

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING FEBRUARY 26, 2020

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, February 26, 2020 at 7:00 PM. Chairwoman Rebecca Hoch called the meeting to order. Planning Assistant Andrea Blevins called the roll. Planning Commission members present were Howard Carson, Judy Emswiler, Jim Hrabik, Raymond Keller Jr., John E. Robinson III, Leanne Sotak, Herb Thompson, and Wayne Wilson. Jim Masters was absent. Planning Director Mark Stursma, Assistant City Attorney Carla Heathershaw Risko, 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 February 12, 2020. 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. Hrabik, to approve the agenda as presented. Roll call: Nine yeas, no nays. Motion passes.

Approval of the Planning Commission Minutes

Motion was made by Mr. Carson, seconded by Mr. Thompson, to approve the January 29, 2020 minutes. Roll Call: Nine yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as part of the NE 1/4 of the NE 1/4, and part of the NW 1/4 of the NE 1/4 of Section 29, and also along with part of the NW 1/4 of the NW 1/4, and part of the SW 1/4 of the NW 1/4 of Section 28, and also all of Outlot A, Granite Lake, a subdivision located in said NW 1/4 of Section 28, all located in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NE corner of S 114th Street and Lincoln Road. The applicant is Stone Creek Plaza, LLC. (Granite Falls North (Phase 3) **FP-20-0001**

Caleb Beasley, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He displayed a copy of the Final Plat and summarized the location of the project and the surrounding street network. Mr. Beasley indicated that the project proposes 114 single-family residential lots with homes valued at approximately \$320,000. He added that the intent is to grade the property this summer, to construct public improvements in the fall, and to commence house construction in 2021.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson asked the applicant when he anticipates that Outlot W will be deeded to the Papio-Missouri River Natural Resources District (P-MNRD). Mr. Beasley confirmed that the outlot has already been sold to P-MNRD.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the Granite Falls North (Phase 3) (FP-20-0001) 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: Nine yeas, no nays. Motion carried.

PUBLIC HEARINGS

Mixed Use Development Agreement Amendment – A Mixed Use Development Agreement Amendment for the property legally described as Lots 1 – 7, and Outlots A, B, and E, 370 North, Lots 1 – 2, 370 North Replat One, Lots 1 – 7, 370 North Replat Two, and Outlots A and B, 370 North Replat Three, generally located on the NW corner of HWY 50 & HWY 370. The applicant is Ted Zetzman - Noddle Companies. (First Amendment to 370 North Mixed Use Development Agreement) **MISC-19-0027**

Chairwoman Hoch opened the public hearing.

Ted Zetzman, 2285 S 67th St (Omaha), stepped forward to represent the applicant. He summarized the construction of a Chevrolet dealership is about to commence at 370 North, and the owner noticed a discrepancy between the I-80 Sign Corridor Regulations and those established in the original Mixed Use Development Agreement. He added that the regulations are now more permissive, and that the agreement should be updated to reflect the more permissive code. He added that the Nebraska Department of Transportation has reviewed and approves of the sign plan proposed in the amendment.

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

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to recommend approval of the First Amendment to 370 North Mixed Use Development Agreement (MISC-19-0027) because it is compatible with the I-80 Sign Corridor Regulations within the Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone CC Community Commercial to LC Limited Commercial for the property legally described as Lots 1 and 2, Summerfield Addition Replat 4, generally located NW of S 72nd St and Cornhusker Rd. The applicant is Point Development Company. (Avamere) **CZ-19-0008**

Chairwoman Hoch opened the public hearing.

Chairwoman Hoch stated that two emails of public comment were received by the Planning Commission from the following people: Craig and Lea Hortin, 918 Wynwood Lane; and Joanna Scheideler, 1006 Bryn Mawr Drive. Copies of the emails were distributed to the Planning Commission and are on file in the Planning Department.

Steve Stubblefield, 6650 SW Redwood Lane, Suite. 300 (Portland, OR), stepped forward to represent the applicant. He provided an overview of the history, services, mission, and operations of the Avamere company. He noted that Avamere owns and operates 65 facilities across the nation. Mr. Stubblefield stated that a similar product is being constructed at Heartwood Preserve in Omaha; however, the Omaha product has higher density. He added that the applicant held a neighborhood meeting for the project in mid-February, and approximately ten residents of the surrounding residential attended.

