I am writing to ask the City and DMPA to support the designation of my block, the 4600 – 5000 block of Davenport, as TOD 4-SFA along with other areas east of 50th street in Dundee.

1. OPDs own guidelines recommend the exclusion of areas such as the Fairacres neighborhood from these proposals;
2. The catchment area for the 64th Street ORBT stops already has higher than average population density than almost all of the other stops, rendering further development to support that ORBT stop unnecessary.
3. There are several areas for potential development that would have a far greater impact on population density and re-development around the 72nd Street ORBT stop that should be focused on before coming back to examine the opportunities offered in the Fairacres Neighborhood.

Generally not in favor of the proposal. Does not like the design of recent redevelopment projects. Are the new units affordable. Former transit rider, not anymore due to the travel times.

The significant difference in elevation between Dodge Street and Davenport Street would be devastating to the homeowners on Davenport Street whose lots / properties would abut those on Dodge Street. Furthermore, there exists the potential for significant light and noise pollution from a five-story apartment building.

Having a large component of the redevelopment at Crossroads focused on residential living would go a long way toward achieving midtown Omaha density goals. There is an absence of townhome living in this part of Omaha. People who want to downsize, stay in the same neighborhood and own their residence, cannot currently do so due to the lack of inventory. People do not want to rent. They want to own.

Changing the density will change the dynamic of the Fairacres neighborhood and would be a travesty. This neighborhood has attracted business executives and other Omahans that recognize this neighborhood’s special character and beautiful architecture. Any TOD changes that might occur here needs to be consistent and compatible with the current architecture and character of the neighborhood.
This thin strip of 50th Street is an outlier on the TOD zoning change plan. Rezoning would help nearly no one while doing great harm to one of Omaha's most endearing neighborhoods. While ORBT was originally sold to us as an exciting way to ease congestion, it is now being retooled as a magnet for expansion. Yet the corner of 50th Street and Leavenworth, by far the most vulnerable to development due to its humble single-family duplexes, is nearly a mile from the nearest ORBT stop. ORBT only goes downtown, but high-density apartment dwellers need to drive elsewhere as well. Neighbors along 50th Street between Howard and Leavenworth already park their cars with two wheels on the curb to avoid rearview mirrors being knocked off by drivers squeezing through this narrow street. Traffic often backs up for a block at the Leavenworth stoplight, just as it does on 50th Street and Dodge, because the street is already too narrow for the existing traffic burden. It's wrong to cram a lot more people along 50th Street, then use that congestion to justify improving public transportation. We who live here now would be stuck dealing with the resulting transportation mess for years.

Concerned about the possibility of multiple larger apartment buildings, blocking sunshine, consume green spaces, increased the already limited on street parking. Mentioned there are 10 houses that have been converted into apartments an four slip in apartments on his block, these units are affordable. States there is no need for four story apartment buildings that would be much more expensive.

Concerned about the proposed TOD sub district future land use designation along south 50th Street, between Dodge and Leavenworth Streets. Sites the following reasons: Historic nature of homes, allowable height requirements of the proposed code, perceived demand for mid range single family homes in the area.

The significant difference in elevation between Dodge Street and Davenport Street would be devastating to the homeowners on Davenport Street whose lots / properties would abut those on Dodge Street. Furthermore, there exists the potential for significant light and noise pollution from a five-story apartment building. Having a large component of the redevelopment at Crossroads focused on residential living would go a long way toward achieving midtown Omaha density goals. There is an absence of townhome living in this part of Omaha. People who want to downsize, stay in the same neighborhood and own their residence, cannot currently do so due to the lack of inventory. People do not want to rent. They want to own. Changing the density will change the dynamic of the Fairacres neighborhood and would be a travesty. This neighborhood has attracted business executives and other Omahans that recognize this neighborhood’s special character and beautiful architecture. Any TOD changes that might occur here needs to be consistent and compatible with the current architecture and character of the neighborhood.
1. “No zoning changes will be made unless and until a property owner opts-in to TOD zoning. Once TOD zoning is elected by the property owner, development can occur after public hearings have been held.” This puts too much control in the hands of one property owner in a TOD zone. That seems undemocratic and unfair that one property owner can determine the density and use of a neighborhood.

2. As we all know the Dodge Street corridor from 72nd to 78th offers an enormous potential for residential density. What are the plans for this area? When will changes start?

3. We plead some zoning ignorance, but can there be a conversation about possible changes or enhanced clarity as to what constitutes TOD 3 and 4?

4. Please consider homes to the north of 69th to 66th Dodge (Davenport Street). Due to elevation differences and natural light considerations, large overbearing buildings would be very harmful and disruptive to Davenport Street residents. If building had to occur one story condos that were architecturally appropriate to the neighborhood would be acceptable.

The new TOD/ORBT plan directly affects the area/blocks where I currently rent and would love to purchase a home someday. Changes in zoning to TOD-2 and TOD-3 which encourage 4 to 8-story apartment buildings in some areas east of 50th Street will drastically change this environment and there is a chance it would start to take away some of the characteristics that have always made Dundee special (and a point of Omaha pride). Keeping that in mind, I have done some research and it seems that the TOD-4-SFA designation fits a majority of the areas in my neighborhood much better and would allow for better preservation of the historic streets and buildings (as well as the culture built here). Please note: I do support TOD-2 and TOD-3 zoning in the areas right along Dodge, as there seems to be space and accessibility there that the inner-neighborhood doesn’t necessarily have.
The historic Dundee neighborhoods have been and are today desirable Omaha neighborhoods due to having many single home family units, green spaces on each lot, mature and established trees, and close proximity to downtown. Multi-storied apartment buildings will destroy the privacy of backyards. No one wants to congregate in their backyard with four or more stories overlooking them. Viable backyards are an essential part of a thriving single-home neighborhood. Apartments will destroy this. The streetscape is essentially single-family homes looking upon single-family homes. Single-family homes looking upon apartments destroys the streetscape. Views of neighboring buildings that are complementary are essential to a well laid-out neighborhoods. In addition, the views of trees and local landmarks are a critical part of home values. By changing those views, you are stealing the value from those who have invested in this neighborhood. Lastly, the character of the neighborhood is one which people own their homes for 20, 30, 40, and even 50 years. Thus, homeowners are committed to the neighborhood. High occupancy apartment buildings do not foster long-term residents, thus, the community we have built over so many years will be DESTROYED. This community is what adds to the value of Dundee. In this time, more community, not less, is needed. There are not any valid reasons to make changes to these neighborhoods. Zoning in the Dundee areas needs to remain as is.

Comment noted.

See Letter

Comment noted, will propose revisions.

See Letter

Comment noted, will propose revisions.

See Letter

Comment noted, will propose revisions.
February 24th, 2020

Planning Board
City of Omaha
1819 Farnam Street
Omaha, Ne 68183

The Dundee Memorial Park Association supports the City of Omaha’s efforts to improve public transportation in the Metro area. We are aware of the significant investment the city has made into the new ORBT line than will run east and west along Dodge Street and we are excited to see it go live. In regards to the proposed Transit Oriented Development’s opt in zoning discussed at the various stakeholder’s meetings, we request a couple of changes. The eastern portion of Dundee is more dense than the western portion of Dundee, but the physical form does not reflect high density residential zoning as proposed. We would like to see the following sections of the neighborhood reduced from high density residential to medium density residential zoning:

Between 48th & 49th from Chicago St to Webster St
Between 52nd & 50th from California St to Cass St

Thank you so much for your time.

Sincerely,

Sara Nelson
Co-President DMPA
May 14th, 2020

Planning Board
City of Omaha
1819 Farnam Street
Omaha, Ne 68183

RE: Transit Oriented Development

I am writing to you on behalf of the Dundee Memorial Park Association regarding concerns over the new Transit Oriented Development that will be implemented with the new ORBT bus line. We have been talking about this development for months now and the documents that will be released to the public were recently released to stakeholders for review. It appears that SFA designation has been expanded. During our stakeholder meetings, TOD 4-SFA was described as a single family home with the new possibility of an accessory dwelling unit. However, in one of the final drafts of the TOD Zoning Guide and Summary, TOD 4-SFA was changed to include small apartments, townhomes and duplexes with a 36 foot height maximum.

