

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING APRIL 29, 2020

The Papillion Planning Commission met in open and public session on Wednesday, April 29, 2020 at 7:00 PM via Zoom Video Conference pursuant to Executive Order 20-03 signed by Governor Ricketts on March 17, 2020. 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., Jim Masters, John E. Robinson III, Herb Thompson, and Wayne Wilson. With a full Commission present, alternate member Leanne Sotak was not required to attend the meeting. 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 April 15, 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 and on the City's website.

Approval of Agenda

Motion was made by Mr. Masters, 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. Hrabik, seconded by Ms. Emswiler, to approve the February 26, 2020 minutes. Roll Call: Nine yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as a tract of land being the replat of Lots 48 – 57, 62 – 69, 74 – 89, and 122 – 125, Ashbury Hills, a subdivision located in part of the SE1/4 of Section 31, T14N, R12E of the 6th P.M., Sary County, NE, generally located near S 120th Street and Schram Road. The applicant is Ashbury Hills Development, LLC. (Ashbury Hills Replat 1) **FP-20-0002**

Consideration of this item occurred after the Motion and Vote for the Ashbury Hills Replat 1 Change of Zone.

Upon completion of the Motion and Vote for the Ashbury Hills Replat 1 Change of Zone, Chairwoman Hoch called for consideration of the Ashbury Hills Replat 1 Final Plat.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Hrabik, to recommend approval of the Ashbury Hills Replat 1 Final Plat (FP-20-0002) because it is generally

consistent with the Comprehensive Plan as amended, consistent with the approved Preliminary Plat, and compliant with Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, one nay by Mr. Carson. Motion carried.

Final Plat - A Final Plat for the property legally described as a tract of land located in the SW ¼ of Section 25, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NE corner of HWY 50 and HWY 370. The applicant is Ryan Companies US, Inc. (Willa) **FP-20-0003**

Consideration of this item occurred after the Motion and Vote for the Willa Preliminary Plat and Change of Zone.

Upon completion of the Motion and Vote for the Willa Preliminary Plat and Change of Zone, Chairwoman Hoch called for consideration of the Willa Final Plat.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the Willa Final Plat (FP-20-0003) for Version #1 and Version #2, with a filing and recording deadline of 180 days and contingent upon resolution of staff comemnts because the request is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning and Subdivision regulations. Roll Call: Nine yeas, no nays. Motion carried.

PUBLIC HEARINGS

Special Use Permit – A Special Use Permit to allow a beauty or barber shop as a home-based business or home occupation for the property legally described as Lot 261, Summit Ridge, generally located at 1117 Summit Ridge Drive. The applicant is Sarah Schuhmacher. (Sarah Schuhmacher’s Salon) **SUP-20-0002**

Chairwoman Hoch opened the public hearing.

Sarah Schuhmacher, 1117 Summit Ridge Drive, stepped forward as the applicant. She summarized that she is requesting a Special Use Permit to allow a beauty salon as a home-based business, and noted that if approved she plans to remodel a portion of her basement to accommodate a one chair salon. Ms. Schuhmacher confirmed that her salon would operate by appointment only, and that there is sufficient off-street parking on her lot to accommodate the proposed accessory use.

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

Mr. Hrabik asked whether the applicant had applied for the required DHHS license. Ms. Schuhmacher answered that she has provided the preliminary plans for the salon to DHHS, however, she cannot apply for the permit until the renovations are made to her home. She noted that she would not begin renovations unless the Special Use Permit was approved.

Mr. Hrabik noted that state law now allows salons to apply for liquor licenses, and asked whether the applicant intended to apply for one. Ms. Schuhmacher stated no. Mr. Hrabik asked staff whether the ability to serve liquor would be a contingency of the Special Use Permit. Mr. Stursma

stated that the approval of a Special Use Permit would not equate to approval of a liquor license, therefore, it would not need to be a condition.

Mr. Hrabik noted that the applicant claims to have nine off-street parking stalls on her lot, and asserted that he only sees room for six stalls as nine would block the sidewalk. Ms. Schuhmacher confirmed that there are only six off-street parking stalls on her lot. Mr. Hrabik asserted that six off-street parking stalls is insufficient. Ms. Schuhmacher noted that she only plans to operate a one chair salon, therefore, six stalls are more than adequate.

