

PLANNING BOARD DISPOSITION AGENDA



Public Hearing and Administrative Meeting
Wednesday, May 1, 2024, **1:00 P.M.**

Omaha/Douglas Civic Center
1819 Farnam Street
Legislative Chamber

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, April 22, 2024.

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, May 1, 2024 at **10:30 a.m.** Meet on the 12th 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.	C10-16-287 C12-16-288 Jasper Stone 192nd & Dodge, LLC	REQUEST:	Final Plat approval of AVENUE ONE (Lot 12), a subdivision inside city limits, with rezoning from AG to MU
		LOCATION:	Southwest of 193rd Street and HWS Cleveland Boulevard

DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to MU subject to submittal of an acceptable amendment to the Mixed Use Agreement prior to forwarding the request to City Council, approval of the Final Plat, subject to the following conditions prior to forwarding the request to City Council:

1. Revise the final plat mylars to show and label the 15-foot no-build easement located on the south side of HWS Cleveland Boulevard, and the 35-foot no-build easement located on the east side of HWS Cleveland Boulevard.

2. Coordinate with the Public Works Department regarding recording a separate right of way dedication concurrently with the final plat for the section of HWS Cleveland Boulevard adjacent to and southwest of Lot 12.
3. Submittal of an acceptable final subdivision agreement.

PUBLIC HEARING

(HOLD OVER CASES)

Subdivisions

2.	C12-24-104 Joe Vizner -CONSENT LAYOVER	REQUEST:	Preliminary and Final Plat approval of SPRING GROVE RV PARK, a minor plat outside city limits, with approval of a waiver to Section 53-9(9), Sidewalks, and Section 53-9(3), Street surfacing (property is located within the FW-Floodway Overlay District) (laid over 4-3-24)
		LOCATION:	Southeast of 234th Street and West Center Road

DISPOSITION: LAYOVER 7-0. Layover.

3.	C12-23-170 Keith Edquist	REQUEST:	Preliminary Plat approval of STARGRASS ACRES (formerly Northern Hills Estates IV), a subdivision outside city limits, with a waiver to Section 53-9(9), Sidewalks (laid over 7-5-23)
		LOCATION:	6820 Northern Hills Drive

DISPOSITION: LAYOVER 7-0. Layover.

Overlays

4.	C10-24-112 C11-24-113 Foundations Development -CONSENT APPROVAL	REQUEST:	Approval of a PUR-Planned Unit Redevelopment Overlay District, along with a repeal of the PK-Overlay for a portion of the site (laid over 4-3-24)
		LOCATION:	Southwest of 22nd Street and Poppleton Avenue

DISPOSITION: APPROVAL 7-0. Approval of a repeal of the PK-Parking District Overlay for a portion of the site, along with approval of a PUR-Planned Unit Redevelopment Overlay District, subject to submittal of a revised PUR plan prior to forwarding this request to the City Council.

Special Use Permits

5.	C8-24-094 C10-15-246 Shelterbelt Theatre -CONSENT APPROVAL	REQUEST:	Approval of a Special Use Permit to allow Indoor Entertainment in the GI District, along with a Major Amendment to a Parking Adjustment for a Mixed Use Development (laid over 4-3-24)
		LOCATION:	4383 Nicholas Street Unit 204

DISPOSITION: APPROVAL 7-0. Approval of a Major Amendment to a Parking Adjustment for a Mixed Use Development, along with approval of a Special Use Permit to allow Indoor Entertainment in the GI District, subject to the following conditions:

1. Compliance with the submitted site plan.
2. Compliance with the submitted operations plan.
3. Compliance with the submitted floor plan.
4. Compliance with the submitted elevations.

5. Compliance with all other applicable regulations.

6.	C8-23-182 Keith Edquist	REQUEST:	Approval of a Special Use Permit to allow development in the ED-North Hills Environmental Resources Overlay District (laid over 7-5-23)
		LOCATION:	6820 Northern Hills Drive

DISPOSITION: LAYOVER 7-0. Layover.

Conditional Use Permits

7.	C7-24-105 Joe Vizner -CONSENT LAYOVER	REQUEST:	Approval of a Conditional Use Permit to allow a Campground in the AG District (property is located within the FW-Floodway Overlay District) (laid over 4-3-24)
		LOCATION:	Southeast of 234th Street and West Center Road

DISPOSITION: LAYOVER 7-0. Layover.

