

**DRAFT MINUTES
PAPILLION PLANNING COMMISSION MEETING
MARCH 28, 2018**

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, March 28, 2018 at 7:00 PM. Chairwoman Rebecca Hoch called the meeting to order. Planning Assistant Andrea Blevins called the roll. Planning Commission members present were David Barker, Howard Carson, Raymond Keller Jr., Jim Masters, Leanne Sotak, Judy Sunde, and Herb Thompson. John E. Robinson III and Wayne Wilson were absent. Planning Director Mark Stursma, Assistant City Attorney Amber Rupiper, Assistant Planning Director Travis Gibbons, City Planner Michelle Romeo, and Staff Engineer Derek Goff were also present.

Chairwoman Hoch led those present in the Pledge of Allegiance.

Notice of the meeting was given in advance by publication in the Papillion Times on March 14, 2018. A copy of proof of publication is on file at the office of the City Clerk.

Chairwoman Hoch announced that a copy of the Open Meetings Act is posted in the City Council Chambers.

Approval of Agenda

Motion was made by Ms. Sunde, seconded by Mr. Barker, to approve the agenda as presented. Roll call: Eight yeas, no nays. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Masters, seconded by Ms. Sunde, to approve the February 28, 2018 minutes. Roll Call: Eight yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as Tax Lot 7 in the NW1/4 of the NW1/4 of Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, together with part of the NW1/4 of the NW1/4 of said Section 35, together with that part of the NE1/4 of Section 34, T14N, R11E of the 6th P.M., said Sarpy County, lying south and east of the Interstate 80 right-of-way, generally located S of HWY 370, between I-80 and 156th St. The applicant is Dowd Grain Co, Inc. (Steel Ridge South) **FP-17-0019**

Doug Kellner, 10836 Old Mills Road (Omaha), stepped forward to represent the applicant and offered to answer any questions that the Commission may have.

Chairwoman Hoch called for discussion from the Commission.

Mr. Masters asked for a brief overview of the project. Mr. Kellner explained that Steel Ridge South is proposed to be a three lot subdivision with one outlot. He noted that Lots 2 and 3 and Outlot A would be zoned Limited Industrial (LI) and Lot 1 would be zoned General Commercial (GC). He confirmed that there are no public improvements contemplated for this project; however, a Sanitary and Improvements District (SID) will be created to help fund improvements to S 150th Street.

Chairwoman Hoch asked whether the applicant has any concerns with the contingencies outlined in the Planning Commission Staff Report. Mr. Kellner indicated that applicant does not have any concerns.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Barker, to recommend approval of the Steel Ridge South Final Plat (FP-17-0019) because it is generally consistent with the approved Preliminary Plat, generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

PUBLIC HEARINGS

Special Use Permit – A Special Use Permit to allow beauty salon as a home based business/home occupation on the property legally described as Lot 80, Overland Hills V, generally located at 1012 Mesa Cir. The applicant is Renee L. Krueger. (Renee L. Krueger's Salon) **SUP-18-0001**

Chairwoman Hoch opened the public hearing.

Renee L. Krueger, 1012 Mesa Circle, stepped forward as the applicant. She explained that she intends to remodel a portion of her garage to create a one chair salon. She noted that the salon would operate by appointment only.

Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch closed the public hearing open and called for Commission Discussion.

Mr. Masters asked whether Ms. Krueger had been in contact with her neighbors regarding her proposal. Ms. Krueger noted that she spoke to some of her neighbors, but not all, and those that she spoke to did not express any opposition.

Mr. Keller asked where salon patrons would park. Ms. Krueger confirmed that there would be room in her driveway for patrons to park. She added that there is room for four cars in her driveway, and that she did not anticipate having more than five customers per day.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Thompson, to recommend approval of Renee L. Krueger's Special Use Permit (SUP-18-0001) because the proposed land use is generally consistent with the zoning and compatible with surrounding uses, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

Preliminary Plat – A Preliminary Plat for the property legally described as a tract of land located in part of the SE 1/4 of Section 24, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 132nd St & Cornhusker Rd. The applicant is TRIBEDO, LLC. (I-80 Logistics Hub) **PP-18-0001**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that the request is for a 142-acre project that is currently zoned Limited Industrial (LI) and is proposed to be platted into seven lots with nearly two-million square feet of building space. He indicated that the proposed project is consistent with adjacent uses, as most

of the approved development in this area is industrial in nature. He pointed out that there are several truck accessible access points to the site. Mr. Thiellen expressed that this project is part of the "Go-Ready" program which encourages larger businesses to establish operations in the area by providing shovel ready sites. He noted that the buildings proposed range from 48,000 square feet to 600,000 square feet in size.

