



City of Omaha
Jean Stothert, Mayor

Planning Department

Omaha/Douglas Civic Center
1819 Farnam Street, Suite 1100
Omaha, Nebraska 68183
(402) 444-5150
Telefax (402) 444-6140

David K. Fanslau
Director

October 25, 2022

C10-22-126

C10-22-127

C12-22-128

Honorable President

and Members of the City Council,

The attached Resolution approves the Final Plat of KENNEDY SQUARE EAST, a subdivision inside city limits, located northeast of 30th Street and Spencer Street. The applicant is Todd Lieberman, Brinshore Development.

CASE DESCRIPTION: To allow for redevelopment of the site with a variety of residential uses as well as a mixed-use building. A rezoning from R5, R7, and CC to R5, R7, and CC, an ACI-Area of Civic Importance Overlay District, and two PUR-Planned Unit Redevelopment Overlay District plans (one for the residential portion of the development and one for the mixed-use building) accompany this final plat. Since Planning Board approval Lot 4 has been split into two lots (Lots 4 and 5).

DEPARTMENT RECOMMENDATION: 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 for final action.

An affirmative vote of 5 councilmembers is required to approve.

SUMMARY OF TESTIMONY: The Planning Board held a public hearing on this request July 6, 2022. A full summary of the proceedings is attached.

PLANNING BOARD RECOMMENDATION: Approval, as recommended by the Planning Department, 6-0.

(Final Plat – KENNEDY SQUARE EAST - Inside City)

Respectfully submitted,

Referred to City Council for Consideration:

me

David K. Fanslau
Planning Director
Date


Jean Stothert
Mayor's Office
Date



Date:	June 29, 2022
Case Number:	C10-22-126, C10-22-127, C12-22-128
Applicant:	Todd Lieberman Brinshore Development
Request:	Preliminary Plat and Final Plat approval of KENNEDY SQUARE EAST, a subdivision inside city limits, with rezoning from R5, R7 and CC to R5, R7 and CC, along with approval of the ACI-Area of Civic Importance Overlay District.
Location:	Northeast of 30th Street and Spencer Street

I. GENERAL INFORMATION:

Purpose:	To allow for redevelopment of the site with a variety of residential uses as well as a mixed-use building.		
Existing Use(s):	Residential/Commercial	Existing Zoning:	R5/R7/CC
Adjacent Land Use(s):		Adjacent Zoning	
North:	Residential/Commercial	North:	R5/CC/GC
South:	Residential/Commercial	South:	R5/GC
East:	Residential	East:	R7/R5
West:	Residential/Civic/Commercial	West:	R5-ACI/R5/CC
Future Land Use Designation(s):	The Future Land Use Plan designation includes a mix of low-density residential, high-density residential and office/commercial. The intersection of 30th and Lake Street is designated as an existing Convenience Mixed Use area (10-acre).		
Zoning History:	<ul style="list-style-type: none"> C10-22-126, C10-22-127, C12-22-128: Preliminary Plat approval of KENNEDY SQUARE EAST, a subdivision inside city limits, with rezoning from R7 and CC to R7 and CC, along with approval of the ACI-Area of Civic Importance Overlay District, recommended for approval by the planning board at the May 4, 2022 meeting (will not proceed to City Council). 		
Related Cases:	<ul style="list-style-type: none"> C11-22-141: Approval of a PUR-Planned Unit Redevelopment Overlay District. C11-22-129, C7-22-149: Approval of a PUR-Planned Unit Redevelopment Overlay District, along with approval of a Conditional Use Permit to allow Multiple-family residential in the CC district. 		
Applicable Regulations:	The project will be required to comply with the base R5, R7 and CC zoning districts, the ACI overlay district, and all other applicable regulations.		

No building permits will be issued based on a site plan that does not comply with the provisions of the Zoning Ordinance.

II. SPECIAL INFORMATION:	
Site Characteristics:	The overall site area includes approximately 6.42 acres of land and comprises the Spencer Homes public housing apartments, a vacant parking lot northeast of 30th and Spencer Streets, as well as two vacant residential parcels north of the Spencer Homes site. The Spencer Homes complex was built in the late 1940s and houses more than 300 people in its 111 apartments, spread throughout 23 buildings.
Development Proposal:	<p>The applicant proposes to tear down the Spencer Homes public housing apartments and erect mixed-income housing in their place. The development plan includes a variety of single-family, duplex, townhouse, and multiple-family structures on Lots 2-5, as well as a four-story mixed-use building featuring 51 residential units, 1,754 square feet of retail space, and a community center on Lot 1. The proposed zoning for Lot 1 is CC-Community Commercial with the ACI-Area of Civic Importance Overlay District and Lots 2-5 are proposed with R7-Medium-Density Multiple-Family Residential zoning. The balance of the site will comprise additional right-of-way dedication as well as a remnant portion of property located within an outlot to be zoned R5.</p> <p>In addition to this plat and rezoning request, the applicant has also requested approval of two PUR-Planned Unit Redevelopment Overlay District plans (one for the residential portion of the development and one for the mixed-use building) as well as a Conditional Use Permit to allow Multiple-family residential in the CC district to facilitate the overall project (Case #C11-22-141, C11-22-129, C7-22-149).</p> <p>It should be noted that a Preliminary Plat for this development previously received a recommendation for approval by the planning board at the May 4, 2022 meeting, which has yet to be forwarded to the City Council for final action. The applicant has since submitted a new Preliminary Plat request to account for additional 29th Street right-of-way being dedicated at the north portion of the site as well as a request for Final Plat approval for the entire development. Given the similarities of the submitted Preliminary Plat to the previous submittal, which has already been reviewed and recommended for approval, it is acceptable to allow this Preliminary Plat and Final Plat to run concurrently. This request will replace the previously submitted Preliminary Plat.</p>
Public Improvements:	<p>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 Permex.</p> <p>For any changes to modify traffic operations on the public streets (removal of one-way operations), coordinate with the Public Works Traffic Maintenance Shop.</p> <p>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.</p>

