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, September 26, 2016.

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

MEMBERS NOT PRESENT: None

STAFF PRESENT: James Thele, Planning Director
Dave Fanslau, Assistant Planning Director
Chad Weaver, Long Range Planning Manager
Cheri Rockwell, Current Planning Manager
Jennifer Taylor, Law Department
Eric Englund, Planning Board Administrator
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.

(HOLD OVER CASES)

Rezonings

|   | C10-02-203 (D) Altech Builders | REQUEST: Approval of a Major Amendment to the Mixed Use District Development Agreement for West Village Pointe (laid over from 09/07/16) | LOCATION: 17838 Burke Street |

At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt moved for approval. Mr. Deeb seconded the motion which carried 7-0.
(REGULAR AGENDA)

Subdivisions

5. C10-16-257 (D)  
   C12-16-258  
   Barry Winkelbauer  
   REQUEST: Preliminary and Final Plat approval of WINKELBAUER ESTATES, a minor plat outside the city limits, with rezoning from AG to DR (property is also located within an existing ED-Environmental Overlay District)  
   LOCATION: Northwest of 78th Street and Pawnee Road

At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt moved for approval of the rezoning from AG-Agricultural District to DR-Development Reserve District (property is also located within an existing ED-Environmental Overlay District), and approval of the preliminary plat subject to: 1) Compliance with Section 55-902 of the Zoning Ordinance for the Cunningham Lake Water Quality Overlay district; and including a note on the final plat regarding same. 2) The applicant providing for the provisions of installing a sidewalk or agreeing to waive the right to protest a future sidewalk improvement district within the subdivision agreement. 3) Providing for the use, ownership and maintenance of the outlot in the final subdivision agreement. 4) Compliance with all applicable stormwater management policies and ordinances. He also moved for approval of the final plat subject to compliance with the conditions of preliminary plat approval, and subject to submittal of an acceptable final subdivision agreement prior to forwarding to the City Council. Mr. Deeb seconded the motion which carried 7-0.

7. C10-16-272 (D)  
   C12-16-273  
   Anchor Pointe Development LLC  
   REQUEST: Preliminary Plat approval of ANCHOR POINTE VILLAS, a subdivision outside the city limits, with rezoning from AG to DR and R4  
   LOCATION: Southwest of 173rd and Potter Streets

At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt 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) Provide either an access easement across the adjacent NRD property between Outlot B and 175th Circle or reconfigure the lot lines to provide a minimum of 20 feet of frontage for Outlot B to the right-of-way. 2) Revise the grading plan so that all grading of 175th Circle is on the applicant’s property. 3) Show the layout of the underdrains for the bio-retention basins and where they daylight on the PCSMP plan. 4) Pave all stub streets to the boundary of the subdivision and construct temporary turnarounds. 5) Provide sidewalks as required by the Subdivision Ordinance. 6) Compliance with all applicable stormwater management ordinances and policies. 7) Include provisions for the use, ownership and maintenance of the outlots in the final subdivision agreement. 8) Provide a letter of approval from Douglas County regarding noxious weed control. 9) An acceptable debt ratio of 4% or less. Mr. Deeb seconded the motion which carried 7-0.

9. C10-16-261 (D)  
   C12-16-262  
   KMS - 168 LLC  
   REQUEST: Preliminary Plat approval of SUMMER HILL FARM, a subdivision outside the city limits, with rezoning from AG to R4  
   LOCATION: Southeast of 168th and State Streets

At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt moved for approval of the rezoning from AG to R4, and approval of the Preliminary Plat, subject to the following being addressed with or prior to submittal of a Final Plat: 1) Coordinating with Douglas County to grade the subdivision to the ultimate profile of 168th and State Streets. 2) Enter into an inter-local agreement with Douglas County to provide for the improvement of 168th and State Streets to the three-lane section. 3) No direct access to 168th Street or State Street will be permitted from the adjacent platted lots as well as no direct access to Leeman Street from Lots 1 or 163 will be permitted. 4) Reconfiguring the lot lines of Outlot A and Lots 15 and 16, to provide frontage for Outlot A to the Mormon Street/167th Avenue ROW. 5) Providing a final wetland analysis and mitigation plan, if necessary. 6) Place a noise attenuation easement 115’ from the centerline of 168th and State Streets and provide the standard noise attenuation easement language on the plat. 7)
Provide for traffic calming on any street in excess of 1,000 feet. 8) Pave all street stubs to the property line and provide temporary turnarounds. 9) Provide sidewalks along 168th and State Street frontages and sidewalks as required by the Subdivision Ordinance. 10) Include provisions for use, ownership and maintenance of the outlots in the subdivision agreement. 11) Neighborhood park contribution should be designated for Park 30 of the Suburban Park Master Plan. 12) Provide a letter from the Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area. 13) Provide a letter of approval from Douglas County regarding noxious weed control. 14) Include provisions in the subdivision agreement for compliance with all applicable stormwater management ordinances and policies. 15) Providing an acceptable debt ratio of 4% or less. Mr. Deeb seconded the motion which carried 7-0.

