

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING JANUARY 31, 2018

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, January 31, 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, John E. Robinson III, Leanne Sotak, Herb Thompson and Wayne Wilson. Raymond Keller Jr., Jim Masters and Judy Sunde were absent. Planning Director Mark Stursma, City Attorney Karla 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 January 17, 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. Robinson III, seconded by Mr. Barker, 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. Wilson, to approve the December 13, 2017 minutes. Roll Call: Seven yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as part of the E1/2 of the NW1/4 lying east of abandoned Missouri Pacific Railroad, together with Tax Lots 1A, 1B and 2 in the W1/2 of the NE1/4, all in Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located S of 126th St and HWY 370. The applicant is Founder's Ridge, LLC. (Founders Ridge) **FP-17-0018**

John Fullenkamp, 11440 W. Center Road (Omaha), stepped forward to represent the applicant. He summarized that this request encompasses the first of three total phases for the Founders Ridge subdivision. The proposal contemplates 143 single-family residential lots and three outlots. He explained that the proposed outlots will provide a natural environmental area as well as stormwater detention.

Chairwoman Hoch called for discussion from the Commission.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Barker, to recommend approval of the Founders Ridge Final Plat (FP-17-0018) because it is 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: Seven yeas, no nays. Motion carried.

Final Plat – A Final Plat for the property legally described as Lot 79A, Cotton-Wood, generally located on the SW corner of 66th Street and Cornhusker Rd. The applicant is Cornhusker 7, LLC. (Cotton-Wood Replat II) **FP-17-0021**

Philip Niewohner, 2111 S 67th Street, Suite 200 (Omaha), stepped forward to represent the applicant. He explained that the purpose of the plat is to subdivide an existing lot into two lots. He reported that there is an existing building on the proposed Lot 1 that would share access and easements with Lot 2 to the south.

Chairwoman Hoch called for discussion from the Commission.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Cotton-Wood Replat II Final Plat (FP-17-0021) because it is 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: Seven yeas, no nays. Motion carried.

PUBLIC HEARINGS

One & Six Year Road Plan – To consider the one & Six Year Road Plan for the City of Papillion. The applicant is the City of Papillion. **MISC-18-0001**

Chairwoman Hoch opened the public hearing.

Public Works Director/City Engineer Jeff Thompson, 9909 Portal Road, stepped forward to represent the applicant. He introduced Public Works Administrative Manager and Development Coordinator Jennifer Roesler. Ms. Roesler explained that the One & Six Year Road Plan is an annual report required by state statute that is submitted to the Nebraska Department of Transportation (NDOT). She added that the purpose of the plan is to promote the orderly development of an integrated system of public roads. She summarized the process of approval for the plan. She noted that the projects generally align with current development and is dependent on available funds.

Ms. Roesler summarized some of the projects included on the first year plan including improvements at 96th Street and HWY 370, along 120th Street between Cornhusker Road and Roberts Road, a traffic signal at the intersection of HWY 50 and Schram Road, and the extension of Pinnacle Drive north of American Parkway to Cornhusker Road. She noted that all projects contemplated within the 2018-2019 year will be dependent on the funds available in the budget.

Mr. Barker asked staff to clarify the meaning of the bridge deck surface treatment for three bridges contemplated in the plan. Public Works Director/City Engineer Thompson explained that the County constructed 96th Street between HWY 370 and Cornhusker Road many years ago. He noted that bridge inspection must be completed every few years, and the surface decking on the specified bridges are in need of repair. He summarized that this would be completed through a process that uses an asphalt membrane with an asphalt overlay. Mr. Barker asked about the timeline to complete this project. Public Works Director/City Engineer Thompson noted that the NDOT recommends surface treatments every seven to ten years.

Ms. Sotak asked staff to explain how projects are prioritized on the plan. Public Works Director/City Engineer Thompson explained that many projects have been on the One & Six Year Road Plan for several years, and that most of the projects that fall within the first year are impendent on new and existing development and impending safety concerns. He noted that capital improvements generally take a higher priority within the budget than other general fund needs.

Ms. Sotak asked why the proposed ADA modifications were broken up rather than being a higher priority on the list. Public Works Director/City Engineer Thompson noted that the City has an ADA transition plan that breaks up these repairs over the years with complaint based repairs taking priority. Ms. Hoch asked whether the City has a timeline for the completion of ADA compliance. Public Works Director/City Engineer Thompson explained that he was unable to provide such a timeframe noting that the regulations for compliance when into effect in the mid to late 1990's, and the City has been working to comply since the adoption of the regulations. He noted that the federal government understands that full compliance will take time, and that in some of the older areas of the City structural infeasibilities make some modifications infeasible.

Mr. Barker asked staff to clarify how the cost estimates are derived. Public Works Director/City Engineer Thompson explained that the NDOT offers a general guideline of one million dollars per lane mile for capital improvements. He noted that a contingency is added to the price estimate to account for cost increases over time to ensure that funds are available for each project when warranted. Mr. Barker asked what happens if the actual cost of repairs is lower or higher than the estimate provided in the plan. Public Works Director/City Engineer Thompson explained that the plan is not meant to approve exact dollar amounts for road projects, but rather to approve the projects themselves. He noted that once the project is budgeted and funded, the City will obtain an estimate and ensure that those funds are in the budget.

