

# PLANNING BOARD DISPOSITION AGENDA



Public Hearing and Administrative Meeting  
Wednesday, April 5, 2023, 1:30 P.M.

Omaha/Douglas Civic Center  
1819 Farnam Street  
Legislative Chamber

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**Planning Board Members:** Greg Rosenbaum, Chairman; David Rosacker, Vice Chairman; Jorge Sotolongo; Cydney Franklin; Jeffrey Moore; Michael Pate; and Patrick Morris

**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, March 27, 2023.

**Applicant or Representative:** Please attend the meeting to present your case to the Planning Board. Decisions to approve, deny, or continue the case for additional information will be made by the Planning Board today.

**Consent Agenda:** Cases that are placed on the consent agenda have already been heard, or been recommended for layover, or are perceived to be non-controversial. When a consent agenda case is called, anyone with an interest in the case may request that the case be moved to the regular agenda for discussion. The Planning Board in accordance with the Planning Department's recommendations will act on any case that is not removed from the disposition agenda. Consent agendas will be available at the meeting.

**Planning Board Members:** Pre-meeting will be on Wednesday, April 5, 2023 at **11:00 a.m.** Meet on the 12<sup>th</sup> Floor in Room 1210.

Planning Board agenda and other information regarding the Planning Board and Planning Department is available on the Internet at <http://www.cityofomaha.org/planning>. The agendas available on the Internet are subject to change and are for convenience purposes only. A copy of the official agenda, kept continually current, shall be available for public inspection at the office of the Omaha Planning Department, 1819 Farnam Street, Suite 1100, Omaha, Nebraska, during normal business hours.

## **ADMINISTRATIVE MEETING ONLY**

### **Subdivisions**

1.	C10-19-245 C12-19-246 Walnut Grove, LLC	REQUEST:	Final Plat approval of HANOVER FALLS CENTER (Lots 3-8, Outlot B), with rezoning from AG to DR and MU
		LOCATION:	Northwest of 156 <sup>th</sup> and State Streets

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to DR and MU, subject to submission of an acceptable final Mixed Use Development Agreement prior to forwarding the request to City Council and approval of the final plat, subject to meeting the following conditions prior to forwarding the request to City Council:**

1. Receive preliminary approval of the Post Construction Stormwater Management Plan (PCSMP) from Public Works prior to forwarding the subdivision agreement to City Council. Upload the drainage study and preliminary plans to Permixon.
2. Revise the plat document to provide the following notes/revisions:
  - a. Direct access to 157<sup>th</sup> Street from Lot 8 is prohibited.
  - b. Direct access to Tucker Street from Lots 4 and 5 is prohibited.
  - c. Update the callout on the plat document to refer to “Outlot B” and remove the reference to Note 4.
3. Submit an acceptable final subdivision agreement.

2.	C10-05-208 C10-23-028 C12-23-029 Greenhall Investments, LLC	REQUEST:	Final Plat approval of ROANOKE BUSINESS PARK REPLAT 4, a subdivision inside city limits, with rezoning from DR, GC, and MU to DR and MU, along with approval of a Major Amendment to the Mixed Use Development Agreement for ROANOKE BUSINESS PARK (property is located within the FF-Flood Fringe and FW-Floodway Overlay Districts)
		LOCATION:	Southwest of 120 <sup>th</sup> and Fort Streets

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from DR, GC, and MU to DR and MU, subject to submittal of an acceptable Mixed Use District Development Agreement, prior to forwarding the request to City Council and approval of the Final Plat, subject to addressing the following conditions, prior to forwarding the request to the City Council for final action:**

1. Submittal of an acceptable final subdivision agreement.
2. Place a note on the final plat stating there shall be no access to Street E from Lots 4 or 5.
3. Coordinate with city staff on acceptable street names for the final plat mylars.
4. Receive preliminary approval of the PCSMP from Public Works; upload the drainage study and preliminary plans to Permixon.

