

**DRAFT MINUTES  
PAPILLION PLANNING COMMISSION MEETING  
MAY 29, 2019**

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, May 29, 2019 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, Jim Hrabik, Jim Masters, John E. Robinson III, Leanne Sotak, Herb Thompson, and Wayne Wilson. Raymond Keller Jr. and Judy Sunde were absent. Planning Director Mark Stursma, City Attorney Karla Rupiper, City Planner Michelle Romeo, and Public Works Director and City Engineer Jeff Thompson were also present.

Chairwoman Hoch led those present in the Pledge of Allegiance.

Notice of the meeting was given in advance by publication in the Papillion Times on May 15, 2019. 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.

Mayor David Black administered the Oath of Office to new Planning Commission member Jim Hrabik.

**Approval of Agenda**

**Motion** was made by Mr. Robinson III, seconded by Ms. Sotak, to approve the agenda as presented. Roll call: Seven yeas, no nays, one abstention from Hrabik. Motion carried.

**Approval of the Planning Commission Minutes**

**Motion** was made by Mr. Carson, seconded by Ms. Sotak, to approve the April 24, 2019 minutes. Roll Call: Eight yeas, no nays. Motion carried.

**FINAL PLATS**

**Final Plat** – A Final Plat for the property legally described as Lot 34 and Outlot E, SumTur Crossing, a subdivision located in part of Tax Lots 7 and 8, tax lots located in part of the NE 1/4 of the NE 1/4, part of the SW 1/4 of the NE 1/4, part of the NW 1/4 of the NE 1/4, all located in Section 5, T13N, R12E of the 6th P.M., NE, generally located on the SE corner of S 114th St and Schram Rd. The applicant is Boyer Young Equities XVIII - Sumter Crossing, LLC. (SumTur Crossing Replat One) **FP-19-0009**

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

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Masters, to recommend approval of the SumTur Crossing Replat One Final Plat (FP-19-0009) because it is generally consistent with the Comprehensive Plan, generally consistent with the Preliminary Plat approved by City Council, compatible with adjacent uses, and compliant with Zoning and

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

**Final Plat** – A Final Plat for the property legally described as part of Tax Lots 7 and 8, tax lots located in the NE 1/4 of Section 5, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located on the SE corner of S 114th St and Schram Rd. The applicant is Boyer Young Equities XVIII - Sumter Crossing, LLC. (SumTur Crossing (Phase 2)) **FP-19-0010**

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

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson inquired about the selling price of the proposed homes. Mr. Jobeun stated that the anticipated selling price will be \$350,000 and up. Mr. Carson expressed that he would like to see residential development in a lower price range proposed in Papillion. Mr. Jobeun agreed that such a product was needed; however, he noted that it is difficult to build due to the cost of development.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Wilson, to recommend approval of the SumTur Crossing (Phase 2) Final Plat (FP-19-0010) because it is generally consistent with the Comprehensive Plan, generally consistent with the Preliminary Plat approved by City Council, compatible with adjacent uses, and compliant with Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

## **PUBLIC HEARINGS**

**Preliminary Plat** – A Preliminary Plat for the property legally described as Lots 1 and 2, Schewe Farms Replat 2 and Outlot D, Schewe Farms, generally located at S 123rd St and Ballpark Way. The applicant is BHI Development, Inc. (Generations) **PP-19-0005**

Chairwoman Hoch opened the public hearing.

Pat Sullivan, 1246 Golden Gate Drive, stepped forward to represent the applicant.

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 applicant was confident that it could address the contingencies outlined in the Planning Commission Staff Report. Mr. Sullivan answered in the affirmative.

Mr. Thompson noted a typo in the seventh contingency listed in the Planning Commission Staff Report. Mr. Stursma acknowledged said typo.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Robinson III, to recommend approval of the Generations Preliminary Plat (PP-19-0005) because the request is generally consistent with the Comprehensive Plan as amended, compatible with adjacent uses, and compliant with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**Change of Zone** - A Change of Zone from R-2 Single-Family Residential (Medium Density) to MU Mixed Use for the property legally described as Outlot A, Granite Falls, generally located NE of HWY 370 and S 108th St. The applicant is BHI Development, Inc. (Granite Falls Mixed Use District) **CZ-19-0004**

Chairwoman Hoch opened the public hearing.

Kyle Haase, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that Lot 24 and Outlot A, Granite Falls are proposed to be developed as multiple-family residential. He added that Lot 24 is currently zoned MU Mixed Use; however, Outlot A is zoned R-2 Single-Family Residential (Medium Density). Mr. Haase clarified that intended use of Lot 24 has always been contemplated as multiple-family residential, and the change of zone is needed to bring Outlot A into the MU District.

