

**DRAFT MINUTES
PAPILLION PLANNING COMMISSION MEETING
SEPTEMBER 26, 2018**

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, September 26, 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 Howard Carson, Raymond Keller Jr., Jim Masters, John E. Robinson III, Leanne Sotak, Herb Thompson, and Wayne Wilson. David Barker and Judy Sunde were absent. 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 September 12, 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 Ms. Sotak, to approve the agenda as presented. Roll call: Seven yeas, no nays, one abstention from Hoch. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Ms. Sotak, to approve the August 28, 2018 minutes. Roll Call: Seven yeas, no nays, one abstention from Carson. Motion carried.

PUBLIC HEARINGS

Comprehensive Plan Amendment – A Comprehensive Plan Amendment to change the future land use designation of Business Park and Light Industrial/Storage to Mixed Use Center for the property legally described as part of the NW ¼, part of the SW ¼, part of the SE ¼, part of Tax Lot 4A, Tax Lot 4B, part of Tax Lot 5 and Lot 1, Fase's 1st Addition Replat 1, all located in Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of Schram Road and HWY 50. The applicant is Sarpy County Economic Development Corp. (Schram & HWY 50) **CPA-18-0002**

Chairwoman Hoch opened the public hearing.

Andrew Rainbolt, Executive Director of the Sarpy County Economic Development Corporation (SCEDC), 808 Conagra Drive, Suite 400 (Omaha), stepped forward to represent the applicant. He offered a brief overview of the function of SCEDC. Mr. Rainbolt noted that SCEDC was integral in bringing other data center projects to Papillion including those for Fidelity Investments, Traveler's Insurance, and Facebook.

Mr. Rainbolt confirmed that SCEDC has secured options and is working on purchase agreements for the subject property on behalf of the end user. He added that entitlements need to be in place prior to revealing the end user. He stated that SCEDC is working with the necessary utility entities

including Sarpy County, OPPD, and MUD to secure agreements to service the subject property, and that such agreements will be executed once the change of zone and final plat are approved by City Council.

Mr. Rainbolt presented conceptual street views of the proposed site to demonstrate the potential impact on the surrounding view corridors. He explained that a proposed berm and landscaping will create a buffer from the buildings.

Mr. Masters asked how this project compares in size to other data centers in the area. Mr. Rainbolt explained that this project is approximately the same size as the Facebook project.

Mr. Carson asked whether the applicant had elevations available. Brad Weckerlin, 8404 Indian Hills Drive (Omaha), explained that the typical buildings that the end user constructs are tilt-up concrete panels. He added that such concrete panels typically have some design element included. He stated that the proposed building are approximately 60 feet in height. Mr. Carson noted that the building will be on a heavily traveled corridor, and encouraged the applicant to use an attractive design. Mr. Weckerlin asserted that the building design was not yet available. He noted that most of the outdoor equipment is encased. Mr. Rainbolt added that the end user is aware of the design standards required in the Highway Overlay District, and intends to build a quality project.

Mr. Masters asked whether the property is located north of the ridgeline for sewer purposes. Mr. Rainbolt confirmed that the site is north of the ridgeline. He expressed that Sarpy County has verified that there is adequate sewer capacity available to service this project.

Mr. Carson noted the large number of contingencies listed in the staff report, and thanked SCEDC for the summary provided as to how they plan to address said contingencies. Mr. Rainbolt confirmed that the applicant intends to continue working with staff to resolve said contingencies.

Mr. Carson asked for a project timeline. Mr. Rainbolt noted that the applicant would like to present the Final Plat to Planning Commission in October. He added that they are aiming for final approvals before the end of the year. He explained that construction of the project would be phased; however, a construction timeline has not yet been determined.

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 staff whether there is a way to quantify when too many data centers have been developed in Papillion. Mr. Stursma noted that the City has an obligation to review and process all applications that are submitted. He explained some pros and cons of data center development. Mr. Stursma summarized that the need for such uses are ultimately market driven. He asserted that the ability for utility companies to support such uses also plays a large role in how many data centers that Papillion is able to support.

