CERTIFICATION OF PUBLICATION:
Urban Design Review Board Administrator certifies publication in the Daily Record, the official newspaper of the City of Omaha, on Monday, October 10, 2011.

MEMBERS PRESENT: Timothy Holland, acting Chair
Rachel Jacobson
Jay Noddle
Robert Peters
Gerald Torczon
Leanne Ziettlow, Alternate

MEMBERS NOT PRESENT: Mike McMeekin, Chair
Dave Ciaccio, Vice Chair
April Rice, Alternate
Anna Nubel, Non Voting Ex-Officio Member
Larry Jobeun, Alternate

STAFF PRESENT: Jed Moulton, Urban Design Manager
Trina Westman, UDRB Administrator
Chad Weaver, Assistant Planning Director
Andrea Wisniewski, Recording Secretary

Election of Acting Chair

Mr. McMeekin, Chair, was not present at today’s meeting. Motion by Ms. Zeitlow to nominate Tim Holland as temporary chairperson for today’s meeting. Second by Mr. Peters.

Motion carried 4-0.

Mr. Holland, acting Chair, called the meeting to order at 3:07 p.m., introduced the Urban Design Review Board members as well as the Planning Department staff, and explained the UDRB’s public hearing and administrative meeting procedures.

PUBLIC MEETING

Public Case for Reconsideration:

| UD-11-012 | NAME:            | CSO Country Club Avenue |
| City of Omaha | LOCATION:      | 51st and Country Club Avenue |
|             | REQUEST:        | Motion to reconsider |

Kirk Pfeffer, Public Works Department Design Engineer, appeared before the Board. The Public Works Department requested that the Board reconsider its earlier decision regarding street trees within the CSO Country Club Avenue Project (please see minutes from September 15, 2011 for more information). Mr. Pfeffer stated that the Board received a copy of the compromise reached between the Public Works Department and the City Planning Department regarding tree mitigation in this project area during their pre-meeting earlier this afternoon.
Mr. Pfeffer summarized this compromise, stating that the Public Works Department is willing, in areas outside green street areas, to replace any removed trees on a 1:1 ratio. These trees will be placed in the right-of-way and not on the owner’s properties.

Jed Moulton, Urban Design Manager, confirmed that his department is in agreement with the proposed compromise. He stated that work is under way to improve standards for the planting of street trees in future. Mr. Moulton commented that replacing trees at a 1:1 ratio may seem small; however, he is confident that this process will result in more viable tree plantings in both green street and non-green street areas.

Mr. Peters asked Mr. Pfeffer for clarification regarding tree replacement in cases where the homeowner is not supportive. Mr. Peters stated that homeowners come and go; trees create character for neighborhoods. Mr. Peters stated that an individual home owner should not be able to diminish the character of a neighborhood in such a manner by refusing to allow a removed tree in the public right of way to be replaced. Mr. Holland agreed with Mr. Peters assessment. Mr. Pfeffer stated that if the homeowner does not want their trees to be replaced, the Public Works Department will comply with the wishes of the homeowner. Mr. Pfeffer commented that there is still some debate as to whether the streets located outside the green street areas are under the purview of this Board.

Ms. Jacobsen made a motion to lay this case over to the November meeting of the Board. Motion died for lack of a second.

Motion by Mr. Peters to approve the compromise agreed upon by the Public Works Department and the Planning Department for the CSO Country Club Avenue Project, with the request that street trees be replaced within the rights-of-way and will not require the approval of the property owner before being placed. Removed trees will be replaced at a 2:1 ratio in the green street areas and at a 1:1 ratio in all remaining areas within this project area. Second by Mr. Holland.

Motion carried 3-1.
Public Case for Discussion & Approval:

<table>
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<tr>
<th>UD-11-014</th>
<th>NAME: 16th Street Corridor Re-design Schematic Plan</th>
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<tr>
<td>City of Omaha/HDR</td>
<td>LOCATION: 16th Street – Leavenworth to Dodge Streets</td>
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<tr>
<td>REQUEST: Schematic Design Review and Approval</td>
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Jed Moulton, Urban Design Manager, spoke on behalf of Doug Bisson, Project Manager. Mr. Moulton summarized this project for the Board members, noting various changes and additions to the original design. These included the creation of additional on-street parking and the elimination of center lane landscaping in favor of adding additional landscaping to the roadside and sidewalk. Mr. Moulton stated that emphasis of this project is to encourage reinvestment in this area. After review of this design, Mr. Moulton stated that his department recommended approval of the current schematic design, subject to the condition that it be brought back to the Board for review as the project develops.

Ms. Zeitlollow recused herself from voting on this case.

Mr. Holland stated that during their pre-meeting this afternoon, it was generally agreed that the Board would like to see more public space between the curb and parking meters, as people will most likely back their vehicles directly up to the curb. Creation of additional parking at intersection nodes and the application of street café borders as they pertain to liquor licenses was also an item of concern.