Here is the problem: between 46th and 50th Street, from Dodge Street to Underwood Avenue has been designated as TOD 3-MNR on the new TOD initiative. Initially most of this area of Dundee was haphazardly zoned to TOD 2-MUR, with no regard to the physical form of the neighborhood. The truth is that the sub district TOD 4-SFA best describes this area of Dundee and we want it to remain TOD 4-SFA under the new zoning guidelines with the following exceptions:

1. 52nd Street to 46th Street from Dodge to Davenport can remain TOD 3-MNR as currently exists on the revised TOD guidelines
2. 50th Street to 46th Street from Capitol to Chicago can remain TOD 2-MUR as currently exists on the revised TOD guidelines

The remainder of Dundee shall remain TOD 4-SFA which includes small apartments, townhomes and duplexes with a 36 foot height maximum. The TOD 3-MNR designation would allow for four story buildings throughout this section of Dundee. There are only a small handful of buildings that meet this height currently and they tower above the predominantly one to two story homes that dominate this section of Dundee. We refuse to let Dundee become a developers playground allowing for four story buildings throughout eastern Dundee and completely change the landscape of our neighborhood. We will not allow our neighborhood to be destroyed for the sake of one bus stop.

Thank you,
Sara Nelson
DMPA Co-President
Concerns About Proposed Land Use Designation for South 50th Street
(Dodge St. to Leavenworth St.)

The City of Omaha’s proposal to the Land Use Map raises significant concerns about the change from Single-Family residential homes to TOD-3. This new designation would make it permissible for developers to purchase the single-family homes along South 50th St., demolish them and construct higher density, multi-unit apartment buildings up to 48 feet tall in their place.

All of the single-family homes along 50th St. are in excellent condition, are well-maintained and contribute to the Omaha property tax base.

The single-family homes and two-story brick duplexes were built in the late 1910’s and 1920’s. 50th Street originally was a creek running south to Saddle Creek before the area was developed. There have always been single-family residences along South 50th Street. The street is also lined by many mature shade trees. The Dundee-Memorial Park Association has undertaken several tree planting projects along this stretch of South 50th Street in order to maintain this tree canopy. If higher density, multi-family structures are permitted to be built on this street, most, if not all, of this tree canopy would be lost.

The homes along South 50th Street are also very close to the properties located on South 50th Ave to the west and South 49th Ave to the east. The construction of a four story structure would tower over neighboring single-family homes. In addition, there is no parking along 50th Street from Dodge St. to Howard St. Despite the hope that people living in any new apartment buildings would use mass transit, the reality is that many would still need cars and there is no available parking in the area.

Between Howard St. and Leavenworth St., there are primarily duplexes located only on the west side of the street. The cemetery is on the east side. All of the duplexes are ranch or two story and do not tower over neighboring properties. The duplexes at 502-04, 506-08, 510-12, 518-20, 522-24 and 538-40 are listed as “Contributing” properties as they were built in 1942. There are several other duplexes on this part of South 50th St. that are “Non-Contributing” properties.

South 50th Street is located within the Dundee-Happy Hollow Historic District. This historic district was designated by the United States Department of the Interior, National Park Service in 2005. The street has a variety of architectural styles that were used by numerous Omaha architects that make Dundee-Memorial Park a unique place to live. Making it easier for developers to remove these historic homes for more dense 4 story apartment buildings would destroy the architectural heritage of the neighborhood and would go against all of the work put forth by the Dundee-Memorial Park Association to preserve this heritage.

https://landmark.cityofomaha.org/article/4149-dundee-happy-hollow-historic-district

Of the 40 homes on South 50th St. between Dodge St. and Howard St., 36 (90%) are listed as “Contributing” properties to the Dundee-Happy Hollow Historic District. There are only 4 properties...
that were listed as “Non-Contributing” properties in the National Historic District designation. Those properties are:

122 S. 50th St. (1925) Reason: vinyl siding
301 S. 50th St. (1963) Reason: modern apartment building
303 S. 50th St. (1963) Reason: modern apartment building
320 S. 50th St. (1920) Reason: aluminum siding

The two properties with siding issues could easily become “Contributing” properties if the siding were replaced with more original materials. The only clearly “Non-Contributing” properties on South 50th St. would be the two apartment buildings built in 1963 at 301 S. 50th St.

Several noted Omaha architects designed single-family homes along South 50th St. This architectural history could be lost if the homes were to be demolished to make way for higher density 4-story apartment buildings. The following architects designed homes along South 50th St.:

**Norman Brigham**
- 111 S. 50th St. (1922)
- 302 S. 50th St. (1922)
- 310 S. 50th St. (1920)

**Everett Dodds**
- 106 S. 50th St. (1922)
- 107 S. 50th St. (1923)

**Richard Everett**
- 109 S. 50th St. (1923)

**Reinholdt Hennig**
- 113 S. 50th St. (1925)

**Charles Steinbaugh**
- 313 S. 50th St. (1923)

**Lewyn Prestwick**
- 502-04 S. 50th St. (1942)
- 518-20 S. 50th St. (1942)

There continues to be a very high demand for middle-range ($150,000-$250,000) single-family homes in Dundee. For example, 5 homes on South 50th Avenue between Farnam St. and Howard St. were sold between February and May, 2020. While not on South 50th St., all of these homes on South 50th Avenue could be negatively impacted if these homes are towered over by apartment buildings and there is no parking on South 50th Ave because of the increase in apartment dwellers. It would certainly make these homes less desirable.

Despite an on-going pandemic, each of these moderately priced single-family homes on South 50th Ave all sold within days of being listed for more than the asking price. Despite the desire of the City of Omaha to see more high-density apartments in the older neighborhoods because there is the belief that
people no longer want to live in single-family homes, homes sales in Dundee show there is still a very strong demand for single-family homes in the older parts of Omaha.

The attached pictures show South 50th St. as it is currently with its single-family homes and mature trees. Higher density four story apartment buildings would destroy this character forever. There is no need for re-development of this well-maintained street.

50th St. Looking South from Howard St.

50th St. Looking North from Howard St.
East Side of 50th St. Between Farnam St. and Howard St.

50th St. Looking South Between Farnam St. and Howard St.
Duplexes on East Side of 50th St. Near Dodge St.

50th St. Looking South from Dodge St.
50th St. Looking South Between Dodge St. and Farnam St. West Side

50th St. and Farnam St. Southeast Corner
Backyard Facing East from 319 S. 50th Ave Towards 320 S. 50th St.

50th St. Looking North Between Howard St. and Farnam St. West Side
50th St. Looking North Between Howard St. and Farnam St. West Side
June 17, 2020

City of Omaha Planning Department
1819 Farnam Street, Suite 1100
Omaha, Nebraska 68131

RE: Public Comment – TOD Zoning Overlay Proposal

I have the following comments regarding the TOD zoning overlay which has been proposed by the Omaha Planning Department (“OPD”). I live at 6501 Prairie Avenue, Omaha NE 68132, in the Fairacres neighborhood and have attended all of the TOD Public Meetings held in respect of this area.

In the most recent information sent out by Derek Miller of OPD to the Fairacres Neighborhood Association, it is proposed that the southwestern edge of Fairacres, which extends from North Elmwood Road to 69th Street on Dodge Street, would be designated as TOD-3-MNR. This would allow development of units of up to 5 stories high, and a footprint of up to 10,000 square feet in size.

I am very familiar with the goals of the TOD, specifically driving increased density in housing and improvements to our mass transit infrastructure and believe that these are sound goals. However, in looking at the overlay proposal for this particular area, I believe that it is inconsistent with the overall project goals. Specifically, the Summary and Guide issued by OPD states that, “historic neighborhoods (local or national register districts) that include uniform, large lot, detached single family residences and zoning (R1- R3) will be excluded from the TOD district as new smaller lot and attached housing types could be incompatible.” Fairacres is accepted by all as fitting that “historic neighborhood” description.

I realize that in putting together the TOD proposal, OPD has had to look at significant areas along Dodge Street. However, I would suggest that the following matters appear to have been overlooked in determining the proposal for the Fairacres Neighborhood:

- The Fairacres Neighborhood is listed on the National Register of Historic Places and thus should have been excluded from the TOD in line with OPD’s own guidance.

- While Dodge Street is a large and busy street, the potential 5 story buildings with footprints of up to 10,000 square feet would be adjacent
(backing on to and rising above) R-1, single family homes on Davenport Street—a quiet street without sidewalks. This would result not only in restriction of light on these shadowed lots, but would also materially impact property values. In addition to this jarring juxtaposition of structures and density, the Dodge Street side of the block is significantly higher and those buildings would literally hover over the backyards of those homes—giving the appearance of a 6 or 7 story building. This seems incompatible with the Planning Department’s goal of preserving residential neighborhoods.