	<p>Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.</p> <p>Provide for the use, ownership, and maintenance of the outlot in the subdivision agreement.</p>
Grading and Drainage:	The development must 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.
Utilities:	OPPD has distribution equipment on/near the property. The applicant must coordinate with OPPD regarding the layout of the proposed project.
Land Use and Planning:	The proposed subdivision is consistent with Chapter 53, Subdivisions, of the Omaha Municipal Code. The proposed rezoning is consistent with the City's Master Plan.

III. ANALYSIS:

Conditionally, the proposed subdivision and rezoning is consistent with and carries out the goals and objectives of the City of Omaha Master Plan.

IV. RECOMMENDATIONS:

Approval of the rezoning from R5, R7 and CC to R5, R7 and CC.

Approval of the ACI-Area of Civic Importance Overlay District.

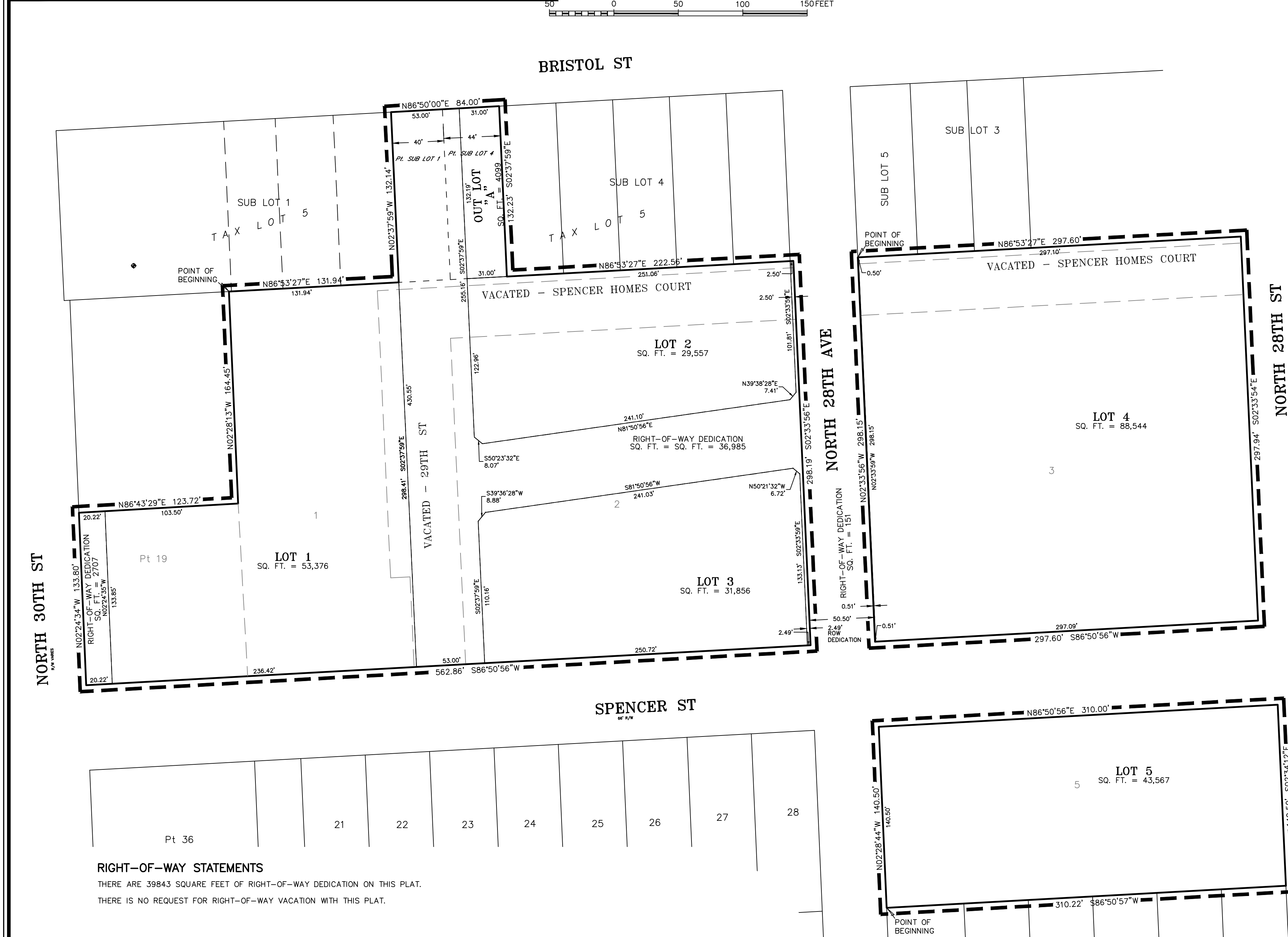
Approval of the Preliminary Plat, subject to the following conditions:

1. 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.
2. For any changes to modify traffic operations on the public streets (removal of one-way operations), coordinate with the Public Works Traffic Maintenance Shop.
3. 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.
4. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
5. Provide for the use, ownership, and maintenance of the outlot in the subdivision agreement.
6. The applicant must coordinate with OPPD regarding the layout of the proposed project.
7. Comply 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, prior to forwarding the request to City Council for final action.

