

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING FEBRUARY 28, 2018

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, February 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, John E. Robinson III, Judy Sunde, Herb Thompson and Wayne Wilson. With a full commission present, alternate member Leanne Sotak was not required to attend. Planning Director Mark Stursma, Assistant City Attorney Amber Rupiper, 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 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 Mr. Robinson III, seconded by Mr. Barker, to approve the agenda as presented. Roll call: Nine yeas, no nays. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Mr. Barker, to approve the January 31, 2018 minutes. Roll Call: Eight yeas, no nays, one abstention from Mr. Keller. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as part of the W 1/2 of the NE 1/4 and Tax Lot 5, in the E 1/2 of the NE 1/4, all located in Section 34, R14N, R12E of the 6th P.M., Sarpy County, NE, generally located in the NW corner of S Washington St and HWY 370. The applicant is Royce Enterprises, Inc. (Papillion Commons) **FP-17-0020**

Larry Jobeun, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant and pronounced that Chip James and Bob Begley of Royce Enterprises, Inc. and Kellen Heideman of Olsson Associates were also present. He displayed a copy of the Papillion Commons Preliminary Plat approved by City Council on February 6, 2018, and noted the difference between it and the Preliminary Plat presented to Planning Commission. The outlined changes include, but are not limited to, lot line adjustments; an additional lot along Washington Street; a reconfiguration of the location of the apartments, assisted living, and hotel concepts; converting the access to S 90th Street at Rawhide Road to a private connection; and a larger common area space.

Mr. Jobeun displayed the Final Plat and revised site plan and reiterated the changes outlined earlier. He asserted that the proposed Final Plat is consistent with the approved Preliminary Plat.

Mr. Keller asked for clarification on the difference between Rawhide Road being a public street versus a private street. Mr. Jobeun noted that instead of being a publicly dedicated right-of-way, this access point would instead be a private street built to public standards.

Mr. Keller asked whether the proposed improvements to S 90th Street would still occur. Mr. Jobeun answered in the affirmative noting that the public improvements had not changed. He added that the improvement will include a four lane section between Highway 370 and Devon Drive, and a three lane section between Devon Drive and Gruenther Street.

Mr. Barker asked whether a hotel was still part of the concept. Mr. Jobeun stated that it was; however, the number of proposed hotels was reduced from two to one, and the orientation changed to face the broadest portion of the building away from the adjacent residential to the north.

Mr. Barker asked the applicant to verify the proposed uses adjacent to Washington Street, and how such uses may effect traffic turning into the complex from Washington Street. Mr. Jobeun noted that fast food and bank uses are currently contemplated on those lots, however, this configuration is conceptual. He added that the assisted living, multi-family, hotel, in-line commercial, and office uses should build out relatively quickly, however, all of the potential tenants have not been identified.

Regarding traffic on Washington Street, Mr. Jobeun clarified that there would be a full-movement signalized intersection at Washington Street and Cedardale Road, a dedicated right-turn lane into the development southbound on Washington Street, and dual left-turn lanes northbound onto Cedardale Road. He also noted that there would be right-in/right-out access at Matthies Drive and Scott Road.

Mr. Masters asked the applicant to explain why the project does not include a dedicated park. Mr. Jobeun explained that there would be greenspace open to the public; however, it would not be a privately owned park rather than publicly dedicated.

Mr. Keller asked the applicant to address general community concerns about vacant commercial spaces in Papillion. Mr. Jobeun explained that the applicant intends to bring in retailers that are new to market in Papillion. He also noted that the site plan only contemplates eight retail spaces with a total of 164,000 square feet of commercial retail. He noted that Market Pointe has approximately 550,000 square feet of retail, and Shadow Lake Towne Center has over one million square feet of retail. He added that the project may also include a movie theater.

Mr. Thompson asked the applicant to address City Council's concerns regarding the cannibalization of existing business in Papillion. Mr. Jobeun explained that the applicant has a draft of a market feasibility study which indicates that this project has the potential to generate an additional one million dollars in sales tax over the next ten years.

Mr. Jobeun reminded the Commission that the request in front of them is to determine compatibility of the Final Plat with the approved Preliminary Plat, and that concerns beyond that scope would be addressed by City Council prior to final approval.

Mr. Wilson asked whether it was a possibility that both Washington Street and S 90th Street would be closed at the same time for improvements. Mr. Jobeun speculated that the improvements

would likely be phased, and asserted that the developer would work with the City on the timing of such improvements.

Mr. Wilson asked whether there would be any chance of access to the site from Highway 370. Mr. Jobeun stated that the state would not allow such access. Mr. Wilson expressed concerns about the additional traffic on S 90th Street and Rawhide Road. Mr. Jobeun stated that the improvements to S 90th Street would likely help traffic in the area.