Mr. Masters offered his support of the project and inquired as to whether the applicant has had conversation with her neighbors about the proposed use. Ms. Schuhmacher noted that she has spoken to some of her neighbors, and that they expressed excitement about the proposal. Ms. Blevins noted that a yellow public hearing notice sign was placed in Ms. Schuhmacher yard to notify neighbors of a pending action on the property.

Mr. Carson offered to make a motion, and asked whether he should clarify that the Special Use Permit should not be renewable. Chairwoman Hoch and Mr. Stursma clarified that the Planning Commission Staff Report explicitly states that the Special Use Permit is limited to the current applicant. They expressed that the limits to the Special Use Permit are included in the recommended conditions.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Ms. Emswiler, to recommend approval of the Special Use Permit for Sarah Schuhmacher's Salon (SUP-20-0002) because the proposed land use is generally consistent with the zoning and the surrounding uses, 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 construction of an accessory structure associated with an existing commercial use and the addition of a new parking facility within the Downtown Overlay District for the property legally described as the N2/3 of Lot 7 and all of Lot 8, Block 12, Papillion, generally located at 243 N Jefferson Street. The applicant is Mark Jatczak. (243 N Jefferson Garage and Apartment Expansion) **SUP-20-0003**

Chairwoman Hoch opened the public hearing.

Mark Jatczak, 1904 Diane Drive, stepped forward as the applicant. He explained that he is requesting the ability to build a garage with an additional apartment unit on the Subject Property. He noted that his original request proposed two additional multi-family units; however, this was reduced. Mr. Jatczak added that he would likely be adding angled parking stalls along S 3rd Street to accommodate parking for the multi-family use.

Chairwoman Hoch stated that a letter of public comment was received by the Planning Commission, and signed by the following people: Jack Mefford, 244 E 3rd Street; Jane Beigger, 233 E 4th Street; Paul Merolla, 304 E 3rd Street; Lynn Lueder, 218 N Monroe St; Mr. and Mrs. Getrost, 226 N Monroe Street; Craig Walter, 221 N Jefferson Street; M. Godsey, 303 N Jefferson Street, Jeremiah Netzel, 246 N Monroe Street; Dan Zongker, 328 N Monroe Street; Shawn Brink, 319 N Jefferson Street; Fred Fast, 341 N Monroe Street; and Rita Stansky, 7415 S 47th Street (Omaha). A copy of the aforementioned letter was distributed to the Planning Commission and is on file in the Planning Department.

Chairwoman Hoch called for proponents and opponents.

Jack Mefford, 244 E 3rd Street, stepped forward to express that he believes that the proposed addition should have to follow residential guidelines for height and setbacks. He asserted that the applicant should not be permitted to utilize the garage for uses other than residential.

Dan Zongker, 328 N Monroe Street, expressed concerns regarding how the proposal might affect the historical integrity of the principal building at the site. He noted that the principal building was the first motel in Papillion.

Gabe Godsey, 303 N Jefferson Street, inquired about the size of the garage doors on the proposed structure, as well as the proposed use of the garage.

Craig Walter, 221 N Jefferson Street, expressed concerns about the scale of the proposed structure. He expressed that a commercial use within the garage is inappropriate, and asked the applicant to be cognizant of the historical integrity of the neighborhood.

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

Mr. Masters asked the applicant to address the neighbors' concerns. Mr. Jatczak stated that the proposed three-bedroom apartment will be built to the quality of a new home. He explained that he intends to utilize the proposed garage as storage for his business, and prefaced that there would be minimal traffic at the site with truck trips approximately two to three times per week.

Mr. Jatczak proposed that the new building would use the same finishing materials as the principal structure, and that he does not intend to modify the exterior of the existing structure.

Mr. Thompson asked whether the tenants of the new apartment would have access to the attached garage. Mr. Jatczak stated that he would allow a tenant to utilize a portion of the garage if they requested such access.