**PUBLIC HEARING**

**(HOLD OVER CASES)**

**Subdivisions**

3.	C12-22-244 <b>D-LAYOVER</b> Sean Negus with Ponca Trails, LLC	REQUEST:	Preliminary Plat approval of PONCA TRAILS, a subdivision outside city limits, with a waiver to Sections 53-8(2)(g), Pavement Width; 53-9(9), Sidewalks; 53-8(2)(b), Cul-de-sac Length; 53-9(3), Street Surfacing to allow asphalt pavement and to waive installation of curb and gutter; 53-9(6), Storm Sewers; and 53-9(10), Streetscape Standards to reduce street lighting standards (laid over 3/1/23)
		LOCATION:	14222 Calhoun Road

**DISPOSITION: LAYOVER 7-0.**

4.	C10-21-009 <b>D-LAYOVER</b> C12-21-010 Celebrity Homes Omaha	REQUEST:	Preliminary Plat approval of DEER CREST NORTH, a subdivision outside city limits, with rezoning from DR to R4 (laid over 3/1/23)
		LOCATION:	Southeast of 114 <sup>th</sup> and State Streets

**DISPOSITION: LAYOVER 7-0.**

5.	C10-23-052 <b>D-APPROVAL</b> C12-23-053 Indian Creek North, LLC	REQUEST:	Preliminary Plat approval of INDIAN CREEK PRESERVE, a subdivision outside city limits, with rezoning from AG to R3 (laid over 3/1/23)
		LOCATION:	Southeast of 204 <sup>th</sup> and Fort Streets

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to R3 and approval of the Preliminary Plat for INDIAN CREEK PRESERVE, subject to the following conditions:**

1. Submit a revised tree canopy analysis that includes an inventory of canopy species confirming the location and square footage of “high” and “low” quality canopy types. Submit a revised mitigation plan showing a minimum 139 trees planted within Outlots D and E.
2. Revise the proposed legal description on the Preliminary Plat title block to include “Outlots A through E” rather than “Outlots A through C”.
3. Revise the phasing plan to include all of Outlot E within Phase 2 of the development, or confirm that Outlot E/Lot 16 avoids encroachment into the existing Fort Street right-of-way.
4. Dedicate fifty feet of right-of-way along the south side of the realigned Fort Street.
5. Coordinate with Douglas County and the City on the vacation of the existing Fort Street right-of-way concurrently with the Phase 2 final plat. Vacation of Fort Street must follow state statutes for County Right-of-Way vacation.
6. Coordinate with the Avante subdivision on the location of the intersection of Street A (201st Street) and Fort Street.
7. Enter into an interlocal agreement with Douglas County for the Fort Street improvements.
8. Coordinate with the Douglas County Engineer’s office on the review, approval, and permitting of all street, grading, sewer, storm sewer, drainage, and utility designs related to the improvement of Fort Street.
9. Provide temporary turnarounds at the termination of all stub streets.
10. Provide traffic calming for all streets longer than 1000 feet.
11. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
12. Place a note on the plat that there shall be no direct access to Fort Street from any lots or outlots.
13. Submit the 30 percent design report for the sanitary sewer to the Public Works Design Division per Section 2.14 of the City’s Wastewater Collection Systems Design Manual.
14. Construct sidewalks on all street frontages, including Fort Street.
15. Dedicate a noise attenuation easement, 115 feet from the ultimate alignment of Fort Street, and provide the standard language on the plat.
16. Receive preliminary approval of the PCSMP from Public Works prior to application for final plat approval. Upload the drainage study and preliminary plans to Permix.
17. The development must comply with all stormwater management ordinances and policies.
18. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.