Chairwoman Hoch called for discussion from the Commission.

Chairwoman Hoch reminded the Commission that the proposal before them should only examine consistency of the Final Plat with the Preliminary Plat, compatibility with adjacent uses, and the Zoning and Subdivision regulations.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Barker, to recommend approval of the Papillion Commons Final Plat (FP-17-0020) because it is generally consistent with the Preliminary Plat as revised, the Comprehensive Plan as amended, compatible with adjacent uses, and compliant with the Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, one nay by Mr. Wilson. Motion carried.

PUBLIC HEARINGS

Preliminary Plat – A Preliminary Plat for the property legally described as a tract of land being part of the SE 1/4 of Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NW of S 120th Street and Schram Road. The applicant is Ashbury Hills Development, LLC. (Ashbury Hills) **PP-17-0011**

Chairwoman Hoch opened the public hearing.

Larry Jobeun, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant. He stated that the applicant would like to request a continuance on this matter to give the applicant time to address some of the contingencies outlined in the Planning Commission Staff Report.

Chairwoman Hoch noted the applicants request for continuance and called for proponents and opponents.

Elise Free, 11437 S 120th Avenue, stepped forward to express concerns regarding the effect that this development may have on home valuations in Ashbury Farm. In addition, she noted concerns about traffic and access as well as incompatibility of the Mixed Use District with the adjacent residential uses. Finally, she noted that some of the proposal encompasses land owned by Ashbury Farm (SID No. 293) for drainage.

Scott Daly, 11433 S 120th Avenue, stepped forward to express concerns regarding the effect that this development may have on property values in Ashbury Farm.

Toby Free, 11437 S 120th Avenue, stepped forward to ask whether there would be additional public hearings for this project. He also expressed concerns regarding the effect that this development may have on property values in Ashbury Farm as well as traffic and access.

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

Mr. Jobeun explained that the applicant held two neighborhood meetings with property owners in Ashbury Farm which were attended by approximately fifty to sixty residents. He noted that the lots on the north side of the Ashbury Hills subdivision were reconfigured from the original design so that the homes that abut Ashbury Farm would be similar to the product seen in Ashbury Farm. He described that the proposed Legacy homes in this subdivision would be priced at approximately \$300,000 each.

Mr. Masters, Chairwoman Hoch, and Mark Stursma confirmed that there would be additional public hearings with public notice for the project. Chairwoman Hoch noted that the applicant is hoping to be on the Planning Commission agenda again in either March or April.

Mr. Stursma noted the concerns expressed about the storage facility proposed on the southwest corner of the project. He explained that there is a lack of sanitary sewer service at this corner of the property, and as such, the applicant is likely trying to place uses in that corner that do not require sanitary sewer service. He added that a Mixed Use Development Agreement would be adopted on the Mixed Use (MU) portions of the project to determine the allowable uses.

Mr. Stursma acknowledged that the applicant was given late notice of the probable need to extend a water main to serve this project, which is likely the biggest reason contributing to the request for layover.

Mr. Masters noted that he was in favor of the request for continuance.

With no further discussion, **Motion** was made by Mr. Barker, seconded by Mr. Thompson, to continue the public hearing for the Ashbury Hills Preliminary Plat (PP-17-0011) to a later date when the applicant and staff are ready to present it. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from Agricultural (AG) to Multiple-Family Residential (R-4) and Mixed Use (MU) for the property legally described as a tract of land being part of the SE 1/4 of Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NW of S 120th Street and Schram Road. The applicant is Ashbury Hills Development, LLC. (Ashbury Hills) **CZ-17-0014**

Chairwoman Hoch opened the public hearing.

Larry Jobeun, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant. He reiterated that the applicant would like to request a continuance on this matter to give the applicant time to address some of the contingencies outlined in the Planning Commission Staff Report

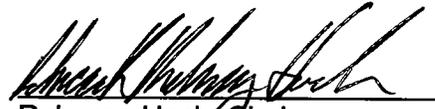
Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch left the public hearing open and called for Commission Discussion.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Barker, to continue the public hearing for the Ashbury Hills Change of Zone (CZ-17-0014) to a later date when the applicant and staff are ready to present it. Roll Call: Nine yeas, no nays. Motion carried.

OTHER BUSINESS

With no further business to come before the Commission, **Motion** was made by Ms. Sunde, seconded by Mr. Barker to adjourn. The meeting adjourned by unanimous consent at 7:45 PM.

CITY OF PAPILLION



Rebecca Hoch, Chairwoman