

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING JUNE 26, 2019

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, June 26, 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, Raymond Keller Jr., Jim Masters, John E. Robinson III, Judy Sunde, Herb Thompson, and Wayne Wilson. Judy Sunde joined the Commission at 7:26 P.M. With a full commission confirmed, alternate member Leanne Sotak was not required to attend. Planning Director Mark Stursma, City Attorney Alan Thelen, 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 June 12, 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.

Approval of Agenda

Motion was made by Mr. Masters, seconded by Mr. Robinson III, to approve the agenda as presented. Roll call: Eight yeas, no nays. Motion passes.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Mr. Wilson, to approve the May 29, 2019 minutes. Roll Call: Eight yeas, no nays. Motion carried.

PUBLIC HEARINGS

Change of Zone – A Change of Zone from R-2 Single-Family Residential (Medium-Density) to R-4 Multiple-Family Residential for the property legally described as Tax Lot 2, located in Section 23, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located at 402 E Centennial Rd. The applicant is Papillion La Vista Community Schools. (Papillion La Vista High School North) **CZ-19-0005**

Chairwoman Hoch opened the public hearing.

Pat Carson, 1015 N 98th Street (Omaha), stepped forward to represent the applicant. He explained that the proposed site modifications include a 70,000 square foot addition. He noted that the school district's master plan has contemplated this expansion and the expansion at south high school for many years.

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 whether the proposed addition is meant to handle growth of the school district. Pat Carson affirmed stating that the proposed expansions at both high schools would accommodate approximately 2,000 additional students at each school. He said the school district will likely build a third high school once capacity at the existing two high schools is met.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Masters, to recommend approval of the Papillion La Vista High School North Change of Zone (CZ-19-0005) because the request 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: Eight yeas, no nays. Motion carried.

Special Use Permit - A Special Use Permit to allow for building additions and parking lot modifications related to the Secondary Educational Facility located on the property legally described as Tax Lot 2, located in Section 23, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located at 402 E Centennial Rd. The applicant is Papillion La Vista Community Schools. (Papillion La Vista High School North) **SUP-19-0004**

Chairwoman Hoch opened the public hearing.

Pat Carson, 1015 N 98th Street (Omaha), representative for the applicant had no additional comments.

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 waiver of the forty foot height requirement included appurtenances such as the roof ladder shown on the elevations exhibit. Mr. Stursma stated that appurtenances are not considered in height calculations for this purpose.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Hrabik, to recommend approval of the Papillion La Vista High School North Special Use Permit (SUP-19-0004) because the request 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: Eight yeas, no nays. Motion carried.

Preliminary Plat - A Preliminary Plat for the property legally described as the E ½ of the SE ¼ of the SW ¼ of Section 2, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located NE of S 80th St and Capehart Rd. The applicant is Shadow Lake 2, LLC. (Shadow Lake 2 (Phase 2)) **PP-19-0006**

Chairwoman Hoch opened the public hearing.

Pat Hillyer, 14710 W Dodge Road (Omaha), stepped forward to represent the applicant. He noted that the lot size, types of homes, and valuation of homes in the proposed development will be consistent with that of Shadow Lake 2. He explained that the topography of this property creates some issues with water quality and run-off, therefore, four detention basins are proposed to be built to withstand the 100 year storm event, which is higher than the minimum requirement. Mr. Hillyer added that the developer held a neighborhood meeting to address the concerns of neighboring property owners.

Chairwoman Hoch called for proponents and opponents.

Ricky Johnson, 12587 S 79th Avenue, stepped forward as an adjacent lot owner. He noted that he and his wife had been maintaining and landscaping a portion of land within the proposed Outlot J, and asked that the developer attempt to minimize its impact to the improvements that they have made. He expressed concerns about the view from his property. Mr. Johnson also expressed concerns about possible easements needed for Von Street damaging the retaining wall and pool on his property.

Chairwoman Hoch noted that a letter received by Mayor Black from Elisabeth and Ricky Johnson was received and distributed to the Planning Commission.

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

Mr. Masters asked the applicant to address the Johnson's concerns. Mr. Hillyer noted that the sample photos of local detention basins provided in the Johnson's letter are basins that are temporary in nature and will not be converted to final form until construction is complete in those subdivisions. He explained that detention basins are designed to collect silt during construction, but are meant to be converted into vegetative pits used for stormwater detention after subdivision build out. He added that the detention basins shown are required by City Code.

