

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING JUNE 27, 2018

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, June 27, 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, Leanne Sotak, Herb Thompson, and Wayne Wilson. Judy Sunde was absent. Assistant City Attorney Amber Rupiper, Assistant Planning Director Travis Gibbons, 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 13, 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. Carson, 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. Barker, seconded by Mr. Wilson, to approve the May 30, 2018 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 located in all of Tax Lot 6, a tax lot located in the SW 1/4 of Section 21; along with part of Tax Lots 1, 2A and 3A tax lots located in the NW 1/4 of Section 28, all located in T14N, R12E of the 6th P.M., Sarpy County NE, generally located NE of S 108th St and Lincoln Rd. The applicant is Woodland homes, Inc. (Granite Lake (Phase 3)) **FP-18-0004**

Caleb Beasley, 10909 Mill Valley Road (Omaha), stepped forward to represent the applicant. He noted that the applicant does not have any issues with the recommendations in the Planning Commission Staff Report, and offered to answer any questions or concerns of the Commission.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson asked whether the setbacks for the lots north of Cornhusker Road were smaller than the rest of the subdivision. Mr. Beasley explained that the lots south of Cornhusker Road will have the same R-2 setbacks as phases 1 and 2 of Granite Lake, however, the lots to the north or Cornhusker are part of a Planned Unit Development (PUD), and have reduced setbacks. Mr. Gibbons added that the side yard setbacks for the PUD portion will be five feet, because this

portion is being developed as a villa concept as there are site constraints on this portion of the development caused by floodplain and storm water detention.

Mr. Carson asked whether there would be any off-street parking designated for the wetland reserve portion of the project, and whether this habitat would be open to the public. Mr. Beasley explained that the wetland habitat amenity is intended to serve that neighborhood; however, there is nothing to prevent the public from parking on the street and using the amenity. Mr. Carson asked whether this amenity would connect to the local trail system. Mr. Beasley noted that it would not; however, the subdivision would be extending the regional trail system to the south along Wittmus Drive and the proposed WP-7 dam site.

Mr. Carson asked why the wetland amenity north of Cornhusker Road was not being developed as single-family homes. Mr. Beasley described that much of this land is located in the floodplain.

Mr. Masters asked for clarification on the types of housing proposed in the PUD portion. Mr. Beasley explained that these would be owner occupied single-family villas.

Mr. Carson asked about the projected sale price of the villas. Mr. Beasley stated that the estimated tax valuation is \$300,000.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Masters, to recommend approval of the Granite Lake (Phase 3) Final Plat (FP-18-0004) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Subdivision and Zoning Regulations, and consistent with the revised Preliminary Plat for the lots north of Cornhusker Road and the Preliminary Plat for the lots south of Cornhusker Road, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

PUBLIC HEARINGS

Mixed Use Development Agreement Amendment – A request to amend the Portal Plaza Mixed Use Development Agreement to replace Exhibit D (Permitted Uses List) in order to allow Child Care Center as a permitted use type on Lot 5, Portal Plaza, the area of application is legally described as Lots 1 through 5, Portal Plaza, and Lot 1, Portal Plaza Replat 1, generally located on the SE corner of Portal Rd and Giles Rd. The applicant is Giles Road No. 2, LLC. (Second Amendment to Portal Plaza Mixed Use Development Agreement) **MISC-18-0007**

Chairwoman Hoch opened the public hearing.

Mark Johnson, 11440 W Center Road #C (Omaha), stepped forward as 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 the applicant to clarify the proposed development of Lot 5, Portal Plaza. Mr. Johnson displayed a conceptual site plan for Lot 5, and explained that the intended amendment is to allow Child Care Center as a permitted use at the site. He added that Cocktail Lounge is already a permitted use; however, the Permitted Uses list is being amended to clarify that an outdoor seating area would also be permitted. He noted that the cocktail lounge and child care center uses would meet the state mandated separation requirements.

Mr. Carson asked how many tenants are anticipated on Lot 5. Mr. Johnson explained that the leasing plan contemplates twelve bays; therefore, there would be a maximum of twelve tenants, but more likely eight to ten separate tenants. Mr. Carson asked whether the applicant has committed tenants. Mr. Johnson stated that he was not certain, but there are likely pending tenants.

With no further discussion, **Motion** was made by Mr. Masters, seconded by Mr. Barker, to recommend approval of the Second Amendment to Portal Plaza Mixed Use Development Agreement (MISC-18-0007) because it is compatible with the Future Land Use designation, and compatible with the uses identified in the Permitted Uses list, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from Agricultural (AG) to Limited industrial (LI) for the property legally described as a tract of land containing all of Lot 2, Oxbow Way Replat 1, a platted and recorded subdivision in Sarpy County, NE, and a part of Tax Lot 2, all located in the E 1/2 of the NW 1/4 of Section 2, T13N, R11E of the 6th P.M., Sarpy County, NE, generally located on the SW corner of S 150th St and Schram Rd. The applicant is Opus Development Company, LLC. (Oxbow Way (Phase 2)) **CZ-18-0005**

Chairwoman Hoch opened the public hearing.