Kirk Sund, 500 Liberty Street SE, Suite 110 (Salem, OR), stepped forward to represent the applicant. He displayed the proposed site plan and provided an overview of the project location. Mr. Sund summarized that the proposal includes approximately 200 units total, with 100 independent living units, 60 assisted living units, and 40 memory care units. He noted that the memory care unit is locked down for resident safety.

Mr. Sund summarized that the buildings are being oriented on the site to minimize the potential effect on the existing residential. As such, the one story memory care unit is oriented on the northwest portion of the property and is the closest building to Magnolia Avenue. He continued to explain that the three-story assisted and independent living facility is oriented several hundred feet away from Magnolia and south of the memory care unit. Finally, there are twelve duplex style villas on the south end of the project.

Regarding access, Mr. Sund explained that the southern connection to Pinnacle Drive is to serve as the main access to the property. He added that the Magnolia Avenue access point is meant to serve as secondary access to the site. He summarized that the parking, drop-off/pick-up areas, and service areas were oriented to encourage the use of Pinnacle Drive, and that the project would be addressed from Pinnacle Drive.

Mr. Sund noted that the grade of this site is challenging, but the applicant has designed the site in a way that pushes the buildings as far to the east as possible.

Mr. Sund added that a daycare center is proposed on the southwest portion of the three-story building. He explained that this amenity is intended to help with employee retention, and provides residents with a multi-generational volunteer opportunity.

Mr. Sund displayed an artistic rendering of the site that included potential views of the project from Magnolia Avenue and highlighted the grade change from Magnolia Avenue to Pinnacle Drive.

Chairwoman Hoch called for proponents and opponents.

Bobby Weaver, 1006 Magnolia Court, stepped forward and expressed concerns regarding the potential for additional traffic on Magnolia Avenue. He suggested that the road is already congested. Mr. Weaver asked whether Magnolia Avenue would be widened.

Brian Miller, 1000 Magnolia Court, stepped forward to offer support of the project. He noted that he has seen many proposals on this property, and believes that this proposal is the best fit thus far. He added that this use will ultimately generate less traffic than other uses that could locate on the site. He suggested that the proposed use would have the least impact on the surrounding residential properties.

Barb Fitzgibbons, 1002 Magnolia Court, stepped forward and expressed concerns regarding the view from her home, and asked whether a 3D rendering is available to view. She conveyed worries regarding the potential effect to property values and traffic generation. She asked about employee parking, employee shifts, visiting hours, price for residents, and how many jobs this facility would bring to the area. She also asked about the purpose of the body of water shown on the southwest corner of the property.

Dean Wagner, 909 Haverford Drive, stepped forward to express concerns about additional traffic generation. He articulated that the location of the project was not appropriate and asked whether other sites had been considered. He suggested that Magnolia Avenue and Pinnacle Drive are ill equipped to handle the current traffic generation. He indicated that the construction process would damage the surrounding road system.

Mike Lewis, 543 N Washington Street, stepped forward to express concerns about additional traffic on W 6th Street. He suggested that the traffic signals at the intersection of Magnolia Avenue and W 6th Street, and the intersection of Pinnacle Drive and S 72nd Street are currently insufficient. He stated that a traffic study should be required.

Larry Gilbert, 1012 Hogan Drive, stepped forward to express concerns regarding traffic generation. He added that he believes the three-story building height is inappropriate next to single-family residential. He also voiced concerns relating to road damage during construction.

Dr. Rosanna Thurman, 1006 E Aberdeen Drive, stepped forward to express concerns regarding traffic generation and suggested that a Traffic study be performed. She indicated that she does not believe that the Magnolia Avenue access point to the site will ultimately serve as a secondary access. Dr. Thurman also expressed concerns as to whether the design will blend into the surrounding residential.

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

Mr. Stubblefield stepped forward to reply to some of the public concern. He explained that the applicant intends to provide more off-street parking than what is required, and suggested that it is the intention that employees will park on the northeast side of the property. He suggested that likely less than half of the residents will drive. In regards to the concerns about road damage from construction, Mr. Stubblefield explained that the most significant damage would be created by dirt haulers, and it is in the applicant's best interest to leave as much dirt on the site as possible for fill. He anticipated that the applicant would try to minimize the impact of construction to the street network.

