

MINUTES

PRE-MEETING
OMAHA CITY PLANNING BOARD – MARCH 1, 2023
11th FLOOR CENTRAL CONFERENCE ROOM - OMAHA/DOUGLAS CIVIC CENTER
1819 FARNAM STREET

MEMBERS PRESENT: Greg Rosenbaum, Chair
David Rosacker, Vice Chair
Cydney Franklin
Patrick Morris
Jeffrey Moore
Michael Pate
Jorge Sotolongo

STAFF PRESENT: David Fanslau, Director
Eric Englund, Assistant Director
Michael Carter, Current Planning Manager
Jennifer Taylor, Senior Attorney, Law Department
Debbie Hightower, Recording Secretary

The pre-meeting was called to order by Eric Englund, Assistant Director, at 11:00 a.m.

#10 Don Seten, Planner of Housing Development, discussed the TIF case and answered questions from the Board.

#3 Kellie Johnston-Dorsey, Greg Paskach and Alyssa Silhacek discussed the case and answered questions with regard to the proposed 2023 Consolidated Action Plan.

#1,2,4-9, 11-30 Eric Englund, Assistant Director, briefly discussed the details of the cases and answered questions from the Board regarding the projects and the recommendations of the department staff.

Discussion Case

Eric Englund presented a brief summary of the problem of illegal parking dating back to mid-January and which is occurring every weekend due to the overlapping tournament games for basketball and volleyball. The Planning Board was advised that their role for today was a simple yes or no vote to bring the applicant back for the April 5th meeting for a show cause hearing. It was not their role to find or analyze any potential solutions today. Today's meeting was not a public hearing, nor did the City send notifications out to adjacent property owners. The Planning Board asked the applicant for their quick thoughts. Jim Buser acknowledged the parking problem and recognizes a potential solution with additional parking on the southern (current gravel) lot. Mr. Buser thanked the Board for their support. When pressed by Board member Mike Pate on why the solution has not been addressed up to this point, due to the history of the parking problem regarding the site, Mr. Buser responded and indicated that with this first season of the second building, the majority of the problem is a recent issue.

CONSENT AGENDA

APPROVAL, some with conditions:
#5, 6, 12, 15, 16, 17, 18, 19, 22, 23, 24, 25, 26, 27, 29, 30.

LAYOVER
#4, 7, 11, 13, 14, 21.

OMAHA CITY PLANNING BOARD – MARCH 1, 2023
 OMAHA/DOUGLAS CIVIC CENTER – LEGISLATIVE CHAMBER
 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, February 20, 2023.

- MEMBERS PRESENT: Greg Rosenbaum, Chair
 David Rosacker, Vice Chair
 Cydney Franklin
 Jeffrey Moore
 Patrick Morris
 Michael Pate
 Jorge Sotolongo
- STAFF PRESENT: David Fanslau, Director
 Eric Englund, Assistant Director
 Michael Carter, Current Planning Manager
 Jennifer Taylor, Senior Attorney, Law Department
 Debbie Hightower, Recording Secretary

Greg Rosenbaum, Chair, called the meeting to order at 1:40 p.m.

PUBLIC HEARING

(HOLD OVER CASES)

Subdivisions

5.	C10-23-024 D-APPROVAL C12-23-025 Elkhorn Public Schools	REQUEST:	Preliminary Plat approval of IRON BLUFF SOUTH and Final Plat approval of IRON BLUFF SOUTH (Lot 1), a subdivision outside city limits, with rezoning from AG to R5 (laid over 2/1/23)
		LOCATION:	Southeast of George B. Lake Parkway and I Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the rezoning from AG to R5 and approval of the Preliminary Plat, subject to the following conditions:

1. In the subdivision agreement, provide for the pro-rata reimbursement to SID 613 (Iron Bluff) for internal streets and sewers, and a pro-rata contribution to off-site improvements to 204th Street and F Street.
2. Coordinate with the neighboring property owners and SIDs on the cost sharing arrangements, ROW dedication, and construction of the roundabout on George B Lake at the southwest corner of Lot 2.
3. Place a note on the plat that there shall be no access to Outlot A from 204th Street or I Street.
4. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
5. A temporary cul-de-sac must be constructed at the south end of George B. Lake Parkway, rather than a hammerhead turnaround. Portions of the cul-de-sac that are constructed outside of the standard right of way width must be placed in a temporary public use easement.