Chairwoman Hoch asked for clarification on the required parking at the site. Mr. Stursma stated that the additional angled parking stalls within the public right-of-way would be a condition of the Special Use Permit. Mr. Jatczak clarified that he would be adding two angled parking stalls along 3rd Street.

Mr. Masters asked for clarification regarding the zoning of the subject property. Mr. Stursma explained that the property is zoned LC Limited Commercial and falls within the DT Downtown Overlay District. He noted that the property would be required to follow the site regulators of both districts.

Ms. Emswiler asked staff whether they could provide examples of other commercial uses that would be permitted at the site by right. Mr. Stursma noted that the property is currently being utilized as a multiple-family residential use; therefore, other commercial uses at the site would likely require the lot to be subdivided. He mentioned that typical uses permitted in the LC District include retail and restaurant uses.

Ms. Emswiler asked whether the applicant would be able to store heavy equipment and construction materials at the site by right. Mr. Stursma noted that the storage proposed by the applicant would be considered an accessory use of the property, and that there would be an expectation that the use not be visible from the exterior of the structure.

Ms. Emswiler asked whether a detached garage would be permitted by right. Mr. Stursma noted that a detached garage (sans apartment) would need to follow the site regulators for the LC District.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Carson, to recommend approval of the Special Use Permit for 243 N Jefferson Street (SUP-20-0003) because the request is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Preliminary Plat - A Preliminary Plat for the property legally described as a tract of land located in the NE ¼ and SE ¼ of the NW ¼ of Section 35, T14N, R11E of the 6th PM, Sarpy County, NE, generally located SW of S 150th Street and Shepard Street. The applicant is BHI Investment Co. (Corn's Third Addition) **PP-19-0004**

Chairwoman Hoch opened the public hearing.

Pat Sullivan, 1246 Golden Gate Drive, stepped forward to represent the applicant. He noted that engineer Randy Kuszak was also available to answer questions. Mr. Sullivan noted that the applicant has been working with the applicant for the property to the east regarding the alignment of S 150th Street. He added that the applicant has no objections to the conditions outlined in the Planning Commission Staff Report.

Chairwoman Hoch stated that a letter of public comment was received by the Planning Commission, from Steven Gaer of Sarpy Industrial, LLC, 1080 Jordan Creek Parkway, Suite 200 North (West Des Moines, IA). A copy of the aforementioned letter was distributed to the Planning Commission and is on file in the Planning Department.

Chairwoman Hoch called for proponents and opponents.

Larry Jobeun, 11440 W Center Road (Omaha), stepped forward as the attorney for Sarpy Industrial, LLC. He noted that the developer of R&R Commerce Park is generally in support of the project; however, they have concerns about the proposed cost share, alignment, and slope of S 150th Street. He asked staff to display an exhibit that shows Sarpy Industrial, LLC's preferred alignment, profile, and slope of S 150th Street versus that proposed by the applicant for Corn's Third Addition. He added that Sarpy County and NDOT have entered into an agreement regarding the alignment of S 150th Street south of Highway 370.

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

Mr. Sullivan reiterated that when the applicant initiated this development, it was under the understanding that S 150th Street would no longer be installed between Shepard Street and Gold Coast Road. The original proposal provided access to the lots along S 150th St from S 151st Street, which had to be changed when installation of S 150th Street became a requirement. He explained that the slope being requested by the property to the east would make access to Lot 27, Corn's Third Addition nearly impossible. He noted that the applicant's proposal is compliant with regulations, and the applicant would prefer to keep it as proposed. Mr. Sullivan suggested that the applicant for the property to the east has not been willing to make concessions regarding these factors.

Mr. Masters asked staff to speak to the proposed alignment, profile, and slope of S 150th Street. Mr. Stursma expressed that the two applicants have time to negotiate these factors.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Ms. Emswiler, to recommend approval of the Corn's Third Addition Preliminary Plat (PP-19-0004) because the request 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: Nine yeas, no nays. Motion carried.