In regards to density, Mr. Stubblefield explained that the density proposed for this development is lower than most other senior living projects at approximately 21 units per acre.

Mr. Stubblefield added that a sidewalk would be installed on the east side of Magnolia with this project, and that there would be a fifty foot landscape buffer on the western edge of the development. He added that a detention basin is proposed on the southwest corner of the site and summarized its function and purpose.

Mr. Sund asserted that the applicant is down zoning the site. He explained that 60% impervious coverage would be permitted under the current zone, however, the applicant is only proposing 24% impervious coverage. He added that the applicant is attempting to minimize the impact of

the facility to the neighbors by providing more landscaping and greenspace than required. Mr. Stubblefield pointed out that under the current zoning on the site, more intrusive uses are currently permitted by right.

Mr. Stubblefield explained that pricing for the units were not set; however, the applicant is conscious of the need for affordability. He added that the applicant would be competitive with the existing market.

Mr. Hrabik asked whether the grade of the site prohibits a different access point to Pinnacle Drive. Mr. Sund answered in the affirmative.

Mr. Thompson asked for more information about pricing. Mr. Stubblefield reiterated that pricing was not yet set but would be competitive with respect to the existing market.

Mr. Thompson asked whether the applicant considered other locations in Papillion. Mr. Stubblefield stated that the applicant was interested in other properties; however, this site was the best fit for the product. Mr. Sund explained that the applicant tries to locate on the edge of residential as a buffer to commercial uses.

Mr. Thompson asked whether a traffic study was performed. Mr. Sund stated that a traffic study was not required. Kyle Hasse, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant and suggested that a traffic study would have been completed with the initial platting and zoning of this property, and would have been based on a commercial use locating at this site. He stated that this use would fit within the parameters of the original traffic study because it would generate less traffic than a commercial use.

Ms. Emswiler asked the applicant to confirm that the landscaping and setbacks proposed on the site exceed the minimum requirements. Mr. Stubblefield answered in the affirmative.

Ms. Emswiler asked why the Change of Zone is necessary. Mr. Stursma explained that the Retirement Residential use is permitted by Special Use Permit in lower commercial zones. He noted that entitlements are in place for commercial businesses at the site. He clarified that certain commercial businesses would be able to apply for a building permit and would not have to go through this public process. He indicated that the traffic generation created by the proposed use is anticipated to be less than that of a commercial use that would be permitted by right.

Ms. Emswiler asked about the difference in building height and landscape requirements between the existing CC Community Commercial District and the proposed LC Limited Commercial District. Mr. Stursma stated that the maximum building height in the CC District is 75 feet, and the maximum building height in the LC District is 50 feet. Mr. Sund added that there is a grade change of 45' feet across the site.

Ms. Emswiler noted that a building nearly twice as tall as what is being proposed with a fifteen foot setback from Magnolia Avenue and less landscaping could be permitted by right today. Mr. Stursma stated that she was correct. Ms. Emswiler offered her support to the project, and commended the applicant for going above the minimum requirements to minimize the impact to the surrounding residential.

Mr. Keller asked staff when the original entitlements for the commercial district were approved. Mr. Stursma stated 1991. Mr. Keller asked whether staff could require a new traffic study. Mr. Stursma stated that the obligation to perform a new traffic study would fall on the City, as the

entitlements for the development are already in place. Mr. Keller asked staff whether the City regularly receives complaints regarding the effected intersections. Mr. Goff stated that he was not aware of any complaints. Mr. Stursma noted that the City is aware that 6th Street is congested during peak times. He added that widening 6th Street is challenging due to a number of factors. He asserted that the responsibility for 6th Street falls on the City and not the developer. Mr. Stursma explained that complaints are not a regular occurrence.

Mr. Keller asked who would be responsible for repairs to road damage from construction. Mr. Goff explained that dirt haulers typically cause the most damage, but mirrored Mr. Sund's comments regarding utilizing as much of the moved dirt for fill on the site as possible. He noted that it is often cost prohibitive for developers to haul away large amounts of dirt. Mr. Goff stated that it is difficult to pinpoint the cause of specific road damage.