6. If Iron Bluff South Addition will not be located in a Sanitary Improvement District, enter into a maintenance agreement with Douglas County.
7. Contact the NDOT and provide the platting and plans to obtain a NDOT Right-of-Way (ROW) permit to perform any work on state ROW and/or improve any accesses or driveway from the state highway system.
8. Submit the 30% 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. Coordinate with Public Works for an acceptable fees exhibit in the subdivision agreement.
10. Receive preliminary approval of the PCSMP from Public Works prior to forwarding the subdivision agreement to City Council; upload the drainage study and preliminary plans to Permix.
11. The development must comply with all applicable stormwater management ordinances and policies.
12. Provide sidewalk and street tree improvements on each side of George B. Lake Parkway.
13. Trails and/or open space constructed within the development that are not part of the suburban park master plan shall be privately constructed and maintained by the developer, HOA or other approved entity.
14. Provide for the use, ownership, and maintenance of the outlots in the subdivision agreement.

The Board also moved for approval of the Final Plat for Lot 1, subject to the applicable conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, prior to forwarding the request to City Council for final action.

Ms. Franklin seconded the motion which carried 7-0.

(REGULAR AGENDA)

Subdivisions

12.	C10-23-048 C12-23-049 Hagen Hills LLC	D-APPROVAL	REQUEST:	Preliminary Plat approval of HAGEN HILLS, a subdivision outside city limits, with rezoning from AG to DR and R4 (a portion of the property is located within the FF-Flood Fringe Overlay District)
			LOCATION:	Northeast of 168 th Street and Military Road

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the rezoning from AG to DR and R4 and approval of the Preliminary Plat of HAGEN HILLS, subject to meeting the following conditions:

1. Revise the intersection of C Street and D Street to include a right-of-way dedication to the north subdivision boundary, and for a paved return to the north to allow for a future street connection.
2. Revise the D Street approach to 168th Street to include a 16-foot inbound lane, a 4-foot paved median, and two 12-foot outbound lanes. Dedicate right-of-way 12.5 feet behind the curb on each side of the street.
3. Verify that the proposed location of the Street A intersection with Rainwood Road matches the location of the street on the south side as approved previously on the Evergreen preliminary plat.
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 168th Street and Rainwood Road.
5. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
6. Provide temporary turnarounds at the termination of all stub streets.
7. Provide traffic calming for all streets longer than 1000 feet.
8. The NRD must sign the plat and be a party to the subdivision agreement.
9. Place a note on the plat that there shall be no direct access to 168th Street or Rainwood Road from any lots or outlots, and that the intersection of A Street and Rainwood Road shall be restricted to

right-in/right-out only upon future improvements to Rainwood Road to a four-lane section with raised medians.

10. Place the standard noise attenuation easement language on the plat.
11. Grant an access easement between Outlot A and A Street.
12. 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.
13. Construct sidewalks on all street frontages, including 168th Street and Rainwood Road.
14. Construct a sidewalk connection between the subdivision's streets and the future trail in the dam site. Coordinate with the City on the location and design.
15. Extend the proposed pipe which outlets onto NRD property to the east down to the planned Dam Site 7 permanent pool elevation of 1119.0 feet.
16. Revise the grading plan to identify the limits of, as well as any grading work to be completed on, the adjacent NRD property.
17. 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.
18. Any drainageway must be placed in an outlot sized to accommodate either the 3:1 + 20' section, or the 100-year storm flow (whichever is greater).
19. The development must comply with all stormwater management ordinances and policies.
20. Trails/open space constructed within the development that are not a part of the suburban parks master plan must be privately constructed and maintained by the developer, HOA, or other approved entity.
21. Provide for the use, ownership, and maintenance of the outlots in the final subdivision agreement.
22. Coordinate with the Papio NRD on access to their property using A Street or B Street.
23. A permanent drainage easement must be obtained from the NRD for the proposed drainage outlet. A temporary construction easement must be obtained from the NRD for any work planned in the Papio NRD owned property.
24. 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.
25. Coordinate with the City on an acceptable debt ratio.

Ms. Franklin seconded the motion which carried 7-0.

Rezoning

15.	C10-23-054 Edna Francis	D-APPROVAL	REQUEST:	Rezoning from GC to R4(35)
			LOCATION:	405 and 411 Bancroft Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval. Ms. Franklin seconded the motion which carried 7-0.

16.	C10-23-055 James Zymola	D-APPROVAL	REQUEST:	Rezoning from GI to NBD (property is located within an ACI-Area of Civic Importance Overlay District)
			LOCATION:	2219 South 13 th Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval. Ms. Franklin seconded the motion which carried 7-0.

17.	C10-23-056 G&I X Montclair On Center LLC	D-APPROVAL	REQUEST:	Approval of the MCC-Major Commercial Corridor Overlay District
			LOCATION:	13105 West Center Road

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval. Ms. Franklin seconded the motion which carried 7-0.

18.	C10-23-057 Abarrotes Alba, LLC	D-APPROVAL	REQUEST:	Rezoning from GI to CC (property is located within an ACI-Area of Civic Importance Overlay District)
			LOCATION:	3510 South 24 th Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval. Ms. Franklin seconded the motion which carried 7-0.

