City of Omaha Planning Department

APPLICATION
ZONING

☑ Rezoning from GC to NBD ☐ Other
☐ Special Use Permit ☐ Conditional Use Permit

Base Zoning District: GC-ACI-1-(PL)

Property Owner: Mohammed Imtiaz Husain
Address: 140 S. 40th Street, Omaha, NE, 68131
Phone #: 402.305.0098

Applicant: Daniel Bolt, AIA
Address: 950 S. 10th Street, No. 21 Omaha, NE, 68108
Phone #: 402.881.0005

Representative: SCOPPA Architecture
Address: 950 S. 10th Street, No. 21 Omaha, NE, 68108
Phone #: 402.881.0005

Contact: Daniel Bolt, AIA
Address: 950 S. 10th Street, No. 21 Omaha, NE, 68108
Phone #: 402.881.0005
dan@scoppaarch.com

Postal Address (or General Location if no address has been assigned): 140 S. 40th Street, Omaha, NE, 68131

Legal Description: JEROME PARK LOT 10 BLOCK 6 1/2 VAC ALLEY & 47 X 132 1/2

Proposed Use Type: RESTAURANT / OFFICE ABOVE
Existing Use Type: FOOD SALES / OFFICE ABOVE

Building and Parking Information:

- Total Site Area: 6227 Sq. Ft.
- Building Coverage: 2342 Sq. Ft.
- Building Coverage (b+a): 37.6%
- Maximum Building Height: 29' (AT REAR) Ft.
- Total Floor Area: 6819 Sq. Ft.
- Floor Area Ratio (e-a): 1.10
- Total Paved Area: 3820 Sq. Ft.
- Impervious Coverage (b+g+a): 99.0%
- Number of Parking Stalls: 7
- Number of Compact Stalls: 0
- Number of Handicapped Stalls: 0

Landscaping Information:

- Total Area of Street Yard: 0 Sq. Ft.
- Street Yard Landscaped Area: 0 Sq. Ft.
- Street Yard Landscaped Area (k-j): 0 %
- Parking Lot Area: 3885 Sq. Ft.
- Interior Lot Landscaping (n-m): 1.67 %

Residential Uses Only:

- Total Number of Units: __________
- for Multi-Family: # of Efficiencies __________
  #1 Bedrooms __________
  #2 Bedrooms __________
  #3 Bedrooms __________
- Density (a+p): __________ Sq. Ft./Unit
- Total Floor Area of Any Incidental Office or Commercial Use: __________ Sq. Ft.

If you have any questions about this application, please contact the Current Planning Division at 402-444-5150.

Owner's Signature
Date 8/14/2019

Applicant Signature
(If not the property owner, the applicant certifies with this signature to be the authorized agent of the property owner.)
Date 8/14/2019

1/28/2014
CHECKLIST
ZONING

All zoning applications will be presented at a public hearing before the Planning Board. Completed applications must be filed with the City Planning Department by the applicable deadline before the Planning Board hearing to assure timely review and to meet public notice requirements. Applications received after that time will be placed on the following board agenda. Incomplete Applications Cannot Be Processed.

Site Plan

A general site plan, drawn to scale with dimensions, must be included as a part of the application. The site plan is required to show the following:

- The date, scale, north arrow, title, name of owner and name of the person preparing the plan
- The location and dimensions of boundary lines and easements
- The location and size of public utilities to service the site
- The location of major site features, including drainage systems with existing and proposed contour lines to display proposed grading, but in no case greater than at 5-foot intervals
- The location of site improvements, including signage; parking and loading areas; pedestrian and vehicular access (sidewalks, driveways, vehicle stacking lanes); service, display and storage areas
- Location, size, height, bulk and use of existing and proposed structures on the site including storm shelters, if required
- Landscape concept plan showing location and type of existing trees over 6 inches in diameter and proposed plantings, berms, bufferyards, screening, fencing and lighting schemes

A traffic impact analysis may be required by the Public Works Director.

