



City of Omaha
Jean Stothert, Mayor

Planning Department

Omaha/Douglas Civic Center
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David K. Fanslau
Director

February 7, 2025

Leslie Smith
OMLB
1905 Harney Street, Suite 224
Omaha, NE 68102

Re: Pre-application letter
Generally south of Bedford Avenue, east of 38th Street, north of Wirt Street and west of Adams Park

Dear Ms. Smith:

Thank you for meeting with the Planning Department regarding the subject properties noted above. The development review process works best when we are able to clearly communicate our expectations so you can resolve any issues identified during the review. Brief comments from the Planning, Parks and Public Works Departments are provided below. Additional comments may result from the specific and detailed application submittal.

1. The subject property is generally located south of Bedford Avenue, east of 38th Street, north of Wirt Street and west of Adams Park. The OMLB owned properties in this area consist of 61 undeveloped parcels containing about 8.9 acres within Lincoln Heights and Westmoreland subdivisions. This area contains a significant lack of public improvements, including unimproved street rights-of-way and lack of available public sanitary sewer serving individual lots. The area is designed for Low density residential in the Future Land Use Map of the City's Master Plan.
2. The properties are primarily zoned R4(35)-Single Family Residential District (High Density), which is Master Plan compliant. Most of the platted lots are 40 feet wide, which is legal nonconforming to the R4 regulations that require 50-foot-wide lots. The platted lots are developable (in compliance with other site development regulations) if the required public sanitary sewer service is available to serve a particular lot. A rezoning to R5-Urban Family Residential District would be acceptable and is Master Plan compliant. With the R5 rezoning the lots would then be conforming to lot width requirements (40 feet).
3. The existing R4(35) zoning does allow for *Single family residential (detached)* use type. In R4 zoning the *Single family residential (attached)* use type requires approval of a Conditional Use Permit by the Planning Board, in compliance with Section 55-186 of the Omaha Municipal Code. The R4 zoning does not allow for *Two family residential*, *Duplex residential* or *Townhouse residential* use types. If rezoned to R5 then all those use types are permitted although there are supplemental regulations in Section 55-206 and Section 55-207 that apply to each use type.

Any request for a *Multiple family residential* use type would require further internal staff discussion to determine if it would be appropriate at the proposed location. While the Low-density residential land use designation in the Master Plan would not support a rezoning to a straight R6-Low Density Multiple Family Residential District classification, the city has other zoning tools available to potentially allow a multiple family residential type structure, but at a density consistent with R5 zoning (14.5 units per acre).

Detailed descriptions of the use type classifications can be found in Section 55-43 of the Omaha Municipal Code.

4. Setback requirements are dictated by the property's zoning district and the proposed use type. For R4(35) the required setbacks can be found in Section 55-186 and for R5 the required setbacks can be found in Section 55-206.
5. Any proposed replatting of lots (combining or splitting lots, adjusting lot lines, etc.) will need to be reviewed to determine what platting process is appropriate and if any public improvements (street, sanitary sewer) must be provided.
6. Any potential developers of these properties with questions regarding available city program incentives shall reach out to Kellie Johnston-Dorsey in the Planning Department at 402-444-5150 x 2008 for assistance. A developer can also reach out to the Public Works Department to ask if there are any financing programs available through them as well.
7. Existing platted lots adjacent to a paved public street and public sanitary sewer service would be shovel ready. Lots that lack one or both of these public improvements would need to provide the improvements as part of any proposed project. Assembling multiple lots or combining lots via a replat may be a method of reducing/eliminating the need for improvements by vacating existing right-of-way. Any proposal must be coordinated and reviewed by Planning and Public Works Department staff to determine compliance.
8. Sidewalks are required along all existing or new street frontages in compliance with Chapter 53, Subdivisions. Coordinate with Planning and Public Works Department staff on an acceptable sidewalk layout. Dedication of right-of-way may be required to allow for the necessary space for code compliant landscaping and sidewalk widths.
9. Compliance with all applicable stormwater management ordinances and policies will be required.
10. Coordinate any grading of the properties with the Public Works Department. A grading permit may be required.
11. Coordinate with Bridget Hadley, Economic Development Manager at 402-444-5150 ext. 2006, regarding any Tax Increment Financing (TIF) questions or the TIF process.
12. Registration for a residential rental property shall be filed prior to the issuance of a Certificate of Occupancy or final building code approval as required in Omaha Municipal Code Section 48-205.
13. The project must comply with all other provisions of the Chapter 53 Subdivisions and Chapter 55 Zoning of the Omaha Municipal Code.

The Department recommends that you meet with the property owners of record, at a minimum, within 300 feet of the subject property, regarding your proposal prior to submitting any formal application to the Planning Board. If you have any questions or want to schedule a follow-up meeting, please contact Michael Carter, Manager, Current Planning at 402-444-5150, ext. 2057.

Sincerely,
OMAHA CITY PLANNING DEPARTMENT



David K. Fanslau
Planning Director

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