Chairwoman Hoch asked the applicant about the number of employees on site per shift, typical shift hours, and the approximate number of employee trips per day. Stephanie Grade, 6809 Beth Avenue, stepped forward as the operations manager of the Avamere facility in Omaha. She explained that there are generally three employee shifts per day at the following times: 7:00 AM to 3:00 PM; 3:00 PM to 11:00 PM; and 11:00 PM to 7:00 AM. She anticipated that the facility would employ approximately 150 associates. She stated that at peak meal times, there would be approximately 35 – 50 associates on site, and 10 – 15 employees on site overnight. She added that the facility will bring a variety of jobs to the community. She suggested that the use will have a minimal impact on the surrounding neighborhoods.

Mr. Hrabik offered his support of the project. He stated that most of the assisted living facilities in Papillion are located in the heart of residential areas. He added that the Trinity Village is larger in scale and density, and has little negative effect of the neighboring residential. Mr. Hrabik stated that he spoke to a local fire station regarding procedure for rescue pickups at night. He noted that the sirens and horns will be turned off at night unless there is a need to alert cross traffic.

Ms. Emswiler offered her support of the project. She reiterated that more impactful uses are already permitted by right at the site, and suggested that the applicant has gone above and beyond to minimize the impact on the adjacent residential.

Mr. Hrabik asked whether a storage use would be permitted by right. Mr. Stursma said that a storage use would require a Change of Zone application.

Mr. Thompson summarized the role of the Planning Commission as a recommending body.

Mr. Carson offered support of the project.

Chairwoman Hoch thanked the applicant for the thorough presentation. She offered her support of the project and suggested that the use would likely not have a large impact on the surrounding residential.

Mr. Carson stated that he drive Hogan Drive and Magnolia Avenue daily and does not experience any issue with traffic.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the Avamere Change of Zone (CZ-19-0008) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with

Zoning regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Special Use Permit – A Special Use Permit to allow Retirement Residential as a permitted use on the property legally described as Lots 1 & 2, Summerfield 2nd Addition Replat 4, generally located NW of S 72nd St and Cornhusker Rd. The applicant is Point Development Company. (Avamere) **SUP-19-0009**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to add any testimony.

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

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Wilson, to recommend approval of the Avamere Special Use Permit (SUP-19-0009) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from R-2 Single-Family Residential (Medium Density) to R-4/PUD-2 Multiple Family Residential - Planned Unit Development (Specific PUD) for the property legally described as Lot 3, Block 33, Beadles Addition, generally located at 524 N Jefferson St. The applicant is St. Columbkille Church. (St. Columbkille PUD Expansion) **CZ-20-0002**

Chairwoman Hoch opened the public hearing.

Wayne Wilson stated that he would abstain from any discussion or voting for the St. Columbkille applications.

Kyle Haase, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that the applicant is requesting an amendment to the existing Special Use Permit to allow for the demolition of the structure at 524 N Jefferson Street and to allow for additional signage on the school campus. He stated that the Change of Zone is to add the property at 524 N Jefferson Street to the existing R-4/PUD District. He summarized the surrounding zoning. Mr. Haase explained that the applicant wished to expand the approved parking lot on the northwest corner of N Jefferson Street and E 5th Street onto the property to the north. He stated that this addition will add 21 parking stalls which will help with the speed of pick-up and drop-off, and make for a safer campus overall.

Chairwoman Hoch called for proponents and opponents.

Doug McWilliams, 636 Bailey Cir, stepped forward as a parishioner of St. Columbkille to support the project. He noted that he owns the salon at 446 N Jefferson Street, and looks forward to the proposed parking helping with traffic flow in the area.

Brandi Redburn, 7306 N 76th Street (Omaha), stepped forward as the Principal of the St. Columbkille School. She explained that cars currently line Jefferson Street from approximately 6th Street to 4th Street during drop-off and pick-up. She stated that the proposed parking will allow

these cars to come off of the street. She added that the parking will also be available to the parish and Sacred Heart Center. She suggested that the added parking will be an immediate benefit to mitigate the on-street parking.

Mary Kisicki, 404 N Jefferson Street, stepped forward as a parishioner of St. Columbkille to offer support of the project. She explained that the off-street parking would be a great benefit to parents and students, and suggested that it will enhance safety, particularly during bad weather.

