed building directly across from his home was 65 feet in height.

James McGee, 522 Jackson St., appeared before the Board in opposition. Mr. McGee briefly discussed that the current traffic conditions along Leavenworth Street during peak hours were at times gridlocked and that he was concerned increased density would further negatively impact the traffic conditions in this area. He then stated that he was opposed to the Tax Increment Financing (TIF) for the project and was concerned
that the project was out-of-scope because of the need for zoning waivers.

In response to the Board, Ms. Hadley briefly discussed the use of Tax Increment Financing and that the developer was required to secure financing through a financial institution, which was based upon the future property value and property taxes of the completed project.

Roy Edwards, 963 S 51st St., appeared before the Board in opposition. Mr. Edwards stated that he was concerned with flooding in the area resulting from increased surface area of the project and the capacity of the storm sewers for drainage.

Mike McDonald, 5103 Mayberry St., appeared before the Board in opposition. Mr. McDonald stated that he was concerned with increased traffic along Mayberry Street and that traffic from the proposed project would be directed through the neighborhood instead of towards Leavenworth Street. He stated he was also concerned with the addition of the Bluestone Development office relocating a commercial business in a residential area. He stated he was opposed to the scale of the project and also concerned with parking along the residential streets during inclement weather. In response to the Board, Mr. McDonald stated that he attended the Elmwood Tower neighborhood meeting.

In response to the Board, Mr. Fanslau explained that the City updated the zoning code in 1987 and the site was zoned R8. He added that upon zoning conversion, property owners were given an opportunity to protest the zoning to the City.

Ann Baxter, 5609 Jones St., appeared before the Board in opposition. Ms. Baxter stated that she was not opposed to the project, but was concerned with the increased density and traffic. She explained that westbound Leavenworth Street narrowed from two lanes to one lane just after 52nd Street and was concerned that Leavenworth Street could not support the increased traffic resulting from increased density of the project.

Karen Appelbaum, 801 S. 52nd St., appeared before the Board in opposition. Ms. Appelbaum stated that she represented the Elmwood Tower residents and that she was opposed to the development. She then stated that she was concerned with increased traffic, tree and greenspace preservation, and increased noise.

Mr. Jobeun explained the meeting notification process and reiterated that the developer held multiple meetings regarding the proposed project. He explained that following the UNO Alumni Center meeting, the developer reduced the number of units for the project and that the project was designed by City standards to be compatible with the neighborhood. He noted that the interior parking lot driveway was on 51st Street and that the traffic would most likely flow to Leavenworth Street. Mr. Jobeun then stated that the developer would comply with all post construction storm water management policies. He then explained that the Bluestone office required would be approximately 1,000 square feet with 4 employees and required additional approvals from the City. In response to the concern regarding Elmwood Tower residents, he noted that there was no direct access from the development to South 52nd Street.

Matt Cruz, Lamp Rynearson & Associates, 14710 W. Dodge Rd., appeared before the Board on behalf of the applicant. Mr. Cruz stated that the City had set guidelines regarding traffic and that a traffic study was submitted and currently under review by the Public Works Department. He discussed the Level of Service grading of Leavenworth Street with and without the development, and noted the increased delay per vehicle times with completion of the development. He added that Leavenworth Street was a major arterial street and that Level of Service ratings throughout the City varied depending on location.

Ryan Haas, Public Works Department, appeared before the Board. Mr. Haas stated that a Level of Service F along the approach of major arterial streets was not ideal but was common during peak hours. He explained that the developer was required to make all improvements identified in the completed traffic study prior to forwarding the request to City Council.

Mr. Drake expressed concern regarding the increased density and equally increased number of vehicles at the development. He expressed he was also concerned with water drainage along Mayberry approaching
his home. Mr. Rosacker commented that the number of increased vehicles did not equal the number of people residing in the development and he briefly discussed the water management requirements.

Dave Fanslau, Assistant Planning Director, explained that applied zoning regulations were not similarly compatible for suburban and urban areas. He further explained that following the approval of the Urban Design Code, the Planned Unit Development (PUR) Overlay District and Infill Development Guidelines approvals set more useful and stricter zoning codes for urban infill development. He stated that the Master Plan promoted alternative forms of transportation and that the proposed development provided ample parking. Mr. Fanslau then stated that the Department recommended approval for the TIF Redevelopment Project Plan. He also stated that the Department recommended approval of the Preliminary Plat subject to the 4 conditions on the recommendation report, approval of the Final Plat subject to conditions of Preliminary Plat and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the request to the City Council, and approval of the PUR subject to submittal of a revised site plan prior to forwarding the request to City Council.

