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Jean Stothert, Mayor

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**Planning Department**

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**James R. Thele**  
Acting Director

October 8, 2013  
C10-13-078  
C12-13-079

Honorable President  
and Members of the City Council,

The attached Resolution approves the Final Plat of THE PRAIRIES, a subdivision outside the city limits, located Northeast of Skyline Drive and West Center Road. The applicant is Lanoha Development Company.

CASE DESCRIPTION: The purpose of this request is to subdivide 155.43 acres of land into 241 lots for low-density residential, 1 lot for a clubhouse and 16 outlots for open space and drainage purposes in two phases. This Final Plat is for Phase I, which includes Lots 1-135, along with Outlots "A"- "J." A rezoning from AG-Agricultural District to DR-Development Reserve District, R4-Single-Family Residential District (High Density) and R5-Urban Family Residential District accompanies this Final Plat.

DEPARTMENT RECOMMENDATION: Approval of the Final Plat (Phase I) subject to the following being addressed prior to forwarding the Final Plat (Phase I) to the City Council for final action:

1. Satisfactorily addressing all conditions of Revised Preliminary Plat approval.
2. Submittal of an acceptable final subdivision agreement.

SUMMARY OF TESTIMONY: The Planning Board held a public hearing on this request July 10, 2013. A full summary of the proceedings is attached.

PLANNING BOARD RECOMMENDATION: Approval, as recommended by the Planning Department, 4-2.

(Final Plat – THE PRAIRIES – Outside City)

Respectfully submitted,

Referred to City Council for Consideration:

*James R. Thele* 7/25/13  
James R. Thele Date  
Acting Planning Director

*Jean Stothert* 8/15/13  
Mayor's Office Date

**INTER-OFFICE COMMUNICATION**  
**City of Omaha, Nebraska**  
**Planning Department**

**TO:** Chairman and Members of the Planning Board

**FROM:** James R. Thele  
Acting Planning Director

**DATE:** June 26, 2013

**SUBJECT:** THE PRAIRIES  
Northeast of Skyline Drive and West Center Road  
Case #C10-13-078, C12-13-079

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The Revised Preliminary Plat of this subdivision contains 258 lots; 229 lots to be zoned R4, 12 lots to be zoned R5, 1 lot to be zoned R5 for a community building and 16 outlots to be zoned DR.

The Final Plat of the first phase of the subdivision contains 145 lots; 122 lots to be zoned R4, 12 lots to be zoned R5, 1 lot to be zoned R5 for a community building and 10 outlots to be zoned DR.

The Preliminary Plat of this subdivision was recommended for approval by the Planning Board at their regular meeting April 3, 2013, and subsequently approved by the City Council May 21, 2013.

The conditions of approval adopted by the City Council were essentially the same as those recommended by the Planning Board with the following exception:

5. Provide right-of-way, public street connections and improvements between Street "B" and Street "F" groupings and between the Street "F" and Street "I".

The conditions of approval adopted by the City Council are listed below:

1. An acceptable, final traffic signal warrant analysis for the intersection of Skyline Drive and West Center Road. The applicant must provide for any and all improvements identified in the final acceptable analysis.

*The analysis is currently under review by the Public Works Department.*

2. Improve Skyline Drive to a three-lane section from the northern boundary of the plat to West Center Road. The applicant will be required to enter into an interlocal agreement with Douglas County for the improvement of Skyline Drive.

*Language addressing this condition has been included in the draft subdivision agreement.*

3. Grade and improve Street "A" right-of-way to connect to the Walnut Street right-of-way improvements to the east.

*The revised grading and paving plan exhibits submitted address this condition. These exhibits will be included as part of the final subdivision agreement.*

4. Eliminate Street "A" as a general obligation expense.

*Street "A" on the revised preliminary plat is known on the final plat as Walnut and Frances Streets. In accordance with established policy improvement of this street will not be allowed as a general obligation expense.*

5. Provide a 115' noise attenuation easement, from the centerline of Skyline Drive on the final plat.

*The requested noise attenuation easement has been provided on the final plat.*

6. Provide a note on the final plat stating that there shall be no direct access to Skyline Drive from Outlot "A", "F" and "J".