- One of the goals of the TOD is to increase the housing/population density. The area in question already benefits from higher than normal numbers because of the UNO campus on the south side of Dodge Street. My assumption is that the density of population around the 62nd Street stop is already materially higher than most other stops, suggesting that additional development in that area is unnecessary.

- Less than 5 blocks to the west of the Fairacres Neighborhood and adjacent to the 72nd Street stop is an area of very low population density space ready for re-development. There are 37,000 acres of land ready for re-development between the Crossroads Mall and the BestBuy plaza, and many additional acres contained within the trailer storage lot immediately to the west of Lowes.

In summary:

1. OPDs own guidelines recommend the exclusion of areas such as the Fairacres neighborhood from these proposals;
2. The catchment area for the 64th Street ORBT stops already has higher than average population density than almost all of the other stops, rendering further development to support that ORBT stop unnecessary.
3. There are several areas for potential development that would have a far greater impact on population density and re-development around the 72nd Street ORBT stop that should be focused on before coming back to examine the opportunities offered in the Fairacres Neighborhood.

For the reasons mentioned above, I would propose that OPD exclude the Fairacres Neighborhood from the proposed TOD plan.

Thank you for the opportunity to comment on this proposal.
Sincerely
Ms. Sara Nelson & Omaha Planning Board:

I am writing to ask the City and DMPA to support the designation of my block, the 4600 – 5000 block of Davenport, as TOD 4-SFA along with other areas east of 50th street in Dundee. I only recently learned of the TOD changes being worked. It is very frustrating that as a homeowner, myself and my neighbors were not included in discussions of the rezoning of our property and any decisions made thus far. As with many residents, I moved to Dundee for a reason – to be in a traditional neighborhood and be part of a community. We were drawn by the rich history of the area, the timeless structures, large trees and the walk-able streets. I enjoy the variation in properties & residents and support improvements, but I feel an oversized 5 story apartment building which would be allow with your changes is not appropriate for Davenport and much of the area east of 50th. Such a massive structure would replace trees with views of concrete, would invade the privacy of current residents by towering over our homes, cause significant traffic for children and other pedestrians as well as parking issues on our already congested narrow streets. In addition, I fear it will make the area less attractive to property owners leading to reduced property value.

I support the diversity of the neighborhood and welcome development of dilapidated or vacant properties. However, that development should be in the spirit of the neighborhood and be similar in size and architecture. The neighborhood provides high density properties today. Just over half the properties between 46th and 50th on Davenport are some type of multi-unit housing in the form of converted houses and duplexes which maintain the character the neighborhood. The few apartment buildings are small, only two stories, and are traditional brick structures. The neighborhood provides density today, and higher density can be achieved nearby without having to compromise the community in place by the long term residents of this residential street/area.

My husband and I – as well as many on my street – have invested heavily in our properties to bring them back to the neighborhood character. Below is a picture of my house – on the left was when we bought it in 2008, and on the right is my house today. We have spent countless hours, a lot of sweat and a lot of money to bring this house back to what it was. Many of my neighbors have done the same because we love the area and it is our home. Myself and a neighbor were able to reach 60% of the property owners between 46th and 49th, and every single one of them agreed that Davenport should be designated as TOD 4-SFA. I’ve attached their names as well as a few from the 4900 block, all with their permission. As information, eighty-five percent of the properties between 46th and 50th fall into the category of single family home, house converted to apartments, or duplex. We like what we have today and feel there is density already here and there are other areas in close proximity which need development and could provide additional ridership.
Again, I support development in the Dundee area when it is done with care and does not take away from so many that have invested so much to create this wonderful neighborhood.

I will be sending this to Derek Miller of the Planning Board, Councilman Chris Jerram, and Councilman Pete Festersen. I will also be filling out the online Public Comment Form. Please contact me if you have any questions.

Thank you

<table>
<thead>
<tr>
<th>Last Name</th>
<th>First Name(s)</th>
<th>House Nbr</th>
<th>Street</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jones</td>
<td>Daryl &amp; Laura</td>
<td>304</td>
<td>N. 46th</td>
</tr>
<tr>
<td>Kenney-Ehlinger</td>
<td>Pamela &amp; John</td>
<td>4601</td>
<td>Davenport</td>
</tr>
<tr>
<td>Chatham</td>
<td>Charles &amp; Kim</td>
<td>4611</td>
<td>Davenport</td>
</tr>
<tr>
<td>Hamblin</td>
<td>Rod &amp; Kathleen</td>
<td>4623</td>
<td>Davenport</td>
</tr>
<tr>
<td>Johanningsmeier</td>
<td>Chuck &amp; Gina</td>
<td>4631</td>
<td>Davenport</td>
</tr>
<tr>
<td>Kazakhstan-Carter</td>
<td>Kinga</td>
<td>4703</td>
<td>Davenport</td>
</tr>
<tr>
<td>Bayer</td>
<td>Rob &amp; Jody</td>
<td>4803</td>
<td>Davenport</td>
</tr>
<tr>
<td>Kiser/Kawecki</td>
<td>Doug/JoAnne</td>
<td>4805</td>
<td>Davenport</td>
</tr>
<tr>
<td>Kawecki/Torrez</td>
<td>Jennifer/Jimmy</td>
<td>4807</td>
<td>Davenport</td>
</tr>
<tr>
<td>Brady</td>
<td>Meghan</td>
<td>4808</td>
<td>Davenport</td>
</tr>
<tr>
<td>Emanuel</td>
<td>Elise</td>
<td>4809</td>
<td>Davenport</td>
</tr>
<tr>
<td>Ray</td>
<td>Heather &amp; Tyler</td>
<td>4810</td>
<td>Davenport</td>
</tr>
<tr>
<td>Wilwerding</td>
<td>Steve &amp; Elizabeth</td>
<td>4811</td>
<td>Davenport</td>
</tr>
<tr>
<td>Udhus</td>
<td>Don &amp; Liz</td>
<td>4813</td>
<td>Davenport</td>
</tr>
<tr>
<td>Nice</td>
<td>Brian</td>
<td>4814</td>
<td>Davenport</td>
</tr>
<tr>
<td>Allgood</td>
<td>Jenny &amp; Eric</td>
<td>4815</td>
<td>Davenport</td>
</tr>
<tr>
<td>Coonan</td>
<td>Shawn</td>
<td>4816</td>
<td>Davenport</td>
</tr>
<tr>
<td>Brennan</td>
<td>John &amp; Vera</td>
<td>4824</td>
<td>Davenport</td>
</tr>
<tr>
<td>Gallo</td>
<td>Brendan</td>
<td>4907</td>
<td>Davenport #Condo11</td>
</tr>
<tr>
<td>Agosta</td>
<td>Brad</td>
<td>4921</td>
<td>Davenport</td>
</tr>
<tr>
<td>Agosta</td>
<td>Brad</td>
<td>4923</td>
<td>Davenport</td>
</tr>
</tbody>
</table>

NOTE:

4803 Davenport is the “Nancy Bounds House” which was home to a modelling agency. Today it is an owner occupied home with rental units.

4808 Davenport is a Victorian gem. According to The Dundee Book history book, it was on this porch that the plats for Dundee were laid out.

4824 Davenport was the house built for the man who started the Dundee Presbyterian Church. The City built it to lure him here from NY.
Whoa!

Where are all these riders going?

Why not gut Happy Hollow to 72nd St, as well as Cathedral & Dundee?

What is Dundee's/Cathedral's population density now compared to other areas?

Will the working poor & service industry people be able to afford all these apartments?

Why are the apartments recently built so unappealing to the eye?

(over)
Have you ever looked at the east side of the 49th + Dodge building across from CU S-3 colors that have no complementarity and don't even look attractive. Driving west on Dodge from downtown the east side is downright ugly. An eyesore.

Dundee + Cathedral are viable neighborhoods with a lot of housing variety (except for the working poor.) The W.D. areas are fast discommuning.

I've been here since 1970 + rode the bus for years - to the Zoo, South 8, west (Immanuel, downtown, 72 & mercy). A viable line needs cross connections.

Sincerely, Sandra Trandahl 5108
June 19, 2020

Omaha Planning Director David Fanslau
1819 Farnam Street, Suite 1100
Omaha NE 68183-1100

re: Transit Oriented Development

I was surprised and disappointed to see my Dundee neighborhood, where I've lived at 50th Avenue and Farnam for thirty years, being included in a rezoning push for high-density apartment buildings. The whole point of zoning laws is to protect residential neighborhoods from exactly this type of inappropriate development.