V. ATTACHMENTS:

Preliminary Plat
Final Plat



RIGHT-OF-WAY STATEMENTS
THERE ARE 39843 SQUARE FEET OF RIGHT-OF-WAY DEDICATION ON THIS PLAT.
THERE IS NO REQUEST FOR RIGHT-OF-WAY VACATION WITH THIS PLAT.

COUNTY ENGINEER'S REVIEW

THIS PLAT OF
KENNEDY SQUARE EAST
WAS REVIEWED BY THE DOUGLAS COUNTY ENGINEER'S OFFICE ON

COUNTY ENGINEER _____ DATE _____

APPROVAL OF CITY ENGINEER OF OMAHA

I HEREBY APPROVE THIS PLAT OF
KENNEDY SQUARE EAST
AS TO THE DESIGN STANDARDS

THIS _____ DAY OF _____, 20____, A.D.

CITY ENGINEER _____

I HEREBY CERTIFY THAT ADEQUATE PROVISIONS HAVE BEEN MADE FOR
COMPLIANCE WITH CHAPTER 53 OF THE OMAHA MUNICIPAL CODE

THIS _____ DAY OF _____, 20____, A.D.

CITY ENGINEER _____

APPROVAL OF THE CITY PLANNING BOARD

THIS PLAT OF
KENNEDY SQUARE EAST
WAS APPROVED BY THE CITY PLANNING BOARD OF OMAHA

THIS _____ DAY OF _____, 20____, A.D.

CHAIRMAN _____

COUNTY TREASURER'S CERTIFICATE

THIS IS TO CERTIFY THAT I FIND NO REGULAR OR SPECIAL TAXES
DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE
SURVEYOR'S CERTIFICATE AND EMBRACED IN THE PLAT AS SHOWN
BY THE RECORDS OF THIS OFFICE.

DATED THIS _____ DAY OF _____, 20____, A.D.

COUNTY TREASURER _____

OMAHA CITY COUNCIL ACCEPTANCE

THIS PLAT OF
KENNEDY SQUARE EAST
WAS APPROVED AND ACCEPTED BY THE CITY COUNCIL OF OMAHA

THIS _____ DAY OF _____, 20____, A.D.

MAYOR _____

CITY CLERK _____

CITY COUNCIL PRESIDENT _____

FINAL PLAT
KENNEDY SQUARE EAST
LOTS 1 THROUGH 5 AND OUT LOT "A" BEING A REPLAT OF
A PORTION OF LOT 19, GISES ADDITION,
AND LOTS 1 AND 2, AND THE WEST 297.6 FEET OF LOT 3,
AND ALL OF LOT 5 LYING WEST OF 28TH STREET,
A PART OF 29TH STREET ADJOINING SAID LOTS 1 AND 2,
ALL OF SPENCER HOMES COURT ADJOINING LOTS 2 AND 3,
ALL IN SPENCER HOMES
AND THE EAST 40 FEET OF SUB LOT 1 OF TAX LOT 5,
AND THE WEST 44 FEET OF SUB LOT 4 OF TAX LOT 5
IN DOUGLAS COUNTY, NEBRASKA

ALL IN THE SW 1/4 OF THE NE 1/4 OF SEC 9-15-13

DEDICATION

KNOW ALL MEN THESE PRESENTS, THAT WE,

BEING SOLE OWNERS AND PROPRIETORS OF THE LAND EMBRACED WITHIN THIS PLAT AND DESCRIBED IN THE SURVEYOR'S CERTIFICATE, HAVE CAUSED THE SAME
TO BE SUBDIVIDED INTO LOTS AND STREETS, SAID SUBDIVISION TO BE KNOWN AS