**Rezonings**

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<td>C10-16-265 (D) Children's Hospital &amp; Medical Center</td>
<td>Approval of an MCC-Major Commercial Corridor Overlay District</td>
<td>8504, 8506 and 8514 Cass Street</td>
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<td>C10-16-266 (D) Dudley Hawkins</td>
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<td>4909 Underwood Avenue</td>
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<td>C10-16-269 (D) Sue Morris</td>
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<td>Southwest of 72nd and Dodge Streets</td>
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<td>16</td>
<td>C10-16-271 (D) Jose Caravantes</td>
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At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt moved for approval. Mr. Deeb seconded the motion which carried 7-0.
Conditional Use Permit

17. C7-16-171 (D)  
The Water's Edge United Methodist Church  
REQUEST: Approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R4 District (pending)  
LOCATION: Northwest of 195th and Harrison Streets

At the Planning Board meeting held on October 5, 2016, Mr. Nesbitt moved for approval of a Major Amendment to a Conditional Use Permit to allow Religious assembly in a R4 District (pending) subject to: 1) Approval of the necessary signage waivers as listed from the Zoning Board of Appeals. 2) Compliance with all other signage regulations. 3) Compliance with the sign budget/elevation exhibit and site plan. Mr. Deeb seconded the motion which carried 7-0.

Discussion

At the Planning Board meeting held on October 5, 2016, the Department discussed with the Board the Criteria for 30-acre Neighborhood Mixed Use Areas to exceed size and/or ¼ mile commercial use limit.

ADMINISTRATIVE MEETING ONLY

1. C10-14-127  
C12-14-128  
FRK Development, LLC  
REQUEST: Final Plat approval of INDIAN POINTE (Lots 267-394, Outlots L-N), 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 October 5, 2016, Dave Fanslau, Assistant Planning Director, stated that the request was Phase III of the Indian Pointe development and that changes were made due to the NRD planned detention basin to the north of the site. He then stated that the Department recommended approval of the Final Plat subject to the 9 conditions on the recommendation report and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council.

Mr. Rosenbaum moved for approval of the final plat, subject to the following conditions and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council for final action: 1) Extending George Miller Parkway the east as the ½ mile connection. 2) Eliminating the cul-de-sac adjacent to Lot 363 – 367. 3) Providing and paving stub streets to the boundary of the subdivision and providing temporary turnarounds. 4) Providing traffic calming on all streets longer than 1,000 feet. 5) Including provisions for the use, ownership and maintenance of the outlots in the subdivision agreement. 6) Coordinating with Public Works regarding an acceptable GO paving plan. 7) Compliance with all applicable stormwater management ordinances and policies will be required; including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality. 8) Coordinating the design for Park #37 with the Parks Department. 9) Approval by the Parks and Recreation Advisory Board of the Park and Parkway plans and cost estimates prior to bidding. Mr. Magid seconded the motion which carried 7-0.

2. C10-12-223  
C12-12-224  
CR Investments Inc.  
REQUEST: Final Plat approval of HIGHLAND HILLS (Lots 191-381, Outlots D-F), a subdivision outside the city limits, with rezoning from AG to DR and R4  
LOCATION: Northeast of 168th and Ida Streets

At the Planning Board meeting held on October 5, 2016, Dave Fanslau, Assistant Planning Director, stated that the request was Phase II of the Highland Hills development and that the Department recommended approval of the rezoning and Final Plat subject to submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council.
Mr. Deeb moved for approval of the rezoning from AG to DR and R4, and approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council. Ms. Karnes seconded the motion which carried 7-0.

| REQUEST: | Final Plat approval of WOOD VALLEY WEST, a subdivision outside the city limits, with rezoning from AG to R4 |
| LOCATION: | Southwest of 144th Street and Potter Parkway |

At the Planning Board meeting held on October 5, 2016, Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the Final Plat subject to the 2 conditions on the recommendation report and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council.