If a strong majority of neighborhood residents want a change, it should be allowed to happen. (Like a normal two-way Farnam Street, eh?) But nobody in these historic single-family homes wants a four story apartment building looming over their backyard. We need the city to protect the culture of Dundee. The zoning law is supposed to do that.

It was this same zoning protection that prevented Bucky's gas station at 50th & Dodge from illegally encroaching into the neighborhood. Zoning laws protect people whose investments in their homes and neighbors were based on their trust in the city. City planners have every obligation to honor those commitments.

- When I moved here thirty years ago, about a third of the houses on my street were in need of updating and repair. I've worked hard on mine. Just this spring the last of those tired houses was brilliantly restored, and vibrant young families are filling in the neighborhood. The street is a humble, cozy gem, maturing in exactly the right direction. This effort to rezone us to a high-density apartment area would reverse that momentum.

- This thin strip of 50th Street is an outlier on the TOD zoning change plan. Rezoning would help nearly no one while doing great harm to one of Omaha's most endearing neighborhoods.
• While ORBT was originally sold to us as an exciting way to ease congestion, it is now being retooled as a magnet for expansion. Yet the corner of 50th Street and Leavenworth, by far the most vulnerable to development due to its humble single-family duplexes, is nearly a mile from the nearest ORBT stop.

• ORBT only goes downtown, but high-density apartment dwellers need to drive elsewhere as well. Neighbors along 50th Street between Howard and Leavenworth already park their cars with two wheels on the curb to avoid rearview mirrors being knocked off by drivers squeezing through this narrow street.

• Traffic often backs up for a block at the Leavenworth stoplight, just as it does on 50th Street and Dodge, because the street is already too narrow for the existing traffic burden.

• It’s wrong to cram a lot more people along 50th Street, then use that congestion to justify improving public transportation. We who live here now would be stuck dealing with the resulting transportation mess for years.

Dundee grows more beautiful every day thanks to people taking care of 100-year-old homes, and they invest because of the promise the city made in its zoning laws. 50th Street between Dodge and Leavenworth should be excluded from TOD zoning changes.

With respect,
June 19, 2020

Derek Miller, Comprehensive Planning
1819 Farnam Street, Suite 1100
Omaha NE 68183-1100

re: Transit Oriented Development

I was surprised and disappointed to see my Dundee neighborhood, where I’ve lived at 50th Avenue and Farnam for thirty years, being included in a rezoning push for high-density apartment buildings. The whole point of zoning laws is to protect residential neighborhoods from exactly this type of inappropriate development.

If a strong majority of neighborhood residents want a change, it should be allowed to happen. (Like a normal two-way Farnam Street, eh?) But nobody in these historic single-family homes wants a four story apartment building looming over their backyard. We need the city to protect the culture of Dundee. The zoning law is supposed to do that:

It was this same zoning protection that prevented Bucky’s gas station at 50th & Dodge from illegally encroaching into the neighborhood. Zoning laws protect people whose investments in their homes and neighbors were based on their trust in the city. City planners have every obligation to honor those commitments.

- When I moved here thirty years ago, about a third of the houses on my street were in need of updating and repair. I’ve worked hard on mine. Just this spring the last of those tired houses was brilliantly restored, and vibrant young families are filling in the neighborhood. The street is a humble, cozy gem, maturing in exactly the right direction. This effort to rezone us to a high-density apartment area would reverse that momentum.

- This thin strip of 50th Street is an outlier on the TOD zoning change plan. Rezoning would help nearly no one while doing great harm to one of Omaha’s most endearing neighborhoods.
• While ORBT was originally sold to us as an exciting way to ease congestion, it is now being retooled as a magnet for expansion. Yet the corner of 50th Street and Leavenworth, by far the most vulnerable to development due to its humble single-family duplexes, is nearly a mile from the nearest ORBT stop.

• ORBT only goes downtown, but high-density apartment dwellers need to drive elsewhere as well. Neighbors along 50th Street between Howard and Leavenworth already park their cars with two wheels on the curb to avoid rearview mirrors being knocked off by drivers squeezing through this narrow street.

• Traffic often backs up for a block at the Leavenworth stoplight, just as it does on 50th Street and Dodge, because the street is already too narrow for the existing traffic burden.

• It’s wrong to cram a lot more people along 50th Street, then use that congestion to justify improving public transportation. We who live here now would be stuck dealing with the resulting transportation mess for years.

Dundee grows more beautiful every day thanks to people taking care of 100-year-old homes, and they invest because of the promise the city made in its zoning laws. 50th Street between Dodge and Leavenworth should be excluded from TOD zoning changes.

With respect,
June 19, 2020

Michael Carter, Current Planning  
1819 Farnam Street, Suite 1100  
Omaha NE 68183-1100

re: Transit Oriented Development

I was surprised and disappointed to see my Dundee neighborhood, where I’ve lived at 50th Avenue and Farnam for thirty years, being included in a rezoning push for high-density apartment buildings. The whole point of zoning laws is to protect residential neighborhoods from exactly this type of inappropriate development.

If a strong majority of neighborhood residents want a change, it should be allowed to happen. (Like a normal two-way Farnam Street, eh?) But nobody in these historic single-family homes wants a four story apartment building looming over their backyard. We need the city to protect the culture of Dundee. The zoning law is supposed to do that.

It was this same zoning protection that prevented Bucky’s gas station at 50th & Dodge from illegally encroaching into the neighborhood. Zoning laws protect people whose investments in their homes and neighbors were based on their trust in the city. City planners have every obligation to honor those commitments.

- When I moved here thirty years ago, about a third of the houses on my street were in need of updating and repair. I’ve worked hard on mine. Just this spring the last of those tired houses was brilliantly restored, and vibrant young families are filling in the neighborhood. The street is a humble, cozy gem, maturing in exactly the right direction. This effort to rezone us to a high-density apartment area would reverse that momentum.

- This thin strip of 50th Street is an outlier on the TOD zoning change plan. Rezoning would help nearly no one while doing great harm to one of Omaha’s most endearing neighborhoods.
• While ORBT was originally sold to us as an exciting way to ease congestion, it is now being retooled as a magnet for expansion. Yet the corner of 50th Street and Leavenworth, by far the most vulnerable to development due to its humble single-family duplexes, is nearly a mile from the nearest ORBT stop.

• ORBT only goes downtown, but high-density apartment dwellers need to drive elsewhere as well. Neighbors along 50th Street between Howard and Leavenworth already park their cars with two wheels on the curb to avoid rearview mirrors being knocked off by drivers squeezing through this narrow street.

• Traffic often backs up for a block at the Leavenworth stoplight, just as it does on 50th Street and Dodge, because the street is already too narrow for the existing traffic burden.

• It’s wrong to cram a lot more people along 50th Street, then use that congestion to justify improving public transportation. We who live here now would be stuck dealing with the resulting transportation mess for years.

Dundee grows more beautiful every day thanks to people taking care of 100-year-old homes, and they invest because of the promise the city made in its zoning laws. 50th Street between Dodge and Leavenworth should be excluded from TOD zoning changes.

With respect,
Omaha Planning Department
1819 Farnam Street
Omaha, NE 68183

Attn: Messrs Fanslau, Moulton, Miller

Re: TOD Proposed Plan

Dear Mr. Fanslau, Mr. Mouton, and Mr. Miller,

I have lived a for many years since 1973, am an avid gardener, bus rider, bicyclist and pedestrian, having no car. I have been reading about the proposed TOD land use plan and want to share with you my opinion. I do not have access to a computer and my cell phone will not cooperate to allow me to complete the Public Comment Form, so I am resorting to a letter.

When I moved to Omaha, I wanted an old house on a corner with big windows so I could have fresh air and do without air conditioning, which has served me well since 1973. I wanted a neighborhood where there would be no tall buildings to block sunlight and breezes. I also wanted to live among green yards and a minimum of concrete. I planted bushes and trees to provide shade for me and those using the sidewalks. I could not afford one of the larger Dundee homes, but found in the 48th and Capitol area a friendly neighborhood.

If the neighborhood is transformed with multiple larger apartment buildings, it will block the sunshine, consume the green spaces, increase the already limited on street parking.

The street I live on has 10 houses converted to apartments and four slip-in apartment buildings. It is fully developed as it is, with affordable housing, and does not need to invite developers to build four-story larger apartment buildings that would be much more expensive.