**Special Use Permits**

6.	C8-22-255 <b>D-LAYOVER</b> C7-22-259 Sean Negus with Ponca Trails, LLC	REQUEST:	Approval of a Special Use Permit to allow development located within the North Hills Environmental Resource Overlay District, along with approval of a Major Amendment to the presumed Conditional Use Permit pursuant to Section 55-883(q) to allow a <i>Stable</i> in the DR District (laid over 3/1/23)
		LOCATION:	14222 Calhoun Road

**DISPOSITION: LAYOVER 7-0.**

**(REGULAR AGENDA)**

**Master Plan Referrals**

7.	C3-23-047 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the HAMILTON VILLAGE SENIOR SUITES TIF Redevelopment Project Plan
		LOCATION:	4102 Hamilton Street

**DISPOSITION: APPROVAL 7-0.**

8.	C3-23-073 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of THE LARIMORE TIF Redevelopment Project Plan
		LOCATION:	3483 Larimore Avenue

**DISPOSITION: APPROVAL 7-0.**

**Subdivisions**

9.	C12-23-074 <b>D-APPROVAL</b> Greater Omaha Packing Co.	REQUEST:	Preliminary and Final Plat approval of PROGRESSIVE PROTEIN, a minor plat inside city limits
		LOCATION:	Northwest and Southwest of 26 <sup>th</sup> and O Streets

**DISPOSITION: APPROVAL 7-0. Approval of the Preliminary Plat, subject to the following conditions:**

1. Record the alley and O Street ROW vacations concurrently with the recording of the final plat.
2. Compliance with all applicable stormwater management ordinances and policies.
3. Show all existing easements on the plat, including those which will be granted as part of the ROW vacations.

**Approval of the Final Plat, subject to compliance with the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement (if necessary), prior to forwarding to the City Council.**

10.	C12-23-076 <b>D-LAYOVER</b> Coveted Copper, LLC	REQUEST:	Preliminary Plat approval of COPPER RIDGE REPLAT 58, a subdivision outside city limits
		LOCATION:	Northeast of 157 <sup>th</sup> and Laurel Avenues

**DISPOSITION: LAYOVER 7-0.**

11.	C10-23-077 C12-23-078 Raymond D. Anderson III	<b>D-APPROVAL</b>	REQUEST:	Preliminary Plat approval of SONNENTANZ, a subdivision outside city limits, with rezoning from AG to R4
			LOCATION:	Northwest of Skyline Drive and Old Center Road

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to R4 and approval of the Preliminary Plat of, subject to meeting the following conditions:**

1. Dedicate 50 feet of right-of-way along the centerline of Skyline Drive.
2. Provide temporary turnarounds at the termination of all stub streets.
3. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
4. Coordinate with the Douglas County Engineer’s office on the review, approval, and permitting of all street, grading, sewer, storm sewer, drainage, and utility designs related to the improvement of Skyline Drive.
5. Provide traffic calming for all streets longer than 1000 feet.
6. Place a note on the plat that there shall be no direct access to Skyline Drive from any lots or outlots.
7. With the Phase 1 final plat, extend public sanitary sewer and connect Lot 1 to the City’s sanitary sewer system.
8. Submit the 30 percent design report for the sanitary sewer to the Public Works Design Division per Section 2.14 of the City’s Wastewater Collection Systems Design Manual.
9. Construct sidewalks on all street frontages, including Skyline Drive.
10. In the subdivision agreement, cover the sidewalk maintenance for all double-fronted lots.
11. Receive preliminary approval of the PCSMP from Public Works prior to application for final plat approval. Upload the drainage study and preliminary plans to Permix.
12. The development must comply with all stormwater management ordinances and policies.
13. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.
14. The development must comply with all applicable floodplain development regulations, including obtaining a floodplain development permit for any work, including grading, occurring within an identified Special Flood Hazard Area.
15. If the subdivision will not be in an SID, enter into a maintenance agreement with Douglas County prior to recording the Final Plat.

12.	C10-23-079 C12-23-080 Elkhorn Landing, LLC	REQUEST:	Preliminary and Final Plat approval of ELKHORN LANDING, a minor plat inside city limits, with a waiver to Section 53-8(4)(d), Lot frontage, along with rezoning from NBD to DR and NBD (portions of the property are located within the FF-Flood Fringe Overlay District)
		LOCATION:	South of 206 <sup>th</sup> Street and Elkhorn Drive

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from NBD to DR and NBD and approval of the waiver to Section 53-8(4)(d), Lot frontage and approval of the Preliminary Plat, subject to meeting the following conditions:**

1. Provide the payment of the fair-market value of the vacated 206th Street right-of-way prior to recording the final plat.
2. Grant an access easement between Elkhorn Drive and Lot 3 and Outlot A on the plat.
3. Provide a minimum 10-foot-wide trail along Elkhorn Drive.