Mr. Deeb moved for approval of the rezoning from AG to R4 and approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement and addressing the following items prior to forwarding the request to City Council: 1) Provide an acceptable tree mitigation plan that details tree locations and species. 2) Provide a letter of approval from Douglas County regarding noxious weed control. Mr. Rosacker seconded the motion which carried 7-0.

PUBLIC HEARING AND ADMINISTRATIVE MEETING

(REGULAR AGENDA)

Subdivisions

| REQUEST: | Preliminary and Final Plat approval of NORTHERN HILLS ESTATES TWO REPLAT 2, a minor plat outside the city limits, with a Major Amendment to a Special Use Permit to allow development in the North Hills Environmental Overlay District |
| LOCATION: | 12323 North 69th Street |

At the Planning Board meeting held on October 5, 2016, Jason Thiellen, E&A Consulting Group, 10909 Mill Valley Rd., appeared before the Board on behalf of the applicant. Mr. Thiellen stated that the request replatted 3 lots into 2 lots and that the applicant requested a layover to allow time for submittal of an updated tree mitigation plan.

Lane Leach, 6803 Willow Circle, appeared before the Board in opposition. Mr. Leach stated that he was concerned with the applicant’s lack of management of the storm water drainage system. He explained that Lots 17 and 18 on Willow Street were built significantly above street level and he was concerned with the impact the runoff flowing northeast from these properties would have on his property, Lot 15 at the end of Willow Circle. He then explained that he contacted the developer regarding the drainage problem, with lack of response or remediation, and then spoke with Mark Westergard at E&A Consulting Group, the developer’s engineering firm to discuss the drainage issue. Mr. Westergard explained the homes were intended to sit slightly lower than the street with runoff towards the back of the lots to a swale between the homes. Mr. Leach also spoke with Jim Kee, City Environmental Quality Control Technician, and was informed the design plan for storm water runoff was part of the Post-Construction Storm Water Management Plan as defined in the Subdivision Agreement and required federally mandated permits. He requested the case be heldover until these issues were remedied.

Mr. Thiellen stated that he was presenting the plating request and was not familiar with the drainage issues within the development. He explained that Northern Hills was within an Environmental Overlay District, which required minimal disturbance to the land, and that he would investigate compliance with city and state regulations.
Dave Fanslau, Assistant Planning Director, stated that the storm water runoff was a separate issue from the plat, but that the Department would also investigate the drainage issue. He then stated that the Department recommended to layover the Major Amendment to the Special Use Permit to allow development in the North Hills Environmental Overlay District, and to layover the Preliminary and Final Plat to allow the applicant time to submit an acceptable tree mitigation plan.

Mr. Nesbitt moved to layover the Major Amendment to a Special Use Permit to allow development in the North Hills Environmental Overlay District for 30 days, and to layover the Preliminary Plat and Final Plat for 30 days to allow the applicant time to submit an acceptable tree mitigation plan. Mr. Deeb seconded the motion which carried 7-0.

At the Planning Board meeting held on October 5, 2016, Jim Lang, Attorney, 13340 California St, appeared before the Board on behalf of the applicant. Mr. Lang stated that upon discussions with property owners to the west of the site, the preliminary plat will be revised to reduce the number of single family lots from 9 to 8 lots. He explained that revisions included extending the north cul-de-sac to accommodate increased widths and setbacks of Lots 1 and 6, which will be used as transitional lots between the developments. He further explained that because of easements and reconfigurations, Lot 9 was eliminated. Mr. Lang stated that in respect to item 1 on the Department recommendation report, the 8 Lots would become part of the Indian Creek subdivision and SID, and in respect to item 3 that Lot 9 would be eliminated after revisions to the plat.

Gene Griffin, 19263 Ames Cir., appeared before the Board. Mr. Griffin stated that he represented the neighborhood. He then stated that he accepted the revised plan with 8 Lots and requested to withdraw his letter of concern previously submitted to the Department.

Dave Fanslau, Assistant Planning Director, stated that the Department recommended approval of the rezoning and approval of the Preliminary Plat subject to the 7 conditions on the recommendation report.