Preliminary Plat - A Preliminary Plat for the property legally described as a tract of land located in the W ½ of the NW ¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 156th Street and Schram Road. The applicant is R&R Realty Group. (R&R Commerce Park South) **PP-19-0007**

Chairwoman Hoch noted that the public hearing for this item was continued at the August 28, 2019 Planning Commission Meeting, and as such the public hearing remains open.

Jeremy Shepherd, 1080 Jordan Creek Parkway, Suite 200 North (West Des Moines, IA), stepped forward to represent the applicant. He noted that the applicant has had strong interest in leasing opportunities in the area. He stated that mass grading would likely be completed in 2020. He asked staff to display the Master Plan exhibit, and summarized the size and location of the proposal. Mr. Shepherd acknowledged the wetland area on the east side of the property and noted that the applicant would be seeking a 404 permit for minor adjustments including a wetland crossing.

Mr. Shepherd noted that the applicant is working with staff regarding traffic and access at the site.

Larry Jobeun, 11440 W Center Road (Omaha), stepped forward as the attorney for Sarpy Industrial, LLC. He stated that the applicant has comments regarding Section III, C, 15 of the Planning Commission Staff Report, noting that the applicant is in disagreement with the City and the County regarding the number of lanes required along Schram Road and the proportional cost share for said lanes. He added that the applicant is requesting an eighth mile access along S 156th Street, and that the applicant is concerned about the provision that the City may require such access to be removed in the future.

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

Mr. Wilson asked for clarification on the cost share for additional lanes along Schram Road. Mr. Stursma stated that the Sarpy County Comprehensive Plan identifies Schram as a five-lane Section due to provide access to a future I-80 interchange. He noted that the Schram & HWY 50 Subdivision Agreement set a precedent development on either side of Schram Road would pay for one and one-half lanes of the necessary Schram Road improvements. Mr. Stursma asserted that there is still time to negotiate these terms.

Mr. Masters asked what precedent exists regarding the cost share of public improvements. Mr. Stursma explained that it is common for development to pay for one lane of a three-lane improvement, with the County, and adjacent development paying for the other two. He stated that while typical, there is nothing to prohibit the requirement of a developer to pay for more than one lane.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the R&R Commerce Park South Preliminary Plat (PP-19-0007) because the request 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: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from AG Agricultural to LI Limited Industrial for the property legally described as a tract of land located in the W ½ of the NW ¼ of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 156th Street and Schram Road. The applicant is R&R Realty Group. (R&R Commerce Park South) **CZ-19-0007**

Chairwoman Hoch noted that the public hearing for this item was continued at the August 28, 2019 Planning Commission Meeting, and as such the public hearing remains open.

The applicant stated that he did not have additional information to present for this project.

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

Mr. Masters thanked the applicant for his presentation.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Thompson, to recommend approval of the R&R Commerce Park South Change of Zone (CZ-19-0007) because the request 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: Nine yeas, no nays. Motion carried.

Preliminary Plat – A Preliminary Plat for the property legally described as a tract of land being Tax Lot 24, a tax lot located in part of the NW ¼ of the NW ¼ of Section 36, also together with part of the SW ¼ of the SW ¼ of Section 25, all located in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NE corner of S 72nd Street and Cedardale Road. The applicant is Rose Park, LLC. (Rose Park) **PP-20-0001**

Chairwoman Hoch opened the public hearing.

Brent Beller, 11440 W Center Road, Suite C (Omaha), stepped forward as attorney for Rose Park, LLC. He summarized the location and size of the project. The property is proposed to be developed as three commercial lots on the western side of the development, sixteen residential lots, and a multiple-family component. He added that the multi-family component would be market rate. Mr. Beller noted that the commercial and multi-family units would utilize an eighth mile access along S 72nd Street, and the lower density residential component would utilize Cedardale Road.

Chairwoman Hoch called for proponents and opponents.