Mr. Thiellen displayed the project site plan and pointed out that the site is split by existing creeks. He confirmed that a wetlands delineation has been submitted to the Army Corps of Engineers for review. He stressed that there is not much public infrastructure being proposed; however, S 135th Street will be continued from the north to connect with Valley Ridge Drive. He added that this configuration will allow for the larger lots needed to attract large businesses.

Mr. Thiellen asserted that a Traffic Impact Study will be completed.

Mr. Thiellen noted staff concerns regarding design and displayed the proposed elevations. He established that any buildings will have to conform to the requirements of the Highway Overlay District (HOD) and the Industrial Design Guidelines. He explained that a large berm and landscaping would provide screening for any overhead doors that face Cornhusker Road or 132nd Street.

Mr. Masters noted that the Planning Commission Staff Report recommends that parking and loading bays be oriented away from 132nd Street, and asked how the applicant intends to address said comment. Mr. Thiellen noted that the site plan is speculative at this time but the users will need to follow the rules of the overlay districts. He suggested that there may need to be some flexibility on behalf of the City if a proposed user needs dock doors to orient toward 132nd Street or Cornhusker Road that.

Mr. Carson asked whether any users have been identified, and whether said users would be tenants or landowners. Mr. Thiellen stated that he could not divulge such information at this time. Mr. Carson asked what type of user would need overhead doors on both sides of its building. Mr. Thiellen suggested that hypothetical users would likely be warehousing or distribution center use types.

Mr. Carson asked the applicant to give an overview of the grading necessary for the project. Mr. Thiellen noted that there are significant grade changes across the project and that the grading will be determined by individual users.

Mr. Carson asked Mr. Thiellen to verify that 135th Street would become a through street with this project. Mr. Thiellen answered in the affirmative.

Mr. Carson asked whether the applicant is aware of the contingencies outlined in the Planning Commission Staff Report. Mr. Thiellen answered in the affirmative.

Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch left the public hearing open and called for Commission Discussion.

Mr. Carson suggested that S 132nd Street would likely need improvement overtime due to the potential for increased traffic.

Mr. Masters offered his support of the project.

Chairwoman Hoch noted that the Planning Commission needed to discuss contingencies prior to making a motion.

Mr. Masters asked staff to clarify the contingency that recommends facing overhead doors away from 132nd Street and Cornhusker Road. Mr. Stursma noted that there is a lot of visibility into this site at the intersection of 132nd Street and Cornhusker Road. He noted that loading docks need to be screened from the primary road either by orienting the doors away from the road or providing other screening. He noted that staff will work with the applicant to find the best way to address design.

Mr. Carson noted that the Prairie Queen apartment project is adjacent to this site and asked how this project may affect the apartments in regards to traffic, noise, lights, etc. Mr. Stursma summarized that the topography of the site lends itself to screening both projects as both sites drop at the intersection of 132nd Street and Cornhusker Road. Mr. Thiellen agreed that the grade drops down significantly.

Mr. Carson suggested that evergreens would be best for screening year round. Mr. Thiellen noted that any landscaping would have to meet City Code. Ms. Sunde noted that the City has regulations in place that address many of the concerns regarding screening. Mr. Stursma stated that landscape screening can be effective when the right plant materials are utilized.

Mr. Barker asked whether site lighting would have a negative impact on the pending apartment community at Prairie Queen. Mr. Thiellen noted that he is unsure as all plans are speculative at this point; however, he assumes that the combination of modern lighting and the grade change would likely make the impact minimal. He added that eventual improvements to 132nd Street would likely be more intrusive to the apartments than any user at I-80 Logistics Hub.