Mr. Wilson asked staff to explain how the City decides what entities will help pay for a road project. Public Works Director/City Engineer Thompson explained that the cost sharing is derived from negotiations with developers regarding improvements to streets adjacent to the development. He noted that the City generally will not use its funds for improvements outside of city limits.

Mr. Wilson asked how often he City adopts a One & Six Year Road Plan. Public Works Director/City Engineer Thompson noted that state law requires a plan to be adopted annually.

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. Robinson III, seconded by Ms. Sotak, to recommend approval of the One & Six Year Road Plan (MISC-18-0001) based on consistency with the Comprehensive Plan. Roll Call: Seven yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from Limited industrial (LI) to Mixed Use (MU) for the properties legally described as Lots 2, 3, 4 & 5, Prairie Corners Five, Lots 1 & 2, Prairie Corners Five Replat One, and Lots 6, 7, 8 & 9, Prairie Corners Two, generally located east of the intersection of Cornhusker Road & HWY 50. The applicants are Love's Travel Stops & Country Stores, Inc., Mytty Properties, LLC, and Werner Enterprises, Inc. (Prairie Corners Mixed Use District) **CZ-17-0020**

Chairwoman Hoch opened the public hearing.

Matt Hubel, 1044 N. 115th Street, Suite 300 (Omaha), stepped forward to represent the applicant. He emphasized that the intent of the application is to create a cohesive development on the subject properties that take advantage of the proximity to both HWY 50 and I-80. He noted that the project will bring in some uses that are not permitted by right under the Limited Industrial (LI) District. Mr. Hubel pointed out the existing Truck Center Facility located on Lot 2, Prairie Corners Five Replat One and Lot 5, Prairie Corners 5 and provided a picture of the facility. He added that another potential tenant includes Loves Travel Stops and Country Stores and provided a photo of the typical design of Loves facilities.

Mr. Hubel established that the proposal includes a provision for additional signage that would allow for greater sign visibility from I-80 and presented an exhibit with design options for said signage. He noted that the signage being requested is not typically allowed under the City's Zoning Regulations, and expressed that the development team was in negotiations with the City to come up with a plan that would meet City standards.

Mr. Hubel referenced the City's concerns with the proposed uses at the site, and reported that the applicants intend to reduce the number of commercial uses proposed to better conform to the adjacent industrial uses.

Finally, Mr. Hubel confirmed that the applicants have committed to constructing improvements at the intersection of HWY 50 and Cornhusker Road to accommodate this development.

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

Mr. Carson asked whether the existing Werner trailer maintenance facility located on Lot 3, Prairie Corners Five would be part of the Mixed Use District. Mr. Hubel answered in the affirmative, and noted that this lot would likely be removed from the scope of this application and therefore maintain the existing Limited Industrial (LI) zoning.

Mr. Carson asked whether the applicant could divulge which fast food restaurants may be located on the Loves site. Frank Ille, 10601 N. Pennsylvania Ave (Oklahoma City, OK), stepped forward to represent Loves Travel Stops and Country Stores and noted that possible restaurants may include McDonald's, Subway, Arby's, Godfather's Pizza, or Chester's Chicken. He stated that the likely tenants would be Arby's and Godfather's Pizza.

Mr. Carson asked the applicants to explain how much additional traffic would be added to the intersection of HWY 50 and Cornhusker Road with the addition of this development. Mr. Ille explained that a Traffic Impact Study has been completed for the development. He noted that Werner intends to retain the 10 acres to the south of the proposed Loves location, and that there will be a cross-access easement to offer direct access from that property to the Loves parking lot. He explained that this will reduce the traffic on Cornhusker Road. He confirmed that the proposed improvements to the intersection of HWY 50 and Cornhusker Road are extensive and includes the addition of a lane along Cornhusker Road to accommodate the Loves Travel Stops customers. He advised that this type of development typically attracts 800 to 900 cars per day and 400 to 500 trucks per day, but stressed that not all of the traffic generated would necessarily be additional traffic.

Mr. Carson asked the applicants to name other possible businesses that would be included in the development. Mr. Ille noted that it is his understanding that Werner Enterprises has no immediate plans for the lots north of Cornhusker Road. He noted that Holiday Inn Express was added to the sign as an example of a lodging use type that may potentially develop on one of those lots.

Mr. Barker asked whether the road improvements would include turn lanes onto and off of Cornhusker Road to HWY 50. Mr. Ille explained that improvements will include, but are not limited to, an added turn lane southbound on HWY 50 onto Cornhusker and northbound on HWY 50 onto Cornhusker Road, an added turn lane on the east and west sides of Cornhusker Road onto HWY 50, and an added right turn lane southbound on HWY 50. Mr. Ille recognized that the NDOT has stated that such improvements are currently warranted at this intersection.