Mark Westergard, 10909 Mill Valley Road (Omaha), stepped forward as the engineer for the project. He noted that the floodplain provides challenges for developing the property. He explained a fiber optics line bisects the property; however, the applicant believes that they can lower the line to accommodate the development. He summarized that the triangular piece of property along Cedardale Road will not have access to Cedardale Road, therefore access would need to be permitted through this development. He noted that access would be provided through

the multi-family component. Mr. Westergard added that a lift station is being proposed for sewer service, and that proof would be provided to the City to show that gravity fed sanitary sewer service is not currently available at the site. Finally, he stated that a Traffic Impact Study was provided, and the applicant agrees to contribute to any traffic signals warranted to serve the development.

Ed Young, 504 Gruenther Street, stepped forward as the co-applicant and offered to answer any questions.

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

Mr. Masters asked staff for an overview on the use of lift stations for sanitary sewer. Mr. Stursma explained that sanitary sewer typically flows downhill. He noted that in this case, sanitary sewer needs to be pushed uphill which requires the help of a lift station or some other force or pressure. Mr. Masters asked whether the City is comfortable with the need to use a lift station. Mr. Stursma explained that the City works hard to avoid the use of lift stations, and such means are typically only approved if it will be temporary. He added that the City has not commenced negotiations with the developer; however, the City may ask that a neighborhood association take responsibility for sewer maintenance if not gravity fed.

Chairwoman Hoch inquired about the park land negotiations with Southridge Church. Mr. Young stated that Rose Park, LLC is working on an agreement with the church to develop a portion of the property as a refuge. Jane English, 11805 Shirley Street (Omaha), stepped forward to speak about the wildlife refuge component of the project. She explained that twenty-seven acres of land will be reserved for a natural "wildlife byway" that will be a haven for wildlife, native plants, and people. She offered a brief overview of the concept for this component.

Chairwoman Hoch asked whether there would be a pedestrian crossing over the creek for the multi-family concept. Mr. Westergard stated that there is an existing culvert near the south side of the site that the applicant could use for pedestrian access. He added that the applicant may need to work with the property owner to the south to acquire rights to utilize this as a crossing.

Mr. Carson stated that there has been a lot of recent apartment development in Papillion, and asked whether the market could support the multi-family component. Mr. Stursma stated that the Comprehensive Plan does not include any target ratio for multi-family to single-family residential development. Mr. Young stated that the prospective apartment builder performed a market study that estimates that there will be shortage of this type of market rate multi-family residential units by 2021.

Mr. Carson asked whether the floodplain on the site might be reclassified in the future. Mr. Stursma stated that floodplain maps change, and noted that the floodplain fringe may change with the anticipated FEMA update that is in progress. He noted that the City does not have a definitive date as to when those maps will be available. Mr. Westergard added that the effective FIRM is being used and the maximum fill allowed is proposed.

Mr. Hrabik asked for clarification in regards to access to the triangular piece of land to the south of the project. Mr. Westergard noted that when developed, this parcel will not be granted access to Cedardale Road, and as such, will need to obtain access through the proposed Rose Park development.

Mr. Wilson asked how many multiple-family residential units are anticipated within the development. Mr. Beller stated that 192 units are proposed.

Mr. Young added that this project is unique in that no more than sixty percent of the project will be developed, and the remainder will be greenspace for the aforementioned refuge.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to recommend approval of the Rose Park Preliminary Plat (PP-20-0001) because the request 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: Eight yeas, one nay by Mr. Wilson. Motion carried.

Change of Zone – A Change of Zone from AG Agricultural to CC Community Commercial and R-4 Multiple-Family Residential for the property legally described as a tract of land being Tax Lot 24, a tax lot located in part of the NW ¼ of the NW ¼ of Section 36, also together with part of the SW ¼ of the SW ¼ of Section 25, all located in T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NE corner of S 72nd Street and Cedardale Road. The applicant is Rose Park, LLC. (Rose Park) **CZ-20-0001**

Chairwoman Hoch opened the public hearing.

Brent Beller, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant and offered to answer any questions.

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. Emswiler, to recommend approval of the Rose Park Change of Zone (CZ-20-0001) because the request 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: Eight yeas, one nay by Mr. Wilson. Motion carried.

The Commission took a brief recess at 8:55 P.M. and resumed at 9:00 P.M.