19.	C10-23-059 C10-21-155 Drew Sova	D-APPROVAL	REQUEST:	Rezoning from HI to CBD, along with approval of a Major Amendment to the NCE-Neighborhood Conservation and Enhancement District, and repeal of the ACI-Area of Civic Importance Overlay District
			LOCATION:	1107 and 1113 Nicholas, and 1001 North 12 th Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the repeal of the ACI-Area of Civic Importance Overlay District, approval of the Major Amendment to the NCE-Neighborhood Conservation and Enhancement Plan boundary for Millwork Commons and approval of the rezoning from HI to CBD. Ms. Franklin seconded the motion which carried 7-0.

Special Use Permits

22.	C8-23-060 Gabriela Martinez	D-APPROVAL	REQUEST:	Approval of a Special Use Permit to allow a <i>Daycare services (general)</i> to be located in the R4(35) District
			LOCATION:	3252 Monroe Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of a Special Use Permit to allow a Daycare services (general) in the R4(35) District, subject to the following conditions:

1. Submit a revised site plan to include the newly constructed sidewalk, prior to forwarding this request to the city council for final action.
2. Comply with all applicable building and fire codes, including receiving a Certificate of Occupancy from the Permits and Inspections division.
3. Compliance with the submitted site plan.
4. Compliance with the submitted operations plan.

Ms. Franklin seconded the motion which carried 7-0.

23.	C8-19-127 McNeil Company Builders	D-APPROVAL	REQUEST:	Approval of a Special Use Permit to allow development in the ED-North Hills Environmental Resources Overlay District
			LOCATION:	10409 North 72 nd Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the SUP to allow development in the ED Overlay, subject to the following:

1. Prior to forwarding to City Council:
 - a. Submittal of an erosion and sediment control plan.
 - b. Submittal of an administrative subdivision for the property.
2. Compliance with the submitted plans.

Ms. Franklin seconded the motion which carried 7-0.

24.	C8-23-061 CHI Engineering, Inc.	D-APPROVAL	REQUEST:	Approval of a Major Amendment to the presumed Special Use Permit pursuant to Section 55-883(q) to allow <i>Major utility facilities</i> in the DR District, with a waiver to Section 55-108, Height, to allow a 62-foot-tall structure (portions of the property are located within the FF-Flood Fringe Overlay District)
			LOCATION:	Northeast of 120 th and Fort Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the waiver to Section 55-108, Height, to allow a 62-foot-tall structure and approval of the Major Amendment to the Special Use Permit to allow Major utility services in the DR District, subject to the following conditions:

1. Compliance with the approved site plan.
2. Compliance with the approved operations plan.
3. Compliance with all applicable stormwater management ordinances and policies.
4. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

25.	C8-23-063 C10-23-062 David Shaffer	D-APPROVAL	REQUEST:	Approval of a Special Use Permit to allow <i>Automotive sales</i> in the GC District, with approval of the MCC-Major Commercial Corridor Overlay District
			LOCATION:	1941 South 42 nd Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the MCC Overlay District. Approval of the Special Use Permit to allow Automotive sales in the GC District, subject to the following conditions:

1. Prior to forwarding to City Council, submit a revised site plan to clearly indicate the designated parking area.
2. Compliance with the approved site plan, as revised.
3. Compliance with the approved operations plan.
4. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

26.	C8-23-065 C7-23-066 C10-23-064 Mater Filius of Nebraska, Inc.	D-APPROVAL	REQUEST:	Approval of a Special Use Permit to allow <i>Large group living</i> in the R4 District; approval of a Major Amendment to the presumed Conditional Use Permit pursuant to Section 55-883(q) to allow <i>Religious assembly</i> in the R4 District; and approval of the rezoning from R4(35) to R4
			LOCATION:	5912 South 36 th Street and 3614 Y Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the rezoning from R4(35) to R4 and approval of the Major Amendment to the presumed Conditional Use Permit pursuant to Section 55-883(q) to allow Religious assembly in the R4 District, subject to the following conditions:

1. Submit an application to plat the property into two lots as shown on submitted plans.
2. Obtain the necessary waiver from the Zoning Board of Appeals to increase the impervious coverage from 50 percent to 68 percent.
3. Compliance with the approved site plan.
4. Compliance with the approved operations plan.
5. Compliance with all stormwater management ordinances and policies.
6. Compliance with all applicable signage regulations.
7. Compliance with all other applicable regulations.