Very truly yours,
Omaha Planning Department  
1819 Farnam Street  
Omaha, NE 68183

Attn: Messrs Fanslau, Moulton, Miller

Re: TOD Proposed Plan

Dear Mr. Fanslau, Mr. Mouton, and Mr Miller,

I have lived at [redacted] since 1973, am an avid gardener, bus rider, bicyclist and pedestrian, having no car. I have been reading about the proposed TOD land use plan and want to share with you my opinion. I do not have access to a computer and my cell phone will not cooperate to allow me to complete the Public Comment Form, so I am resorting to a letter.

When I moved to Omaha, I wanted an old house on a corner with big windows so I could have fresh air and do without air conditioning, which has served me well since 1973. I wanted a neighborhood where there would be no tall buildings to block sun light and breezes. I also wanted to live among green yards and a minimum of concrete. I planted bushes and trees to provide shade for me and those using the sidewalks. I could not afford one of the larger Dundee homes, but found in the 48th and Capitol area a friendly neighborhood.

If the neighborhood is transformed with multiple larger apartment buildings, it will block the sunshine, consume the green spaces, increase the already limited on street parking.

The street I live on has 10 houses converted to apartments and four slip-in apartment buildings. It is fully developed as it is, with affordable housing, and does not need to invite developers to build four-story larger apartment buildings that would be much more expensive.

Very truly yours,
June 19, 2020

David Fanslau  
City of Omaha Planning Dept.  
1819 Farnam St. #1100  
Omaha, NE 68183

RE: TOD Overlay Impacting 50th St. (Dodge St. to Leavenworth St.)

Dear Mr. Fanslau:

As part of the public comment on the proposed Transit Oriented Development (TOD) plan being proposed by the City of Omaha, please accept the enclosed 3,000 signatures in opposition to increasing the permitted density on 50th St. between Dodge St. and Leavenworth St. In addition, the comments obtained with signatures are also enclosed.

These signatures were collected from June 3, 2020 to June 18, 2020.

The City of Omaha’s proposal to the Land Use Map raises significant concerns about the change from Single-Family residential homes to TOD-3. This new designation would make it permissible for developers to purchase the single-family homes along South 50th St., demolish them and construct higher density, multi-unit apartment buildings up to 48 feet tall in their place.

All of the single-family homes along 50th St. are in excellent condition, are well-maintained and contribute to the Omaha property tax base.

The single-family homes and two-story brick duplexes were built in the late 1910’s and 1920’s. 50th Street originally was a creek running south to Saddle Creek before the area was developed. There have always been single-family residences along South 50th Street. The street is also lined by many mature shade trees. The Dundee-Memorial Park Association has undertaken several tree planting projects along this stretch of South 50th Street in order to maintain this tree canopy. If higher density, multi-family structures are permitted to be built on this street, most, if not all, of this tree canopy would be lost.

The homes along South 50th Street are also very close to the properties located on South 50th Ave to the west and South 49th Ave to the east. The construction of a four story structure would tower over neighboring single-family homes. In addition, there is no parking along 50th Street from Dodge St. to Howard St. Despite the hope that people living in any new apartment buildings would use mass transit, the reality is that many would still need cars and there is no available parking in the area.

Between Howard St. and Leavenworth St., there are primarily duplexes located only on the west side of the street. The cemetery is on the east side. All of the duplexes are ranch or two story and do not tower over neighboring properties. The duplexes at 502-04, 506-08, 510-12, 518-20, 522-24 and 538-40 are listed as “Contributing” properties as they were built in 1942. There are several other duplexes on this part of South 50th St. that are “Non-Contributing” properties.

South 50th Street is located within the Dundee-Happy Hollow Historic District. This historic district was designated by the United States Department of the Interior, National Park Service in 2005.
The street has a variety of architectural styles that were used by numerous Omaha architects that make Dundee-Memorial Park a unique place to live. Making it easier for developers to remove these historic homes for denser 5 story apartment buildings would destroy the architectural heritage of the neighborhood and would go against all of the work put forth by Dundee residents to preserve this heritage.

https://landmark.cityofomaha.org/article/4149-dundee-happy-hollow-historic-district


Of the 40 homes on South 50th St. between Dodge St. and Howard St., 36 (90%) are listed as “Contributing” properties to the Dundee-Happy Hollow Historic District. There are only 4 properties

The street has a variety of architectural styles that were used by numerous Omaha architects that make Dundee-Memorial Park a unique place to live. Making it easier for developers to remove these historic homes for denser 5 story apartment buildings would destroy the architectural heritage of the neighborhood and would go against all of the work put forth by Dundee residents to preserve this heritage.

https://landmark.cityofomaha.org/article/4149-dundee-happy-hollow-historic-district


Of the 40 homes on South 50th St. between Dodge St. and Howard St., 36 (90%) are listed as “Contributing” properties to the Dundee-Happy Hollow Historic District. There are only 4 properties that were listed as “Non-Contributing” properties in the National Historic District designation. Those properties are:

122 S. 50th St. (1925) Reason: vinyl siding
301 S. 50th St. (1963) Reason: modern apartment building
303 S. 50th St. (1963) Reason: modern apartment building
320 S. 50th St. (1920) Reason: aluminum siding

The two properties with siding issues could easily become “Contributing” properties if the siding were replaced with more original materials. The only clearly “Non-Contributing” properties on South 50th St. would be the two apartment buildings built in 1963 at 301 S. 50th St. Several noted Omaha architects designed single-family homes along South 50th St. This architectural history could be lost if the homes were to be demolished to make way for higher density 4-story apartment buildings. The following architects designed homes along South 50th St.:

Norman Brigham
111 S. 50th St. (1922) 115 S. 50th St. (1921) 119 S. 50th St. (1921)
302 S. 50th St. (1922) 306 S. 50th St. (1920) 308 S. 50th St. (1920)
310 S. 50th St. (1920) 314 S. 50th St. (1920) 316 S. 50th St. (1920)
Everett Dodds  
106 S. 50th St. (1922) 112 S. 50th St. (1919)  

Richard Everett  
107 S. 50th St. (1923) 109 S. 50th St. (1923)  

Reinholdt Hennig  
113 S. 50th St. (1925)  

Charles Steinbaugh  
313 S. 50th St. (1923)  

Lewyn Prestwick  
502-04 S. 50th St. (1942) 506-08 S. 50th St. (1942) 510-12 S. 50th St. (1942)  
518-20 S. 50th St. (1942) 522-24 S. 50th St. (1942) 538-40 S. 50th St. (1942)  

There continues to be a very high demand for middle-range ($150,000-$250,000) single-family homes in Dundee. For example, 5 homes on South 50th Avenue between Farnam St. and Howard St. were sold between February and May, 2020. While not on South 50th St., all of these homes on South 50th Avenue could be negatively impacted if these homes are towered over by apartment buildings and there is no parking on South 50th Ave because of the increase in apartment dwellers. It would certainly make these homes less desirable.  

Despite an on-going pandemic, each of these moderately priced single-family homes on South 50th Ave all sold within days of being listed for more than the asking price. Despite the desire of the City of Omaha to see more high-density apartments in the older neighborhoods because there is the belief that people no longer want to live in single-family homes, homes sales in Dundee show there is still a very strong demand for single-family homes in the older parts of Omaha.  

Thank you for your consideration of these legitimate concerns of property owners on and adjacent to 50th St. As you can tell, people feel very strongly about this very important issue.  

Sincerely,
June 19, 2020

Mr. Derek Miller  
Long Range & Mobility Planning Manager  
City of Omaha Planning Department  
derek.miller@cityofomaha.org

Councilman Pete Festersen  
Omaha City Council  
pete.festersen@cityofomaha.org

Re: TOD Policy and Code – Fairacres Neighborhood

Dear Mr. Festersen and Mr. Miller:  

We are [PERSONAL INFORMATION REDACTED], Fairacres neighborhood residents since September 2008. We are writing regarding the Transit Oriented Development (TOD) regulations proposed by the City Planning Department that could impact the historic Fairacres neighborhood. I understand the Planning Department is seeking public comment regarding the proposed regulations and that, via this email, you will enter our comments into the public comment record (sans address and phone number).

Planning Department Criteria:  
Criteria used by the Planning Department was “Preservation of Residential Neighborhood”. The criteria in the Summary and Guide further states that “historic neighborhoods (local or national register districts) that include uniform, large lot, detached single family residences and zoning (R1- R3) will be excluded from the TOD district as new smaller lot and attached housing types could be incompatible.” Fairacres is a National Register Historic District that includes single family residences on uniformly large lots. As such, it is contrary to the TOD density guidelines set forth in the planning department’s documents which call for new smaller lots and housing types. It should be noted that nationally prominent landscape architect, George Kessler, designed Fairacres as a “Garden Suburb.” Changing the character of the neighborhood through to smaller lots would be incompatible with the neighborhood as originally designed and continues to exist to this day.