Ms. Sotak asked whether the applicant has a timeline for completion of this project. Mr. Ille explained that if the applicants can get the necessary approvals to begin construction in April or May of 2018, the Loves Travel Stops would have an anticipated opening date of December 2018. If approvals were not in place until June or July of 2018, however, the Loves project will not begin construction until Spring of 2019.

Mr. Stursma explained that because the project is adjacent to a state highway the NDOT is very involved in the review and approval of road improvements related to the project. He expressed that the applicant has been working with the NDOT on an improvement plan that will meet the needs of the public.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Barker, to recommend approval of the Prairie Corner Mixed Use District Change of Zone (CZ-17-0020) because it is generally consistent with the Comprehensive Plan if the Permitted Uses list and Mixed Use Development Agreement are amended to reflect and be compatible with the Future Land Use designation of Industry, compatible with adjacent uses if the Permitted Uses list and Mixed Use Development Agreement are amended to reflect and be compatible with the Future Land Use designation of Industry, and compliant with the Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Seven yeas, no nays. Motion carried.

Preliminary Plat – A Preliminary 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) **PP-17-0015**
Chairwoman Hoch opened the public hearing.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant. He disclosed that this project was formerly referred to as I 80 – 370 Commerce which encompassed a larger scope and the creation of a Mixed Use (MU) District. Said application has since been withdrawn. He reported that the Steel Ridge South application encompasses a smaller scope (three lots) and proposed zoning of Limited Industrial (LI) and General Commercial (GC). He established that the current zoning designation for the subject property is also Limited Industrial (LI) and General Commercial (GC); however, the zoning needs to be readjusted with the creation of the new lots.

Mr. Kellner confirmed that this development will contribute to the redesign of S 150th Street along with the 370 North development (SID No. 307) on the north side of HWY 370. He noted that the NDOT and Sarpy County are currently creating plans to widen S 150th Street to four lanes and straighten the alignment. He anticipates that those plans will be bid in the Spring of 2019. Mr. Kellner explained that in order to assist with the current traffic issues at the intersection of S 150th Street and HWY 370, SID No. 307 has requested permission from the NDOT to bid for the traffic signal in 2018. He explained that the plans for the signal have been received by NDOT and were submitted to other agencies (including the City) for review. He anticipates that the signal will be constructed in 2018. Mr. Kellner further explained that the current alignment of S 150th Street will likely remain open during the construction of S 150th Street improvements as the intersection will be realigned to the west of due to the unusual alignment that exists today.

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

Mr. Carson asked the applicant to confirm where the aforementioned traffic signal will be located. Mr. Kellner confirmed that it will be at the intersection of S 150th Street and HWY 370.

Mr. Carson asked whether the applicant would divulge the types of businesses anticipated on the proposed lots. Mr. Kellner noted that Lot 1 is expected to be developed as a hotel and that Lot 2 is slated for a Kenworth truck sales and repair center. He displayed sample elevations of the Kenworth site.

Mr. Carson asked whether the signal at S 150th Street and HWY 370 would be a four-way signal and whether the improvements to S 150th Street would increase S 150th Street to four lanes at the intersection. Mr. Kellner answered in the affirmative.

Mr. Carson asked staff whether the NDOT has approved the traffic signal. Derek Goff explained that the plans for the signal have been completed and sent out for review. He reiterated that the signal would be bid by SID No. 307.

With no further discussion, **Motion** was made by Mr. Robinson, seconded by Mr. Carson, to recommend approval of the Steel Ridge South Preliminary Plat (PP-17-0015) because it is 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: Seven yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from Limited Industrial (LI) and General Commercial (GC) to Limited Industrial (LI) and General Commercial (GC) 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) **CZ-17-0019**
Chairwoman Hoch opened the public hearing.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant and offered to address any questions or concerns.

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

Mr. Barker asked staff to clarify the scope of the requested Change of Zone from Limited Industrial (LI) and General Commercial (GC) to Limited Industrial (LI) and General Commercial (GC). Mr. Stursma explained that the area is currently zoned Limited Industrial (LI) and General Commercial (GC), and the request will amend the proportion and boundaries of the zoning. He noted that currently the majority of the land is zoned General Commercial (GC), however, with the proposed change only the northern lot will be zoned General Commercial (GC) and the remainder will be zoned Limited Industrial (LI).

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Barker, to recommend approval of the Steel Ridge South Change of Zone (CZ-17-0019) because it is 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: Seven yeas, no nays. Motion carried.

OTHER BUSINESS

Mr. Carson congratulated Jeff Thompson on his new position as Public Works Director/City Engineer.

Travis Gibbons recognized the City staff members present at the meeting as a part of Papillion Leadership Academy. Each staff member introduced himself or herself.

With no further business to come before the Commission, **Motion** was made by Mr. Barker, seconded by Ms. Sotak to adjourn. The meeting adjourned by unanimous consent at 7:57 PM.

CITY OF PAPIILLION



Rebecca Hoch, Chairwoman