Mr. Barker asked whether the proposed users would likely operate twenty-four hours a day, seven days a week. Mr. Thiellen anticipates that the anticipated users of this size would likely operate twenty-four hours a day, seven days a week.

Mr. Barker asked whether the developer for Prairie Queen is aware of the project. Mr. Stursma explained that the developer of Prairie Queen was notified of the project and was aware that the I-80 Logistics Hub site was already zoned for industrial uses. He added that the developer for Prairie Queen contemplated the adjacency of his project to industrial uses and ultimately decided that the topography gave the Prairie Queen him the confidence to proceed. He noted that the developer had not expressed any opposition to this project to date. Mr. Thiellen reiterated that the berm will act as a buffer as well.

Ms. Sunde asked whether the Special Use Permit is meant to allow a larger scale building. Mr. Stursma noted that the Large Project Special Use Permit process is required for any project encompassing more than 400,000 square feet.

Mr. Carson asked whether the parking shown in the lower right corner of the site plan is intended for tractor trailer parking. Mr. Thiellen answered in the affirmative. Mr. Carson and Mr. Thiellen noted that this could provide additional screening. Mr. Thiellen noted that such parking may sit below the grade of the road.

Ms. Sunde offered her support of the project and noted the need for pad ready sites in the area for economic growth and development.

Mr. Carson offered his support of the project.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Barker, to recommend approval of the I-80 Logistics Hub Preliminary Plat (PP-18-0001) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

Special Use Permit – A Large Project Special Use Permit for the property legally described as a tract of land located in part of the SE 1/4 of Section 24, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 132nd St & Cornhusker Rd. The applicant is TRIBEDO, LLC. (I-80 Logistics Hub) **SUP-18-0002**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant and offered to answer any additional questions.

Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch left the public hearing open and called for Commission Discussion.

Mr. Barker asked staff to clarify whether the Large Project Special Use Permit is based on the size of the buildings proposed or the size of the lot. Mr. Stursma reiterated that the threshold for a Large Project Special Use Permit is 400,000 square feet of building over the entire site. He noted that this allows for a public process to contemplate the impact of the project scale.

Mr. Keller offered his support of the project.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Ms. Sunde, to recommend approval of the I-80 Logistics Hub Special Use Permit (SUP-18-0002) because it is generally consistent with the Comprehensive Plan, compatible with existing site conditions, and compliant with Zoning regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

Blighted & Substandard Review & Recommendation – To consider whether certain real property in Downtown Papillion that is comprised of approximately 4.5 acres and generally described as having a northern boundary of Jackson Street from 4th Street to Adams Street, having a southern boundary running parallel to 2nd Street beginning at the center of Block 17 west to the Papillion Creek corridor, having a western boundary that is the Papillion Creek corridor, having an eastern boundary of Adams Street from Jackson Street to approximately 175' south of 2nd Street, and a segment of 2nd Street extending from Adams Street to 84th Street, all of which is more precisely depicted on the map attached to Resolution No. R18-0046 as Exhibit A and available for public inspection at the office of the City Clerk, is substandard and blighted, as defined by the Nebraska Community Development Law (Neb. Rev. Stat. §§ 18-2101 – 18-2144). The question is submitted by the City of Papillion City Council. **MISC-18-0003**

Chairwoman Hoch opened the public hearing.

Mayor David P. Black, 122 E 3rd Street, stepped forward to represent the applicant. He explained that designating an area as substandard and blighted is the first step in utilizing tax increment financing (TIF) to redevelop the proposed area. He added that he will appoint a Community

Redevelopment Authority (CRA) as part of the TIF process, likely in May or June of 2018. Mayor Black noted that the phrase “blighted and substandard” seems fundamentally negative; however, the purpose of designating an area as blighted and substandard is to take areas that are not at full potential and provide mechanisms that allow said areas to redevelop into its highest and best use.

Mayor Black gave a brief overview of the boundaries of the area to be designated as blighted and substandard, noting that the southernmost properties are comprised of city-owned property. He established that nearly half of the privately-owned properties included in the area are owned by the same entity who was approached early in the process. He assured the Commission that this designation would not force any private owners to sell or redevelop his or her property but would provide incentive for redevelopment.