Mr. Haase illustrated that the multiple-family project is expected to develop as ten multiple-family buildings with twenty-eight units in each building. He added that the complex will include amenities such as a pool, playground, and dog park. He displayed the proposed elevations.

Mr. Haase explained that the proposed density of this project is 14.5 units per acre. He confirmed that the applicant is willing to meet the contingencies identified in the Planning Commission Staff Report.

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 his support of the project, and asked the applicant to remain cognizant of its impact on the existing single-family residential nearby.

Mr. Masters asked about the projected rent and size of the proposed multiple-family units. Mr. Haase stated that he was not sure, but assumed that the apartments would be market rate with a mix of one and two bedroom units.

Mr. Hrabik asked whether a traffic study had been conducted for the area. Mr. Haase explained that a traffic study was completed with the original platting of the lot, which contemplated each anticipated use within the Granite Falls and Granite Falls Commercial subdivisions.

Mr. Wilson asked where the main access points to the complex are proposed to be located in relation to Liberty Middle School. Mr. Haase explained that the main entrance is proposed to line up with Laramie Street just southwest of the school. He added that there will be an additional right-in from Wittmus Drive closer to the intersection at HWY 370.

Chairwoman Hoch asked whether Wittmus Drive would be a three lane road up to the main entrance. Mr. Haase answered in the affirmative.

Chairwoman Hoch asked staff whether the existing crosswalk to the school is signalized. Jeff Thompson stated that the existing crosswalk has signs, but no signal. He added that traffic counts would need to be performed at the appropriate time to determine whether a signal is warranted.

Chairwoman Hoch inquired about the speed limit on Wittmus Drive. Jeff Thompson stated that he believes the current speed limit is 35 MPH; however, a speed study could be conducted during the school year to determine whether a school zone speed needs to be implemented.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Masters, to recommend approval of the Granite Falls Change of Zone (CZ-19-0004) because the request is generally consistent with the Comprehensive Plan, generally consistent with the West Papio Future Land Use Plan, compatible with adjacent uses, and compliant with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**Mixed Use Development Agreement** – A request for the adoption of a Mixed Use Development Agreement for the property legally described as Lot 24 and Outlot A, Granite Falls, generally located on the NE corner of HWY 370 and S 108th St. The applicant is BHI Development, Inc. (Granite Falls Mixed Use District) **MISC-19-0017**

Chairwoman Hoch opened the public hearing.

Kyle Haase, 10909 Mill Valley Road, Suite 100 (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.

Mr. Carson asked whether staff was confident that the applicant could address the contingencies outlined in the Planning Commission Staff Report. Mr. Stursma answered in the affirmative. He added comments about the recent change in process for delayed Mixed Use Development Agreements.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Wilson, to recommend approval of the Granite Falls Mixed Use Development Agreement (MISC-19-0017) because the request is generally consistent with the Comprehensive Plan, generally consistent with the West Papio Future Land Use Plan, compatible with adjacent uses, and compliant with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**Ordinance No. 1841 – 2019 Annexation No. 2** – 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 Tracts A – F, which are legally described as follows: **Tract A: (generally the Eagle Hills and Eagle Ridge subdivisions)** Lots 1, 2, 3, 4, 5A, 5B, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, 10A, 10B, 11A, 11B, 12A, 12B, 13A, 13B, 14A, 14B, 15A, 15B, 16A, 16B, 17A, 17B, 18A, 18B, 19A, 19B, 20A, 20B, 21 through 72, 75 through 306, 309 through 364, 367 through 395 and Outlot 1, Eagle Hills, a subdivision in Sarpy County, NE, and all streets, avenues, roads, drives, lanes, circles, and plazas lying within said Eagle Hills, together with Lot 1 Eagle Hills Replat 1, a subdivision in said Sarpy County, together with LOT 1, Eagle Hills Replat 2, a subdivision in said Sarpy County, together with Lots 3 through 33 and Outlot A, Eagle Ridge Village, a subdivision in said Sarpy County and all avenues lying within said Eagle Ridge Village, together with Lots 1, 2, 3, 4 and 5, Eagle Ridge Village Replat 1, a subdivision in said Sarpy County, together with Lots 1 through 258, 261 through 382, 384 through 592, and outlot 1, Eagle Ridge, a subdivision in said Sarpy County and all streets, avenues, roads, drives, lanes, circles and ways in said Eagle Ridge, together with that part of Tax Lot 1 lying between Old 48th Street Right of Way and New 48th Street Right of Way in the SE 1/4 of the NE 1/4 of Section 30, T14N, R13E of the 6TH P.M., said Sarpy County, together with that part of Tax Lot 14A lying between Old 48th Street Right of Way and New 48th Street Right of Way in the NE 1/4 of the SE 1/4 of said Section 30, together with