The Board also moved for approval of the Special Use Permit to allow Large group living in the R4 District, subject to meeting the following conditions:

1. Submit an application to plat the property into two lots as shown on submitted plans.
2. Obtain the necessary waiver from the Zoning Board of Appeals to increase the impervious coverage from 50 percent to 68 percent prior to forwarding this request to City Council.
3. Prior to forwarding to City Council, provide a revised operations plan identifying the following:
 - a. Submit a calculation of bedroom space per resident, along with floor plans demonstrating the minimum square footages are being met.
 - b. Provide the number of staff on-site.
 - c. Provide details of visitation policies, including the dates/times of visitation as well as the expected number of visitors to the site.
4. Prior to forwarding to City Council, provide revised site and landscaping plans addressing the following:
 - a. Provide details on trees on-site to be preserved or removed.
 - b. Provide 7 overstory trees on the Y Street frontage.
 - c. Provide one additional overstory tree on the 36th Street frontage.
 - d. Provide one overstory tree in the interior of the parking lot.
 - e. Revise plans to provide a minimum 15-foot depth of landscaping to the new driveway and parking lot.
5. Prior to forwarding the request to City Council, provide revised, scaled and dimensioned building elevations demonstrating the proposed building meets the 35-foot height requirement.
6. Compliance with the site plan and building elevations (as revised).
7. Compliance with the operations plan (as revised).
8. Compliance with all stormwater management ordinances and policies.
9. Compliance with all applicable signage regulations.
10. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

Conditional Use Permits

27.	C7-23-067 Noddle Companies	D-APPROVAL	REQUEST:	Approval of a Conditional Use Permit to allow <i>Outdoor entertainment</i> in the CBD (property is located within an ACI-Area of Civic Importance Overlay District)
			LOCATION:	724 North 16 th Street

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the Conditional Use Permit to allow Outdoor entertainment in the CBD, subject to the following conditions:

1. Submit a revised operations plan noting compliance with the requirements of Chapter 55,

- Performance Standards, and including operating hours for the business.
2. Install a curb extension and pedestrian curb ramp on the east side of 16th Street at 16th and Burt Streets.
 3. Coordinate with the City and Creighton University to determine the best alignment for the bike trail.
 4. Coordinate with Planning and Public Works on an acceptable streetscape plan.
 5. Compliance with the approved site plan.
 6. Compliance with the approved operations plan, as revised.
 7. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

Vacations

29.	C14-23-069 Douglas County	D-APPROVAL	REQUEST:	Approval of the vacation of the Hadan Street and 117 th Street rights-of-way located north of State Street, south of Rainwood Road, east of 120 th Street, and west of Blair High Road
-----	------------------------------	-------------------	----------	--

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval, subject to the following conditions:

1. Coordinate with Douglas County and the City of Omaha to ensure no orphaned parcels are created by the proposed vacation.
2. Enter into an agreement for the improvement of 120th Street, between State Street and where 120th Street currently meets Hadan Road.
3. Coordinate with OPPD on relocation or removal of existing equipment.

Ms. Franklin seconded the motion which carried 7-0.

30.	C14-23-070 Douglas County	D-APPROVAL	REQUEST:	Approval of the vacation of a portion of Rainwood Road located west of 84 th Street to its western terminus
-----	------------------------------	-------------------	----------	--

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Rosacker motioned for approval of the vacation of a portion of the Rainwood Road right-of-way located west of the intersection of 84th Street and Rainwood Road, subject to the following conditions:

1. Prior to forwarding this request to City Council, submit an administrative subdivision that plats the home sites on the south side of Rainwood Road into legal lots of record.
2. The former Rainwood Road right-of-way must be platted into an outlet.
3. Prior to forwarding this request to City Council, submit a short form subdivision agreement accounting for the use, ownership, and maintenance of the outlet (former Rainwood Road).
4. Prior to forwarding this request to City Council, submit a separate cross-access easement for the two platted lots.
5. Retain utility easements for OPPD.
6. Continue to coordinate with Planning and Public Works for an acceptable parcel configuration north of the vacated Rainwood Road.

Ms. Franklin seconded the motion which carried 6-0-1. Mr. Morris recused himself.

(HOLD OVER CASES)

Subdivisions

4.	C12-22-244 D-LAYOVER 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 10/05/22)
		LOCATION:	14222 Calhoun Road

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

Special Use Permits

7.	C8-22-255 D-LAYOVER 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 Stable in the DR District (laid over 10/05/22)
		LOCATION:	14222 Calhoun Road

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

(REGULAR AGENDA)

Subdivisions

11.	C10-21-009 D-LAYOVER 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
		LOCATION:	Southeast of 114 th and State Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

13.	C10-23-050 D-LAYOVER C12-23-051 Brookestone Meadows Inc./ Vetter Senior Living	REQUEST:	Preliminary Plat approval of BROKESTONE MEADOWS REPLAT 3, a subdivision inside city limits, with rezoning from AG and R7 to R7, along with approval of the MCC-Major Commercial Corridor Overlay District
		LOCATION:	Southeast of 204 th and Harney Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