4. **Compliance with all applicable floodplain development regulations.**
5. **Compliance with all stormwater management ordinances and policies**
6. **Provide for the use, ownership, and maintenance of the outlet in the subdivision agreement.**

**Approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement prior to forwarding the request to City Council.**

13.	C10-23-081 C12-23-082 Roger Keaton	REQUEST:	Preliminary and Final Plat approval of CHILD SAVING ADDITION, a minor plat inside city limits, with rezoning from GO and GI to GO (property is located within an ACI-Area of Civic Importance Overlay District)
		LOCATION:	Southeast of 46 <sup>th</sup> and Dodge Streets

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from GO and GI to GO and approval of the Preliminary Plat, subject to the following conditions:**

1. **Revise the plat document to provide a minimum 18 feet of right-of-way from the Dodge Street curb line to the property line.**
2. **The public on-street parking is subject to the OPW public improvements review process.**
3. **Compliance with all stormwater management ordinances and policies**

**Approval of the Final Plat subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement (if necessary) prior to forwarding the request to City Council.**

14.	C10-23-083 <b>D-APPROVAL</b> C12-23-084 DWS Land Surveying	REQUEST:	Preliminary and Final Plat approval of DEER CREEK REPLAT 27, a minor plat outside city limits, with rezoning from DR and R4 to DR and R4
		LOCATION:	12903 Deer Creek Drive and 13014 Scott Street

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from DR and R4 to DR and R4 and approval of the Preliminary Plat, subject to the following conditions:**

1. **Submit a Minor Amendment application to the SUP for Outdoor Sports and Recreation in the DR District, prior to forwarding this request to City Council.**
2. **Construct sidewalks along the subdivision's Deer Creek Drive frontage.**

**Approval of the Final Plat, subject to the conditions of the preliminary plat and submittal of an acceptable final subdivision agreement (if necessary), prior to forwarding the request to the City Council for final action.**

**Rezoning**

15.	C10-23-085 <b>D-APPROVAL</b> Juan C. LePez	REQUEST:	Rezoning from GC to R7
		LOCATION:	1469 South 16 <sup>th</sup> Street

**DISPOSITION: APPROVAL 7-0.**

16.	C10-23-086 <b>D-APPROVAL</b> Gloria P. Avalos	REQUEST:	Approval of the MCC-Major Commercial Corridor Overlay District
		LOCATION:	4110 and 4102 South 13 <sup>th</sup> Street

**DISPOSITION: APPROVAL 7-0.**

17.	C10-23-087 Gloria P. Avalos	<b>D-APPROVAL</b>	REQUEST:	Rezoning from GI to NBD (property is located within an ACI-Area of Civic Importance Overlay District)
			LOCATION:	5125 South 24 <sup>th</sup> Street

**DISPOSITION: APPROVAL 6-0.**

18.	C10-92-239 Bowl New England, Inc. d/b/a Spare Time Omaha	<b>D-APPROVAL</b>	REQUEST:	Approval of a Major Amendment to the Mixed Use Development Agreement for LAKESIDE PLAZA
			LOCATION:	17202 Lakeside Hills Plaza

**DISPOSITION: APPROVAL 7-0. Approval of a Major Amendment to the Mixed Use District Development Agreement for LAKESIDE PLAZA subject to submittal of five acceptable, signed copies of the amendment prior to forwarding the request to City Council.**

19.	C10-04-060 Royce Falling Waters, LLC	<b>D-APPROVAL</b>	REQUEST:	Approval of a Major Amendment to the Mixed Use Development Agreement for FALLING WATERS
			LOCATION:	6441 and 6425 South 193 <sup>rd</sup> Street