KENNEDY SQUARE EAST

THE LOTS TO BE NUMBERED AS SHOWN (LOTS 1 THROUGH 5 AND OUT LOT "A"), AND WE APPROVE THE DISPOSITION OF THE PROPERTY AS SHOWN ON THIS
PLAT AND WE HEREBY DEDICATE TO THE PUBLIC FOR THE PUBLIC USE OF THE STREETS, CIRCLES AND AVENUES AS SHOWN HEREIN AND WE DO ALSO GRANT
THE EASEMENTS SHOWN ON THE PLAT TO THE AGENCIES DESIGNATED AND THEIR ASSIGNS FOR THE PURPOSES NOTED. WE DO FURTHER GRANT A PERPETUAL
EASEMENT TO THE OMAHA PUBLIC POWER DISTRICT, CENTURY LINK COMMUNICATIONS AND ANY COMPANY WHICH HAS BEEN GRANTED A FRANCHISE TO PROVIDE A
CABLE TELEVISION SYSTEM IN THE AREA TO BE SUBDIVIDED, THEIR SUCCESSORS AND ASSIGNS, TO ERECT, OPERATE, MAINTAIN, REPAIR AND RENEW POLES,
WIRES, CABLES, CONDUITS AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON WIRES OR CABLES FOR THE CARRYING AND TRANSMISSION OF ELECTRIC
CURRENT FOR LIGHT, HEAT AND POWER AND FOR THE TRANSMISSION OF SIGNALS AND SOUNDS OF ALL KINDS INCLUDING SIGNALS PROVIDED BY A CABLE
TELEVISION SYSTEM, AND THE RECEPTION ON, OVER, THROUGH, UNDER AND ACROSS A FIVE-FOOT (5') WIDE STRIP OF LAND ABUTTING ALL FRONT AND SIDE
BOUNDARY LOT LINES; AN EIGHT-FOOT (8') WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL INTERIOR LOTS; AND A SIXTEEN-FOOT (16')
WIDE STRIP OF LAND ABUTTING THE REAR BOUNDARY LINES OF ALL EXTERIOR LOTS. THE TERM "EXTERIOR LOTS" IS HEREIN DEFINED AS THOSE LOTS FORMING
THE OUTER PERIMETER OF THE ABOVE-DESCRIBED ADDITION. SAID SIXTEEN-FOOT (16') WIDE EASEMENT WILL BE REDUCED TO AN EIGHT-FOOT (8') WIDE STRIP
WHEN THE ADJACENT LAND IS SURVEYED, PLATTED AND RECORDED EXCEPT WHERE EXISTING BUILDINGS, PERPETUAL EASEMENTS SHALL BE GRANTED TO
METROPOLITAN UTILITIES DISTRICT OF OMAHA, AND ANY NATURAL GAS PROVIDER, AND THEIR SUCCESSORS AND ASSIGNS, TO ERECT, INSTALL, OPERATE, MAINTAIN,
REPAIR AND RENEW PIPELINES, HYDRANTS, AND OTHER RELATED FACILITIES, AND TO EXTEND THEREON PIPES FOR THE TRANSMISSION OF GAS AND WATER ON,
THROUGH, UNDER AND ACROSS A FIVE-FOOT-WIDE STRIP OF LAND ABUTTING ALL CUL-DE-SAC STREETS AND ALONG ALL STREET FRONTAGES OF ALL LOTS. NO
PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE PLACED IN THE SAID EASEMENT WAYS, BUT THE SAME MAY BE USED FOR GARDENS, SHRUBS,
LANDSCAPING AND OTHER PURPOSES THAT DO NOT THEN OR LATER INTERFERE WITH THE AFORESAID USES OR RIGHTS HEREIN GRANTED.

IN WITNESS WHEREOF, WE DO HEREBY SET OUR HAND

FOR: _____

SIGNED _____

AS: _____

DATE: _____

ACKNOWLEDGMENT BY CORPORATION

STATE OF NEBRASKA)
COUNTY OF DOUGLAS)

ON THIS _____ DAY OF _____, 20____, A.D., BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID
COUNTY, PERSONALLY CAME,

AS _____ OF _____ TO BE PERSONALLY KNOWN TO BE THE
IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE ABOVE OWNERS CERTIFICATION, AND THEY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR
VOLUNTARY ACT AND DEED, AND THE VOLUNTARY ACT
AND DEED OF SAID CORPORATION

WITNESS MY HAND AND NOTARIAL SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

NOTARY PUBLIC _____

SURVEYOR'S CERTIFICATE

SHANE BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, DO HEREBY CERTIFY THAT A GROUND SURVEY OF THE OUTER BOUNDARIES OF
THIS PLAT OF
KENNEDY SQUARE EAST
HAS BEEN MADE AND THAT A BOND HAS BEEN FURNISHED TO THE CITY OF OMAHA, NEBRASKA IN ORDER TO INSURE THE PLACING OF IRON REBAR
MONUMENTS AT THE CORNERS OF ALL LOTS, STREETS, ANGLE POINTS, AND THE TERMINAL POINTS OF ALL CURVES AS SHOWN ON THIS PLAT UPON THE
COMPLETION OF GRADING. THE LIMITS AND BOUNDARIES OF SAID SUBDIVISION ARE AS FOLLOWS:

KENNEDY SQUARE EAST, LOTS 1 THROUGH 5 AND OUT LOT "A" BEING A REPLAT OF, THE SOUTH 136.35 FEET OF THE WEST 124 FEET OF LOT 19, GISES
ADDITION, AN ADDITION TO THE CITY OF OMAHA, AND BLOCKS 1 AND 2, AND THE WEST 297.6 FEET OF BLOCK 3 AND ALL OF BLOCK 5 LYING WEST OF THE
WEST RIGHT-OF-WAY LINE OF NORTH 28TH STREET, AND ALL OF VACATED NORTH 29TH STREET ADJOINING SAID BLOCKS 1 AND 2, AND ALL OF THAT PART OF
VACATED SPENCER HOMES COURT ADJOINING SAID BLOCKS 2 AND 3, ALL IN SPENCER HOMES, A SUBDIVISION, ALL AS SURVEYED, PLATTED AND RECORDED IN
DOUGLAS COUNTY, NEBRASKA, AND THE EAST 40 FEET OF SUB LOT 1 OF TAX LOT 5, AND THE WEST 44 FEET OF SUBLT 4 OF TAX LOT 5, IN THE
SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 15 NORTH, RANGE 13 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA,
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGIN AT THE NORTHWEST CORNER OF SAID BLOCK 1, SPENCER HOMES; THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 1, A DISTANCE
OF 131.94 FEET TO THE WEST LINE OF THE EAST 40 FEET OF SAID SUB LOT 1 OF TAX LOT 5; THENCE NORTH 02°37'59" WEST ON SAID WEST LINE OF THE
EAST 40 FEET, A DISTANCE OF 132.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BRISTOL STREET; THENCE NORTH 86°50'00" EAST ON SAID SOUTH
RIGHT-OF-WAY LINE OF BRISTOL STREET, A DISTANCE OF 84.00 FEET TO THE EAST LINE OF THE WEST 44 FEET OF SAID SUB LOT 4 OF TAX LOT 5; THENCE
SOUTH 02°37'59" EAST ON SAID EAST LINE OF THE WEST 44 FEET, A DISTANCE OF 132.23 FEET TO THE NORTH LINE OF SAID BLOCK 1, SPENCER HOMES;
THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 222.56 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH 28TH
AVENUE; THENCE SOUTH 02°33'56" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 298.19 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SPENCER
STREET; THENCE SOUTH 86°50'56" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 562.86 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH 30TH
STREET; THENCE NORTH 02°24'34" WEST ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 133.80 FEET; THENCE NORTH 86°43'29" EAST, A DISTANCE OF
123.72 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 1; THENCE NORTH 02°28'13" WEST ON SAID WEST LINE OF BLOCK 1, A DISTANCE OF 164.45
FEET TO THE POINT OF BEGINNING.