8.	C7-24-108 C10-24-107 Todd Adams -CONSENT APPROVAL	REQUEST:	Approval of a Conditional Use Permit to allow Indoor sports and recreation in the CC District, with approval of the MCC-Major Commercial Corridor Overlay District (laid over 4-3-24)
		LOCATION:	5121 North 132nd Street

DISPOSITION: APPROVAL 7-0. Approval of the MCC-Major Commercial Corridor Overlay District, along with approval of a Conditional Use Permit to allow Indoor sports and recreation in the CC District subject to the following conditions:

1. **Submittal of and compliance with a revised site plan removing reference to a building addition or second phase.**
2. **Compliance with the submitted landscape plan.**
3. **Compliance with the submitted operations plan.**
4. **Construct sidewalks along the site's 132nd Street frontage.**
5. **The sanitary sewer near the east property line of Lot 2 is a private sewer that shall be maintained collectively by the owners of Lots 1, 2, and 3, pursuant to the terms of the subdivision agreement for Park View Heights Replat Two.**
6. **The applicant shall not grade or construct any improvements within the private sewer easement which would restrict maintenance of the private sanitary sewer.**
7. **Access to 132nd Street shall be limited to the existing shared access at the site's northwest corner.**
8. **The development must comply with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality.**
9. **Compliance with all other applicable regulations.**

(REGULAR AGENDA)

Subdivisions

9.	C3-24-132 C10-24-097 C12-24-098 Bennington Public Schools -CONSENT LAYOVER	REQUEST:	Preliminary Plat approval of MILITARY 180 CROSSING, a subdivision outside city limits, with rezoning from AG to R4, along with approval of a waiver to the PDZ-Present Development Zone
		LOCATION:	Northeast of 180th Street and Military Road

DISPOSITION: LAYOVER 7-0. Layover.

10.	C10-16-289 C12-16-290 R&R Real Estate Investors II, LLC -CONSENT APPROVAL	REQUEST:	Final Plat approval of FOUNTAIN RIDGE EAST (formerly Fountain West Office Park) (Lots 2-3), a subdivision outside city limits, with rezoning from AG to MU, along with approval of a Major Amendment to the Mixed Use Development Agreement for Fountain Ridge East
		LOCATION:	North of 188th and Burke Streets

DISPOSITION: APPROVAL 7-0. Approval of the rezoning from AG to MU, subject to submittal of an acceptable final Mixed Use Development Agreement Amendment, prior to forwarding the request to City Council for final action, along with approval of the Final Plat, subject to submittal of an acceptable final subdivision agreement, prior to forwarding the request to City Council for final action.

Rezoning

11.	C10-24-119 C10-24-120 Adriano De Santis -CONSENT APPROVAL	REQUEST:	Rezoning from GC and R7 to CC, along with a repeal of the PK-Overlay for a portion of the site (property is located within an ACI-Area of Civic Importance Overlay District)
		LOCATION:	4358 Dodge Street

DISPOSITION: APPROVAL 7-0. Approval of the rezoning from GC and R7 to CC, along with approval of the repeal of the PK-Overlay for a portion of the site.

12.	C10-24-123 Tessa Domingus	REQUEST:	Rezoning from GC to R6
		LOCATION:	6055 Country Club Road

DISPOSITION: APPROVAL 7-0. Approval.

Overlays

13.	C10-24-131 Leavenwealth Capital LLC -CONSENT APPROVAL	REQUEST:	Approval of the MCC-Major Commercial Corridor Overlay District
		LOCATION:	7300 Graceland Drive

DISPOSITION: APPROVAL 7-0. Approval.

14.	C11-21-183 Alley Poyner Macchietto Architecture	REQUEST:	Approval of a Major Amendment to the PUR-Planned Unit Redevelopment Overlay District
		LOCATION:	3719 Farnam Street

DISPOSITION: APPROVAL 7-0. Approval of the Major Amendment to the PUR-Planned Unit Redevelopment Overlay District subject to submittal of acceptable final plans prior to forwarding to the City Council.

Special Use Permits

15.	C8-24-121 American Tower LLC -CONSENT APPROVAL	REQUEST:	Approval of a Special Use Permit to allow a Broadcast tower in the CC district, with a waiver to Section 55-366, Height, to allow a 105-foot tall tower
		LOCATION:	14210 Arbor Street

DISPOSITION: APPROVAL 7-0. Approval of a waiver to Section 55-366, Height, to allow a 105-foot tall tower, along with approval of a Special Use Permit to allow a Broadcast tower in the CC District, subject to the following conditions:

- 1. Submittal of and compliance with revised site/landscape plan showing the required landscaping/screening of equipment, prior to forwarding the request to City Council.**

2. **Submittal of revised plans that meet the required 15' rear yard setback, prior to forwarding the request to City Council.**
3. **Comply with all stormwater management ordinances and policies, including no net increase in stormwater runoff and treatment of the first half inch of stormwater for water quality**
4. **Compliance with the proposed operations plan.**
5. **Obtaining FAA approval prior to application for a building permit.**
6. **Compliance with all other applicable rules and regulations.**

16.	C8-24-122 Timothy Nelsen -CONSENT APPROVAL	REQUEST:	Approval of a Special Use Permit to allow General retail sales in the GI District
		LOCATION:	4356 South 87th Street

DISPOSITION: APPROVAL 7-0. Approval of the Special Use Permit to allow a General retail sales use in the GI District, subject to the following conditions:

1. **Compliance with the submitted site plan.**
2. **Compliance with the submitted operations plan.**
3. **Compliance with all other applicable regulations.**