*This note has been placed on the final plat for Outlot "A" and "F"; no longer being applicable for Outlot "J".*

7. Provide access to Outlot "L".

*Outlot "L" is located in Phase II of the proposed development. All lots are required to have access to a public right-of-way (53-8(4)(d) OMC).*

8. Coordinate with the Public Works Department to determine if sidewalk chamfers will be necessary at the street corners, and if so, provide the appropriate right-of-way dedications. The sidewalks will not be allowed as a general obligation expense.

*The applicant has coordinated with the Public Works Department regarding the sidewalk chamfers. As stated, the sidewalks will not be allowed as a general obligation expense, this will be required to be reflected appropriately in the final subdivision agreement.*

9. Coordinate with the Public Works Department regarding any improvements to medians within street right-of-way.

*The applicant needs to coordinate with the Public Works Department regarding any improvements to medians within street right-of-way. No median shall be permitted along Frances Street (Street "A") at its intersection with 219<sup>th</sup> Avenue (Street "F"). The median along Walnut Street at its intersection with Skyline Drive will be subject to Public Works Department review and approval, and will require an agreement assigning all maintenance responsibilities to private parties for median improvements.*

10. Constructing the cul-de-sacs to City standards and eliminating the center islands.

*Provisions for paving meeting City standards have been included in the draft subdivision agreement. The center islands originally proposed have been eliminated as required.*

11. Redesigning the on-street parking.

*The on-street parking on the streets adjacent to the proposed community building has been redesigned.*

12. Provide for traffic calming on all streets in excess of 1,000 feet.

*Traffic calming on any streets in excess of 1,000 feet will be provided as required.*

13. Placing the drainageway in an outlot sized to accommodate either the 3:1+20' section or the 100-year storm flow (whichever is greater).

*The drainageway is encapsulated within an outlot. The applicant will need to confirm with the Public Works Department as to whether the outlot is sized to either include the 3:1 + 20' section or the 100-year storm flow (whichever is greater).*

14. Compliance with all applicable stormwater management ordinances and policies; including providing for a no net increase in stormwater runoff and treatment for the first ½ inch of stormwater for water quality.

*Compliance with all applicable stormwater management ordinances and policies is required to be included as part of the final subdivision agreement.*

15. Providing a 10' wide concrete trail within a 40' easement.

*Provisions for the trail have been included in the draft subdivision agreement. The Parks Department has further indicated that the final construction drawings and cost estimate for the trail should be submitted for approval by the Park and Recreation Advisory Board.*

16. Including provisions for use, ownership and maintenance of the outlots in the final subdivision agreement and a note on the final plat.

*Provisions for the use, ownership and maintenance of the outlots has been included as a note on the plat and within the draft subdivision agreement.*

17. Submittal of a letter from Douglas County Emergency Management confirming that acceptable emergency warning is being provided for the area.

*The letter from DCEM has been submitted.*

18. Submittal of a letter of approval of a Noxious Weed Plan from Douglas County will be required at the time a final plat application is submitted.

*The letter from Douglas County regarding a Noxious Weed Plan has been submitted.*

19. Submittal of a letter of approval from the Postmaster regarding centralized mail delivery will be required at the time a final plat application is submitted.

*A letter from the Postmaster has been submitted.*

20. An acceptable debt ratio of 4% or less.

*The projected debt ratio for the first phase of this development is estimated at 3.95%. The debt ratio for all phases of development must be 4% or less.*

Additional comments received at the June Development Review Committee meeting are as follows:

**Public Improvements:**

- **Traffic and Circulation** – The paving adjacent to the outlots is not a General Obligation (G.O.) expense. The paving for the on-street parking areas is G.O. eligible, but the street paving adjacent to the parking stalls is not. In the cul-de-sacs, all paving within 1.5 feet of the curb line shall be specially assessed, but the pavement beyond that line in the middle of the cul-de-sac is G.O. eligible. The paving along Street “A” (Walnut/Frances Streets) in the vicinity of Street “F” and “G” (218<sup>th</sup>/219<sup>th</sup> Sts.) shall not be G.O. eligible, except for the paving in the intersections themselves.

