

**DRAFT MINUTES
PAPILLION PLANNING COMMISSION MEETING
OCTOBER 24, 2018**

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, October 24, 2018 at 7:00 PM. Chairwoman Rebecca Hoch called the meeting to order. City Planner Michelle Romeo called the roll. Planning Commission members present were Howard Carson, John E. Robinson III, Leanne Sotak, Herb Thompson, and Wayne Wilson. David Barker, Raymond Keller Jr., Jim Masters, and Judy Sunde were absent. Planning Director Mark Stursma, Assistant City Attorney Amber Rupiper, 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 October 10, 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: Six yeas, no nays. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Ms. Sotak, to approve the September 26, 2018 minutes. Roll Call: Six yeas, no nays. Motion carried.

Approval of the 2019 Planning Commission Meeting Schedule

Mr. Stursma briefly discussed the schedule.

Mr. Carson asked whether Planning Commission meetings needed to occur on Wednesdays. Mr. Stursma explained that the Planning Commission would have to change its bylaws if it wished to change the day of the week on which Planning Commission meetings fall.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Wilson, to approve the 2019 Planning Commission Meeting Schedule as presented. Roll Call: Six yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A Final Plat for the property legally described as a tract of land located in the NW ¼ of Section 30, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NE of the intersection of 132nd St and Lincoln Rd. The applicant is Prairie Queen, LLC. (Prairie Queen (Phase 2)) **FP-18-0008**

Laura Brink, 4880 S 131st Street, Suite 3 (Omaha), stepped forward to represent the applicant and offered to answer any questions.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson asked that the applicant remain cognizant of its erosion toward the Prairie Queen Recreation Area, and deploy efforts to mitigate any such impact to Prairie Queen Lake. Ms. Brink noted that the applicant would be mindful of erosion and run-off.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Prairie Queen (Phase 2) Final Plat (FP-18-0008) because it is generally consistent with the Comprehensive Plan, generally consistent with the approved Preliminary Plat, compatible with adjacent uses, and compliant with Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Six yeas, no nays. Motion carried.

Final Plat – A Final 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 Rd and HWY 50. The applicant is Sarpy County Economic Development Corp. (Schram & HWY 50) **FP-18-0009**

Andrew Rainbolt, 808 Conagra Drive, Suite 400 (Omaha), stepped forward to represent the applicant and offered to answer any questions.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson asked the applicant to display a location map of the project. Mr. Rainbolt did not have one available.

Mr. Carson expressed concerns about diminished street connections that this project may create. Mr. Stursma noted that instead of having local streets run through the project, the applicant is expected to improve local streets around the perimeter. He noted that the use is not anticipated to generate a lot of traffic compared to other uses that may have occupied the same space once construction is complete on the project. He explained that the applicant provided a Traffic Impact Study and is working with staff to ensure that the road network will be sufficient to handle the needs of surrounding properties as well as the anticipated future traffic in the area. He added that the proposed alignment of Gold Coast Road would be adjusted with this project to tie into Cooper Street to the north. He explained that the alignment of S 150th Street is yet to be determined.

Mr. Thompson asked for clarification on the need to revise the Source and Use of Funds. Mr. Rainbolt summarized that the project will not utilize Sanitary and Improvement District (SID) funding, therefore there will not be any public debt involved with this project.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Carson, to recommend approval of the Schram & HWY 50 Final Plat (FP-18-0009) because it is generally consistent with the Comprehensive Plan and compliant with Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Six yeas, no nays. Motion carried.

PUBLIC HEARINGS

Special Use Permit – A Special Use Permit to allow Child Care Center as a permitted use on the property legally described as Lots 19 and 20, Sarpy 84 Commercial Park, generally located at 1214 N Monroe St. The applicant is Lisa Feick. (1214 N Monroe St - Feick Child Care Center) **SUP-18-0005**

Chairwoman Hoch opened the public hearing.

The applicant was not present to represent herself. Mr. Stursma explained that a Special Use Permit was recently approved on the property to allow Automotive Rental and Sales as a permitted use, however, the owner is now interested in selling the property to another use.

Mr. Stursma noted that many of the comments within the Planning Commission Staff Report address exterior modifications regarding parking lot striping, removing parking, and parking movements into the public right-of-way.

Chairwoman Hoch called for proponents and opponents. Seeing no further public input, Chairwoman Hoch asked the Commission whether they would like to vote on the item, or continue it to another meeting.

Mr. Carson asked staff to comment on the suggestion to create a twenty-four foot drop off lane to prevent parking movements into the public right-of-way. Mr. Goff explained that parking movements into the public right-of-way create a life safety concern.

Mr. Carson asked whether the Automotive Rental and Sales use would go away with the approval of this Special Use Permit. Ms. Romeo noted that the current property owner is considering retaining a portion of the property for the Automotive Rental and Sales use. Chairwoman Hoch asked how this would be permitted. Ms. Romeo explained that this request was brought to staff's attention after the Planning Commission Staff Report was drafted. She added that both Special Use Permits would need to be amended if the current property owner planned to follow through with this plan. Chairwoman Hoch asked whether this would create an issue with parking. Ms. Romeo noted parking would need to be addressed prior to City Council consideration of the Special Use Permit.

