

**DRAFT MINUTES
PAPILLION PLANNING COMMISSION MEETING
MAY 30, 2018**

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, May 30, 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, John E. Robinson III, and Wayne Wilson. Leanne Sotak and Herb Thompson were absent. Judy Sunde joined the Commission at 7:33 P.M. Planning Director Mark Stursma, Assistant City Attorney Amber Rupiper, Assistant Planning Director Travis Gibbons, 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 May 16, 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 Mr. Carson, seconded by Mr. Masters, to approve the agenda as presented. Roll call: Seven yeas, no nays. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Mr. Carson, to approve the March 28, 2018 minutes. Roll Call: Seven yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as a tract of land containing all of Lot 2, Oxbow Way Replat 1, a platted and recorded subdivision in Sarpy County, NE, and a part of Tax Lot 2, all located in the E1/2 of the NW1/4 of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SW corner of S 150th St and Schram Rd. The applicant is Opus Development Company, LLC. (Oxbow Way (Phase 2)) **FP-18-0002**

Dave Madden, 1601 Dodge Street, Suite 1700 (Omaha), stepped forward to represent the applicant. He noted that Jason Conway and Jeff Smith from Opus Development Company were also available to answer any questions. He offered to answer any questions.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Robinson III to recommend approval of the Oxbow Way (Phase 2) Final Plat (FP-18-0002) because it is generally consistent with the Comprehensive Plan, compliant with Subdivision and Zoning Regulations, and consistent with the Preliminary Plat, contingent upon the resolution of staff comments. Roll Call: Seven yeas, no nays. Motion carried.

Final Plat – A Final Plat for the property legally described as Tax Lot 7A in the E1/2 of the NE1/4 of Section 28 together with Tax Lot 9A1 in the SE1/4 of Section 21, all in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 96th Street and Lincoln Rd. The applicant is Jeff Elliott. (Lincoln Way) **FP-18-0003**

Chairwoman Hoch noted that discussion and consideration of this item would occur after the Motion and Vote for the Revised Preliminary Plat for Lincoln Way.

Larry Jobeun, 11440 W Center Road #C (Omaha), stepped forward to represent the applicant.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Barker, to recommend approval of the Lincoln Way Final Plat (FP-18-0003) because it is generally consistent with the revised Preliminary Plat and 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.

PUBLIC HEARINGS

Special Use Permit – A Special Use Permit to allow Automotive rental and sales as a permitted use in the property legally described as Lots 19 and 20, Sarpy 84 Commercial Park, generally located at 1214 N Monroe Street. The applicants are Julie Maben-Diril and John T. Isbilir. (Karen's Fireside and JT Motor Sales) **SUP-18-0003**

Chairwoman Hoch opened the public hearing.

Julie Maben-Diril, 1802 Walnut Creek Drive, stepped forward as the applicant. She explained that the Special Use Permit would add the existing JT Motor Sales currently located at 211 W Lincoln Street to Karen's Fireside located at 1214 N Monroe Street.

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

Mr. Robinson III noted that he was a former coworker of the applicant, and confirmed that he will not have any personal financial gain from the approval of the Special Use Permit.

Mr. Masters asked the applicant whether she had been in contact with the surrounding businesses regarding her proposals. He also asked how many cars she intends to keep on site. Ms. Maben Diril explained that there would be a maximum of twenty (20) cars on site. She suggested that she had discussed the proposal with the neighbors on the north and south of the lot, but not with other neighbors. Ms. Maben-Diril added that she was not aware of any issues with the neighbors.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Barker, to recommend approval of the Karen's Fireside and JT Motor Sales Special Use Permit (SUP-18-0003) because the proposed land use is consistent with the zoning and surrounding uses, contingent upon the resolution of staff comments. Roll Call: Seven yeas, no nays. Motion carried.

Mixed Use Development Agreement Amendment - A request to amend the Prairie Queen Mixed Use Development Agreement to replace Exhibit A (Legal Description), Exhibit E (Zoning

Exhibit), and the Development Standards Table found under Section 5, E of the Prairie Queen Mixed Use Development Agreement in order to correct inadvertent errors in said agreement. Said request is for the property legally described as Tract 1: A Tract of land located in the W 1/2 of the NW 1/4 of Section 30, T14N, R12E of the 6th P.M. Sarpy County, Nebraska, and Tract 2: that part of the NW 1/4 of Section 30, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, generally located near the S 132nd Street and Lincoln Road intersection. The applicant is Prairie Queen, LLC. (First Amendment to Prairie Queen Mixed Use Development Agreement) **MISC-18-0006**

Chairwoman Hoch opened the public hearing.