**DISPOSITION: APPROVAL 7-0. Approval of a Major Amendment to the Mixed Use District Development Agreement for FALLING WATERS COMMERCIAL subject to submittal of five acceptable, signed copies of the amendment prior to forwarding the request to City Council.**

20.	C10-23-088 C8-23-089 Tessa Domingus		REQUEST:	Rezoning from R5(35) to R6, with approval of a Special Use Permit to allow <i>Transitional living</i> in the R6 District (pending)
			LOCATION:	4810 Polk Street

**DISPOSITION: DENIAL 7-0.**

21.	C10-23-090 C8-23-091 Roger Keaton		REQUEST:	Rezoning from R7, GO, GC, and GI to GO, with approval of the ACI-2 Area of Civic Importance Overlay District on a portion of the property, along with approval of a Special Use Permit to allow <i>Surface parking</i> in the GO District (pending) (a portion of the property is located within an ACI-Area of Civic Importance Overlay District)
			LOCATION:	Southwest of 46 <sup>th</sup> and Dodge Streets

**DISPOSITION: APPROVAL 7-0. Approval of the rezoning from R7, GO, GC, and GI to GO, approval of the expansion of the ACI-2 Overlay District and approval of the Special Use Permit to allow Surface parking in the GO District (pending), subject to the following conditions:**

1. Dedicate right-of-way a minimum of 18 feet behind the curb line of Dodge Street.
2. Prior to forwarding the request to City Council, submit a revised site plan reflecting the required right-of-way dedication and any resulting adjustments to the parking lot.
3. Prior to forwarding the request to City Council, submit an acceptable landscaping plan.
4. Prior to forwarding the request to City Council, submit details for the proposed screen walls adjacent to Dodge Street.
5. Submit an administrative plat to consolidate the parcels into one legal lot of record.
6. The improvements cannot be constructed until the separate alley right-of-way vacation is recorded.

7. Construct curb ramps for the 10-foot-wide shared path along 46th Street in accordance with standard plate 504-01-4.
8. Compliance with the approved site plan, as revised.
9. Compliance with the approved landscaping plan, as revised.
10. Compliance with the approved operations plan.
11. Compliance with all stormwater management ordinances and policies.
12. Compliance with all applicable signage regulations. Pole signage is prohibited.
13. Compliance with all other applicable regulations.

22.	C10-23-094 C7-23-095 Jeff Dart	D-APPROVAL	REQUEST:	Rezoning from R7 and CC to CC District, with approval of the MCC-Major Commercial Corridor Overlay District, along with approval of a Conditional Use Permit to allow <i>Automotive repair services</i> in the CC District (pending) (portions of the property are located within the FF-Flood Fringe and FW-Floodway Overlay Districts)
			LOCATION:	11607 and 11655 M Circle

**DISPOSITION: APPROVAL 7-0. Approval of the MCC Overlay District, approval of the rezoning from R7 and CC to CC and approval of a Conditional Use Permit to allow Automotive repair services in the CC district, subject to:**

1. Compliance with the submitted site plan.
2. Submittal and compliance with updated building elevations prior to submitting for a building permit.
3. Compliance with submitted operating statement.
4. No outside overnight parking of vehicles for repair.
5. Compliance with all applicable stormwater management ordinances and policies.
6. Approval of a Certificate of Occupancy for the new building.
7. Compliance with all other applicable regulations.

**Special Use Permits**

23.	C8-13-182 Greater Omaha Packing	D-APPROVAL	REQUEST:	Approval of a Major Amendment to the Special Use Permit to allow <i>Meatpacking and related industries</i> in the HI District
			LOCATION:	Northwest and southwest of 26 <sup>th</sup> and O Streets

**DISPOSITION: APPROVAL 7-0. Approval of the Major Amendment to the Special Use Permit to allow Meatpacking and related industries in the HI District, subject to the following conditions:**

1. Submittal of and compliance with a revised site/landscape plan providing 5' of landscaping adjacent to side property lines for all parking facilities, prior to forwarding the request to City Council for final action.
2. Comply with all stormwater management ordinances and policies.
3. Coordinate with OPPD on relocation or removal of existing equipment, if necessary.
4. Compliance with the submitted operations plan.
5. Compliance with all other applicable regulations.