Mr. Thompson noted that due to the uncertainty of the future of this property, he would support a motion to continue.

The public hearing remained open.

With no further discussion, **Motion** was made by Mr. Thompson, seconded by Mr. Carson, to continue the public hearing for the 1214 N Monroe St – Feick Child Care Center Special Use Permit (SUP-18-0005) to a later date when the applicant requests that it be placed on the agenda. Roll Call: Six yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from R-4 Multiple Family Residential to R-4/PUD-2 Multiple-Family Residential – Specific Planned Unit Development for the property legally described as Lot 123, Lincoln Way, generally located on the NW corner of S 96th Street and Lincoln Road. The applicant is SB Communities, LLC. (The Sterling Apartments) **CZ-18-0012**

Chairwoman Hoch opened the public hearing.

Jerry Slusky, 8712 W Dodge Road (Omaha), stepped forward to represent the applicant. He noted that the proposed multi-family development would be built in two phases. He gave an overview of the types of buildings anticipated on the property and displayed the proposed elevations of the buildings. He explained that the project would contain a variety of rental products including multiplexes with garages below and townhomes. Mr. Slusky confirmed that the applicant is confident that it can resolve the unsettled issues within the Planning Commission Staff Report.

Mr. Thompson inquired about the proposed rent pricing. Mr. Slusky explained that the traditional apartments would be approximately \$1 to \$1.10 per square foot per month. He noted that the townhomes would be approximately \$1,200 to \$1,300 per month.

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 disclosed that he and Mr. Slusky have a business relationship; however, he will not benefit from this project in any way.

Mr. Carson asked staff to explain why the applicant is requesting a Planned Unit Development overlay when the underlying zoning allows apartments. Mr. Stursma explained that the current R-4 zoning district allows apartments by right; however, the applicant suggested that he could build a better product if certain requirements of the Multiple-Family Residential design guidelines are waived. He added that the waivers sought by the developer with the PUD overlay include waivers related to garage size, building height, and the community street requirements.

Ms. Sotak asked whether there would be a traffic signal at the intersection of S 96th Street and Osprey Lane. Mr. Stursma noted that a traffic signal would have to be warranted at that intersection, and that he does not believe that this development alone will warrant the need for a signal.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Ms. Sotak, to recommend approval of The Sterling Apartments Change of Zone (CZ-18-0012) because it 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: Six yeas, no nays. Motion carried.

Preliminary Plat – A Preliminary Plat for the property legally described as the W1/2 of the NW1/4 of Section 29, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NW of S 117th St and Lincoln Rd. The applicant is Pine Crest Homes, LLC. (North Shore 2) **PP-18-0008**

Chairwoman Hoch opened the public hearing.

Pat Hillyer, 14710 W Dodge Road (Omaha), stepped forward to represent the applicant. He displayed the plat and summarized North Shore 2 is proposed to develop as single-family residential lots to the east of the proposed WP-6 dam site. He explained that the proposed lots are anticipated to be 70 to 75 feet wide and 130 feet long. He added that the proposed outlots adjacent to the WP-6 site would be utilized as open park area with trails between Cornhusker Road to Lincoln Road.

Chairwoman Hoch called for proponents and opponents.

Chris Santoriello, 12101 Montauk Drive, stepped forward to inquire as to whether the trees along the creek would be removed for this project.

Anne Starr, 12019 Pintail Drive, stepped forward to express concerns about the proposed R-4 zoning designation and inquired about the proposed price ranges of the homes.

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

Mr. Carson asked the applicant to address Ms. Starr's concerns. Patrick Sullivan, 1246 Golden Gate Drive, Suite 1, stated that the average home price would be approximately \$360,000. He added the proposed Source and Use of Funds contemplates a single-family residential development, and that the Subdivision Agreement will be tailored for single-family development. He suggested that substantial changes would need to be made to the Subdivision Agreement and be approved by City Council for the proposed lots to be developed as multiple-family residential uses.

Mr. Stursma explained that many of the new single-family residential developments in Papillion have utilized R-4 zoning. He explained that R-4 zoning is attractive for single-family residential developments because the setback and impervious coverage requirements allow for slightly larger buildable area than other residential zones. He noted that the lots that would be created with this plat would not accommodate multiple-family uses; therefore, a public process would be required to convert the lots to multi-family uses.

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

Mr. Thompson asked the applicant to address the concerns about drainage issues at the site. Mr. Sullivan noted that Mr. Santoriello's concerns are encompassed on property that is being sold to the NRD for the WP-6 dam site. Mr. Stursma noted that this area is intended to be utilized for floodwater detention, and such areas are meant to remain in their natural state as much as possible. Mr. Goff offered additional information regarding the intent of the WP-6 dam site.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Wilson, to recommend approval of North Shore 2 Preliminary Plat (PP-18-0008) because it 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: Six yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from AG Agricultural to R-4 Multiple-Family Residential for the property legally described as the W1/2 of the NW1/4 of Section 29, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located NW of S 117th St and Lincoln Rd. The applicant is Pine Crest Homes, LLC. (North Shore 2) **CZ-18-0010**

Chairwoman Hoch opened the public hearing.