14.	C10-23-052 C12-23-053 Indian Creek North, LLC	D-LAYOVER	REQUEST:	Preliminary Plat approval of INDIAN CREEK PRESERVE, a subdivision outside city limits, with rezoning from AG to R3
			LOCATION:	Southeast of 204 th and Fort Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

Overlays

21.	C11-05-178b Brookestone Meadows Inc./ Vetter Senior Living	D-LAYOVER	REQUEST:	Approval of a Major Amendment to the PUD-Planned Unit Development Overlay District
			LOCATION:	Southeast of 204 th and Harney Streets

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

Special Use Permits

28.	C7-23-068 C10-23-071 ASLAN Companies	D-LAYOVER	REQUEST:	Approval of a Conditional Use Permit to allow <i>Multiple family residential</i> in the CC District, with approval of the MCC-Major Commercial Corridor Overlay District
			LOCATION:	14441 and 14505 Dupont Court

At the Planning Board meeting held March 1, 2023, this case was on the Consent Agenda.

Mr. Moore motioned for a layover. Mr. Sotolongo seconded the motion which carried 7-0.

Discussion

	C7-17-175 C7-21-121 C7-22-026 Malibu Properties, LLC West Omaha Sports Complex, LLC	D-LAYOVER	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 th Street and Cumberland Drive

At the Planning Board meeting held March 1, 2023, this case was on for discussion.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that the Planning Department recommends that the Planning Board move to schedule a show cause hearing on April 5, 2023 at the regular Planning Board meeting.

Mr. Pate motioned for approval by the Planning Board to show cause at the April 5, 2023 Planning Board meeting.

Ms. Franklin seconded the motion which carried 7-0.

ADMINISTRATIVE MEETING ONLY

Subdivisions

1.	C10-23-022 C12-23-023 Elkhorn Public Schools	REQUEST:	Final Plat approval of IDA POINTE WEST, a subdivision outside city limits, with rezoning from AG to R5
		LOCATION:	Northwest of 196 th Street and Stone Avenue

At the Planning Board meeting held March 1, 2023, this case was on the Administrative portion of the agenda.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund explained that the Preliminary Plat was approved by Planning Board on February 1, 2023 and approved by City Council on February 28, 2023. The Final Plat submittal is compliant with all the regulations and Master Plan requirements. There are a few minor changes that adjusted the outlot on the east side to shift the right-of-way so it abuts the adjacent property, as well as providing a temporary cul-de-sac for the turnaround. This will be an elementary school within the Elkhorn School District. The plat will not be recorded until the AVANTE plat, directly to the south, is recorded. Mr. Englund stated that staff recommends approval of the rezoning from AG to R5 and approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement, prior to City Council.

Mr. Pate motioned for approval of the rezoning from AG to R5 and approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement, prior to forwarding the request to the City Council for final action.

Mr. Moore seconded the motion which carried 7-0.

2.	C10-21-209 C12-21-210 Westwood Solutions, LLC	REQUEST:	Final Plat approval of STATE AND HIGHWAY 133 ADDITION (Lot 3, Outlot C), a subdivision outside city limits, with approval of a rezoning from AG to GI
		LOCATION:	Northwest of State Street and Blair High Road

At the Planning Board meeting held March 1, 2023, this case was on the Administrative portion of the agenda.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund explained that the Preliminary Plat was approved by Planning Board in January 2023 and approved by City Council on February 7, 2023. This Final Plat is the next phase that incorporates the previously platted lot and includes one larger lot as well as one outlot. The phasing plan has been modified since the Preliminary Plat was before the Board, but is acceptable. There are a few items to continue working with the development team including tree mitigation plans, as well as several other documents. Mr. Englund stated that staff recommends approval of the rezoning from AG to GI and approval of the Final Plat, subject to addressing the three conditions listed in the recommendation report, prior to City Council.

Mr. Morris motioned for approval of the rezoning from AG to GI 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. Provide an acceptable tree mitigation planting plan.
3. Provide a letter of approval of a Noxious Weed Plan from Douglas County.

Mr. Rosacker seconded the motion which carried 7-0.