BEGIN AT THE NORTHWEST CORNER OF SAID BLOCK 3; THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 297.60 FEET;
THENCE SOUTH 02°33'54" EAST, A DISTANCE OF 297.94 FEET TO THE SOUTH LINE OF SAID BLOCK 3; THENCE SOUTH 86°50'56" WEST ON SAID SOUTH LINE OF
LOT 3, A DISTANCE OF 297.60 FEET TO THE WEST LINE OF SAID BLOCK 3; THENCE NORTH 02°33'56" WEST ON SAID WEST LINE OF BLOCK 3, A DISTANCE OF
298.15 FEET TO THE POINT OF BEGINNING.

BEGIN AT THE SOUTHWEST CORNER OF SAID BLOCK 5; THENCE NORTH 02°28'44" WEST ON THE WEST LINE OF SAID BLOCK 5, A DISTANCE OF 140.50 FEET TO THE
NORTH LINE OF SAID BLOCK 5; THENCE NORTH 86°50'56" EAST ON THE SOUTH LINE OF SAID BLOCK 5, A DISTANCE OF 310.00 FEET TO THE WEST
RIGHT-OF-WAY LINE OF NORTH 28TH STREET; THENCE SOUTH 02°34'12" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 140.50 FEET TO THE SOUTH
LINE OF SAID BLOCK 5; THENCE SOUTH 86°50'57" WEST ON SAID SOUTH LINE OF BLOCK 5, A DISTANCE OF 310.22 FEET TO THE POINT OF BEGINNING.

SHANE BAKER, NE RLS 711

DATE: _____

PROJECT NO.
EGA221018

REVISIONS	BY	DATE	DESCRIPTION
	NO.		

**EHRHART
GRIFFIN &
ASSOCIATES**

3552 Farnam Street
Omaha, Nebraska 68131
402 / 551-0631

- ENGINEERING
- PLANNING
- LAND SURVEYING

**KENNEDY SQUARE EAST
FINAL PLAT**

OMAHA, NEBRASKA

DATE: 5/13/2022

DESIGNED BY:

DRAWN BY:

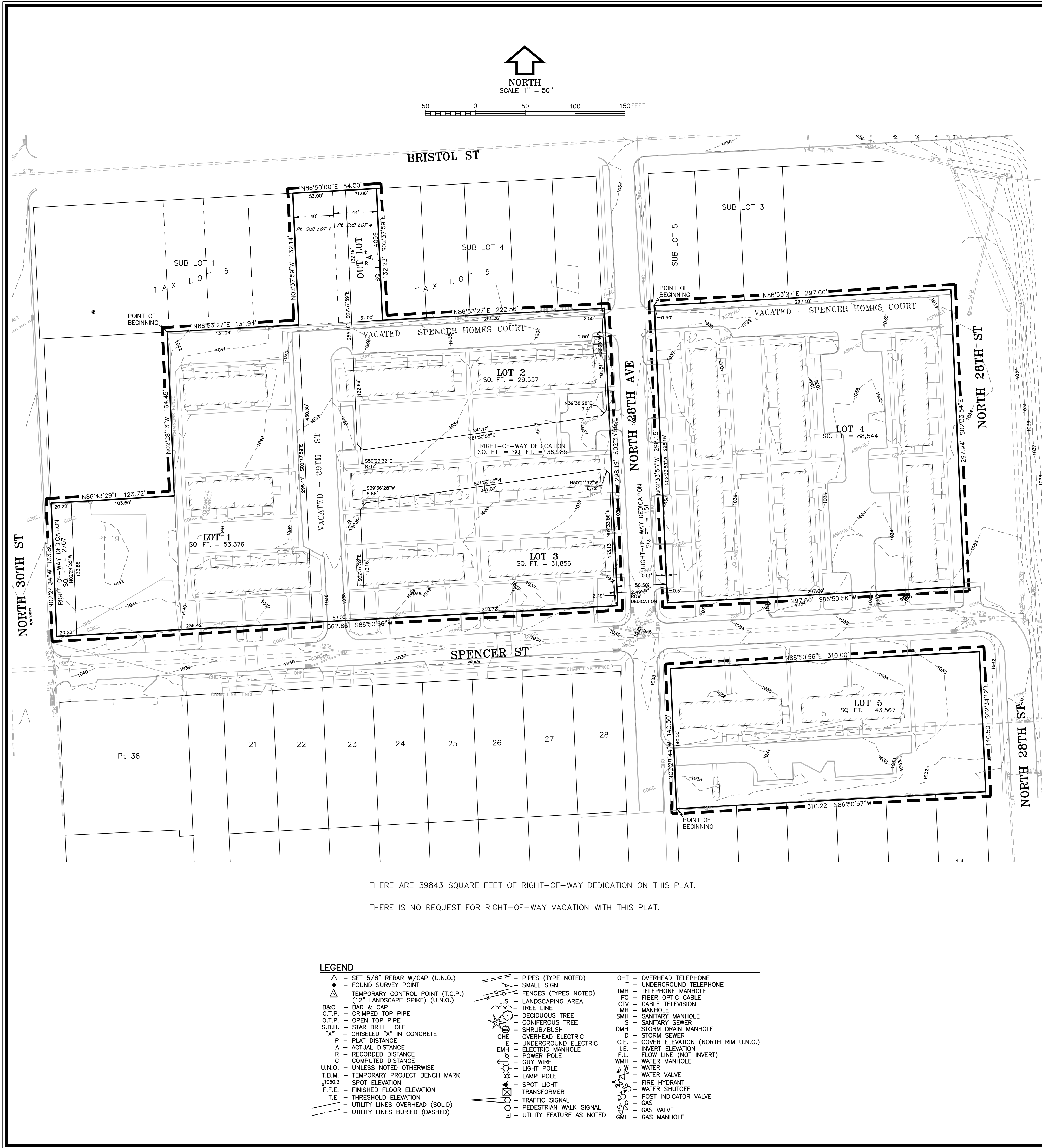
CHECKED BY:

CREW:



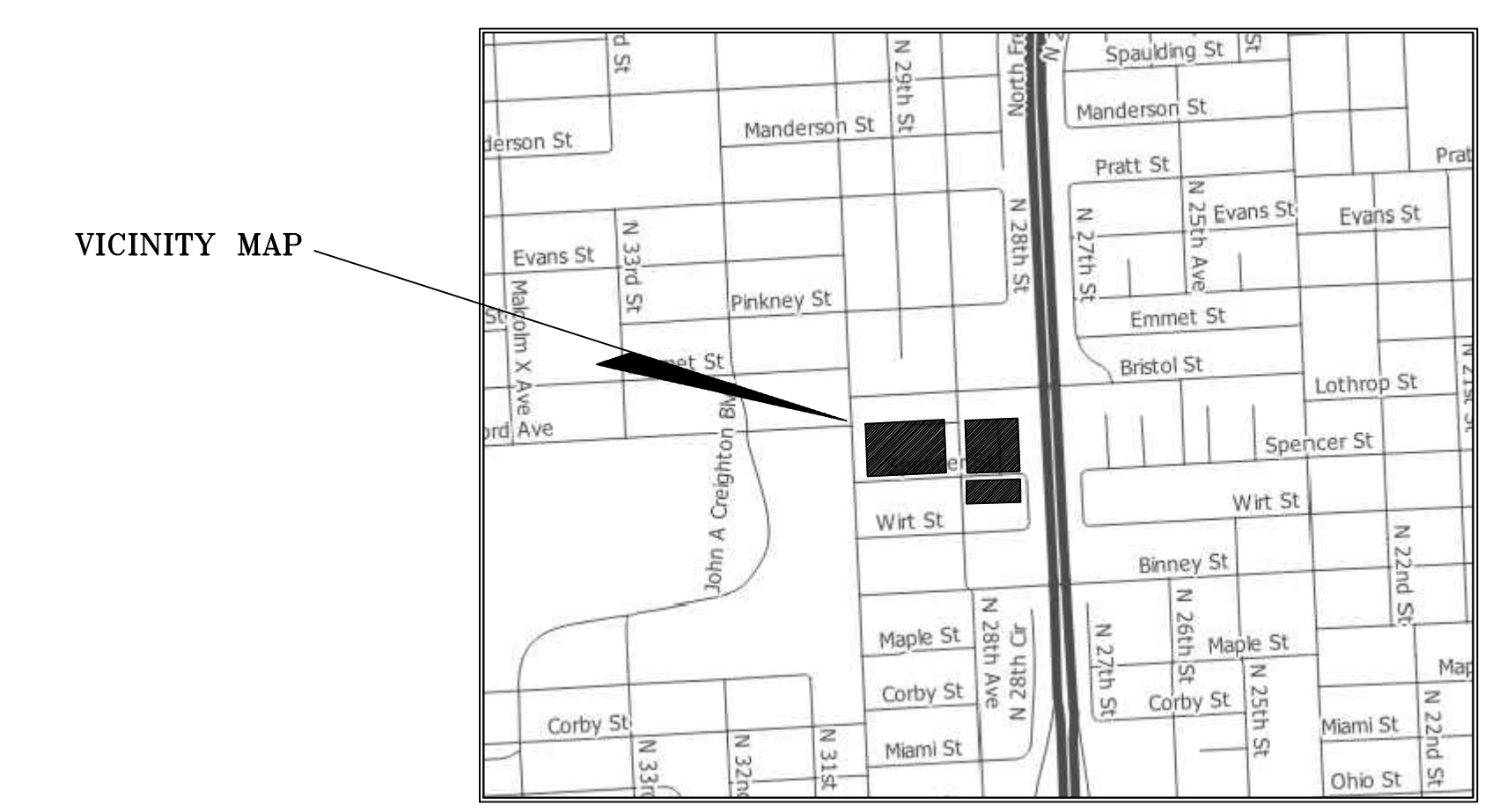
SHEET NO.