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

Subdivisions

<table>
<thead>
<tr>
<th>Subdivision</th>
<th>REQUEST: Preliminary and Final Plat approval of MAYBERRY PLACE, a minor plat inside the city limits with approval of a PUR-Planned Unit Redevelopment Overlay District</th>
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<tr>
<td>C11-16-043</td>
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<tr>
<td>C12-16-042</td>
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<tr>
<td>Mayberry 51 LLC</td>
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<td>LOCATION:</td>
<td>Northwest of 51st and Mayberry Streets</td>
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</table>

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Makayla Brown, 159 Pacific St, appeared before the Board in support of the request. Ms. Brown stated that she was the Program Coordinator and represented Mode Shift Omaha. She then stated that she supported the project and that increased density increased the likelihood of public transportation.

Julie Dierberger, 6189 Walnut St, appeared before the Board in opposition. Ms. Dierberger stated that as of January 22, 2016 she was the new Co-Chair for the Aksarben-Elmwood Park Neighborhood Association and that she requested a layover to allow more time to learn about the project. She explained that the former Co-Chair recently submitted a letter of support for the proposed project, which she and other members did not support and then submitted a letter to the Board indicating such. In response to the Board, she stated that she did not attend the UNO Alumni Center meeting and that she had concerns regarding parking and lack of explanation of the traffic study.

Michelle Drake, 837 S. 51st St., appeared before the Board in opposition. Ms. Drake stated that she emailed the Department and submitted a formal letter signed by homeowners to disregard the previously submitted letter of support. She requested more time to conduct an independent review of the traffic study, make design adjustments to lessen the traffic impact on the neighborhood, and for the developer to meet privately with neighbors immediately affected. She added that she attended the UNO Alumni Center meeting and that questions were allowed, but engaged conversation with the developer was not possible.

Stacy Nelson, 1503 S. 55th St., appeared before the Board in opposition. Ms. Nelson stated that on January 30, 2016 an online petition of opposition to the project was started and presently had 202 signatures. She then noted that the proposed project completion date was fall of 2017 and was concerned that the traffic study revealed by 2018 the southbound lanes of 51st and Leavenworth were anticipating a Level of service F and D during peak hours.

Doug Jeskerna, 926 S 51st Ave., appeared before the Board in opposition. Mr. Jeskerna stated that he was concerned with tree mitigation and wanted more time to allow a tree study to be conducted to determine the impact on the neighborhood.

Bob Drake, 837 S. 51st St., appeared before the Board in opposition. Mr. Drake stated that he attended the meeting at the UNO Alumni Center and was concerned with the height of the proposed buildings. He briefly discussed similar projects in the area and noted that the structures fit into the neighborhood. He then explained that he was concerned that his home was approximately 20 feet in height, but the height of the proposed building directly across from his home was 65 feet in height.

James McGee, 522 Jackson St., appeared before the Board in opposition. Mr. McGee briefly discussed that the current traffic conditions along Leavenworth Street during peak hours were at times gridlocked and that he was concerned increased density would further negatively impact the traffic conditions in this area. He then stated that he was opposed to the Tax Increment Financing (TIF) for the project and was concerned that the project was out-of-scope because of the need for zoning waivers.

In response to the Board, Ms. Hadley briefly discussed the use of Tax Increment Financing and that the developer was required to secure financing through a financial institution, which was based upon the future property value and property taxes of the completed project.

Roy Edwards, 963 S 51st St., appeared before the Board in opposition. Mr. Edwards stated that he was concerned with flooding in the area resulting from increased surface area of the project and the capacity of the storm sewers for drainage.
Mike McDonald, 5103 Mayberry St., appeared before the Board in opposition. Mr. McDonald stated that he was concerned with increased traffic along Mayberry Street and that traffic from the proposed project would be directed through the neighborhood instead of towards Leavenworth Street. He stated he was also concerned with the addition of the Bluestone Development office relocating a commercial business in a residential area. He stated he was opposed to the scale of the project and also concerned with parking along the residential streets during inclement weather. In response to the Board, Mr. McDonald stated that he attended the Elmwood Tower neighborhood meeting.

In response to the Board, Mr. Fanslau explained that the City updated the zoning code in 1987 and the site was zoned R8. He added that upon zoning conversion, property owners were given an opportunity to protest the zoning to the City.

Ann Baxter, 5609 Jones St., appeared before the Board in opposition. Ms. Baxter stated that she was not opposed to the project, but was concerned with the increased density and traffic. She explained that westbound Leavenworth Street narrowed from two lanes to one lane just after 52nd Street and was concerned that Leavenworth Street could not support the increased traffic resulting from increased density of the project.

Karen Appelbaum, 801 S. 52nd St., appeared before the Board in opposition. Ms. Appelbaum stated that she represented the Elmwood Tower residents and that she was opposed to the development. She then stated that she was concerned with increased traffic, tree and greenspace preservation, and increased noise.