Mr. Rosenbaum moved for approval of the zoning from AG to DR and R4, and approval of the Preliminary Plat, subject to the following conditions: 1) The public streets shall be maintained privately, until the time of annexation by the City therefore, provide for the assignment of maintenance responsibilities in the subdivision agreement. 2) Providing sidewalks along the subdivision’s 192nd Street frontage in addition to all other public street frontages. 3) Providing the building envelope and a note on the final plat stating that development on Lot 9 must comply with the site development standards in Chapter 55 OMC. 4) Placing a note on the plat that there shall be no direct access to 192nd Street from Outlot A. Placing the standard noise attenuation easement language on the plat. 5) The plat must show the entirety of the subdivision. 6) Boulevard plans and cost estimates must be approved by the Parks and Recreation Advisory Board prior to bidding. 7) Compliance with all applicable stormwater management regulations. Mr. Deeb seconded the motion which carried 7-0.

At the Planning Board meeting held on October 5, 2016, Jay Noddle, Noddle Companies, 2285 S. 67th St., appeared before the Board. Mr. Noddle stated that the portion of the development to the south of Pacific Street was located within an unincorporated Douglas County jurisdiction and the portion to the north was within the Village of Boystown jurisdiction. He explained that plat approvals were recently received from Boystown and that upon final approvals, the north property would become part of unincorporated Douglas County. He mentioned that he estimated an assessed value at approximately $1.2 billion dollars for the entire development and that the request today was rezoning and plat approval for the south portion of the
development. He explained that multiple meetings were held with City Departments, stakeholders in the neighborhood, and that Monday evening a neighborhood meeting was held at St Wenceslaus Church, with approximately 200 people in attendance. He added that concerns expressed were mainly building heights and setbacks at the southern property line. Mr. Noddle discussed the development plans and explained that a boulevard would run through both the north and south properties with a median and pathways on each side of the boulevard. He also explained that the plan provided 15 additional acres to St Wenceslaus Church for expansion of the church property, approximately 80 lots for single family homes, a 55-acre site for Applied Underwriters with 39 of those acres for greenspace, a mixed-use area with 177,600 square feet of retail space, 646,000 square feet of commercial space, and 623 living spaces. He added that living spaces included single-family, multi-family and townhomes, and that the development also included public space, a pocket park, about 27 acres of greenspace, approximately 10 miles of trails and a pedestrian bridge over Pacific Street. Mr. Noddle explained that the density was low in comparison to number of acres of the development. He stated that HDR was responsible for traffic studies and that during progression of the development, Public Works requested the applicant work with St. Wenceslaus Church to enhance traffic safety and with Millard North to have an additional access point along Pacific Street at the new roadway adjacent to their property. He then stated that during construction he would ensure contractors stayed within regulation and that traffic updates would be communicated.

Brian Begley, Principal of Millard North High School, 12104 Jackson St., appeared before the Board in support of the request. Mr. Begley stated that he met with Mr. Noddle on numerous occasions to discuss the proposed plan and their concerns were cordially addressed. He then stated that he was excited about the road access on the west side of their campus, grading improvements, and accessibility to the trailways.

Stacy Jolley, 1706 S. 153rd Ave. Cir., appeared before the Board in support of the request. Ms. Jolley stated that she resided adjacent to the site on the southwest corner of the property and that she was excited about the design of the development, the stimulus to the aging part of the City, the connection of the Applied Underwriters campus greenspace to the existing Harvey Oaks Park, and the tree mitigation plan.

Bruce Hendrickson, 1518 S. 152nd Cir., appeared before the Board in support of the request. Mr. Hendrickson stated that he resided on the western edge of the South Farm development and that he supported the development, but hoped the applicant was considerate of dust, mitigation and noise. He also stated that he was opposed to the connection at 152nd and Pine Streets.

Ed Thiele, 14418 Cedar Cir, appeared before the Board in support of the request. Mr. Thiele stated that he represented St. Wenceslaus Church and that he was Chairman of the church Building Committee. He explained that the church planned a new addition and soccer field and the applicant was accommodating with requests made by the church. He stated that St. Wenceslaus was in favor of the project.

Phil Ruden, Executive Vice President of Boystown, 14100 Crawford St., appeared before the Board in support of the request. Mr. Ruden explained that he was excited about the plan for the former Boystown property to the north and the Demarco property to the south, and that he was confident with the financial stability of the developer and the development. He mentioned the successful prior partnerships with the applicant on previously developed Boystown sites.

Rod Tevis, 14430 Shirley Cir., appeared before the Board in opposition. Mr. Tevis stated that he resided adjacent to the south property line of the site. He then stated that he was concerned with the height of the multi-family buildings to the south of the property and that the proposed single-family lots were not adjacent to existing single family lots. He was also concerned with increased traffic and noise from the 4-lane boulevard at Pine Street.