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. Sotak, to recommend approval of the North Shore 2 Change of Zone (CZ-18-0010) because it 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: Six yeas, no nays. Motion carried.

Preliminary Plat – A Preliminary Plat for the property legally described as a tract of land located in the NE¼ of the NW¼ and the NW¼ of the NE¼ of Section 33, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located near S 102nd Street and HWY 370. The applicant is Waypoint Residential Services, LLC. (Volaris) **PP-18-0009**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that the proposed multiple-family residential project encompasses twenty acres on the south side of S 102nd Street and Highway 370. He displayed the site plan, and explained that 277 market-rate units are anticipated (141 one-bedroom, 109 two-bedroom, and 27 three-bedroom units).

He explained that natural wetlands run through the front portion of the property requiring the project to be set back from Highway 370. He added that there is one crossing and one access point onto Highway 370. He stated that there will be an internal trail system that connects to the Walnut Creek Recreation Area and Papillion South High School.

Mr. Thiellen displayed and summarized the elevations and building materials.

Mr. Thiellen confirmed that the applicant has been working with the state regarding access to the site. He established that the project has the right to access Highway 370; however, they are looking for alternative means of access.

Mr. Thiellen explained that the comment in the Planning Commission Staff Report regarding the need for NDOT access approval being established prior to City council consideration of the Preliminary Plat is problematic for the applicant, and asked staff to consider allowing this provision to be addressed prior to Final Plat consideration by City Council.

He explained that the applicant has also worked with the Fire Marshal to determine appropriate access for emergency vehicles.

Mr. Thiellen explained that a Magellan has an abandoned line that runs through the property that can be removed so long as an easement adjustment is performed.

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

Chairwoman Hoch asked where the site would sit in proximity to the trails at Walnut Creek. Mr. Thiellen explained that the apartments would be at a higher elevation than the lake and trail system.

Chairwoman Hoch asked why the bridge over the wetlands is not as wide as the entrance. Mr. Thiellen explained that the bridge is 30' wide, which is sufficient for two-way traffic.

Mr. Wilson asked whether there would be a turn lane off Highway 370 into the development. Mr. Thiellen explained that there would be a right deceleration lane built for the project, and that the intersection will be full movement.

Mr. Wilson inquired as to the rent pricing. Mr. Thiellen explained that the pricing has not been set, however, the applicant intends for the apartments to be leased at market rate.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Thompson, to recommend approval of the Volaris Preliminary Plat (PP-18-0008) because it 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.

Mr. Thiellen asked that the Planning Commission consider amending its motion to allow the comment found in Section III, C, 2 of the Planning Commission Staff Report to be addressed prior to City Council consideration of the Final Plat rather than at Preliminary Plat. Mr. Stursma indicated that he would not object.

Mr. Thompson withdrew his second.

Motion was made by Mr. Carson, seconded by Mr. Thompson, to recommend approval of the Volaris Preliminary Plat (PP-18-0009) because it 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 with an amendment to the staff comments regarding the NDOT approval being due with the Final Plat. Roll Call: Six yeas, no nays. Motion carried.

Change of Zone – A Change of Zone from AG Agricultural to R-4 Multiple-Family Residential for the property legally described as a tract of land located in the NE¼ of the NW¼ and the NW¼ of the NE¼ of Section 33, T14N, R12E of the 6th P.M., Saryp County, NE, generally located near S 102nd Street and HWY 370. The applicant is Waypoint Residential Services, LLC. (Volaris) **CZ-18-0011**

Chairwoman Hoch opened the public hearing.

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 Volaris Change of Zone (CZ-18-0011) because it 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: Six yeas, no nays. Motion carried.

Large Project Special Use Permit – A Large Project Special Use Permit for the property legally described as a tract of land located in the NE¼ of the NW¼ and the NW¼ of the NE¼ of Section 33, T14N, R12E of the 6th P.M., Saryp County, NE, generally located near S 102nd Street and HWY 370. The applicant is Waypoint Residential Services, LLC. (Volaris) **SUP-18-0006**

Chairwoman Hoch opened the public hearing.

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. Wilson, to recommend approval of the Volaris Large Project Special Use Permit (SUP-18-0006) because it 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: Six yeas, no nays. Motion carried.

OTHER BUSINESS

Mr. Stursma briefly discussed the upcoming Charrette regarding the Comprehensive Plan Update on December 3, 4, and 5.

With no further business to come before the Commission, **Motion** was made by Mr. Carson, seconded by Ms. Sotak, to adjourn. The meeting adjourned by unanimous consent at 8:24 PM.

CITY OF PAPILLION

Rebecca Hoch, Chairwoman