PUBLIC HEARING

(HOLD OVER CASES)

Master Plan Referrals

3.	C3-23-043 Planning Department on behalf of the City of Omaha	REQUEST:	Approval of the 2023 Consolidated Action Plan (laid over 2/1/23)
		LOCATION:	City of Omaha and the Three-Mile Extraterritorial Jurisdiction

At the Planning Board meeting held March 1, 2023, Kellie Johnston-Dorsey, Assistant Director for Community Development, Planning Department, appeared before the Board. Ms. Johnston-Dorsey covered the highlights of the 2023 Consolidated Action Plan. She stated that the purpose of the annual Action Plan is to provide a concise summary of actions, activities and specific Federal and non-Federal resources that are used each year to address the priority needs and goals identified within the Consolidated Plan. This is the fifth and final year of the most recently adopted Consolidated Plan, 2019-2023. The programs include CDBG (Community Block Grant), HOME Investment Partnership and ESG (Emergency Solutions Grant). The final allocation was recently received and has gone down from previous years and is less than estimated. The amount is \$6.9 million. The final allocation amounts for the Action Plan needs to be submitted to HUD by April 25th. Recommended funding is for the Choice Neighborhood South neighborhoods project and Y Street improvements Phase II and increased funding for the single-family rehabilitation programs which include exterior home rehabilitation, accessibility, healthy homes, emergency repairs and senior home repair. She mentioned other programs and offered to answer any questions.

There were no opponents.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that staff recommends approval.

Mr. Sotolongo motioned for approval. Mr. Moore seconded the motion which carried 6-0-1. Ms. Franklin recused herself.

Special Use Permits

6.	C8-22-166 C10-22-169 Lanoha Nurseries, Inc.	REQUEST:	Rezoning from AG to DR, with approval of a Special Use Permit to allow <i>Agricultural sales and service</i> in the DR District (portions of the property are located within the FF-Flood Fringe Overlay District) (laid over 6/1/22)
		LOCATION:	Northeast of 258 th Plaza and West Center Road

At the Planning Board meeting held March 1, 2023, Larry Jobeun, 11440 West Center Road, appeared before the Board on behalf of the applicant. Mr. Jobeun submitted a revised site plan and explained the change which include swapping the building with the material storage area. He offered to answer any questions.

Mr. Robert Peterson, 14747 California Street, appeared before the Board on behalf of the owner to the west of the proposed project. Mr. Peterson stated that his client has no opposition to the change.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that staff recommends approval of the rezoning from AG to DR and approval of the Special Use Permit to allow Agricultural sales and service in the DR District, subject to the six conditions listed in the report with a modification to recommendation number three to state, prior to forwarding to City Council,

submittal of an updated site plan reflecting the changes discussed in the public hearing of the Planning Board.

Mr. Rosacker motioned for approval of the rezoning from AG to DR and approval of the Special Use Permit to allow Agricultural sales and service in the DR District, subject to the following conditions:

1. Prior to commencing operation on the site, obtain a floodplain development permit demonstrating that the raw material storage area is elevated/protected by berm; that the proposed building is elevated in compliance with floodplain regulations; and that an acceptable flood emergency response/evacuation plans has been provided. All development of the site must comply with floodplain development regulations.
2. Obtain a waiver from the Zoning Board of Appeals to reduce the required amount of site paving to the first 70 feet of the driveway from West Center Road and the proposed off-street parking spaces adjacent to the future building. ADA-accessible parking must be paved.
3. Prior to forwarding to City Council, submittal of a revised site plan reflecting the changes discussed during the public hearing of the Planning Board (swapping the building with the material storage area).
4. Compliance with the submitted operations plan.
5. Compliance with all signage regulations.
6. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

Conditional Use Permits

8.	C7-15-153 Lord of Life Lutheran Church	REQUEST:	Approval of a Major Amendment to the Conditional Use Permit to allow <i>Religious assembly</i> in the R1 District (laid over 7/6/22)
		LOCATION:	20844 Bonanza Boulevard

At the Planning Board meeting held March 1, 2023, Joe Kotulak, RDG Planning & Design, 1302 Howard Street, appeared before the Board on behalf of the applicant. Mr. Kotulak stated additional communication was done with homeowners in Skyline Ranches. There was an open house in July and October to discuss the request. He stated there were no amendments made since the meeting in July but there will be communication with the homeowners in Skyline Ranches as the project moves forward.

In response to Mr. Rosenbaum, Mr. Kotulak stated there were questions regarding the initial size of the project and the number of parking stalls in relation to green space.

In response to Mr. Pate, Pastor Dave (inaudible), 20844 Bonanza Boulevard, stated that membership is hard to count because of on-line and in-person membership. Within the last five years there was approximately a 33% growth. The expansion should be able to handle the growing congregation with multiple services and more parking.

There were no opponents.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that even though there are several waivers, the staff recommends approval of the Major Amendment to the Conditional Use Permit to allow Religious assembly in the R1 District, subject to the eight conditions listed in the recommendation report.