The pavement at the end of Street “P” (Phase II) needs to be extended to the subdivision boundary.

The applicant will be required to provide for improvements, if any, identified in the final approved traffic study signal warrant analysis.

A noise attenuation easement from the centerline of Skyline Drive needs to be provided; this is noted as a “noise buffer” on the final plat.

- **Sidewalks** - All sidewalks along public streets are required to be located within the street right-of-way.

**Grading and Drainage:** 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.

Compliance with all applicable stormwater management ordinances and policies will be required.

**Parks and Open Space:** Final construction drawings and cost estimate for the trail is required to be submitted for approval by the Park and Recreation Advisory Board.

**ANALYSIS:** The revised preliminary and the final plat are generally consistent with the City’s subdivision regulations and the preliminary plat approved by the City Council.

**DEPARTMENT RECOMMENDATION:**

Approval of the rezoning from AG to DR and R4.

Approval of the revised preliminary plat subject to the following being addressed prior to or with final plat approval by the City Council:

1. Submittal of an acceptable, final traffic study signal warrant analysis.
2. Providing for all improvements identified in the approved traffic study signal warrant analysis.
3. Including an acceptable Source and Use of Funds as an attachment to the final subdivision agreement.

4. Including an acceptable paving plan as an attachment to the final subdivision agreement.
5. Providing the required noise attenuation easement from the centerline of Skyline Drive.
6. Providing for compliance with all applicable stormwater management ordinances and policies.
7. Obtaining Park and Recreation Advisory Board approval of the final construction drawings and cost estimate for the trail.

Approval of the final plat (Phase I) subject to the following being addressed prior to forwarding the final plat (Phase I) to the City Council for final action:

1. Satisfactorily addressing all conditions of revised preliminary plat approval.
2. Submittal of an acceptable final subdivision agreement.

**ATTACHMENTS:**

Revised Preliminary Plat  
Final Plat (Phase I)

**PLANNING BOARD MINUTES**

12.	C10-13-078 C12-13-079 Lanoha Company Development	REQUEST:	Revised Preliminary and Final Plat approval of THE PRAIRIES, a subdivision outside the city limits, with rezoning from AG to DR, R4 and R5
		LOCATION:	Northeast of Skyline Drive and West Center Road

At the Planning Board meeting held on July 10, 2013, Dennis Hogan, Regency Center, appeared before the Board on behalf of the applicant. Mr. Hogan stated that the request was consistent with the previously approved Preliminary Plat and stated that he would answer any questions.

Mike Jensen, 1313 Ranchview Lane, appeared in opposition. Mr. Jensen stated that he previously submitted letters regarding his concerns to City Council and the Planning Board. He stated that his concern was that there was no consistency with the code regulations for cul-de-sac length and connectivity within the surrounding subdivisions. He stated that Southpointe Estates was required to abide by the code regulations for cul-de-sac length and connectivity but that although the Board required the connectivity between the cul-de-sacs, or pods, of The Prairies, the plan was approved by City Council with no connectivity via streets but via walking trails. He added that although this type of connectivity had been approved previously for another subdivision that connection was between 2 main streets and not connected to another subdivision. Mr. Jensen stated that he had expressed his concerns to many departments within the City with no success for consistency to regulations within the surrounding developments. He added that the differences are unfair and that The Prairies should accept traffic on their driveways with the connection of the cul-de-sacs as his subdivision was required. Mr. Rosenbaum questioned Mr. Jensen how connecting the cul-de-sacs in The Prairies would increase traffic on their driveways. Mr. Jensen responded that a long straight-way connecting street with only 1 entrance into the subdivision and no driveways backing up to the street, as proposed for this development, increases the speed of traffic along the main thoroughfare and that if another connecting street was provided and the cul-de-sacs were connected, this would eliminate the traffic along the main through-street.