1 OF 1



PRELIMINARY PLAT
KENNEDY SQUARE EAST
LOTS 1 THROUGH 5 AND OUT LOT "A" BEING A REPLAT OF
A PORTION OF LOT 19, GISES ADDITION,
AND LOTS 1 AND 2, AND THE WEST 297.6 FEET OF LOT 3,
AND ALL OF LOT 5 LYING WEST OF 28TH STREET,
A PART OF 29TH STREET ADJOINING SAID LOTS 1 AND 2,
ALL OF SPENCER HOMES COURT ADJOINING LOTS 2 AND 3,
ALL IN SPENCER HOMES
AND THE EAST 40 FEET OF SUB LOT 1 OF TAX LOT 5,
AND THE WEST 44 FEET OF SUB LOT 4 OF TAX LOT 5
IN DOUGLAS COUNTY, NEBRASKA

ALL IN THE SW 1/4 OF THE NE 1/4 OF SEC 9-15-13



DEVELOPER
BRINSHORE DEVELOPMENT LLC
222 W. GREGORY BLVD, STE. 323
KANSAS CITY, MO 64114

ENGINEER
EHRHART GRIFFIN & ASSOCIATES
3552 FARNAM STREET
OMAHA, NE 68131

ZONING
EXISTING - CC, R5 & R7
LOT 1 - CC-ACI-1 (PUR)
LOTS 2, 3, 4 AND 5 - R7 (PUR)

UTILITIES
EXISTING UTILITIES SERVE THE SITE.

LEGAL DESCRIPTION

KENNEDY SQUARE EAST, LOTS 1 THROUGH 5 AND OUT LOT "A" BEING A REPLAT OF, THE SOUTH 136.35 FEET OF THE WEST 124 FEET OF LOT 19, GISES ADDITION, AN ADDITION TO THE CITY OF OMAHA, AND BLOCKS 1 AND 2, AND THE WEST 297.6 FEET OF BLOCK 3 AND ALL OF BLOCK 5 LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF NORTH 28TH STREET, AND ALL OF VACATED NORTH 29TH STREET ADJOINING SAID BLOCKS 1 AND 2, AND ALL OF THAT PART OF VACATED SPENCER HOMES COURT ADJOINING SAID BLOCKS 2 AND 3, ALL IN SPENCER HOMES, A SUBDIVISION, ALL AS SURVEYED, PLATTED AND RECORDED IN DOUGLAS COUNTY, NEBRASKA, AND THE EAST 40 FEET OF SUB LOT 1 OF TAX LOT 5, AND THE WEST 44 FEET OF SUB LOT 4 OF TAX LOT 5, IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 15 NORTH, RANGE 13 EAST OF THE 6TH P.M., DOUGLAS COUNTY, NEBRASKA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID BLOCK 1, SPENCER HOMES; THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 131.94 FEET TO THE WEST LINE OF THE EAST 40 FEET OF SAID SUB LOT 1 OF TAX LOT 5; THENCE NORTH 02°37'59" WEST ON SAID WEST LINE OF THE EAST 40 FEET, A DISTANCE OF 132.14 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BRISTOL STREET; THENCE NORTH 86°50'00" EAST ON SAID SOUTH RIGHT-OF-WAY LINE OF BRISTOL STREET, A DISTANCE OF 84.00 FEET TO THE EAST LINE OF THE WEST 44 FEET OF SAID SUB LOT 4 OF TAX LOT 5; THENCE SOUTH 02°37'59" EAST ON SAID EAST LINE OF THE WEST 44 FEET, A DISTANCE OF 132.23 FEET TO THE NORTH LINE OF SAID BLOCK 1, SPENCER HOMES; THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 222.56 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH 28TH AVENUE; THENCE SOUTH 02°33'56" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 298.19 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SPENCER STREET; THENCE SOUTH 86°50'56" WEST ON SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 562.86 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTH 30TH STREET; THENCE NORTH 02°24'34" WEST ON SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 133.80 FEET; THENCE NORTH 86°43'29" EAST, A DISTANCE OF 123.72 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 1; THENCE NORTH 02°28'13" WEST ON SAID WEST LINE OF BLOCK 1, A DISTANCE OF 164.45 FEET TO THE POINT OF BEGINNING.

AND BEGIN AT THE NORTHWEST CORNER OF SAID BLOCK 3; THENCE NORTH 86°53'27" EAST ON THE NORTH LINE OF SAID BLOCK 3, A DISTANCE OF 297.60 FEET; THENCE SOUTH 02°33'54" EAST, A DISTANCE OF 297.94 FEET TO THE SOUTH LINE OF SAID BLOCK 3; THENCE SOUTH 86°50'56" WEST ON SAID SOUTH LINE OF LOT 3, A DISTANCE OF 297.60 FEET TO THE WEST LINE OF SAID BLOCK 3; THENCE NORTH 02°33'56" WEST ON SAID WEST LINE OF BLOCK 3, A DISTANCE OF 298.15 FEET TO THE POINT OF BEGINNING.

AND BEGIN AT THE SOUTHWEST CORNER OF SAID BLOCK 5; THENCE NORTH 02°28'44" WEST ON THE WEST LINE OF SAID BLOCK 5, A DISTANCE OF 140.50 FEET TO THE NORTH LINE OF SAID BLOCK 5; THENCE NORTH 86°50'56" EAST ON THE NORTH LINE OF SAID BLOCK 5, A DISTANCE OF 310.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF NORTH 28TH STREET; THENCE SOUTH 02°34'12" EAST ON SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 140.50 FEET TO THE SOUTH LINE OF SAID BLOCK 5; THENCE SOUTH 86°50'57" WEST ON SAID SOUTH LINE OF BLOCK 5, A DISTANCE OF 310.22 FEET TO THE POINT OF BEGINNING.

