

**CITY OF PAPILLION  
PLANNING COMMISSION  
STAFF REPORT**

**JANUARY 27, 2021 AGENDA**

**LIBERTY LODGE  
SPECIAL USE PERMIT  
SUP-20-0007**

**I. GENERAL INFORMATION**

- A. APPLICANT:**  
Max Honaker  
1915 S 38<sup>th</sup> Avenue  
Omaha, NE 68105
- B. PROPERTY OWNER:**  
Gilbatrar II LLC  
1915 S 38<sup>th</sup> Avenue  
Omaha, NE 68105
- C. LOCATION:**  
1409 E Gold Coast Road
- D. LEGAL DESCRIPTION:**  
Lot 29A, Huntington Park Replat
- E. REQUESTED ACTION:**  
Approval of a Special Use Multiple-Family Residential as a principal use.
- F. EXISTING ZONING AND LAND USE:**  
CC Community Commercial, Lodging
- G. SIZE OF SITE:**  
0.8 acres

**II. BACKGROUND INFORMATION**

- A. COMPREHENSIVE PLAN SPECIFICATIONS:**  
The Future Land Use map identifies the area as Mixed Use 1: High Density Residential, Office, and Commercial.
- B. EXISTING CONDITION OF SITE:**  
The site is developed with Liberty Lodge Motel, which is classified as Lodging.
- C. GENERAL VICINITY AND LAND USE:**  
All of the abutting properties are zoned CC Community Commercial and developed with a mix of residential, commercial, and offices uses.

**D. RELEVANT CASE HISTORY:**

According to the Sarpy County Assessor, the first building was constructed in 1983 and the second building was constructed in 1986.

In December 2020, the Planning Commission recommended approval of Ordinance No. 1912 to amend Article XXXVI, Off-Street Parking. If approved by City Council, this amendment will allow the reduction of required parking spaces as part of a Special Use Permit.

In January 2021, the Planning Commission is also considering Ordinance No. 1924 to allow Multiple-Family Residential by special use permit in the CC Community Commercial District. Such ordinance amendment was initiated by the applicant because the property owner wishes to change the use of Liberty Lodge Motel from Lodging to Multiple-Family Residential. An analysis of the purpose of the CC Community Commercial District lead staff to recommend that Multiple-Family Residential be permitted by special use permit. Further, staff found other Multiple-Family Residential uses in the CC Community Commercial District within the vicinity of Liberty Lodge Motel, which also supports allowing the use.

**E. APPLICABLE ORDINANCES AND REGULATIONS:**

Zoning Regulations and Comprehensive Plan.

**III. ANALYSIS AND DEVELOPMENT ALTERNATIVES****STAFF COMMENTS:****A. REQUEST:**

1. This is a request for a Special Use Permit to allow Multiple-Family Residential as a principal use.
2. Per the applicant, the change will allow the property owner to enter into one year leases with residents, get mailboxes for each dwelling unit, and formally treat the property as an apartment. The applicant notes that a number of the current residents use the dwelling units as long-term residents even though Liberty Lodge is technically an extended stay motel.
3. The applicant understands that a Special Use Permit cannot be granted unless City Council approves the pending ordinance amendment to allow Multiple-Family Residential by special use permit in the CC Community Commercial District.

**B. LAND USE/COMPREHENSIVE PLAN:**

1. Mixed Use-1 (Residential/Office/Commercial) encourages a mix of residential, office, and commercial uses. (Comprehensive Plan, Pages 28, 39, and 44)
2. The proposed Multiple-Family Residential Use use conforms to the current Future Land Use designation. According to the Land Use

Compatibility Guide, High Density Residential and Mixed Use-1 (Residential/Office/Commercial) future have a compatibility rating of 5, which indicates that the use is “identical to pre-existing land uses or totally compatible”.

**C. GENERAL:**

1. The property is 34,848 SF. Based upon the proposed site regulations for Multiple-Family Residential in the CC Community Commercial District, the maximum number of dwelling units permitted will be 28. The property current has 38 hotels rooms (37 studio rooms and one two-bedroom room). This means that some of the hotels rooms will need to be consolidated to reduce the number of dwelling units to comply with the site regulations.
2. For 28 dwelling units, number of parking spaces required pursuant to § 205-241 will range from 42 (if all units are one bedroom) to 56 (if all units are two bedrooms). The property has 42 existing parking spaces. Given that the property is essentially operating as Multiple-Family Residential with the current parking count, staff supports requiring that one parking stall be provided for each bedroom should City Council approve the pending ordinance amendment to Article XXXVI, Off-Street Parking.
3. Per Fire Marshal Steve Thornburg, some fire protection system requirements may be need to be installed as part of the change in occupancy. The scope of the requirement will depend on the fire protection system in place at this time.
4. The applicant is requesting that the Special Use Permit not be subject to renewal because the possibility of using permission for the use “is a disincentive to invest in upgrading the units and converting to the apartments”. Given that the applicant will be improving the property and entering into leases, staff supports such request.
5. Staff recommends that the Special Use Permit be approved subject to the following conditions:
  - a. The maximum number of dwelling units shall be 28. The applicant shall consolidate the existing hotel rooms as needed to comply with this requirement.
  - b. The minimum parking requirement shall be one parking space per bedroom within each unit.
  - c. The Special Use Permit shall not become effective until City Council approves Ordinance No. 1912 and Ordinance No. 1924 and both ordinances are in effect.
  - d. The Special Use Permit shall not be transferrable and shall be limited to the applicant only. The Special Use Permit shall immediately terminate at such time that the applicant sells the property or ceases operations of the compounding pharmacy.
  - e. The applicant shall obtain all necessary building permits prior to performing any action authorized by the Special Use