Mr. Morris motioned for approval of the Major Amendment to the Conditional Use Permit to allow Religious assembly in the R1 District, subject to the following conditions:

1. Prior to issuance of a building permit, obtain waivers from the Zoning Board of Appeals to reduce the required setback to off-street parking; to reduce the required landscaping depth; and to increase the permitted impervious coverage on the site.

2. Prior to issuance of a building permit, submit an acceptable landscaping plan, including species identification of all trees proposed for removal/relocation. A minimum 36 trees are required.
3. Prior to issuance of a building permit, coordinate with Public Works to waive the right to protest the creation of a future sidewalk improvement district or street improvement district.
4. Compliance with all stormwater management ordinances and policies.
5. Compliance with all signage regulations.
6. Compliance with the approved site plan and landscaping plan, as revised.
7. Compliance with the approved operations plan.
8. Compliance with all other applicable regulations.

Ms. Franklin seconded the motion which carried 7-0.

9.	C7-00-250 C10-22-326 Rob Cooksey	REQUEST:	Approval of a Major Amendment to the Conditional Use Permit to allow <i>Secondary education facilities</i> in the R4 District, along with approval of the MCC-Major Commercial Corridor Overlay District (laid over 12/7/22)
		LOCATION:	15656 Fort Street

At the Planning Board meeting held March 1, 2023, Zack Fergus, Lamp Ryneason, 14710 West Dodge Road, appeared before the Board on behalf of the applicant. Mr. Fergus submitted a site plan and stated that the project is both renovating the interior of Concordia School as well as expanding based on new enrollment and projected growth. The current enrollment is 181 students, K-5th grade; 165 students 6th-8th grade and 306, 9th-12th grade. The school site is located on 37 acres. The expansion will incorporate two new building entrances to the southwest and northwest of the existing building and 150-200 new parking spaces dependent on pricing and budgets. At the request of the City, the site plan shows the closure of the current driveway on Fort Street and the relocation to an existing driveway that has been paved as a part of the 158th Avenue right-of-way which will tie in the main drive into the school site further to the west. This aligns with the City's desire to have only ¼ mile accesses. The previous layover allowed a meeting with neighbors on January 26th. There were many questions and general traffic concerns with regard to the driveway closure on Fort Street and the moving of the driveway closer to the neighborhood. There was a traffic study performed and is currently in review with Public Works.

Rob Cooksey, 14714 Crown Point Avenue, appeared before the Board. Mr. Cooksey stated that he is principal of Concordia School and offered to answer any questions.

Lee Hanke, 5603 North 160th Avenue, appeared before the Board. Mr. Hanke stated that he is the current Board Chair of Concordia School and offered to answer any questions.

Molly Mazour, 5505 North 160th Avenue, appeared before the Board. Ms. Mazour stated that her home is located nearest the new driveway. She is concerned with increased traffic because of the removal of the Fort Street access.

Melana (inaudible) 5408 North 160th Avenue, appeared before the Board. Melana stated that she and her fiancée live within the circle close to the proposed driveway therefore she is opposed to the rerouting of traffic because of issues with uncontrolled traffic including after hour events at the school.

Mr. Rosacker pointed out that there is a lot more distance, within the school site, to handle school traffic.

Ryan Haas appeared before the Board on behalf of the Public Works Department. Mr. Haas stated that the traffic study was received and is in review. A Certificate of Occupancy (CO) will be put on hold to assure that recommendations and improvements will be made as a result of the driveway change.

Zack Fergus stated that a landscape buffer is a possibility. There will be internal sidewalks to the school for further connectivity along with additional internal parking to the site for athletic events. There will be between 300 and 400 parking spaces dependent on the number of 11th and 12th graders and staff.

In response to Mr. Pate, Robert Cooksey, 14714 Crown Point Avenue, stated that there will be a 10 minute stagger time schedule for start and dismissal for K-5, 6-8 and 9-12 to benefit the traffic flow. Mr. Cooksey explained the pickup and dropoff flow with regard to the different grade levels.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that there are a few landscaping items that need to be finalized and updated with the landscaping plan to buffer adjacent properties. He stated that staff recommends approval of the MCC-Major Commercial Corridor Overlay District and approval of a Major Amendment to the Conditional Use Permit to allow Secondary education facilities in the R4 District, subject to the ten conditions listed in the recommendation report.