Change of Zone – A Change of Zone from R-4 Multiple Family Residential to R-4/PUD-2 Multiple Family Residential with a Specific PUD Overlay for the property legally described as a tract of land being the replat of Lots 48 – 57, 62 – 69, 74 – 89, and 122 – 125, Ashbury Hills, a subdivision located in part of the SE1/4 of Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located near S 120th Street and Schram Road. The applicant is Ashbury Hills Development, LLC. (Ashbury Hills Replat 1) **CZ-20-0003**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He summarized the general location of the project, asked for the proposed site plan to be displayed, and explained that the site is anticipated to develop as 88 villa homes valued between \$400,000 and \$500,000. He noted that the villa concept includes a central clubhouse with a pool. He stated that there would be pedestrian access to the central amenity. Mr. Thiellen noted that this proposal is meant to address a change in the housing market that creates more diversity in housing types. He added that the applicant believes that the project is consistent with

the Comprehensive Plan, surrounding uses, and applicable regulations. Mr. Thiellen asked that the building materials and elevations exhibits be displayed. He noted that this development would include single-story homes that are built to with the appearance of a 1.5 story home.

Mr. Jobeun stated that there would be common exterior maintenance for the villas through a neighborhood association.

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

Mr. Masters asked for clarity on the difference between traditional single-family residential and villa style housing. Mr. Jobeun explained that each lot would be owned via a fee simple title; however, a property maintenance regime would oversee the uniform maintenance of the exterior effects. He noted that "The Cove" at North Shore Commercial provides a local example of this type of development.

Mr. Masters inquired about the average square footage of the villas. Mr. Jobeun stated that each villa would be approximately 1,800 square feet in size.

Mr. Hrabik asked for clarification regarding the reduction in side yard setback being proposed. Mr. Stursma stated that a ten foot interior side yard setback is typically in the City's traditional single-family residential districts. He explained that the Planned Unit Development Overlay allows for reduced setbacks in exchange for some type of amenity. In this case, the applicant is asking for a five foot interior side yard setback.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Ms. Emswiler, to recommend approval of the Rose Park Change of Zone (CZ-20-0001) because the request 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: Eight yeas, one nay by Mr. Carson. Motion carried.

Preliminary Plat – A Preliminary Plat for the property legally described as a tract of land located in the SW ¼ of Section 25, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NE corner of HWY 50 and HWY 370. The applicant is Ryan Companies US, Inc. (Willa) **PP-20-0003**

Chairwoman Hoch opened the public hearing.

Dave Madden, 1601 Dodge Street, Suite 3700 (Omaha), stepped forward to represent the applicant. He summarized the applications to be considered.

Andy Moffitt, 111 E Grand Avenue (Des Moines, IA), stepped forward to represent the applicant. He summarized that the proposal is to develop the site as an industrial distribution center that is anticipated to bring many jobs to Papillion. Mr. Moffitt explained that research is underway to ensure that the project is viable. If the results are positive the end user will ultimately close on the property. He confirmed that due to non-disclosure agreements that he could not divulge the end user of the site.

Mr. Madden explained that two versions of the Preliminary Plat are being considered to offer the applicant some flexibility to decide whether he would like to proceed with or without the area to

the northeast of the creek that bisects the property. He asserted that the proposed design is attractive and will meet or exceed the design of other properties in the surrounding area.

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 offered support to the project. He also asked staff to clarify when to make a motion to extend the filing deadline for the final plat. Chairwoman Hoch and Ms. Romeo both noted that the aforementioned motion would need to be made with the Final Plat.

Mr. Wilson asked for clarification on the proposed 110 foot height of the building in comparison to the 75 foot maximum height allowance. Mr. Madden explained that the Planned Unit Development Overlay that the applicant is seeking would provide flexibility in the site regulators to extend the maximum height as requested to accommodate the use.

Chairwoman Hoch offered support of the project and commended the applicant for the proposed solar power integration.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to recommend approval of Version #1 and Version #2 of the Willa Preliminary Plat (PP-20-0003) because the request 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: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from RE Rural Residential Estates to LI/PUD-2 Limited Industrial with a Planned Unit Development (Specific PUD) Overlay for the property legally described as a tract of land located in the SW ¼ of Section 25, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NE corner of HWY 50 and HWY 370. The applicant is Ryan Companies US, Inc. (Willa) **CZ-20-0005**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to provide additional testimony for this item.