Lawrence Beck, 2000 Skyline Drive, appeared in opposition. Mr. Beck stated that his concern was that the large proposed subdivision would more than double the population of their tranquil rural neighborhood and the tranquility would be destroyed. He added that Skyline Drive was a quiet 2-lane road and that an additional 242 lots would increase the traffic in the area and the value of his home would decrease. In response to Mr. Neary, Mr. Beck stated that his property was on 1 acre of land set back approximately 6 car-lengths from Skyline Drive.

Dave Fanslau, acting Assistant Planning Director, stated that when the subdivision to the east of Skyline Drive was developed, stub-streets were built for future growth in the area with the idea of connecting the subdivisions. Mr. Fanslau agreed that the Department recommended the connection of the cul-de-sacs within the proposed subdivision to adhere to the code but that their recommendation was changed by the City Council. He added that according to traffic engineers Skyline Drive would be able to handle the increased traffic and that traffic calming measures would be required. Mr. Fanslau stated that the Department recommended approval of the rezoning, the revised Preliminary Plat subject to the items listed on recommendation report and Final Plat Phase I subject to the items on the recommendation report.

Mr. Rosenbaum explained to Mr. Beck that progress and expansion is inevitable and then he questioned if Skyline Drive would be expanded to 3 lanes. Mr. Fanslau responded although it was a prior recommendation of the Department that a traffic study revealed it would not be necessary.

Mr. Hogan explained to Mr. Kelley that the only changes to the Preliminary Plat between the prior

Planning Board meeting and the City Council meeting were lot line changes. He then responded to Mr. Kelley that the developer had no issues with the Department's current recommendations. In response to Ms. Nubel, Mr. Hogan stated that the pods were not designed to connect and that this design exists in another subdivision. The Board and Mr. Hogan discussed the definition of a cul-de-sac and Mr. Fanslau stated that the Department concluded the proposed pods were cul-de-sacs because there was one road for ingress and egress. Mr. Hogan again stated that although the Department's previous recommendation was to connect the pods that the Final Plat is consistent with the Preliminary Plat approved by the City Council.

Mr. Jensen stated that during the recent City Council meeting Public Works determined that the layout of the pods in The Prairies did not create an unsafe situation. He added that only one ingress/egress could cause hazardous situations during blizzard conditions and that his neighborhood was required to add a second ingress/egress. Mr. Fanslau presented the definition of a cul-de-sac as defined in Section 53-4 of the Subdivision Code: A street or private way having one end connecting with a public street or private way and being terminated at its other end by a vehicular turn-around. The Board discussed that no turn-around existed in The Prairies. In response to Mr. Kelley, Mr. Fanslau stated that the Department was adhering to Code when recommending connectivity and that the Master Plan promotes connectivity.

Mr. Kelley moved for approval of the rezoning from AG to DR and R4 and approval of the revised preliminary plat subject to the following being addressed prior to or with final plat approval by the City Council: 1) Submittal of an acceptable, final traffic study signal warrant analysis, 2) Providing for all improvements identified in the approved traffic study signal warrant analysis, 3) Including an acceptable Source and Use of Funds as an attachment to the final subdivision agreement, 4) Including an acceptable paving plan as an attachment to the final subdivision agreement, 5) Providing the required noise attenuation easement from the centerline of Skyline Drive, 6) Providing for compliance with all applicable stormwater management ordinances and policies and 7) Obtaining Park and Recreation Advisory Board approval of the final construction drawings and cost estimate for the trail. Mr. Kelley also moved for approval of the final plat (Phase I) subject to the following being addressed prior to forwarding the final plat (Phase I) to the City Council for final action: 1) Satisfactorily addressing all conditions of revised preliminary plat approval and 2) Submittal of an acceptable final subdivision agreement. Mr. Rosenbaum seconded the motion which carried 4-2, with Mr. Deeb and Mr. Neary dissenting.

July 2013

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CASE: C10-13-078, C12-13-079  
APPLICANT: Lanoha Development Company  
REQUEST: Revised Preliminary and Final Plat approval of THE PRAIRIES, a subdivision outside the city limits, with rezoning from AG to DR, R4 and R5  
LOCATION: Northeast of Skyline Drive and West Center Road

SUBJECT AREA IS SHADED - JULY 2013