David Madden, 1601 Dodge Street, Suite 3700 (Omaha), 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. Barker asked about the uses surrounding the property. Mr. Madden explained that the Oxbow Animal Health facility is located to the north, and a data center is located to the east. He asserted that the Future Land Use Map identifies this area as Light Industrial.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Barker, to recommend approval of the Oxbow Way (Phase 2) Change of Zone (CZ-18-0005) because it is generally consistent with the Comprehensive Plan, generally consistent with adjacent land uses, and compliant with 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 part of Tax Lot 4, a tax lot located on the SW corner of S 114th St and Schram Rd. The applicant is Felker Family Farms, LLC. (Ashbury Heights) **PP-18-0002**

Larry Jobeun, 11440 W Center Road, #C (Omaha), stepped forward to represent the applicant. He displayed a copy of the Area Master Plan for the project. Mr. Jobeun stated that the site is proposed to be developed as 339 single-family residential lots. He added that Lot 340 is proposed to be developed as a townhome or villa concept with a Planned Unit Development (PUD) overlay, however, this portion is not ready to be presented. He explained that six outlots are proposed. Outlots A and B are contemplated to be used for post construction storm water management; Outlot C is currently dedicated as greenspace, however, the applicant now wishes to make this a dedicated park; Outlots D and E are dedicated for public trails; and Outlot F is proposed to be utilized for sanitary sewer, storm sewer, and drainage easements.

Mr. Jobeun noted that the project is generally consistent with the future land use designation of low-density and medium-density housing with a proposed density of 3.6 units per acre.

Mr. Jobeun added that the Comprehensive Plan contemplates a school at this site; however, the school district has expressed that it is not interested in this property, and are instead looking at establishing a school in a proposed subdivision to the north.

Mr. Jobeun explained that the lots will be approximately 65 to 75 feet wide and 120 – 130 feet deep. He added that the house prices will likely range from \$275,000 to \$450,000, and the villas or townhomes will likely be valued at approximately \$250,000.

Mr. Carson asked whether the applicant was confident that he could address the contingencies outlined in the Planning Commission Staff Report. Mr. Jobeun answered in the affirmative.

Mr. Carson asked whether Schram Road and S 114th Street are paved. Mr. Jobeun explained that S 114th Street is paved north of Schram Road, however, Sarpy County has plans to pave S 114th Street south of Schram Road to Nebraska Christian College by 2019. He added that this project will help fund the cost of those improvements. He stated that Schram Road is paved up to one-eighth of a mile west of S 114th Street, and will be paved along the frontage of this project as it develops, and to S 126th Street when the southern portion of Ashbury Hills develops.

Mr. Carson asked whether the intersection of S 114th Street and HWY 370 is signalized. Mr. Jobeun noted that is not signalized, however, the infrastructure needed to signalize this intersection is already in place. He added that the State will need to warrant said signal.

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

Mr. Keller asked whether there was enough separation between the traffic signal at S 108th Street to warrant another at S 114th Street. Mr. Goff noted that the state has already started traffic counts at the intersection of S 114th Street and Highway 370; however, it has not met warrants to date. He added that the spacing is adequate. Mr. Jobeun reiterated that the state required Prairie Hills to install the infrastructure for this intersection; therefore, the necessary infrastructure is already in place to add a traffic signal when warranted. He confirmed that this signal has been anticipated for some time.

With no further discussion, **Motion** was made by Mr. Masters, seconded by Mr. Barker, to recommend approval of the Ashbury Heights Preliminary Plat (PP-18-0002) because it is generally consistent with the Comprehensive Plan if a Comprehensive Plan Amendment application is submitted by the applicant and approved by City Council or the Preliminary Plat is revised to be consistent with the Comprehensive Plan, compatible with adjacent uses if the Preliminary Plat is modified to be consistent with the Comprehensive Plan, compliant with Zoning Regulations, and compliant with Subdivision Regulations if the requested waivers are approved by City Council, contingent upon the resolution of staff comments. 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 Multiple-Family Residential with a Planned Unit Development (PUD) overlay (R-4 PUD-2) for the property legally described as a tract of land being part of Tax Lot 4, a tax lot located on the SW corner of S 114th St and Schram Rd. The applicant is Felker Family Farms, LLC. (Ashbury Heights) **CZ-18-0001**

Jason Thiellen, 10909 Mill Valley Road (Omaha), 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.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Ashbury Heights Preliminary Plat (PP-18-0002) because it is generally consistent with the Comprehensive Plan if a Comprehensive Plan Amendment application is submitted by the applicant and approved by City Council or the Preliminary Plat is revised to be consistent with the Comprehensive Plan, compatible with adjacent uses if the Preliminary Plat is modified to be consistent with the Comprehensive Plan, compliant with Zoning Regulations, and compliant with Subdivision Regulations if the requested waivers are approved by City Council, contingent upon the resolution of staff comments. Roll call: Nine yeas, no nays. Motion carried.

ELECTIONS

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

Nominations: Rebecca Hoch

Motion was made by Mr. Masters, seconded by Ms. Sotak, 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. Barker, to approve the election of Rebecca Hoch as Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

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

Nominations: Howard Carson and John E. Robinson III

Motion was made by Mr. Barker, seconded by Ms. Sotak, 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 Mr. Barker, seconded by Ms. Sotak, to approve the election of John E. Robinson III as Vice Chairperson. Roll Call: Nine yeas, no nays. Motion carried.

OTHER BUSINESS

Ms. Blevins informed the Commission that the Planning Department has purchased new iPads for the use of the Planning Commission.

With no further business to come before the Commission, **Motion** was made by Mr. Barker, seconded by Mr. Robinson III, to adjourn. The meeting adjourned by unanimous consent at 7:43 PM.

CITY OF PAPILLION

John E. Robinson III, Vice Chairman