Application Checklist:

- Completed and Signed Application Form
- Filing Fee
- Site Plan (18 x 24 Max. Preferred)
- Traffic Impact Analysis, if required

Number of Plans Required for Submittal:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number of Plans</th>
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<tbody>
<tr>
<td>RAZONINGS:</td>
<td></td>
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<tr>
<td>to AG, DR, R1 – R5 OR MH</td>
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<tr>
<td>to R6-R8</td>
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<tr>
<td>Special Use Permits</td>
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<tr>
<td>Major Amendments</td>
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<tr>
<td>Conditional Use Permits</td>
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<td>Overlay District</td>
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<td>Minor Amendment</td>
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Special and Conditional Use Permits and Industrial Uses

Please submit a detailed statement describing the proposed use. This should include information about the hours of operation, number of employees and clients, type of programming or services, traffic expected to be generated, and any other pertinent operating and/or site development characteristics listed in Table 55-885 of the Zoning Ordinance. Use permit applications also require submittal of building elevations to show the general appearance of existing and proposed structures.
Re: 140 S. 40th Street

1 message

Michael Carter (Plng) <Michael.Carter@cityofomaha.org>  Thu, Jun 13, 2019 at 12:32 PM
To: Daniel Bolt <dan@scoppaarch.com>
Cc: Jed Moulton <jed.moulton@cityofomaha.org>, "Eric Englund (Plng)" <Eric.Englund@cityofomaha.org>

Daniel,

We would support the request to rezone the property to NBD. With the NBD zoning there are no off-street parking requirements.

The proposed use you describe may be classified as a Restaurant (drive-thru or fast food) which requires a Special Use Permit in NBD zoning. If you are envisioning a window at the property line where people stand on the sidewalk to order and receive their food it may also require approval of a lease from the city, which I am not sure they would approve.

Thanks,

Michael R. Carter
Acting Manager, Current Planning

Phone: (402) 444-5150 x 2057
Fax: (402) 444-6140
Michael.Carter@cityofomaha.org

City of Omaha Planning Department
1819 Farnam Street, Suite 1100
Omaha, NE 68183
www.cityofomaha.org/planning

On Wed, Jun 12, 2019 at 1:19 PM Daniel Bolt <dan@scoppaarch.com> wrote:
Hi Michael and Jed,

I am following up on the Pre-App meeting we had last month for 140 S. 40th Street.

Please see my email below. My client and I would like to get your thoughts on whether the Planning Department will support re-zoning the property to NBD, ahead of submitting an Application to Re-Zone.

Also, the Client, Intiaz Husain, has asked me if it is possible to have a tenant in the space that only served food from a Take-Out Window; i.e. No customer seating. Would the off-street requirements, in this case, fall under "Food Sales, limited"?

Thank you again for your help!

Dan

Daniel Bolt, AIA
SCOPPA architecture
email: dan@scoppaarch.com
Good Morning Michael!

Sending a note to thank you for your time yesterday and to follow up on the potential to re-zone the property (140 S. 40th Street) to NBD.

I spoke with the Property Owner, Imtiaz, and confirmed he would like to pursue re-zoning from GC to NBD, if the planning department will recommend it.

You mentioned that you would discuss internally with your team, and get back to us.

We will wait to hear from you before submitting an application. I believe I gave you my card, but contact info is below in case you need it.

Also, note that a that NBD Zone has been applied to other properties in the district, but off of Farnam, including:

- 401 S. 41st Street
- 4004 Harney Street
- 3926 Harney Street
- 3924 Harney Street
- 3820 Harney Street

We would submit that the development Imtiaz is proposing is consistent with both the intent of both the NBD and ACI zones, and also that development of a property this close to Blackstone District's primary intersection (40th & Farnam) would only enrich and strengthen the district.

We look forward to hearing back from you, and thank you for your time!

Daniel Bolt, AIA

SCOPPA architecture
email: dan@scoppaarch.com
phone: 402.881.0005
www.scoppaarch.com