Motion by Mr. Peters to approve the schematic design as presented for the 16th Street Corridor project with the request that as this project develops, preliminary design concepts be brought back before the Board which will incorporate the following items: 1) analysis of the application of impervious pavers, 2) opportunity to develop additional street parking closer to the intersection nodes, 3) consistent application of street café borders, and 4) clarification of how back-in parking will affect the walking surface and parking meters. Second by Ms. Jacobson.

Motion carried 3-0-1.
Private Case for Discussion & Approval:

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<th>UD-11-015</th>
<th>NAME: Wal-Mart</th>
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<tr>
<td>Wal-Mart/Kimley-Horn and Associates, Inc.</td>
<td>LOCATION: North 90th and Lake Streets</td>
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<tr>
<td>REQUEST: Seeking support for Retaining Wall waiver</td>
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Mark Johnson of Fullenkamp, Doyle & Jobeun and Trish Rothe of Kimley-Horn and Associates, Inc appeared before the Board on behalf of the applicant. Mr. Johnson explained that this project involves the demolition of a 45,000 square foot Hobby Lobby store currently located at this address, and the construction of a new 34,095 square foot Wal-Mart Neighborhood Market on the same site.

Mr. Johnson displayed photographs of the existing site, and commented that the proposed Wal-Mart Neighborhood Market would be farther from the adjacent residential neighborhood. Mr. Johnson assured the Board that the new building will comply with all Urban Design standards, including green parking areas and landscape buffers to the north, east and west of the structure.

Mr. Johnson stated that his reason for appearing before the Board this afternoon was to seek support for a waiver of the ten foot height restriction for retaining walls on Wal-Mart's proposed category 3 retaining wall. Mr. Johnson explained that his client is attempting to apply modern design standards to an existing infill site. This site has grade change challenges which necessitate a waiver of retaining wall height restrictions. Mr. Johnson stated that the proposed retaining wall will run along the back of the building, and will measure approximately fourteen feet at the south end of the building and 10 feet at the north end of the building, with an average height of 9.6 feet overall.

Mr. Johnson pointed out that this new retaining wall will be behind the building, rendering it mostly invisible to any person on a public right of way. This new wall will also be more aesthetically pleasing to those property owners on the building's eastern side, as it will be built with materials that conform to current design standards instead of the foundation block wall that is currently in place.

Jed Moulton, Urban Design Manager, complimented the applicant for being so diligent in conforming to urban design standards, and stated that his division recommends support of the requested Retaining Wall waiver.

Mr. Noddle asked the applicant for confirmation that the proposed Wal-Mart is a non-prototype store that has been somewhat customized for the space at North 90th and Lake Streets. Ms. Rothe replied that this is correct. Chad Weaver, Assistant Planning Director, stated that the Wal-Mart Neighborhood Market is the smallest version of the Wal-Mart stores available on the market. Ms. Rothe confirmed this statement.

Motion to approve by Mr. Noddle with no conditions. Second by Mr. Torczon.

Motion carried 6-0.
Jeff Keating of PDM Inc., owners of the property at 72nd & Decatur Streets, appeared before the Board. Mr. Keating stated that this property was the former site of a Baker’s grocery store; this building has since been demolished, and the parcel was split into three lots. Currently, these lots are in an ACI-2 overlay district. Kum & Go has contracted with PDM Inc. to build on the southernmost of these three lots, and is seeking the Board’s support for a Build-to/set-back waiver.

Mr. Keating explained that current zoning regulations would require Kum & Go to place their building close to the front corner of their lot. This design does not work for Kum & Go. PDM Inc has since met with the Planning Department, and has developed what they believe to be an acceptable solution for all parties.

Mr. Keating submitted for the Board’s review site plans of the southernmost lot. He commented that the new design would incorporate a 3 ½ foot tall masonry wall, which would screen the pump area from the street and pedestrian walkways. The proposed plans also include recessed lighting in the overhead canopy, masonry-wrapped canopy columns, and landscaping.

Jed Moulton, Urban Design Manager, stated that his department recognizes the challenges faced by national developers in meeting Build-to/set-back requirements. Mr. Moulton stated that his department recommends support of the requested Build-to/set-back waiver, under the conditions mentioned in the recommendation report, and under the further strict condition that this property be considered a test site for convenience stores attempting to locate in less-intensive urban design areas.