Mayor Black explained that older areas such as this are more expensive to redevelop than a new site, and TIF provides a mechanism for developers to recoup part of that cost. He explained that TIF reallocates funds from property taxes in which any increased tax revenues collected as a result of an increase in property values can be returned to the developer to help pay for the cost of public infrastructure improvements. Said revenue is distributed back to the public as it would typically be distributed after the debt for public infrastructure improvements is paid down.

Mayor Black explained that once the CRA is formed, a Request for Proposal (RFP) will be sent out to the development community for redevelopment of the former Public Works site.

Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch left the public hearing open and called for Commission Discussion.

Mr. Barker asked whether the existing structures would likely be demolished and rebuilt. Mayor Black emphasized that the former Public Works shop would likely be renovated as it is a historical WPA building (although it is not on the historic registry) and is in good shape. He noted that there has been a lot of interest in renovating that building and other city-owned buildings in the area.

Mr. Barker asked staff to clarify how long developers could receive the increased tax revenues from TIF. Mayor Black and Ms. Rupiper suggested that the limit would be fifteen years. Mr. Barker asked for clarification as to the limitations of TIF debt. Mayor Black noted that TIF funds can only be used to fund public improvements. He pointed out that the city-owned property has zero value until it is purchased by a taxed entity. Mr. Barker asked whether this funding mechanism would assist in fixing the issues that exist in downtown related to parking and ADA compliance. Mayor Black expressed that goals will be established in a Redevelopment Plan that will include improvements like parking and streetscapes to be more consistent with the Downtown portion of the Comprehensive Plan. Mayor Black noted that such improvements may allow 2nd Street to be utilized as a public event space, which would help the City avoid the need to shut down portions of Washington Street for events.

Ms. Sunde offered her support and asked staff to provide examples of TIF in Omaha. Mayor Black noted that Omaha uses TIF regularly. Mr. Gibbons stated that TD Ameritrade, Aksarben Village, the new HDR Headquarters, and the Millard Lumber Site are some examples of TIF being utilized in Omaha. Ms. Sunde noted that TIF will likely allow this area to redevelop faster with better projects.

Mr. Masters asked why the scope of the blighted and substandard area does not encompass a larger area. Mayor Black suggested that starting with this limited scope would ease any confusion

of private business owners in the area. He added that this limited scope could be a ten-year project and will serve as a good starting point.

Chairwoman Hoch asked how long the blighted and substandard designation lasts. Ms. Rupiper suggested that the designation would likely last until the site is redeveloped. Mr. Gibbons added that the boundaries of the blighted area can be amended. Mayor Black noted a property in the study area is not required to be improved if it is sold.

Mr. Keller offered his support.

Mr. Masters asked staff to clarify why only eight out of twelve of the criteria for a blighted and substandard designation were met. Mayor Black and Ms. Rupiper noted that the requisite number of criteria are met. Mayor Black noted as an example that the area is not a detriment to public safety.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Keller, to recommend that based on the information before the Planning Commission, there is a reasonable presence of substandard and blighted conditions in the area depicted and outlined on the "Blighted and Substandard Study Area" map attached to Resolution No. R18-0046 sufficient to declare such area substandard and blighted and in need of redevelopment consistent with the Comprehensive Plan; accordingly, the staff report for MISC-18-0003, including all attachments thereto, and a draft of the corresponding minutes from the March 28, 2018 Planning Commission meeting shall be submitted by staff to the Papillion City Council as the Planning Commission's written recommendations required by the Nebraska Community Development Law. Roll Call: Eight yeas, no nays. Motion carried.

OTHER BUSINESS

Ms. Rupiper announced that the Nebraska Planning and Zoning Association (NPZA) will have some training materials available for Planning Commissioners on their website. In addition, there may also be regional training available for Planning Commissioners in the near future.

With no further business to come before the Commission, **Motion** was made by Mr. Keller, seconded by Mr. Barker to adjourn. The meeting adjourned by unanimous consent at 8:14 PM.

CITY OF PAPILLION

Rebecca Hoch, Chairwoman