Mr. Jobeun explained the meeting notification process and reiterated that the developer held multiple meetings regarding the proposed project. He explained that following the UNO Alumni Center meeting, the developer reduced the number of units for the project and that the project was designed by City standards to be compatible with the neighborhood. He noted that the interior parking lot driveway was on 51st Street and that the traffic would most likely flow to Leavenworth Street. Mr. Jobeun then stated that the developer would comply with all post construction storm water management policies. He then explained that the Bluestone office required would be approximately 1,000 square feet with 4 employees and required additional approvals from the City. In response to the concern regarding Elmwood Tower residents, he noted that there was no direct access from the development to South 52nd Street.

Matt Cruz, Lamp Rynearson & Associates, 14710 W. Dodge Rd., appeared before the Board on behalf of the applicant. Mr. Cruz stated that the City had set guidelines regarding traffic and that a traffic study was submitted and currently under review by the Public Works Department. He discussed the Level of Service grading of Leavenworth Street with and without the development, and noted the increased delay per vehicle times with completion of the development. He added that Leavenworth Street was a major arterial street and that Level of Service ratings throughout the City varied depending on location.

Ryan Haas, Public Works Department, appeared before the Board. Mr. Haas stated that a Level of Service F along the approach of major arterial streets was not ideal but was common during peak hours. He explained that the developer was required to make all improvements identified in the completed traffic study prior to forwarding the request to City Council.

Mr. Drake expressed concern regarding the increased density and equally increased number of vehicles at the development. He expressed he was also concerned with water drainage along Mayberry approaching his home. Mr. Rosacker commented that the number of increased vehicles did not equal the number of people residing in the development and he briefly discussed the water management requirements.

Dave Fanslau, Assistant Planning Director, explained that applied zoning regulations were not similarly compatible for suburban and urban areas. He further explained that following the approval of the Urban Design Code, the Planned Unit Development (PUR) Overlay District and Infill Development Guidelines approvals set more useful and stricter zoning codes for urban infill development. He stated that the Master Plan promoted alternative forms of transportation and that the proposed development provided ample parking. Mr. Fanslau then stated that the Department recommended approval fo the TIF Redevelopment Project Plan. He also stated that the Department recommended approval of the Preliminary Plat subject to
the 4 conditions on the recommendation report, approval of the Final Plat subject to conditions of Preliminary Plat and submittal of an acceptable final subdivision agreement, if necessary, prior to forwarding the request to the City Council, and approval of the PUR subject to submittal of a revised site plan prior to forwarding the request to City Council.

Mr. Rosenbaum moved for approval of the PUR, subject to submittal of a revised site plan that shows handicapped parking, swimming pool, bbq/fire pit and is in compliance with all applicable site development regulations prior to forwarding the request to City Council, approval of the Preliminary Plat, subject to the following conditions: 1) Provide for all improvements identified in the final approved traffic study. 2) Submit an exhibit to the Public Works Department to verify that the northbound approach of 51st Street to Leavenworth Street has adequate sight distance. 3) Provide sidewalks as required by the Subdivision Ordinance. 4) Compliance with all applicable stormwater management ordinances and policies, and approval of the Final Plat subject to conditions of Preliminary Plat approval and 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.

**Rezonings**

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<tr>
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<th>Request</th>
<th>Location</th>
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<tbody>
<tr>
<td>16.</td>
<td>C8-16-038 C10-16-039 Mark Sanford</td>
<td>Rezoning from CC to GC, with approval of an MCC-Major Commercial Corridor Overlay District and approval of a Special Use Permit to allow Body and fender repair services in a GC District</td>
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At the Planning Board meeting held on February 3, 2016, Mark Sanford, appeared before the Board. He stated that he represented the applicant, Inter-tech Collision and that the existing building would be used for a fender and body repair business. He added that the Owner planned to purchase the site and that all Urban Design requirements would be met.

Tom Wortmann, 21819 Hillendale Dr., Owner, InterTech Collision, appeared before the Board. Mr. Wortmann stated that he has been in business for 29 years and that he currently owned 7 existing InterTech Collision businesses. He explained that notices were sent to neighbors for a meet and greet, and that neighbors expressed concerns regarding the need for fencing and a gate at the south end of the site. He added that the exterior of the facility was designed to resemble an office building and noted that the garage doors stayed closed during business hours to eliminate odors into the neighborhood.

Mr. Rosenbaum stated that he was not opposed to the reputable business, but expressed concern that upon the future sale of Mr. Wortmann’s business, the zoning change allowed a variety of uses not compatible with the adjacent neighborhood. In response to Mr. Harding, Mr. Wortmann explained that upon a vehicle collision after business hours, the vehicle was either placed in the City impound lot that evening, or placed in the front of the business and moved the following morning. Mr. Harding expressed concern that the zoning was not compatible with adjacent properties.