PROJECT NO.
EGA221018

REVISES	NO.	DESCRIPTION	DATE	BY

EHRHART
GRIFFIN &
ASSOCIATES

3552 Farnam Street
Omaha, Nebraska 68131
402 / 551-0631

• ENGINEERING

• PLANNING

• LAND SURVEYING

KENNEDY SQUARE EAST
PRELIMINARY PLAT

OMAHA, NEBRASKA

DATE: 5/13/2022

DESIGNED BY:

DRAWN BY:

CHECKED BY:

CREW:

SHEET NO.
1 OF 1

Agenda items #9 (C10-22-126, C10-22-127, C12-22-128), #6 (C11-22-129, C7-22-149) and #7 (C11-22-141) were heard together

Subdivisions

9.	C10-22-126 C10-22-127 C12-22-128 Todd Lieberman Brinshore Development	REQUEST:	Preliminary Plat and Final Plat approval of KENNEDY SQUARE EAST, a subdivision inside city limits, with rezoning from R5, R7 and CC to R5, R7 and CC, along with approval of the ACI-Area of Civic Importance Overlay District
		LOCATION:	Northeast of 30th Street and Spencer Street

Overlays

6.	C11-22-129 C7-22-149 Todd Lieberman Brinshore Development	REQUEST:	Approval of a PUR-Planned Unit Redevelopment Overlay District, along with approval of a Conditional Use Permit to allow Multiple-family residential in the CC District (laid over 5/4/22)
		LOCATION:	Northeast of 30th Street and Spencer Street
7.	C11-22-141 Todd Lieberman Brinshore Development	REQUEST:	Approval of a PUR-Planned Unit Redevelopment Overlay District (laid over 5/4/22)
		LOCATION:	Northeast of 30th Street and Spencer Street

Board member Cydney Franklin recused herself.

Terry Morrison, Ehrhart Griffin & Associates, 3552 Farnam Street, appeared before the Board on behalf of the applicant and offered to answer any questions.

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department. Mr. Englund explained that the Preliminary Plat was recommended for approved by Planning Board in May 2022 but there was a slight change in the planning configuration with the extension of 29th Street to the north from Lothrop to Bristol Street. This is the next phase of The Highlander project which is the former site of Spencer Homes. The housing will be replaced with updated mixed income housing. There will be a mixed use building along 30th Street that will provide 51 multi-family units as well as retail space and a community center and located further to the east will be 51 mix of residential unit housing.

There were no opponents.

Specifically regarding #9 (C10-22-126, C10-22-127, C12-22-128):

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department, stated that staff recommends approval of the rezoning from R5, R7 and CC to R5, R7 and CC, approval of the ACI-Area of Civic Importance Overlay District and approval of the Preliminary Plat, subject to the seven conditions in the recommendation report and approval of the Final Plat, subject to the conditions of Preliminary Plat approval and submittal of an acceptable final subdivision agreement, prior to City Council.

Mr. Morris motioned for approval of the rezoning from R5, R7 and CC to R5, R7 and CC, approval of the ACI-Area of Civic Importance Overlay District and approval of the Preliminary Plat, subject to the following conditions:

1. 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.
2. For any changes to modify traffic operations on the public streets (removal of one-way operations), coordinate with the Public Works Traffic Maintenance Shop.
3. 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.

4. Coordinate with the Planning and Public Works Departments on the Complete Streets Design Guide Design Checklists.
5. Provide for the use, ownership, and maintenance of the outlot in the subdivision agreement.
6. The applicant must coordinate with OPPD regarding the layout of the proposed project.
7. Comply with all stormwater management ordinances and policies.

The Board also moved for 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 for final action.

Mr. Pate seconded the motion which carried 6-0.

Specifically regarding #6 (C11-22-129, C7-22-149):

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department, stated that staff recommends approval of the PUR-Planned Unit Redevelopment Overlay District, subject to submitting acceptable final PUR development plans prior to City Council and approval of a Conditional Use Permit to allow Multiple-family residential in the CC District, subject to the four conditions in the recommendation report.

Mr. Rosacker motioned for approval of the PUR-Planned Unit Redevelopment Overlay District, subject to submitting acceptable final PUR development plans prior to forwarding the request to City Council and approval of a Conditional Use Permit to allow Multiple-family residential in the CC District, subject to the following conditions:

1. Submittal of and compliance with a revised site/landscape plan moving the fencing to the interior of the required bufferyards.
2. Coordinate with OPPD regarding the layout of the proposed project.
3. Compliance with the submitted building elevations.
4. Compliance with all other applicable regulations.

Mr. Pate seconded the motion which carried 6-0.

Specifically regarding #7 (C11-22-141):

Eric Englund, Assistant Director, appeared before the Board on behalf of the Planning Department, stated that staff recommends approval of the PUR-Planned Unit Redevelopment Overlay District, subject to submitting acceptable final PUR development plans prior to City Council.

Mr. Sotolongo motioned for approval of the PUR-Planned Unit Redevelopment Overlay District, subject to submitting acceptable final PUR development plans prior to forwarding the request to City Council.

Mr. Pate seconded the motion which carried 6-0.

CASE: C10-22-126, C10-22-127, C12-22-128

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APPLICANT: Todd LiebermanBrinshore Development

REQUEST: Preliminary Plat and Final Plat approval of KENNEDY SQUARE EAST, a subdivision inside city limits, with rezoning from R5, R7 and CC to R5, R7 and CC, along with approval of the ACI-Area of Civic Importance Overlay District

LOCATION: Northeast of 30th Street and Spencer Street

SUBJECT AREA IS SHADED - JULY 2022