Changes of Elevation Between Dodge Street and Davenport Street:  
The significant difference in elevation between Dodge Street and Davenport Street would be devastating to the homeowners on Davenport Street whose lots / properties would abut those on Dodge Street. Furthermore, there exists the potential for significant light and noise pollution from a five-story apartment building.

Potential Development at Crossroads:  
Having a large component of the redevelopment at Crossroads focused on residential living would go a long way toward achieving midtown Omaha density goals. There is an absence of townhome living in this part of Omaha. People who want to downsize, stay in the same neighborhood and own their residence, cannot currently do so due to the lack of inventory. People do not want to rent. They want to own.
Changing the density will change the dynamic of the Fairacres neighborhood and would be a travesty. This neighborhood has attracted business executives and other Omahans that recognize this neighborhood’s special character and beautiful architecture. Any TOD changes that might occur here needs to be consistent and compatible with the current architecture and character of the neighborhood.

I recognize how difficult a task this is and I appreciate all the hard work you are doing to better serve the people of Omaha.

Sincerely,
June 22, 2020

Derek Miller

City of Omaha Planning Department

1819 Farnam Street

Omaha, Nebraska 68183

Dear Mr. Miller,

We are writing you regarding the Transit Oriented Development (TOD) regulations proposed by the City Planning Department. We live at [redacted] and these zoning proposals will affect our neighborhood as well as the historical designation of Fairacres.

Our concerns are:

1. “No zoning changes will be made unless and until a property owner opts-in to TOD zoning. Once TOD zoning is elected by the property owner, development can occur after public hearings have been held.” This puts too much control in the hands of one property owner in a TOD zone. That seems undemocratic and unfair that one property owner can determine the density and use of a neighborhood.
2. As we all know the Dodge Street corridor from 72nd to 78th offers an enormous potential for residential density. What are the plans for this area? When will changes start?
3. We plead some zoning ignorance, but can there be a conversation about possible changes or enhanced clarity as to what constitutes TOD 3 and 4?
4. Please consider homes to the north of 69th to 66th Dodge (Davenport Street). Due to elevation differences and natural light considerations, large overbearing buildings would be very harmful and disruptive to Davenport Street residents. If building had to occur one story condos that were architecturally appropriate to the neighborhood would be acceptable.

Thank you for considering our concerns and hopefully the planning department and city council will do what is necessary to maintain and enhance Fairacres historical district. We would appreciate being informed of any future development activity along the 69th to Memorial Park corridor.

Sincerely,
June 23, 2020

Councilman Pete F. Festersen
Omaha City Council
Pete.festersen@cityofomaha.org

Mr. Derek Miller
Long Range & Mobility Planning Manager
City of Omaha Planning Department
Derek.Miller@cityofomaha.org

Subject: TOD Policy and Code—Fairacres neighborhood

Dear Councilman Festersen and Mr. Miller,

In response to the Planning Department’s request for public comment on the proposed Transit Oriented Development zoning code changes, I wish to offer the following perspective as a long-time resident and leader of the Fairacres neighborhood:

For almost a century, Fairacres and many other midtown Omaha neighborhoods have been models for how neighborhoods in the urban core can thrive and attract current and future leaders of our city. For this reason, I feel it is imperative that any changes made to the Future Land Use Map for these neighborhoods are appropriate and don’t have negative unintended consequences.

Looking at the proposed changes for the Fairacres neighborhood, the Fairacres Condominiums at 101 N. 69 Street and the single family dwelling located at 6852 Dodge Street are both currently zoned R-8 and as such fit the TOD-3-MNR density classification that is currently proposed.

On the other hand, 302 Hackberry Rd., 303, 306, 320, 324, and 330 N. 68th Street, and 106 N. 67th Street provide an appropriate transition from arterial or collector streets to local streets within the neighborhood and should be left alone. Furthermore, 139 N. 69th Street and 6731 Davenport Street are either adjacent to or border a collector street and are proposed for TOD-3-MNR but should also be left alone. Substantial recent investment in landscaping at 139 N. 69th Street creates an appropriate buffer between the house and 69th Street.

Fairacres is currently zoned the lowest density of residential zoning (R-1). TOD guidelines call for any transition to middle density housing to be to the lowest TOD density. However, TOD-4-SFA permits three story buildings which are especially inappropriate for properties between 6840 Dodge Street and North 66th Street due to the significant difference in elevation that exists between Dodge Street and Davenport Street to the north. Thus, even though one or 1.5 story townhomes would be appropriate here, three story housing units would not.

The St. Margaret Mary Church property at 6116 Dodge Street should be removed from the TOD Land Use Map. The likelihood of this 100 year-old property ever being redeveloped for middle density residential housing is extremely low, making inclusion in the Future Land Use Map inappropriate.
Many current property owners in the Fairacres neighborhood who have raised families here and would like to downsize and purchase smaller homes in their neighborhood find it impossible to do so. Currently, townhomes for sale in this neighborhood are in short supply. We would welcome townhome development in Fairacres but it should be compatible with the traditional architecture and character of the neighborhood.

Lastly, it is difficult to underestimate the enormous potential that the Dodge Street corridor west of Fairacres between 72nd Street and 78th Street presents in reaching the city’s density goals. Housing options in this area should include opportunities for home ownership—not just rental units.

Thank you for your efforts to plan for the future of midtown Omaha. It is critical that it be done thoughtfully, with input from those who know it best. The outcome will impact Omaha for many generations to come.

Respectfully,
June 24, 2020

Mr. Derek Miller  
Long Range & Mobility Planning Manager  
City of Omaha Planning Department  
1819 Farnam Street, Suite 1100  
Omaha, Nebraska 68183

Re: TOD Policy and Code – Fairacres

Dear Mr. Miller:

The Planning Department of the City of Omaha is seeking comment on its proposed transit oriented development (“TOD”) regulations. After meeting with neighborhood homeowners, the Fairacres Neighborhood Association, Inc. (“Association”) wishes to provide the Planning Department with its public comment on the proposed TOD regulations. As you know, the proposed TOD Subdistrict Land Use Map identifies certain properties in Fairacres as TOD land use areas; in particular, properties bordering Dodge Street as TOD-3-MNR and properties bordering 69th Street as both TOD-3-MNR and TOD-4-SFA.

**Preservation of the Fairacres Neighborhood**

General criteria used by the Planning Department in developing the proposed regulations includes “Preservation of Residential Neighborhoods.” The Summary and Guide further states that “historic neighborhoods (local or national register districts) that include uniform, large lot, detached single family residences and zoning (R1 – R3) will be excluded from the TOD district as new small lot and attached housing types could be incompatible.”

Fairacres is included in the National Register of Historic Places and includes uniform, large lot, detached single family residences zoned R1. Fairacres, designed by nationally prominent landscape architect, George E. Kessler, is one of Omaha’s best-preserved historic neighborhoods. Fairacres is tied to the City Beautiful movement that defined urban development at the beginning of the twentieth century. Transit oriented development in Fairacres would be incompatible with that vision.
Single Family Residences in the TOD Subdistrict Land Use Map

The proposed TOD Subdistrict Land Use Map identifies certain single family residences zoned R1 on 69th Street as TOD-4-SFA. Those residences face 68th Street but back on to 69th Street and should not be in a TOD land use area. Likewise, the proposed TOD Subdistrict Land Use Map identifies single family residences at 139 N. 69th Street (a Collector Street), 6731 Davenport Street and 106 N. 67th Street (Local Streets) also zoned R1 as TOD-3-MNR. None of those residences are compatible with transit oriented development and certainly not appropriate for buildings up to 5 stories as permitted by TOD-3-MNR.

Dodge Street Properties in Fairacres

Properties bordering Dodge Street in Fairacres are currently identified as TOD-3-MNR (with the exception of 6300 Dodge Street) on the proposed TOD Subdistrict Land Use Map. TOD-3-MNR permits buildings up to 5 stories (with a three-story base).

West of the Fairacres townhomes on Dodge Street, the difference in elevation between properties on Dodge Street and the single-family homes on Davenport Street which are behind those properties is significant. A five-story building would tower over the homes on Davenport Street and the associated lighting and noise with a five-story apartment dwelling would be a major distraction to those homeowners. In addition, the Dodge Street properties are adjacent to property currently zoned R1 and should therefore have the lowest, if any, TOD land use designation or TOD-4-SFA.