Dave Fanslau, Assistant Planning Director, stated that uses allowed in General Commercial zoning were not compatible with the adjacent residential zoning and that the design of the site did not allow the site to meet necessary zoning requirements, such as bufferyards and minimum distance between different zoning districts. He then stated that the Department recommended denial of the MCC overlay District, denial of the rezoning and denial of the Special Use Permit.

Mr. Magid commented that he supported the requested use at this site, but was also concerned with the close proximity to the residential neighborhood and possible future uses.

Mr. Magid moved for approval. Mr. Deeb seconded the motion which carried 4-3, with Mr. Nesbitt, Ms. Karnes and Mr. Harding dissenting.
Special Use Permits

19.  
C8-16-041  
Kyle Kellner  
REQUEST: Approval of a Special Use Permit to allow Scrap and salvage services in a GI District  
LOCATION: 2625 Deer Park Boulevard

At the Planning Board meeting held on February 3, 2016, Kyle Kellner, Kellner Salvage and Recycling LLC, 2625 Deerpark Blvd, appeared before the Board. Mr. Kellner stated that the use of the business was a non-perishable scrap metal company, which included metals, papers and plastics and that no hazardous wastes would be recycled. He added that paper and plastic recycling would also be done in smaller quantities, and that he also offered electronic document shredding and recycling of electronic devices containing limited hazardous materials. He explained that he has been recycling for approximately 15 years and was now starting his own business. Mr. Kellner stated that the business would have approximately 20 to 25 customers per day with light duty vehicles and that he worked with the Police Department to prevent scrap metal theft. He further explained that the business used a system to upload digital images of customers and materials purchased and that this information was sent to the Police Department daily. He submitted a proposed plan to the Board and stated that he informed adjacent neighbors of his proposed plan and received no opposition.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the special use permit subject to the 8 conditions on the recommendation report.

Mr. Magid moved for approval of a Special Use Permit to allow Scrap and salvage services in a GI District subject to: 1) Submittal of a to-scale revised site plan that adequately addresses the following prior to forwarding the request to the City Council: (a) Provide an 8 foot tall opaque screening/fencing around the perimeter of the facility. (b) indicate the location and number of off-street parking stalls to be onsite. (c) Provide a sidewalk along Deer Park Boulevard. 2) Compliance with all applicable sign regulations. 3) Compliance with the revised site plan. 4) Compliance with the submitted operating statement. 5) The applicant receiving a Certificate of Occupancy from the Permits Division of the Planning Department. 6) That storage of materials on site not exceed heights taller than the screening. 7) Compliance with Sections 30-81 through 30-110 of the Omaha Municipal Code. 8) Compliance with all other applicable regulations. Mr. Deeb seconded the motion, which carried 7-0.

Conditional Use Permits

21.  
C7-16-045  
Kurt Geschwender  
REQUEST: Approval of a Conditional Use Permit to allow General retail sales in a GO District  
LOCATION: 11217 Wright Circle

At the Planning Board meeting held on February 3, 2016, Doug Dreessen, 10836 Old Mill Rd., appeared before the Board on behalf of the applicant. Mr. Dreessen stated that the project was the re-use of an existing building and met required parking criteria.

In response to the Board, Mr. Dreessen stated that the business was not for retail sales, but allowed the required transfer process of firearms and that the process was completed by appointment only. He then explained that

Kurt Geschwender, 12345 N. 36th St., appeared before the Board. Mr. Geschwender stated that he had a Federal Firearms License (FFL) and transferred firearms for purchases made online. He added that he was NRA certified and taught NRA classes, as well as concealed carry and firearm safety classes for the State of Nebraska. He explained that the business was not for retail sales, but for the transfer of firearms purchased mainly by students from his classes.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the conditional use permit subject to the 4 conditions on the recommendation report.
Mr. Magid moved for approval of the Conditional Use Permit to allow General retail sales in a GO District, subject to the following conditions: 1) Coordinate with the City of Omaha Police Department and/or Douglas County Sheriff’s Department to obtain all necessary licenses and permits required to run this type of business. 2) Compliance with the site plan. 3) Compliance with the operating statement. 4) Compliance with all other applicable regulations. Mr. Rosacker seconded the motion which carried 7-0.

APPROVAL OF MINUTES

Mr. Nesbitt moved to APPROVE the meeting minutes of November 4, 2015 as written. Mr. Rosacker seconded the motion which carried 6-0-1, with Ms. Karnes abstaining.

Mr. Nesbitt moved to APPROVE the meeting minutes of December 2, 2015 as written. Mr. Deeb seconded the motion which carried 6-0-1, with Ms. Karnes abstaining.

Ms. Karnes moved to APPROVE the meeting minutes of January 6, 2016 as written. Mr. Nesbitt seconded the motion which carried 7-0.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 4:25 pm.

Date Approved

Brinker Harding, Chairman

Rikki Flott, Planning Board
Recording Secretary