Laura Brink, 4880 S 131st Street, Suite 3 (Omaha), stepped forward to represent the applicant. She explained that the requested amendments will ensure that the Development Standards Table and corresponding Zoning Exhibit match the original intent and overall programming of the project. She added that the plan for the project will remain the same.

Chairwoman Hoch offered her support of the project, and commended the developer for the detail provided in the Mixed Use Development Agreement.

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

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Masters, to recommend approval of the Prairie Queen Mixed Use Development Agreement Amendment (MISC-18-0006) because it is compatible with the Future Land Use designation and the originally approved Illustrative Master Plan, contingent upon the resolution of staff comments. Roll Call: Seven yeas, no nays. Motion carried.

Revised Preliminary Plat – A revised Preliminary Plat for the property legally described as Tax Lot 7A of Section 28, T14N, R12E together with Tax Lot 9A of Section 21, T14 N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of 96th St and Lincoln Road. The applicant is Jeff Elliott. (Lincoln Way) **PP-17-0013R**

Larry Jobeun, 11440 W Center Road #C (Omaha), stepped forward to represent the applicant. He noted that the applicant, Jeff Elliott was also present. Mr. Jobeun explained that the Revised Preliminary Plat was changed to address the concerns of City Council. He noted with the revisions, S 97th Street now connects to Cornhusker Road and Osprey Lane allowing for eighteen (18) additional lots along S 97th Street, thus increasing the projects valuation. He added that Osprey Lane was revised to be a full movement intersection to allow for future connections to the east via Osprey Land and Cornhusker Road.

Chairwoman Hoch called for proponents and opponents.

Ken Iverson, 300 S Polk Street, stepped forward to express concerns regarding the lack of commercial uses at the site. He suggested that the lack of commercial uses is inconsistent with both the Sarpy County Comprehensive Plan and existing development along the S 96th Street corridor. He indicated that the lack of commercial uses along the 96th Street corridor could have negative effects on local property taxes. He also expressed frustration with the requirement to build trails without businesses along said trails to access.

Mr. Masters asked Mr. Iverson whether he was for or against the project. Mr. Iverson indicated that would prefer that the project include a commercial component.

Mr. Jobeun confirmed that the Comprehensive Plan for the City of Papillion identifies this site as low and medium density residential; therefore, the proposal is consistent with the Comprehensive Plan.

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

Mr. Keller noted that the Commission and staff might only deliberate on what is presented to them. He added that there are commercial uses both existing and proposed nearby.

Mr. Carson explained that commercial uses tend to follow after residential development is built to support said business. Mr. Stursma concurred. He added that most commercial uses that consider development within Papillion's jurisdiction request "rooftop" data to ensure that they can expect enough customers to support his or her business. Mr. Stursma confirmed that the Papillion Comprehensive Plan only identifies residential uses at this site. He explained that there are other commercial uses, proposed and existing, nearby.

Chairwoman Hoch explained to the Commission that any motion on this agenda item should note that the Revised Preliminary Plat supersedes the previous Lincoln Way Preliminary Plat as approved by City Council on March 20, 2018 by Resolution No. R18-0042.

Mr. Wilson asked whether there is a concern about the water as suggested in Section IV under contingency number five of the Planning Commission Staff Report. Jeff Elliott, 17007 Marcy Street (Omaha), stepped forward to explain that the Water Exhibit was inconsistent with the TD2 water modeling for the area because it included a water main with the incorrect sizing. He noted that the exhibit has since been corrected.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Keller, to recommend approval of the Lincoln Way Revised Preliminary Plat (PP-17-0013R) because it is generally consistent with the originally approved Preliminary Plat and shall supersede the original Preliminary Plat approved by City Council on March 20, 2018 by Resolution No. R18-0042, also 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: Seven yeas, no nays. Motion carried.

OTHER BUSINESS

Ms. Rupiper discussed a recent public records request that asked for personal contact information of the Planning Commissioners. She also discussed outside or ex parte communication.

Ms. Rupiper informed the Commission about upcoming Planning Commissioner training provided by the Metro Chapter of the NPZA.

Ms. Blevins reminded the Commission that elections for Chair and Vice Chair would occur at the June 27th Planning Commission meeting.

With no further business to come before the Commission, **Motion** was made by Mr. Keller, seconded by Mr. Carson to adjourn. The meeting adjourned by unanimous consent at 7:51PM.

CITY OF PAPILLION

Rebecca Hoch, Chairwoman