all of Old 48th Street Right of Way lying in the SE 1/4 of the NE1/4 and in the NE 1/4 of the SE 1/4 of said Section 30, together with all of 48th Street Right of Way in the E 1/2 of the NE 1/4 of said Section 30, together with that part of 48th Street (sometimes known as New 48th Street) Right of Way lying north of the south Right of Way Line of Old 48th Street in the NE 1/4 of the SE 1/4 of said Section 30, together with all of Cornhusker Road Right of Way lying west of the northerly extension of the east Right Of Way line of 48th Street in The N 1/2 of the NE 1/4 of said Section 30, together with all of Cornhusker Road Right of Way in the North 1/2 of the NW 1/4 of said Section 30, together with all of Cornhusker Road Right of Way in the N 1/2 of the NE 1/4 of Section 25, T14N, R12E of the 6th P.M., said Sarpy County, lying east of the East Right of Way line of 66th Street, together with all of Cornhusker Road Right of Way in the S 1/2 of the SE 1/4 of Section 24, T14N, R12E of the 6th P.M., said Sarpy County, lying east of the East Right of Way line of 66th Street, together with all of Cornhusker Road Right of Way in the S 1/2 of the SW 1/4 of Section 19, T14N, R13E of the 6th P.M., said Sarpy County, together with all of Cornhusker Road Right of Way in the S 1/2 of the SE 1/4 of said Section 19 lying west of the northerly extension of the East Right of Way Line of 48th Street, together with that part of 66th Street Right of Way in the NW 1/4 of the SE 1/4, the NE 1/4 of the SW 1/4, the SE 1/4 of the NW 1/4 and in the SW 1/4 of the NE 1/4 if said Section 25, lying between the westerly extension of the south line of Lot 278, said Eagle Ridge and the easterly extension of the south line of Cotton-Wood, a Subdivision in said Sarpy County; **Tract B: (generally the Eagle Crest subdivision)** Lots 1 through 201, and Outlots 1 and 2, Eagle Crest, a subdivision in Sarpy County, NE, and all circles, drives, plazas and roads lying within said eagle crest together with all of Fall Creek Road Right of Way and part of Aberdeen Drive Right of Way lying within Eagle View, a subdivision in said Sarpy County, together with all of 66th Street Right of Way lying in the SW 1/4 of the SE 1/4 of Section 24, T14N, R12E, of the 6th P.M., said Sarpy County, together with all of 66th Street Right of Way lying in the SE 1/4 of the SW 1/4 of Section 24, T14N, R12E, of the 6th P.M., said Sarpy County; **Tract C: (generally the Riverchase subdivision)** Lots 1 through 19, 44, 45 and 46 and Outlot A, Riverchase, a subdivision in Sarpy County, Nebraska, and all streets and circles lying within said Riverchase, together with Lots 1 through 12, Riverchase Replat One a subdivision in said Sarpy County; **Tract D: (generally the Walnut Creek Estates subdivision)** that part of Lot 2, Walnut Creek Estates, a subdivision in Sarpy County, NE, that is not included in Walnut Creek Estates Replat Two, a subdivision in said Sarpy County, together with Lots 3, 4, 5, 6, 7, 8 and 11 and Outlot A, said Walnut Creek Estates, and all circles lying within said Walnut Creek Estates, together with Lots 1 and 2, Walnut Creek Estates Replat One, a subdivision in said Sarpy County, together with Lots 1 and 2, said Walnut Creek Estates Replat Two, together with that part of Schram Road Right of Way in the SE 1/4 of the SW 1/4 of Section 33, T14N, R12E, of the 6th P.M., said Sarpy County, lying east of the southerly extension of the west line of said Lot 11, together with that part of Schram Road Right of Way in the NE 1/4 of the NW 1/4 of Section 4, T13N, R12E, of the 6th P.M., said Sarpy County, lying east of the southerly extension of the west line of said Lot 11, together with that part of Schram Road Right of Way in the SW 1/4 of the SE 1/4 of said Section 33, lying west of the southerly extension of the east line of Lot 2, said Walnut Creek Estates Replat Two, together with that part of Schram Road Right of Way in the NW 1/4 of the NE 1/4 of said Section 4, lying west of the southerly extension of the east line of Lot 2, said Walnut Creek Estates Replat Two; **Tract E: (generally the Schram & HWY 50 subdivision)** Lots 1 and 2 and Gold Coast Road Right of Way, Schram & HWY 50, a subdivision in Sarpy County, Nebraska, except that part of Lot 1 described in Decree Doc Ci01 #1733 recorded as Instrument Number 2012-38145 of the Sarpy County Records, hereinafter referred to as "Tract A", together with all Gold Coast Road Right of Way described in "Dedication For Street Right Of Way Purposes" recorded as Instrument Number 2018-06042 of the Sarpy County Records, together with all Gold Coast Road Right of Way in R&R Commerce Park, a subdivision in said Sarpy County, together with all Gold Coast Road Right of Way in R&R Commerce Park Replat One, a subdivision in said Sarpy County, together with all Schram Road Right of Way in the SW 1/4 of