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

Mr. Carson advised that traffic is a significant problem at the site and asked whether the proposal will improve traffic flow. Mr. Haase stated that the additional off-street parking will improve traffic flow by taking an additional twenty-one cars off of the street.

Mr. Carson asked whether the design of the new building was part of the application. Chairwoman Hoch asked Mr. Carson whether his question is regarding signage. Mr. Carson answered in the negative. Chairwoman Hoch stated that the question was not pertinent to the application before the commission and asked him to refrain.

Mr. Hrabik asked for clarification on the sign lighting. Mr. Haase explained that the signs would include halo lighting and would face west.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Keller, to recommend approval of the St. Columbkille Change of Zone (CZ-20-0002) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning regulations, and consistent with the Planned Unit Development Agreement adopted for the St. Columbkille Catholic School and Parish Center campus, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Special Use Permit – A Special Use Permit to allow for the demolition of buildings and construction of a parking facility within the Downtown Overlay District for the property legally described as Lot 3, Block 33, Beadles Addition, generally located at 524 N Jefferson St. The applicant is St. Columbkille Church. (St. Columbkille Parking Expansion) **SUP-20-0001**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to provide additional testimony.

Chairwoman Hoch called for proponents and opponents. Seeing no further 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. Thompson, to recommend approval of the St. Columbkille Special Use Permit (SUP-20-0001) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning regulations, and consistent with the Planned Unit Development Agreement adopted for the St. Columbkille Catholic School and Parish Center campus, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Wayne Wilson rejoined the commission.

Preliminary Plat – A Preliminary Plat for the property legally described as Lots 1 and 2, Corn's Second Addition Replat 1, and Outlot A, Steel Ridge South, together with Tax Lot 2D and Tax Lot 9 located in the NW 1/4 of Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, and those parts of the SW 1/4, the SE 1/4 and the NE 1/4 of Section 34, T14N, R11E of the 6th P.M., Sarpy County, NE lying south and east of I-80 right of way, except those parts taken for road right-of-way, generally located south of HWY 370 between I-80 and S 156th St. The applicant is Dowd Grain Co, Inc. (Steel Ridge South (Phase 2)) **PP-20-0002**

Chairwoman Hoch opened the public hearing.

The applicant was not present.

Chairwoman Hoch noted that staff has recommended a continuance of the public hearing.

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

With no further discussion, **Motion** was made by Mr. Keller, seconded by Ms. Emswiler, to continue the public hearing for the Steel Ridge South Preliminary Plat (PP-20-0002) to a time that the applicant is ready to present. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from LI Limited Industrial, GC General Commercial, and AG Agricultural to LI Limited Industrial and GC General Commercial for the property legally described as Lots 1 and 2, Corn's Second Addition Replat 1, and Outlot A, Steel Ridge South, together with Tax Lot 2D and Tax Lot 9 located in the NW 1/4 of Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, and those parts of the SW 1/4, the SE 1/4 and the NE 1/4 of Section 34, T14N, R11E of the 6th P.M., Sarpy County, NE lying south and east of I-80 right of way, except those parts taken for road right-of-way, generally located south of HWY 370 between I-80 and S 156th St. The applicant is Dowd Grain Co, Inc. (Steel Ridge South (Phase 2)) **CZ-20-0004**

Chairwoman Hoch opened the public hearing.

The applicant was not present.

Chairwoman Hoch noted that staff has recommended a continuance of the public hearing.

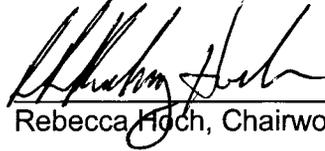
Chairwoman Hoch called for proponents and opponents. Seeing no further input, Chairwoman Hoch left the public hearing open and called for Commission Discussion.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Thompson, to continue the public hearing for the Steel Ridge South Change of Zone (CZ-20-0004) to a time that the applicant is ready to present. Roll Call: Nine yeas, no nays. Motion carried.

OTHER BUSINESS

With no further business to come before the Commission, **Motion** was made by Mr. Keller, seconded by Mr. Thompson, to adjourn. The meeting adjourned by unanimous consent at 8:47 P.M.

CITY OF PAPILLION

A handwritten signature in black ink, appearing to read "Rebecca Hoch", written over a horizontal line.

Rebecca Hoch, Chairwoman