Mr. Carson asked whether additional traffic signals are contemplated along Highway 50 with the addition of this project. Mr. Stursma noted that due to the scale of this project, the anticipated street network is changing. He added that traffic signals have been anticipated at the intersections with Gold Coast Road and Scram Road for some time. Mr. Stursma explained that the Nebraska Department of Roads ultimately control improvements along Highway 50.

Mr. Carson asked staff and the applicant to speak on the affect this project may have on the City of Papillion in terms of property and sales tax. Mr. Stursma explained that the City considers potential tax revenue, but does not regulate based on potential tax revenue. He added that the City looks at whether a project creates enough valuation to improve and maintain the necessary public infrastructure utilized by the project. Mr. Stursma noted that the City has placed the expectation on the applicant to pay for the infrastructure needed to support the development.

Mr. Wilson asked the applicant to expound on the potential impact of this project on the adjacent Omaha Veterans Cemetery. Mr. Rainbolt asserted that representatives of the Omaha Veterans Cemetery have not contacted SCEDC regarding the project; however, the developer is aware of the cemetery and intends to mitigate the any negative impact that the use may create. He summarized the proposed measures to mitigate the impact including landscaping and berms along the project perimeter, and shielding the mechanical areas to create a noise buffer.

Mr. Keller asked what other uses would have been anticipated for the site under the Future Land Use Map designation of Business Park and Light Industrial/Storage. Mr. Stursma noted that the main reason that the City has required a Comprehensive Plan Amendment for this project is not related to the use. He added that the proposed data center use would have likely been permitted under the land use designation, however, the proposed project seeks to change the anticipated street network depicted on the Future Land Use Map for the sub-area.

Mr. Keller asked how many data centers currently exist in Papillion. Mr. Stursma summarized that Papillion is currently home to data centers for Fidelity Investments, Traveler's Insurance, Cabela's (now LightEdge), Facebook, and TierPoint.

Mr. Keller noted that the Planning Commission Staff Report references the possibility of Sarpy County utilizing eminent domain on Tax Lot 10 35-14-11 to allow the Gold Coast Road to connect to Cooper Street. Mr. Stursma explained that the proposed realignment of Gold Coast Road would cut through Tax Lot 10 to connect to Cooper Street. He added that the applicant is working with the owner of Tax Lot 10 to make this possible. Mr. Stursma highlighted some of the advantages of utilizing eminent domain as a development tool. Ms. Rupiper clarified how eminent domain can be utilized as a tool to obtain right-of-way.

Mr. Thompson asked whether any data was available regarding the long-term sustainability of data centers, and how these building could potentially be utilized if data centers become obsolete in the future. Mr. Stursma said that he was unsure whether such data exists. He added that possible future uses depend largely on how the data center is constructed. He noted that the tilt up concrete structures that are anticipated with this project and the Facebook project could presumably be repurposed.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Masters, to recommend approval of the Schram & HWY 50 Comprehensive Plan Amendment (CPA-18-0002) because it is consistent with the Comprehensive Plan if City Council approved the proposed Comprehensive Plan Amendment; generally compatible with adjacent uses if the Mixed Use Development Agreement includes provisions that respect the project's potential impacts to the Omaha Veterans Cemetery and the view corridors along HWY 50, S 156th Street, Gold Coast Road, and Schram Road; compliance with the Subdivision Regulations if the availability of sanitary sewer is confirmed; and compliance 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 part of the NW ¼, part of the SW ¼, part of the SE ¼, part of Tax Lot 4A, Tax Lot 4B, part of Tax Lot 5 and Lot 1, Fase's 1st Addition Replat 1, all located in Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of Schram Road and HWY 50. The applicant is Sarpy County Economic Development Corp. (Schram & HWY 50) **PP-18-0007**

Chairwoman Hoch opened the public hearing.