On the east end of Dodge Street is property owned by St. Margaret Mary Church and School and zoned R3. The likelihood of that property being acquired or developed for middle density housing is so remote that any designation as a TOD land use area in the future Land Use Map is inappropriate. The zoning for St. Margaret Mary Church and School also designates it as an area of civic importance and therefore not an area for transit oriented development.

Property Currently Zoned R8 in Fairacres

The Association understands that the property at the corner of Dodge Street and 69th Street and the condominiums on 69th Street are zoned R8 and permit buildings compatible with TOD-3-MNR.

Omaha Community Playhouse and Omaha Conservatory of Music Property

Property on Cass Street owned by the Omaha Community Playhouse and the Omaha Conservatory of Music have been designated as TOD-2-MNR in the TOD Subdistrict Land Use Map. Among other things, TOD-2-MNR would permit buildings up to 8 stories (with a five story base). As you are aware, the Omaha Conservatory of Music is located on property previously owned and occupied by Temple Israel. Prior to its purchase in
2015 by the Omaha Conservatory of Music, such property was contemplated as the site of a proposed multistory apartment complex. The Association vigorously opposed the redevelopment of the Temple Israel site as a multistory apartment complex and subsequently was very much in favor of its redevelopment as the Omaha Conservatory of Music. Given the significant philanthropic and community resources that have gone into the development and support of both the Omaha Conservatory of Music and the Omaha Community Playhouse, neither property should be designated as a TOD land use area in the future land use map.

In summary, the Association asks that certain properties within Fairacres, along with properties currently owned by the Omaha Community Playhouse and the Omaha Conservatory of Music be removed from the TOD land use area. In addition, any property along Dodge Street that is designated as a TOD land use area should be given the lowest density designation of TOD-4-SFA.

Sincerely,

Jan M Brockman
President

Cc: Peter F Festersen
June 27, 2020

To: City of Omaha Planning Department  
   City of Omaha City Council  
   City of Omaha Planning Board  
   City of Omaha Urban Design Review Board

Re: Transit Oriented Development (TOD) Master Plan and Zoning Code changes

Dear Planning Staff and members of the City Council, Planning Board, and Urban Design Review Board:

Noddle Companies would like to express our strong support for the proposed TOD master plan amendment and associated zoning code changes. As members of the Stakeholder Committee for nearly two years, we participated in numerous discussions and public meetings to help craft the existing document with the Planning Department. During this same time frame, members of our team have also been involved in the Urban Core committee, a group that is chaired by Noddle Companies, and includes members of some of Omaha’s most respected organizations as well as the Mayor’s office and other City staff.

The goal of the efforts, in part, is to attract and retain talent, and to maximize the economic development potential of Omaha through increased access to jobs, housing, and education. Through our work with both groups, it has become apparent that in order to achieve these goals and to maximize the return on investment of the $30 million BRT infrastructure, large scale changes need to take place within the existing land use regulations.

The current zoning code, most of which was written over 30 years ago, does not encourage the type of walkable design and density that is necessary to fully capitalize on this once in a generation transportation investment. Therefore, it is important that the City of Omaha adopt the new TOD regulations as part of a larger effort to compete with cities like Denver, Minneapolis, Kansas City, and Des Moines, all of whom are taking steps forward to create vibrant transit corridors that provide the jobs and housing for the next generation of employees.

As a development company with over 50 years of infill experience, we know that cities can either adapt or be left behind. Therefore, for both the future fiscal and economic sustainability of Omaha, we support and endorse the TOD amendment and zoning code regulations.

Sincerely,

Jay B. Noddle  
President  
Noddle Companies
June 23, 2020

Mr. Derek Miller
Long Range & Mobility Planning Manager
City of Omaha Planning Department
1819 Farnam Street, Suite 1100
Omaha, Nebraska 68183

Dear Mr. Miller:

As homeowners in Fairacres, we have extensive concerns regarding the Planning Department of the City of Omaha’s proposed TOD overlay affecting certain properties in Fairacres as TOD land use areas. These areas include the properties bordering Dodge Street as TOD-3-MNR and properties bordering 69th Street as both TOD-3-MNR and TOD-4-SFA.

When looking for a place to raise our family we considered many neighbors in West and Central Omaha. We chose to purchase our property in Fairacres for the large private lots, the beauty and charm of the historic neighborhood, and the quiet streets that is unique to Fairacres. We are concerned that the very things that attracted us to this unique gem in the middle of Omaha are threatened by the proposed TOD zoning overlay. Our position is any change in zoning to this area would significantly alter the charm that makes this historic neighborhood a special and unique part of Omaha. The Dodge street properties adjacent to R1 zoned properties should not be eligible for TOD land designation.

As property owners of 6711 Davenport Street we strongly oppose the proposed TOD zoning change behind this property and those adjacent to it. There exists a dramatic elevation difference between our R1 zoned property and the Dodge St. property behind our home proposed for rezoning. Any zoning change, TOD-4 MNR or TOD-3 MNR, that allows for a structure of three, four, or five stories tall would create a tower over our property. The proposed zoning change to the Dodge Street properties behind Davenport threatens the R-1 properties by negatively affecting property values, blocking these properties from the southern exposure to the sun, intruding on the privacy of the single family homes, and increased noise and light pollution. The TOD guidelines promote a “transition of scale” in housing density. The current proposal is too abrupt with no transition of scale.

Additionally, Fairacres is included in the National Register of Historic Places and includes uniform, large lot, detached single family residences zoned R1. Fairacres, designed by nationally prominent landscape architect, George E. Kessler, is one of Omaha’s best-preserved historic neighborhoods. Fairacres is tied to the City Beautiful
movement that defined urban development at the beginning of the twentieth century. Transit oriented development in Fairacres would be incompatible.

We agree with our neighbors, the existing condominiums on the north side of Dodge between 64th and 66th are comprised of 8 duplexes with 16 owners, is the absolute maximum that should border an R-1 historic home, and therefore we do not believe they should be rezoned to increase density. Additionally, the brick wall bordering the condos running along the Dodge sidewalk is historically protected as part of the former Brandeis Mansion. The wall’s very tight proximity to the street makes it impossible to build a wide sidewalk to promote pedestrian traffic as the TOD guidelines dictate.

We echo the position of the Fairacres Homeowners Association that the proposed TOD Subdistrict Land Use Map identifies certain single family residences zoned R1 on 69th Street as TOD-4-SFA. Those residences face 68th Street but back on to 69th Street and should not be in a TOD land use area. Likewise, the proposed TOD Subdistrict Land Use Map identifies single family residences at 139 N. 69th Street (a Collector Street), 6731 Davenport Street and 106 N. 67th Street (Local Streets) also zoned R1 as TOD-3-MNR. None of those residences are compatible with transit oriented development and certainly not appropriate for buildings up to 5 stories as permitted by TOD-3-MNR.

While we appreciate the work of the Planning Department of the City of Omaha and the potential growth to our city with the TOD, however we believe these changes must be done thoughtful in order to add value to our city and its neighborhoods and not to take away from them.

Sincerely,
I have lived in Dundee for a majority of my life. I grew up there and am a proud alumna of Dundee elementary. After many years away, I purposely returned to the community as an adult and am as much in love with this neighborhood as I was as a child. Dundee is unique and has an “old world” charm and walkability. I care deeply about the preservation of this community that I call home (and plan to call home as long as I am able).

The new TOD/ORBT plan directly affects the area/blocks where I currently rent and would love to purchase a home someday. Changes in zoning to TOD-2 and TOD-3 which encourage 4 to 8-story apartment buildings in some areas east of 50th Street will drastically change this environment and there is a chance it would start to take away some of the characteristics that have always made Dundee special (and a point of Omaha pride). Keeping that in mind, I have done some research and it seems that the TOD-4-SFA designation fits a majority of the areas in my neighborhood much better and would allow for better preservation of the historic streets and buildings (as well as the culture built here). Please note: I do support TOD-2 and TOD-3 zoning in the areas right along Dodge, as there seems to be space and accessibility there that the inner-neighborhood doesn’t necessarily have.

In addition, the streets of Dundee are thin and there is already a noticeable lack of parking. I know the plan is to encourage the new transit system, but Omaha is a very car-friendly city and even the addition of modern, “mid-size” apartment buildings would cause a lot of new traffic and parking expectations/conflicts, whether the new transit system is present or not. Unless a redesign of the whole area is implemented first, I fear disaster.