Section 35, T14N, R11E of the 6th P.M., Said Sarpy County, lying west of the northerly extension of the west line of Lot 1, Oxbow Way Replat 1, a subdivision in Said Sarpy County, together with all 156th Street Right of Way in the SW 1/4 of said Section 35 lying south of Krambeck Industrial Park, a subdivision in said Sarpy County, together with all 156th Street Right of Way in the SE 1/4 of Section 34, T14N, R11E of the 6th P.M., said Sarpy County, lying south of the westerly extension of the south line of said Krambeck Industrial Park, together with the West 33.00 Feet of the North 50.00 Feet of Schram Road Right of Way in the NE 1/4 of the NE 1/4 of Section 3, T13N, R11E of the 6th P.M., said Sarpy County, together with all Schram Road Right of Way in the NW 1/4 of Section 2, T13N, R11E of the 6th P.M., said Sarpy County, lying west of the northerly extension of the west line of Lot 1, said Oxbow Way Replat 1; and **Tract F: (Lot 2, Oxbow Way)** Lot 2, Oxbow Way, a Subdivision in Sarpy County, Nebraska, except that part formerly known as Lot 2, Oxbow Way Replat 1, a subdivision in Sarpy County, Nebraska. (2019 Annexation No. 2) **MISC-19-0013**

Chairwoman Hoch opened the public hearing.

Assistant City Administrator Amber Powers, 122 E 3<sup>rd</sup> Street, stepped forward to represent the applicant. She gave a brief overview of the tracts being annexed. She explained that the proposed annexation would bring \$345 million of valuation, \$7.67 million outstanding principal debt, and 3,266 citizens or 1,265 households within City Limits. She noted that the City's overall debt to value ratio improves with this annexation.

Chairwoman Hoch called for proponents and opponents.

Peng Li, 2103 Franklin Drive, stepped forward as a resident of Eagle Ridge to inquire about the impact that the annexation would have on his family.

Bob Trummer, 2110 Liberty Lane, stepped forward as the Chairman of SID No. 143 (Eagle Ridge) to offer support of the annexation.

Al Stevens, 2009 Skyhawk Avenue, stepped forward as a trustee of SID No. 143 (Eagle Ridge) to offer support of the annexation. He summarized the many projects that the SID has completed in recent years to ready themselves for annexation including park and infrastructure improvements, maintenance, and repair.

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

Mr. Masters asked staff to explain what considerations are made when deciding whether to annex property. Ms. Powers explained that the City follows a comprehensive annexation policy in which it considers the financial status of the area to be annexed as well as the cost of providing City services to such areas.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Ordinance No. 1841 – 2019 Annexation No. 2 (MISC-19-0013) because the request is generally consistent with the Annexation Policy found in the Comprehensive Plan. Roll Call: Eight yeas, no nays. Motion carried.

**Ordinance No. 1842 – Zoning Map Amendment** – 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-19-0014**

Chairwoman Hoch opened the public hearing.

Planning Director Mark Stursma, 122 E 3<sup>rd</sup> Street, stepped forward to represent the applicant. He explained that an amendment to the zoning map is necessary anytime the City annexes property in order to change the corporate boundaries of the City and to extend the two-mile extraterritorial jurisdiction (ETJ) when applicable. He noted that the zoning designation for areas brought into the ETJ must also be converted to City zoning which is most consistent with the assigned Sarpy County zoning designation.

Mr. Stursma noted that the ETJ will not change on the eastern side of the City due to boundary agreements with Bellevue and La Vista. He added that the ETJ extension on the southwestern tracts is bound, in part, to a boundary agreement with Gretna.

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 how many additional employees will be needed to provide services to the newly annexed areas. Ms. Powers explained that the Fire Department already serves the SIDs being annexed, the Police Department will add two new officers, and Public Works will add two new employees.

Mr. Carson asked staff whether the boundary agreement with Gretna prevents the City from extending its ETJ west of I-80. Mr. Stursma noted that historically the boundary between Papillion and Gretna is I-80 from the northernmost ETJ boundary of Papillion south to 180<sup>th</sup> Street; however, the agreement was recently amended to include areas near the proposed interchange at S 192<sup>nd</sup> Street.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Ordinance No. 1842 – Zoning Map Amendment (MISC-19-0014) because the request is consistent with Section 205-32 of the Zoning Regulations. Roll Call: Eight 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. Thompson, to adjourn. The meeting adjourned by unanimous consent at 7:54 P.M.

CITY OF PAPILLION

---

Rebecca Hoch, Chairwoman