Tom Davies, 14612 Shirley St, appeared before the Board in opposition. Mr. Davies stated that he resided adjacent to the south property line of the site and that he was also concerned with building height and increased traffic and noise from the boulevard.

Laura Borgmeyer, 14617 Shirley St., appeared before the Board in opposition. Ms. Borgmeyer stated that she resided to the south of the site. She then stated that the development was a positive impact for the area, but she was also concerned with building height of the apartments, increased density, ineffective
bufferyard, and light, noise and speed from the boulevard. She was opposed to a south street connection to Harvey Oaks.

Geri Clanton, 14912 Shirley St., appeared before the Board in opposition. Ms. Clanton stated that she resided to the south of the site and was also opposed to a street connection to Harvey Oaks. She was also concerned with increased traffic, lighting and a bufferyard.

Mr. Noddle stated that he was opposed to a street connection to the south of the site and briefly discussed the connection at Pine Street and 144th Street. He explained that the distance from the boulevard at Pine Street to the south property line was approximately 100 feet and the distance from the south property line to the proposed multi-family was approximately 200 feet. He added that the proposed plan maintained existing healthy trees along the south property line and that the future landscape plan would contain details regarding bufferyard and tree mitigation. Mr. Noddle stated that the Applied Underwriters parking lots were several hundred feet away from the existing neighborhood to the south and the proposed single family lots of the development. He then stated that the connection to the west of the site at Pine Street was stubbed and planned for future development as required by the Department. He added that although 5-story multi-family buildings were discussed at the neighborhood meeting, but that the buildings were only 4 stories in height. In response to the Board, Mr. Noddle stated that construction would begin upon final approvals and appropriate weather, approximately May of 2017. He explained that construction dust would be maintained as much as possible and that the boulevard median was removed from the south property, but trails and greenspace lined the roadway. He agreed to maintain the importance of transportation connections to provide opportunities to people outside the immediate environment.

Lee Gray appeared before the Board in opposition. Mr. Gray was opposed to the height of the multi-family buildings on the south portion of the development and was concerned with decreased property values.

Dave Fanslau, Assistant Planning Director, stated that lighting, dust and noise were regulated by zoning ordinances and monitored by City departments. He also stated that different adjacent zoning classifications were allowed, but must adhere to regulations, and that the bufferyards along the south property line exceeded minimum distance requirements. He added that the street connection to the west had an existing stubbed street and was an opportunity for connection between developments as required by the City. He noted that connections promoted walkability between developments. Mr. Fanslau stated that the proposed plan was in conformance with the Land Use Plan and Master Plan of the City. He then stated that the Department recommended denial of the rezoning from DR to MU for Lots 1, 2, 3, 5, 9 and outlots A-B, and that upon more detailed plans for lot 9, zoning could change. The Department also recommended approval of the rezoning from DR to MU for Lots 4, 6, 7 and 8, subject to submittal of an acceptable Mixed Use Development Agreement, approval of the rezoning from DR to R4 for Lots 1-2, and approval of the preliminary plat subject to the 16 conditions on the recommendation report being addressed with or prior to submittal of the final plat.

Mr. Rosacker moved for denial of the rezoning from DR to MU for Lots 1, 2, 3, 5, 9 and Outlots A-B, and for approval of the rezoning from DR to MU for Lots 4, 6, 7 and 8 subject to submittal of an acceptable Mixed Use Development Agreement, approval of the rezoning from DR to R4 for Lots 1-2, 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 traffic study. 2) Provide for any necessary modifications to existing traffic signals for all intersections with proposed street improvements that will impact such signals. 3) Coordinate with Public Works regarding an acceptable general obligation paving plan. 4) Remove the westbound left turn lane at the existing Pacific Street access for St. Wenceslaus Catholic Church and replace with a raised median to restrict the access to a right-in/right-out driveway. 5) Coordinate with the Parks Department regarding a future public connection to Shirley Street south of the development. 6) Place a note on the plat indicating that there shall be no direct access onto Pacific Street or 144th Street from any lot abutting said streets. 7) Include a provision in the final subdivision agreement that assigns responsibility for the routine maintenance and snow removal of the parking areas located on public right-of-way. 8) Trails, parks and open space within the development will need to be privately constructed, owned and maintained by the developer, homeowner’s association or other acceptable entity. 9) Locate the trail section that runs along the north side of Harvey Oaks Park within the boundaries of the development and not in that park. 10) Convert Lots 3 and 5 into outlots. 11) Work with city staff on an
acceptable tree mitigation plan. 12) Compliance with all applicable stormwater management ordinances and policies. 13) Provide for the use, ownership and maintenance of the outlots in the final subdivision agreement. 14) Submit a letter of approval of a noxious weed plan. 15) Submit a letter confirming that acceptable emergency warning is being provided for the area. 16) Meeting an acceptable overall debt ratio.