I am also worried about affordability of the potential new apartment complexes and how this would affect the affordability of the neighborhood. Seeing the new buildings already popping up on the outskirts of the neighborhood, they seem to encourage higher rent prices and this will trickle out to the rest of the neighborhood.

Finally, why are we in a rush? It seems quick to rearrange neighborhoods based on a transit plan that has not fully been developed yet. Can the zoning start at a TOD-4 in most areas of Dundee and move gradually to TOD-2 and TOD-3 on an as-needed basis as the ORBT project develops? Or as a compromise, can we focus the TOD-2 and TOD-3 zoning strictly to the area closer to and along Dodge and zone much of the inner neighborhood as a TOD-4?

Thank you so much for sharing this plan with us. I hope my comments are useful. Please let me know if I can follow up with any additional information.
Changing the zoning in the Dundee Historic Neighborhood is a terrible idea. Allowing for new development that allows for “bigger” buildings with more stories will destroy a flourishing neighborhood. And, changing the zoning just to accumulate riders for the new ORBT is wrong.

The most logical way to design a transportation system is to first look at where the need for transportation is and then design transportation to meet that need. It does not make sense to demolish beautiful homes and a thriving neighborhood just to create a “need” for transportation.

Omaha has many areas with apartment and townhome living including Aksarben, Midtown Crossing, and downtown lofts. These are areas which could benefit from Rapid Transportation. It makes sense to plan and develop rapid transportation to these already existing areas.

The historic Dundee neighborhoods have been and are today desirable Omaha neighborhoods due to having many single home family units, green spaces on each lot, mature and established trees, and close proximity to downtown. Multi-storied apartment buildings will destroy the privacy of backyards. No one wants to congregate in their backyard with four or more stories overlooking them. Viable backyards are an essential part of a thriving single-home neighborhood. Apartments will destroy this. The streetscape is essentially single-family homes looking upon single-family homes. Single-family homes looking upon apartments destroys the streetscape. Views of neighboring buildings that are complementary are essential to a well laid-out neighborhoods. In addition, the views of trees and local landmarks are a critical part of home values. By changing those views, you are stealing the value from those who have invested in this neighborhood. Lastly, the character of the neighborhood is one which people own their homes for 20, 30, 40, and even 50 years. Thus, homeowners are committed to the neighborhood. High occupancy apartment buildings do not foster long-term residents, thus, the community we have built over so many years will be DESTROYED. This community is what adds to the value of Dundee. In this time, more community, not less, is needed. There are not any valid reasons to make changes to these neighborhoods. **Zoning in the Dundee areas needs to remain as is.**
Dear Mr. Stephens,

Please accept this letter in opposition to the current Transit Oriented Development plan as proposed. To be brief, here are some of the reasons:

- I am suspicious of tearing down functional single-family housing for multifamily units that are likely to be constructed by the same luxury developers who now have cheaply produced units sitting vacant in Midtown for $1200+/month.
- Midtown already has housing density - this may not be the place to start.
- There are many other areas along the ORBT bus route that are underdeveloped. These areas should be our focus to support the success of public transportation initiatives.

I am not against multi-family housing. I have cosponsored and am invested deeply in many pieces of legislation strengthening the ability of cities to build multifamily and "missing middle" housing. I myself live in Dundee because I love the density we already have. To first roll out the TOD plan in Dundee feels unnecessary.

Why not consider implementing a TOD plan in the western part of Omaha? For example, there are many areas near Westroads Mall where new residential multifamily construction could provide needed housing for the many employers in that area and naturally accommodate the need for density near transit lines. For a future-oriented urban city, should our downtown and midtown neighborhoods bear all of the weight and responsibility of housing density?

I agree with my neighbors in Dundee who are asking for TOD-4-SFA designation as opposed to the TOD-3-MNR designation that we see much of in the current proposed map, with a few exceptions. The TOD-3-MNR zone extends farther into Dundee than any other neighborhood on the map. This is not necessary to increase transit use. Members of the Dundee-Memorial Park Neighborhood Association, local business owners, and active citizens, many of whom have relevant experience and knowledge, are more than happy to be partners with the City of Omaha in creating future-facing transit-friendly neighborhoods that don’t sacrifice the character and history that makes Midtown special. Please listen to them.

I want ORBT to be a success, and I look forward to utilizing the bus with my family. Let’s see how ORBT functions once it is up and running, and then reevaluate the TOD plan.

Respectfully,

Senator Megan Hunt
25 June 2020

Derek Miller
City of Omaha Planning Department
1819 Farnam Street, Suite 1100
Omaha, NE 68131

RE: TOD Policy and Code - Fairacres

Dear Mr. Miller,

I have resided in Fairacres for over thirty years. It is a lovely neighborhood which has recently begun a needed "re-birth". Many homes are old and not restored. There have been few improvements over the years. Fortunately the last five or six years have seen remodels, additions and homes demolished with new ones built in their place.

It is my opinion this kind of re-birth will slow if the zoning changes. Fairacres has inherited a good vibe because of the many grand homes with large lots in the area. My home was built in 1952 as a spec home and the lot was divided in three pieces. Many homes like mine are the ones needing "re-birth". The zoning change would change the direction of neighborhood. People will be hesitant to invest.

Several years ago Fairacres opposed the zoning change (R1 to Commercial) on 69th Street and Dodge. It is a large box store and a poorly maintained parking lot. The owners have failed to maintain the fencing and landscaping as promised. I called the Mayor’s Hotline several times during the Daub administration. Nothing happened; the landscaping and fencing continued to suffer.

It is wrong to destroy a neighborhood on the hope of planned urban development. There is no real history of this kind of project working in Omaha.

One more concern is the recent demonstrations at Dodge and 72nd Street. Are the owners of the properties still willing to upgrade or re-develop the area? Certainly TOD is appropriate for the Crossroads area.
Date: 2020-06-29
Project: Omaha’s TOD Initiative
Subject: Public Commentary Form Notes

Discussion Items Summarized

1. From recent discussion with Jed: Building setback/upper levels – reduce to 10’ or other from 12’ as it relates to wood frame building construction.
2. Can tools like the PUR still be used in other districts only, or these districts too?
3. West side of 50th Street block between Farnam and Leavenworth (TOD-3-MNR_Arterial Street), formerly R5(35) that backs up to standard R3 zoning on a Local street. Concerns for allowed heights of buildings. 36’ at base, 60 max backing up to 35’ max. Neighborhood is requesting a zone change to allow only 45/48’.
4. Dundee neighborhood concerns, density vs. quality of design should be addressed.
5. Street frontage. AT 70%, does it allow ability to break up the frontage and provide public amenities along streetscape?
6. Code language on building height and number of stories. Redefined in the new code edits. 70% frontage concerns. Courtyard apartments. 10th + Pierce type building for example.
7. Considerations for bicycle ROWs, right turns, etc. Will that be reconsidered? Need to review new section on bicycle parking regulations closely.
8. Restrictions/allowances for garage entrances to townhomes on primary facades. Likes that it promotes access drives and alleys.
9. Concerns regarding future developments along Leavenworth west of 50th – PUR options, etc.
10. Lots of content to absorb – can be overwhelming.
11. Impact on historic property owners. Local groups will have ongoing discussions.
12. Options for minor modifications to subdivisions map in the future? Discussion on difference between FLUM amendment and subdivisions map.
June 29, 2020

Derek Miller, AICP  
Long Range & Mobility Planning Manager  
City of Omaha Planning Department  
1819 Farnam Street, Suite 1100  
Omaha, NE 68131

Dear Mr. Miller,

On behalf of the Board of Directors of the Omaha Downtown Improvement District, I’d like to congratulate you on the hard work that the City, and it’s community consultants, have done to implement the Transit Oriented Development (TOD) master planning process.

The Downtown Improvement District fully supports and offers any advocacy we can do on behalf of the proposed TOD amendments to the current zoning code. We believe the proposed changes will encourage the further growth of our city through the promotion of transit use and the potential density and placemaking that can be created through mindful development.

Both myself, my Board chair, and many of our Downtown constituents have been pleased to be included in the ongoing, long-term discussion and planning for this process. We are assured that every opportunity to hear the needs of the community have been taken and we are satisfied that the proposed changes appear to meet both the needs of the current residents and business in the various identified locations for more dense development along transit lines.

Thank you again for your work, and for being a part of Omaha’s future.

Sincerely,

Holly Barrett  
Executive Director  
Holly@OmahaDowntown.org