Mr. Keller asked how quickly permanent basins drain after large rain events. Mr. Hillyer noted that basins in their final state typically drain within 24 to 48 hours of a storm event; however, those that are temporary in nature often hold water. Mr. Keller also asked how close the proposed basin would be to the Johnson's property, and whether they could reinstall landscaping once the basin is in final form. Mr. Hillyer noted that detention basins are typically surrounded by a four foot to eight foot flat area to allow for maintenance access. He added that the area surrounding the basin would be SID owned.

Mr. Hrabik asked whether the basins will be regularly maintained. Mr. Hillyer explained that the basins are inspected regularly, and the SID is put on notice of necessary maintenance. He added that the timeline for maintenance is dependent upon the SID.

Mr. Masters asked staff to provide input on detention basins. Mr. Stursma explained that basins are required for stormwater management. He reiterated that detention basins are designed to collect sediment during construction, and be converted to a vegetative open space for the collection of stormwater once construction has finished. Mr. Stursma added that each Sanitary and Improvement District (SID) is responsible for basin maintenance, and that there are mechanisms in place to put the SID on notice when maintenance is needed.

Mr. Masters asked whether surrounding homeowners could have reasonably anticipated the development of this property. Mr. Stursma stated that residential development in this area has largely been dependent on the Papillion La Vista School District boundary. He noted that the street system in both Shadow Lake and Shadow Lake 2 are designed to extend through the property. Mr. Stursma explained that the proposed locations of the detention basins are natural based on topography.

Mr. Carson asked what mechanisms are in place to ensure that adequate erosion control methods are utilized during construction. Mr. Stursma explained that the City contracts with the City of Omaha for erosion inspections. He added that rules and enforcement are in place to hold developers accountable. Mr. Goff added that the appropriate design and utilization of detention

basins counteracts overwhelmed silt fencing. He stated that erosion issues on construction sites are actively pursued.

Mr. Carson asked the applicant to be cognizant of the impact to neighboring properties during the development of the property. Mr. Stursma noted that the developer is designing the detention basins beyond the minimum requirement to protect neighboring properties. Mr. Goff added that the detention basins should ultimately create long-term alleviation of drainage issues.

Mr. Keller asked staff to explain basin construction and maintenance. Mr. Goff provided a brief overview.

Mr. Wilson asked who maintains detention basins. Mr. Stursma explained that the SID maintains basins during construction with a mechanism in place to transfer that burden to the homeowners association.

Mr. Carson asked for the proposed home valuation. Mr. Hillyer stated that the proposed valuation is \$390,000.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Ms. Sunde, to recommend approval of the Shadow Lake 2 (Phase 2) Preliminary Plat (PP-19-0006) because the request 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.

Change of Zone - A Change of Zone from AG Agricultural to R-3 Urban Family Residential for the property legally described as the E ½ of the SE ¼ of the SW ¼ of Section 2, T13N, R12E of the 6th P.M., Sarpy County, NE, generally located NE of S 80th St and Capehart Rd. The applicant is Shadow Lake 2, LLC. (Shadow Lake 2 (Phase 2)) **CZ-19-0006**

Chairwoman Hoch opened the public hearing.

Pat Hillyer, 14710 W Dodge Road (Omaha), representative for the applicant had no additional comments.

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. Carson, to recommend approval of the Shadow Lake 2 (Phase 2) Change of Zone (CZ-19-0006) because the request 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.

ELECTIONS

Chairperson – **Motion** was made by Mr. Thompson, seconded by Mr. Carson, to open nominations for Chairperson. Roll Call: Nine yeas, no nays. Motion carries.

Nominations: Rebecca Hoch

Motion was made by Mr. Thompson, seconded by Mr. Carson, to close nominations for Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

Ms. Blevins announced that Rebecca Hoch received the majority vote.

Motion was made by Mr. Keller, seconded by Mr. Wilson, to approve the election of as Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

Vice Chairperson – **Motion** was made by Ms. Sunde, seconded by Mr. Thompson, to open nominations for Vice Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

Nominations: John E. Robinson III

Motion was made by Mr. Masters, seconded by Ms. Sunde, to close nominations for Vice Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

Ms. Blevins announced that John E. Robinson III received the majority vote.

Motion was made by Ms. Sunde, seconded by Mr. Keller, to approve the election of as Vice Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

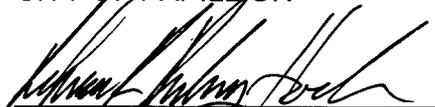
OTHER BUSINESS

City Attorney Alan Thelen introduced himself to the Commission.

Mr. Stursma discussed upcoming training to be provided to the Planning Commission.

With no further business to come before the Commission, **Motion** was made by Mr. Hrabik, seconded by Ms. Sunde, to adjourn. The meeting adjourned by unanimous consent at 8:06 P.M.

CITY OF PAPIILLION



Rebecca Hoch, Chairwoman