Mr. Magid seconded the motions which carried 7-0.

**Conditional Use Permits**

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<th>REQUEST: Approval of a Conditional Use Permit to allow Multiple-family residential in a CC District</th>
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<td>18.</td>
<td>C7-16-270 Duane Dowd</td>
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At the Planning Board meeting held on October 5, 2016, Doug Kellner, Thompson Dreessen Dorner, 10836 Old Mill Road, appeared before the Board on behalf of the applicant. Mr. Kellner stated that the applicant was in support of the Department recommendations and that the developer was available to discuss the proposed project.

Rob Woodling, Foundations Development, 1886 S. 126th St., appeared before the Board in support of the request. Mr. Woodling stated that he was the proposed purchaser of the property. He explained that a public meeting was held on September 21, 2016 with approximately 15 people in attendance and that main concerns were increased traffic, increased density, building height and decreased property values. He then stated that the proposed project was a 3-story, 90-unit senior apartment building with a secured entrance and on-site management. Mr. Woodling explained that there was a need for this type of housing and that units were 1 and 2-bedrooms with no decks and no pool facility on the grounds. He added that at the corner of 54th and Mary Streets, 2 stories of the building were below grade and that landscaping would be used a a buffer to the adjacent single-family neighborhood. He then stated that financing had land-use restriction with a 45-year covenant for senior housing use.

Tony Behounek, 5414 Mary St., appeared before the Board in opposition. Mr. Behounek stated that he resided directly across from the site on the north side and that he was concerned with increased traffic and increased density. He expressed that he was not opposed to the use, but objected to the ingress/egress driveway at Mary Street. He also stated he was concerned with too many new multi-unit developments in the surrounding area.

In response to the Board, Dave Fanslau, Assistant Planning Director, stated that the Department and Public Works recommended closing the driveway along 56th Street and providing one driveway at Mary Street. He then stated that market studies were completed by developers to determine the need for requested uses and explained that the proposed plan was in conformance with the mixed use element of the City's Master Plan. Mr. Fanslau stated that the Department recommended approval of the Conditional Use Permit subject to the 10 conditions on the recommendation report.

Mr. Deeb moved for approval of a Conditional Use Permit to allow Multiple-family residential in a CC District, subject to the following conditions: 1) Submit a revised site plan that provides the following: (a) Close the access drive to 56th Street. (b) Sidewalks along the Mary Street and 54th Street frontages. (c) Show where the site can accommodate 68 additional parking stalls (for a total of 158 stalls). 2) Submit an acceptable landscape plan that provides the following: (a) 30 foot landscaped bufferyard along the length of the north and east boundaries. (b) Four-foot high fence or landscape screening along the east side of the parking area south of the structure and the north side of the parking area off of the Mary Street entrance. 3) Submit a revised building elevation that provides the following: (a) Extend brick along the first floor for the north, east and south elevations. (b) Add a vertical orientation of brick for the 2nd and 3rd floors centered around the entrance of the east elevation. 4) Receive a waiver from the Zoning Board of Appeals for the number of off-street parking stalls to not less than a 1:1 ratio of the number of units. 5) Submittal of an administrative subdivision for the site. 6) Compliance with the revised site plan. 7) Compliance with an acceptable landscape plan. 8) Compliance with the proposed operating statement. 9) Compliance with all applicable stormwater management ordinances and policies. 10) Compliance with all other applicable regulations. Mr. Magid seconded the motion which carried 7-0.
APPROVAL OF MINUTES

Mr. Nesbitt moved to APPROVE the meeting minutes of August 3, 2016 as written. Ms. Karnes seconded the motion which carried 6-0-1, with Mr. Deeb abstaining.

Mr. Nesbitt moved to APPROVE the meeting minutes of September 7, 2016 as written. Mr. Deeb seconded the motion which carried 7-0.

ADJOURNMENT

It was the consensus of the board to ADJOURN the meeting at 3:42 pm.

_________________________________________
Brinker Harding, Chairman

_________________________________________
Rikki Flott, Planning Board
Recording Secretary