**Conditional Use Permits**

24.	C7-23-092 Arnold Nebraska, LLC	<b>D-APPROVAL</b>	REQUEST:	Approval of a Conditional Use Permit to allow <i>Indoor sports and recreation</i> in the CC District
			LOCATION:	5585 North 90 <sup>th</sup> Street

**DISPOSITION: APPROVAL 7-0. Approval of the Conditional Use Permit to allow Indoor sports and recreation in a CC District, subject to:**

1. Submittal of a revised site plan to include a landscape plan providing required tree planting for interior parking lot islands which do not currently have a tree, replanting of dying trees, and planting of required landscape trees along the 90th Street frontage, prior to approval of any building permit for the site.
2. Compliance with the proposed site plan.
3. Compliance with the proposed operating statement.
4. Compliance with all other applicable regulations.

25.	C7-23-093 Roger Keaton		REQUEST:	Approval of a Conditional Use Permit to allow <i>Large group living</i> in the GO District
			LOCATION:	Southeast of 46 <sup>th</sup> and Dodge Streets

**DISPOSITION: APPROVAL 7-0. Approval of the Conditional Use Permit to allow Large group living in the GO District (pending), subject to the following conditions:**

1. Coordinate with the Urban Design division to submit acceptable building elevations and landscaping plan before or at time of building permit submittal.
2. Compliance with the approved site plan.
3. Compliance with the approved operations plan.
4. Compliance with applicable signage regulations. Pole signage is prohibited.
5. Compliance with all stormwater management ordinances and policies.

**Vacations**

26.	C14-23-008 Property owner	<b>D-APPROVAL</b>	REQUEST:	Approval of the vacation of a portion of the O Street right-of-way located west of the intersection of 26 <sup>th</sup> and O Street, to the western terminus

**DISPOSITION: APPROVAL 7-0. Approval, subject to the following conditions:**

1. Coordinate with OPPD regarding street lights within the proposed vacation.

27.	C14-23-009 Planning Board	<b>D-APPROVAL</b>	REQUEST:	Approval of the vacation of the north-south alley right-of-way located north of O Street, south of N Street, and west of 26 <sup>th</sup> Street

**DISPOSITION: APPROVAL 7-0. Approval, subject to the following conditions:**

1. Retain utility easements, including street lights.
2. Retain an easement for the existing sewer, or submit documentation from an engineer stating that all connections have been terminated so the sewer can be properly abandoned.
3. An access easement must be granted to the benefit of 2615 N Street.

**Show Cause Hearing**

28.	C7-17-175 C7-21-121 C7-22-026 Malibu Properties, LLC West Omaha Sports Complex, LLC	REQUEST:	Conditional Use Permit to allow <i>Indoor sports and recreation</i> in the CC District, along with a Parking Adjustment for a Mixed Use Development
		LOCATION:	Generally southwest of 210 <sup>th</sup> Street and Cumberland Drive

**DISPOSITION: APPROVAL 7-0. Denial of the revocation of the Conditional Use Permit to allow Indoor sports and recreation in a CC District, subject to the following:**

1. **Submittal of a major amendment to the Conditional Use Permit (Case #C7-21-121) and the Parking Adjustment (Case #C7-22-026) to expand to include the property of 602 North 210th Street for placement on the May Planning Board agenda.**
2. **Submittal of a building permit for the new parking lot by May 15, 2023.**
3. **Compliance with the ACI-4 Overlay District requirements for the new buildings and parking lot.**
4. **Provide monthly in person progress reports to the Planning Board until the completion of the new parking lot or until the Planning Board decides that the progress is satisfactory.**

**MINUTES TO BE APPROVED: March 1, 2023**