Andrew Rainbolt, 808 Conagra Drive, Suite 400 (Omaha), stepped forward to represent the applicant to clarify some of the previously stated questions. He explained that the project will likely produce heavy construction traffic, however, once built will have a minimal impact on traffic in the area.

Mr. Rainbolt shared that the SCEDC is currently working on an economic impact study regarding data centers in Sarpy County. He asserted that preliminary numbers indicate that there is a nine million dollar economic impact for every 10,000 square feet of data center in Sarpy County. He alleged that the project will likely become a large property tax generator because the project intends to maximize its use of the land.

Mr. Rainbolt added that the site is designed to place any noise generating machinery perpendicular to the Omaha Veterans Cemetery; therefore, much of the noise will travel north and south of the project.

Mr. Rainbolt commented that SCEDC has been working with the owner of Tax Lot 10 regarding the road alignment. He is confident that SCEDC and the landowner will be able to come to an agreement regarding a road plan to connect Gold Coast Road to Cooper Street. He added that he does not plan to ask Sarpy County to utilize eminent domain on the property.

Mr. Rainbolt noted that this type of data center creates large buildings that are heavily equipped with power, water, and sewer infrastructure. He anticipates that these buildings should be able to convert to other uses should the data center uses go away 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.

Ms. Rupiper remarked that tax revenue impact is not necessarily within the purview of the Planning Commission.

Mr. Thompson asked when it is appropriate for the Planning Commission to request building elevations and building material pallets. Mr. Stursma explained that those items will be required for the Mixed Use Development Agreement; however, if the Planning Commission has questions regarding those materials, they should ask at this hearing with the consideration of the change of zone.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Keller, to recommend approval of the Schram & HWY 50 Preliminary Plat (PP-18-0007) because it is generally consistent with the Comprehensive Plan if City Council approved the proposed Comprehensive Plan Amendment; generally compatible with adjacent uses if the Mixed Use Development Agreement includes provisions that respect the project's potential impacts to the Omaha Veterans Cemetery and the view corridors along HWY 50, S 156th Street, Gold Coast Road, and Schram Road; compliance with the Subdivision Regulations if the availability of

sanitary sewer is confirmed; and compliance with Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

Change of Zone – A Change of Zone for the property legally described as part of the NW ¼, part of the SW ¼, part of the SE ¼, part of Tax Lot 4A, Tax Lot 4B, part of Tax Lot 5 and Lot 1, Fase’s 1st Addition Replat 1, all located in Section 35, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of Schram Road and HWY 50. The applicant is Sarpy County Economic Development Corp. (Schram & HWY 50) **CZ-18-0009**

Chairwoman Hoch opened the public hearing.

Andrew Rainbolt, 808 Conagra Drive, Suite 400 (Omaha), was present to represent the applicant.

Chairwoman Hoch called for proponents and opponents.

Mr. Keller asked the applicant to ensure that project looks nice, as it is located along the Highway 50 corridor and is adjacent to the Omaha Veterans Cemetery.

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. Barker, to recommend approval of the Schram & HWY 50 Change of Zone (CZ-18-0009) because it is generally consistent with the Comprehensive Plan if City Council approved the proposed Comprehensive Plan Amendment; generally compatible with adjacent uses if the Mixed Use Development Agreement includes provisions that respect the project’s potential impacts to the Omaha Veterans Cemetery and the view corridors along HWY 50, S 156th Street, Gold Coast Road, and Schram Road; compliance with the Subdivision Regulations if the availability of sanitary sewer is confirmed; and compliance with Zoning Regulations, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

OTHER BUSINESS

Mr. Keller briefly discussed the NPZA Metro District Workshop that he attended on September 14, 2018.

Mr. Keller acknowledged his students who attended the meeting.

With no further business to come before the Commission, **Motion** was made by Mr. Keller, seconded by Mr. Wilson, to adjourn. The meeting adjourned by unanimous consent at 8:05 PM.

CITY OF PAPIILLION

Rebecca Hoch, Chairwoman