Mr. Pate motioned for approval of the MCC-Major Commercial Corridor Overlay District and approval of a Major Amendment to the Conditional Use Permit to allow Secondary education facilities in the R4 District, subject to the following conditions:

1. Provide for all improvements identified in the final approved traffic study.
2. Submittal of and compliance with a revised site/landscape plan providing the additional landscaping/tree planting requirements, removing the gravel parking lot or showing it with a paved hard surface, and providing a sidewalk connecting the school to Jaynes Street.
3. Submittal of and compliance with revised building elevations providing additional information on exterior wall material titles "BMU-1," in compliance with section 55-935(d)1.
4. Construct sidewalks along the site's 156th Street and Hartman Avenue frontages.
5. Submit a new PCSMP to Public Works for review and approval.
6. Remove the existing turn lane pavement along with the existing Fort Street access removal.
7. Comply with all applicable stormwater management ordinances and policies.
8. All signage must comply with the requirements of the Omaha Sign Code, including no pole signs being permitted on the site.
9. Compliance with all other applicable regulations.
10. Compliance with the submitted operations plan.

Mr. Rosacker seconded the motion which carried 7-0.

(REGULAR AGENDA)

Master Plan Referrals

10.	C3-23-046 Planning Department of behalf of the City of Omaha	REQUEST:	Approval of the LEAVENWORTH LOFTS TIF Redevelopment Project Plan
		LOCATION:	3612 Leavenworth Street

At the Planning Board meeting held March 1, 2023, Don Seten, Housing Development Planner, appeared before the Board on behalf of the Planning Department. Mr. Seten submitted a site plan and stated that the project consists of a new four story apartment building with 24 units of which half will be market rate long term rentals and half VRBO rental units. The building will consist of three stories above 18 parking stalls with alley improvements. This project is in the Urban Core Mobility Plan area and there will be a contribution of TIF proceeds into the streetcar system. The total project investment is \$7.6 million and are requesting \$908,000.00 in TIF program support. The project meets all the criteria for the TIF program and has been approved by the TIF Committee, is an appropriate land use for the area and complies with the goals of the City's Master Plan.

Bob Griffith, 11440 West Center, appeared before the Board on behalf of the applicant. Mr. Griffith added that the VRBO is a viable option for visiting traveling nurses at nearby UNMC. There was a meeting with the Blackstone Neighborhood Association.

In response to Mr. Morris, Charlie Sullivan, 11516 Miracle Hills Drive verified that there will be parking stalls available for the VRBO tenants.

There were no opponents.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund stated that staff recommends approval.

Ms. Franklin motioned for approval. Mr. Morris seconded the motion which carried 7-0.

Overlays

20.	C11-21-313 C10-21-228 Uptown Properties, LLC	REQUEST:	Rezoning from R6 and R7 to R7, with approval of a Major Amendment to the PUR-Planned Unit Redevelopment Overlay District
		LOCATION:	Southeast of 31 st and Marcy Streets

At the Planning Board meeting held March 1, 2023, Kyle Haase, E & A Consulting Group, 10909 Mill Valley Road, appeared before the Board on behalf of the applicant. Mr. Haase submitted a site plan and stated that the project will be a total of 188 apartment units with 147 parking stalls. There will be 107 parking stalls below grade and 40 additional on-street parking spaces. There was a neighborhood meeting on February 21st with approximately six people in attendance with no opposition. He offered to answer any questions.

In response to Mr. Pate, Mr. Haase stated that there is enough parking spaces within the TOD District and with the proposed streetcar project. There is some additional street parking within the neighborhood and 40 bike lockers will be provided.

Michael Carter, 11506 Nicholas Street, appeared before the Board. Mr. Carter added that the garage will be available at an additional fee and street parking will be first-come, first-serve.

There were no opponents.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund added that the project is within the TOD area and the Urban Core Housing Mobility TIF District. There will be an application for TIF for the project that will include a contribution to the streetcar project. This project is located in a very dense neighborhood. He stated that staff recommends approval of the rezoning from R6 and R7 to R7 and approval of the Major Amendment to the PUR-Planned Unit Redevelopment Overlay District, subject to submission of an acceptable final PUR Plan prior to forwarding to City Council.

In response to Mr. Morris, Mr. Englund stated that if the streetcar was not in play and the PUR mechanism was still used, based on past history, without the streetcar, there would be additional parking stalls required.

Mr. Sotolongo motioned for approval of the rezoning from R6 and R7 to R7 and approval of the Major Amendment to the PUR-Planned Unit Redevelopment Overlay District, subject to submission of an acceptable final PUR Plan prior to forwarding the request to City Council.

Ms. Franklin seconded the motion which carried 6-1 with Mr. Morris dissenting.

February 1, 2023 MINUTES

Mr. Pate motioned for approval of the February 1, 2023 Planning Board pre-meeting and meeting minutes. Ms. Franklin seconded the motion which carried 7-0.

ADJOURNMENT

Ms. Franklin motioned to adjourn the meeting. Mr. Morris seconded the motion which carried 7-0. The meeting was adjourned at 3:25 p.m.

April 5, 2023

Date Approved

Greg Rosenbaum, Chairman

Debbie Hightower, Planning Board
Recording Secretary