Permit. Said Special Use Permit shall not be construed to waive or otherwise substitute for any necessary permits or separate approvals related to building renovation.

**IV. RECOMMENDATION**

The Planning Department recommends approval of the Liberty Lodge Special Use Permit (SUP-20-0007) based on:

1. General consistency with the Comprehensive Plan.
2. Compatibility with adjacent uses.
3. Compliance with the Zoning Regulations, should City Council approve Ordinance No. 1912 and Ordinance. No. 1924.

The recommendation for approval is contingent upon City Council approval of Ordinance No. 1912 and Ordinance. No. 1924 and the applicant:

1. Agreeing to the conditions of the Special Use Permit approval as detailed in Section III, C, 5.

**V. COPIES OF REPORT TO:**

Applicant  
Public upon request

**VI. ATTACHMENTS:**

Special Use Permit Application  
SUP Site Plan  
Aerial

Report prepared by:

Mark Stursma, Planning Director

Derek Goff, Staff Engineer



## SPECIAL USE PERMIT APPLICATION

The following items must be submitted with the application for consideration:

1. Five full sized, **folded** site plan drawings for initial review including;
  - a. Site plan checklist and wireless facility checklist (if applicable) attached to application form;
2. PDF files for all exhibits submitted;
3. Title Company certified property owners list, and two sets of mailing labels, within 300' of request; and
4. Application fee. (\$150 for amendments to existing Special Use Permit, \$300 for areas of one acre or less, \$500 for areas over one acre)

The following information must be provided for the application to be considered complete:

### APPLICANT INFORMATION:

Name: Max Honaker                      E-Mail:                      mhonaker@collective-development.com

Address: 1915 S 38<sup>th</sup> Avenue                      City/State/Zip: Omaha, NE 68105

Phone Number: (402) 350 5119                      Fax Number: n/a

### PROPERTY OWNER INFORMATION: (Attach a separate sheet if there are multiple owners.)

Name: Gilbatrar II LLC                      E-Mail: mhonaker@collective-development.com

Address: 1915 S 38<sup>th</sup> Avenue City/State/Zip: Omaha, NE 68105

Phone Number:(402) 350 5119 Fax Number: n/a

### PROPERTY INFORMATION: (Attach a separate sheet if needed.)

General Location:1409 E Gold Coast Rd, Papillion, NE

Legal Description:

Lot 29A, Huntington Park Replat, an addition to the City of Papillion, as surveyed, platted and recorded in Sarpy County, Nebraska.

**REQUEST INFORMATION:**

Zoning District: Community Commercial

Proposed Use Type *(as defined in Article III)*: Multifamily residential

Please describe the nature and operating characteristics of the proposed use:

We would like to sign 1 year leases with residents, get mailboxes for them, and formally treat the property as apartments. It has been used as long-term residences for many guests through it's use as an extended stay motel.

Will the approval of the Special Use Permit result in the construction of a building or facility? No.


The City Council has the authority to mandate a renewal period for a Special Use Permit. Does the applicant object to a renewal requirement? If so, please explain why.

Yes, it is a dis-incentive to invest in upgrading the units and converting to apartments if in the future there's a chance we will lose our formal permission to do so.

Please note the following procedures:

1. The Planning Commission will hold a public hearing and make a recommendation to the City Council.
2. City Council will hold a public hearing and make a final decision on the special use permit.
3. All necessary agreements will be recorded with the Sarpy County Register of Deeds, the cost of which will be borne by the special use permit applicant or property owner.
4. Please see the Planning Department's fee policy regarding revision/resubmittal fees.

I, the undersigned, understand a sign will be posted on my property and will remain until the public hearing process at Planning Commission and City Council is complete. I further understand the special use permit process as stated above and I authorize City Staff to enter the property for inspection related to the specific request during this process.

  
Owner Signature (or authorized agent)

12/10/20  
Date



Esri, Inc. City of Naperville, Illinois | Esri, Inc. Sarpy County, Nebraska | Sarpy County, NE



Map Scale 1: 564

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the source records and information sources to ascertain the usability of the information.



Notes 37 studio apts  
 1 2 BR  
 42 Parking Spaces



**Liberty Lodge**  
**SUP-20-0007**