17.	C8-24-125 Omaha Cellular Telephone Company -CONSENT APPROVAL	REQUEST:	Approval of a Special Use Permit to allow a Broadcast tower in the DR district, with a waiver to Section 55-108, Height, to allow a 133-foot tall tower (property is located within the FF-Flood Fringe Overlay District)
		LOCATION:	Northeast of 258th Plaza and West Center Road

DISPOSITION: APPROVAL 7-0. Approval of a waiver to Section 55-108, Height, to allow a 133 foot tower, along with approval of a Special Use Permit to allow a Broadcast tower in the DR District, subject to the following conditions:

1. **Submittal of and compliance with properly scaled site/landscape plans showing the required opaque fence screening and all equipment within the buildable area, prior to forwarding the request to City Council for final action.**
2. **Compliance with the proposed operating statement.**
3. **Obtaining a floodplain development permit prior to obtaining a building permit for any improvements located within the overlay.**
4. **Comply with all applicable stormwater management ordinances and policies.**
5. **Obtaining FAA approval prior to application for a building permit.**
6. **Compliance with all other applicable regulations.**

18.	C8-24-126 NebraskaLand Recycling	REQUEST:	Approval of a Special Use Permit to allow Scrap and salvage services in the GI District
		LOCATION:	3838 South 108th Street

DISPOSITION: APPROVAL 7-0. Approval of a Special Use Permit to allow Scrap and salvage services in the GI District, subject to the following conditions:

1. **Comply with all stormwater management ordinances and policies**
2. **Obtain a waiver of Sections 55-766(b)(2) and 55-766(b)(3), prior to forwarding the request to City Council for final action.**
3. **Comply with all applicable municipal code Sections 30-81 through 30-110 for junk dealers.**
4. **Comply with Section 55-804. - Maximum permitted sound.**
5. **Trucks entering and exiting the proposed facility may not access 108th Street north of this site.**
6. **Compliance with the submitted site plan.**
7. **Compliance with the submitted floor plan.**
8. **Compliance with the submitted operations plan.**
9. **Compliance with all other applicable regulations.**

19.	C8-24-130 Bill Alfred -CONSENT APPROVAL	REQUEST:	Approval of a Special Use Permit to allow Automotive rentals in the CC District (property is located within an MCC-Major Commercial Corridor Overlay District)
		LOCATION:	3434 South 84th Street

DISPOSITION: APPROVAL 7-0. Approval of the Special Use Permit to allow Automotive rentals in the CC District, subject to the following conditions:

1. Prior to forwarding to City Council, submit revised site and landscape plans addressing the following:
 - a. Plant two additional overstory trees along the 84th Street frontage to meet the minimum planting requirements of Section 55-718.
 - b. Remove pavement in the parking lot to meet the 7% interior parking lot landscaping requirement.
2. Comply with all stormwater management ordinances and policies, including no net increase in stormwater runoff and treatment of the first half inch of stormwater for water quality.
3. Compliance with the approved site plan, as revised.
4. Compliance with all applicable signage regulations.
5. Compliance with the approved operations plan.
6. Compliance with all other applicable regulations.
7. Submittal of flood plain permits for new development, if needed.

Conditional Use Permits

20.	C7-24-096 Bennington Public Schools -CONSENT LAYOVER	REQUEST:	Approval of a Conditional Use Permit to allow Secondary educational facilities in the R4 District, with a waiver to Section 55-186, Height, to allow a 50-foot tall building
		LOCATION:	Northeast of 180th Street and Military Road

DISPOSITION: LAYOVER 7-0. Layover.

21.	C7-08-006 Creighton Preparatory School	REQUEST:	Approval of a Major Amendment to a Conditional Use Permit to allow Secondary educational facilities in the R3 district, with a waiver to Section 55-166, Height, to allow for 75-foot tall field lights (property is also located within an ACI-2(50) Overlay District)
		LOCATION:	7400 Western Avenue

DISPOSITION: APPROVAL 7-0. Approval of a waiver to Section 55-166 to allow four, 75-foot tall field lights, along with approval of the Major Amendment to a Conditional Use Permit to allow a Secondary education facility in the R3 Single-Family Residential District (Medium Density) subject to the following conditions:

1. Submittal of and compliance with a landscape plan that provides trees along the 72nd Street in compliance with Omaha Municipal Code Section 55-718 prior to or with submittal of a building permit
2. Compliance with the site plan
3. Compliance with the operations plan
4. Compliance with all previously approved conditions
5. Coordinate with Public Works to properly close out the existing grading permit on the site. The proposed project will require a new grading permit.
6. The development must comply with all applicable stormwater management ordinances and policies, including providing for a no net increase in stormwater runoff and treatment of the first ½ inch of stormwater for water quality.

Vacations

22.	C14-24-128 Property Owner -CONSENT APPROVAL	REQUEST:	Approval of the vacation of the east-west alley between Hickory Street and William Street from 11th Street to its eastern terminus
		LOCATION:	

DISPOSITION: APPROVAL 7-0. Approval of the vacation of the east-west alley between Hickory Street and William Street from 11th Street to its eastern terminus subject to the following conditions:

- 1. OPPD reserves existing rights in the vacation area.**

MINUTES APPROVED: April 3, 2024