Mr. Noddle inquired whether there was a representative from Kum & Go present. Joshua House with Kum & Go appeared before the Board. Mr. Noddle inquired whether Kum & Go has included similar design standards in other locations. Mr. House replied that they have built models similar to the one proposed for this property in DesMoines, Iowa and Clive, Iowa. He added that design elements such as those being requested by the City of Omaha are not uncommon. Mr. House stated that Kum & Go is a LEED-certified organization and this site would meet those requirements. Mr. House commented that his organization has typically used a berm rather than a masonry wall to separate the pump area from the pedestrian walkway; however, they are not opposed to the installation of the proposed masonry wall. He concluded by stating that this store will have an expanded front line and will offer fresh food in addition to the more typical convenience store fare.

Mr. Noddle asked if Kum & Go has considered facing the front of the store away from 72nd Street, as they did with their location at 168th & Maple. Mr. House replied that this possibility was discussed at one time; however, it was determined that turning the building away from the 72nd Street would not be an optimal configuration. Mr. House pointed out that the location on 168th & Maple is a much smaller location, and although it does face away from the street, this was not an ideal solution as far as the company was concerned. Kum & Go would prefer that this location face 72nd Street, noting that to face the building towards Decatur Street would cause a hardship for tanker trucks trying to service the gas station. Facing Decatur Street would mean that the store would face the adjacent residential neighborhood. This could potentially create traffic problems, as well as public relations issues with residents along Decatur Street.

Mr. Noddle asked if Kum & Go was concerned about their neighbors on the remaining two lots. Mr. House stated that Kum & Go hopes to have good neighbors on the parcel’s remaining two lots, and they are working with Mr. Keating to create a cohesive design for the property. However, Mr. Keating and PDM Inc have final determination in who will tenant the remaining lots.
Mr. Noddle inquired whether Kum & Go was concerned about the possibility of competing business, such as a fast food restaurant, being located on the other two lots. Mr. House denied any concerns, stating that there are no restrictions on the site at this time that would be a cause for concern for Kum & Go. He stated that Kum & Go understands that they may encounter competition for business on the other two lots.

Mr. Peters asked Mr. Keating whether it was possible for PDM Inc to bring more information to the Board regarding the composition of the other two lots at this address. Mr. Keating replied that they did not bring a concept plan with them because plans for the center and north lots have not been finalized. Mr. Keating added that there is a major retailer interested in locating on the center lot of the property; however, he could not provide specific information until a contract has been reached. He assured the Board that this property would comply in all respects with the ACI-2 overlay district standards. Mr. Keating stated that the occupancy of the third and northernmost lot has not yet been determined. Mr. Peters stated that he would feel more comfortable supporting the requested Build-to/set-back waiver if the Board had a better idea as to the composition of the remaining two lots.

Mr. Peters asked whether the remaining two lots will require any waivers in order to comply with the ACI-2 overlay requirements. Mr. Keating stated that the center lot, which is currently in contract negotiation with a major retailer, will not require any waivers. Mr. Keating stated that he could not offer any information about the third lot, as they do not yet have a developer for this parcel. Mr. Holland stated that the third lot, which is located on the corner of 72nd and Blondo Streets, is of primary importance to him. He stated that he would be more comfortable giving support to Kum & Go’s request if he knew that the third lot would not require any waivers and would comply with ACI-2 overlay standards.

Mr. Noddle stated that he had a great deal of respect for PDM Inc, the legacy of the Baker family, and Kum & Go. However, he felt that the Board was being asked to lend support to a waiver in a vacuum. Mr. Noddle stated that the site has been under discussion for a number of years, and he felt that PDM Inc needs to supply the Board with at least an estimate of the total composition of this development.

In response to Mr. Noddle’s concerns, the applicant laid before the Board a drawing which shows a possible configuration for all three lots at this location. Mr. Torczon stated that he would prefer that the Kum & Go face 72nd Street as requested, noting the fact that if he lived along Decatur Street, he would be unhappy having the gas station face his home. Mr. Noddle agreed with this statement.

Ms. Zeittlow stated that the drawings submitted are concept drawings. She asked Chad Weaver, Assistant Planning Manager, whether any motion made today could be made to apply to whatever buildings end up on the site later. Mr. Weaver stated that this was entirely dependant on how the Board chooses to word its motion, and explained the various options available to the Board today.

After some discussion, Mr. Noddle made a motion to approve as submitted, including the submitted design enhancements, subject to the following: 1) The Planning Department must receive a site plan from the applicant within 7 days which shows all three parcels of the development, 2) the northernmost building of the development must be placed in the hard corner of the property, but may allow for an auto lane which will encircle the building and 3) no subsequent waiver requests of the ACI-2 standards. Second by Mr. Peters.

Motion carried 6-0.
ADMINISTRATIVE ITEM:

Approval of September 15, 2011 Meeting Minutes as amended.

Motion to approve minutes from the September 15, 2011 meeting as amended by Mr. Peters. Second by Mr. Torczon.

Motion carried 5-0.

It was the consensus of the Board to adjourn the meeting at 4:09 pm.

Andrea Wisniewski, Planning Department
Recording Secretary