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. Carson, seconded by Ms. Emswiler, to recommend approval of Version #1 and Version #2 of the Willa Change of Zone (CZ-20-0005) because the request 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: Nine yeas, no nays. Motion carried.

Ordinance No. 1881 – An ordinance to annex certain real estate to the City of Papillion, Nebraska, and to provide for an effective date thereof. The annexation area consists of Tract A, which is legally described as follows: the SW 1/4 of Section 25, T14N, R11E of the 6th P.M., Sarpy County, Nebraska, lying north of State Highway 370 and east of Highway 50 and south of Prairie Corners Road, more particularly described as follows: Beginning at the northeast corner of said SW 1/4; thence south on the east line of said SW 1/4 to the north line of State Highway 370; thence westerly on the north line of State Highway 370 to the east line of Highway 50; thence northerly on the east line of Highway 50 to the south line of Prairie Corners Road; thence easterly

on the south line of Prairie Corners Road and on the north line of said SW 1/4 to the Point of Beginning. (2020 Annexation No. 1) **MISC-20-0002**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3rd Street, stepped forward to represent the applicant. He explained that the proposal would annex the Willa project. He added that there would be no extension to the extraterritorial zoning jurisdiction with this annexation; therefore, zoning conversions would not be required.

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. Hrabik, to recommend approval of Ordinance No. 1881 – 2020 Annexation No. 1 (MISC-20-0002) because the request is consistent with the Annexation Policy found in the Comprehensive Plan. Roll Call: Nine yeas, no nays. Motion carried.

Ordinance No. 1882 – An ordinance to change the official Zoning Map of the City of Papillion in accordance with Section 205-32 of the Papillion Municipal Code to adopt a Zoning Map and to apply existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, plumbing ordinances, and all other regulatory ordinances of the City of Papillion pursuant to Neb. Rev. Stat. §16-901. The applicant is the City of Papillion. **MISC-20-0003**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3rd Street, stepped forward to represent the applicant. He explained that this request is to amend the official zoning map to match the new city limits if the 2020 Annexation No. 1 is approved.

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. Carson, seconded by Mr. Hrabik, to recommend approval of Ordinance No. 1881 – 2020 Annexation No. 1 (MISC-20-0002) because the request is consistent with § 205-32 of the Zoning Regulations. Roll Call: Nine yeas, no nays. Motion carried.

Text Change – Consideration of Ordinance No. 1878, an ordinance to amend Article XXIII (PUD Planned Unit Development Overlay District) of Chapter 205 of the Papillion Zoning Ordinance having to do with Planned Unit Development Overlay Districts. The applicant is the City of Papillion. (PUD Planned Unit Development Overlay District Regulations Amendment) **TC-20-0002**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3rd Street, stepped forward to represent the applicant. He noted that this amendment is related to experiences with recent development including Willa. When working with the Willa development team, staff noted that the current Planned Unit Development Overlay District regulations are not necessarily conducive for large scale development. He added that the

current ordinance contains some confusing language. Mr. Stursma summarized that the proposed amendment seeks to: (1) define the processes for major and minor amendments; (2) provide an avenue for the Planning Director to determine whether certain submittal items such as a Traffic Impact Study or a draft development agreement should be required; and (3) fix the use of defined terms while correcting formatting and grammatical errors.

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

Mr. Masters offered his support for the request.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Robinson III, to recommend approval of the Ordinance No. 1878 – PUD Planned Unit Development Regulations Amendment (TC-20-0002) because the request is consistent with Neb. Rev. Stat. § 19-901, and the vision and goals of the Comprehensive Plan. Roll Call: Nine yeas, no nays. Motion carried.

OTHER BUSINESS

With no further business to come before the Commission, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to adjourn. The meeting adjourned by unanimous consent at 9:45 P.M.

CITY OF PAPIILLION



Rebecca Hoch, Chairwoman