

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING JUNE 30, 2021

The Papillion Planning Commission met in open session at the Chrysalis Event Center in Papillion Landing on Wednesday, June 30, 2021 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, Judy Emswiler, Jim Hrabik, Raymond Keller Jr., John E. Robinson III, Leanne Sotak, Herb Thompson, and Wayne Wilson. Jim Masters was absent. 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 Sarpy County Guide on June 18, 2021. 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 Council Chambers.

Approval of Agenda

Motion was made by Ms. Emswiler, seconded by Mr. Thompson, 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. Hrabik, seconded by Mr. Thompson, to approve the May 26, 2021 minutes. Roll Call: Nine yeas, no nays. Motion carried.

FINAL PLATS

Final Plat – A request for a Final Plat for the property legally described as Lots 1 – 6, and Outlots A – B, North Shore Commercial Replat 1, together with Outlot G, North Shore Commercial, generally located on the NW corner of S 126th Street and HWY 370. The applicant is BHI Development, Inc. (North Shore Commercial Replat 2) **FP-21-0002**

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He stated that a portion of North Shore Commercial is being replatted into two lots, with Lot 2 being platted for a specific user, and Lot 1 being held as a remnant for the remainder of the development. He added that additional Ballpark Way right-of-way is being dedicated with this plat.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, recommend approval of the North Shore Commercial Replat 2 Final Plat (FP-21-0002) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Final Plat – A Final Plat for the property legally described as Lots 1 – 4, 6, 7, and Outlot A, Seventy Two Place, generally located on the southeast corner of S 72nd Street and Schram Road. The applicant is Papillion Schram Road Partners, LLC. (Seventy Two Place Replat 1) **FP-21-0003**

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He stated that a portion of Seventy Two Place is being replatted to accommodate a different reconfiguration for the multiple-family residential lots, and pad site two of the commercial portion because there are interested users for both sites that require the proposed plat to make the property work for their developments. Mr. Thiellen asked staff to display the proposed site plan. He explained that the proposed multiple-family residential use would not be consistent with traditional apartment development. “Big house” style apartments are proposed which would consist of two-story buildings with garages on the first level.

Mr. Thiellen added that a missing middle component comprised of 45 villa homes are still anticipated to the east of this replat between the multiple-family residential use and the traditional single-family uses. He summarized that the zoning would remain CC Community Commercial and R-4 Multiple-Family Residential; however, the boundaries of those zones is being adjusted within the replat.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Keller, recommend approval of the Seventy Two Place Replat 1 Final Plat (FP-21-0003) because it is generally consistent with the Comprehensive Plan, consistent with the Preliminary Plat approved by City Council, compatible with adjacent uses, and compliant with the Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Final Plat – A request for a Final Plat for the property legally described as a tract of land being part of the SE ¼ of Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located near S 120th Street and Schram Road. The applicant is SBS Kapital, LLC. (Ashbury Hills (Phases 2)) **FP-20-0005**

Consideration of this item occurred after the Motion and Vote for the Ashbury Hills (Phases 2 – 5) Revised Preliminary Plat.

Upon completion of the Motion and Vote for the Ashbury Hills (Phases 2 – 5) Revised Preliminary Plat, Chairwoman Hoch called for consideration of the Ashbury Hills (Phase 2) Final Plat.

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant.

Chairwoman Hoch called for discussion amongst the Commission.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Robinson III, recommend approval of the Ashbury Hills (Phase 2) Final Plat (FP-20-0005) because it is

generally consistent with the Comprehensive Plan, consistent with the Future Land use Map as amended, compatible with adjacent uses, compliant with the Zoning regulations provided that the First Amendment to Ashbury Hills Mixed Use Development Agreement is approved by City Council, and compliant with the Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

PUBLIC HEARINGS

Revised Preliminary Plat – A request for a Revised Preliminary Plat for the property legally described as a tract of land being part of the SE ¼ of Section 31, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located near S 120th Street and Schram Road. The applicant is SBS Kapital, LLC. (Ashbury Hills (Phases 2 – 5)) **PP-17-0011R**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He asked staff to display the proposed Preliminary Plat and Site Plan. He explained that the purpose of the revised plat is to eliminate a row of townhomes on the southeast corner of the project. He asked that the proposed elevations of the townhomes be displayed explaining that the design was revised to add more architectural interest and that the buildings were reoriented so the garages are not visible from the street.

Mr. Thiellen added that the townhomes are anticipated to sell for less than \$300,000 per unit, and implied that there are many challenges to building workforce housing in the current market. He explained that the townhomes would be three stories with garages on the first level.

Chairwoman Hoch called for proponents and opponents.

Jacqueline Stone, 10114 S 106th Street, asked whether there would be sidewalks available within the townhome concept for pedestrian access.

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

Mr. Hrabik asked the applicant to address Ms. Stone's question. Mr. Thiellen explained that sidewalks are included in the design.

Ms. Sotak asked whether any detached ranch style homes are anticipated in this portion of the development. Mr. Thiellen explained that ranch style homes would not be included in this portion of the development. He added that the density created by the townhome concept is necessary to bring the homes into the target price range for workforce housing.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Ms. Sotak, to recommend approval of the Ashbury Hills (Phases – 5) Revised Preliminary Plat (PP-17-0011R) because it is generally consistent with the Comprehensive Plan, consistent with the Future Land use Map as amended, compatible with adjacent uses, compliant with the Zoning regulations provided that the First Amendment to Ashbury Hills Mixed Use Development Agreement is

approved by City Council, and compliant with the Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

First Amendment to North Shore Commercial Mixed Use Development Agreement – A request to adopt the First Amendment to North Shore Commercial Mixed Use Development Agreement for the property legally described as Lots 1 – 6, and Outlots A – B, North Shore Commercial Replat 1, together with Outlot G, North Shore Commercial, generally located on the NW corner of S 126th St and HWY 370. The applicant is BHI Development, Inc. (North Shore Commercial Replat 2) **MISC-21-0007**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant.

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

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, recommend approval of the North Shore Commercial Replat 2 Mixed Use Development Agreement Amendment (MISC-21-0007) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Mixed Use Development Agreement – A request to adopt a Mixed Use Development Agreement for the property legally described as Lot 118, Prairie Hills, generally located on the SW corner of S 114th Street and HWY 370. The applicant is Redwood Apartment Neighborhoods. (Prairie Hills Mixed Use District) **MISC-21-0008**

Chairwoman Hoch opened the public hearing.

Paul DeKruiff, 7007 E Pleasant Valley Road (Independence, Ohio), stepped forward to represent the applicant. He noted that John Coolidge from Lamp Rynearson and Associates was also present. He asked staff to display a presentation and offered a brief overview of Redwood Apartment Neighborhoods as a company. He summarized that the proposed development will be composed of two bedroom, two bath, two car garage, single-story townhomes with an anticipated rental price of \$1,750 or greater.

Mr. DeKruiff summarized the typical demographics of their tenants with the average age of 50. He added that criminal background checks are a requirement for renters. He asked staff to display and gave an overview of the exterior and interior finishes, floorplans, and site plan. He noted that the primary entrance to the development would be off of Shepard Street with a secondary entrance off of S 117th Street. He explained that all internal roads are privately maintained and plowed, and that the internal speed limit is 12 mph.

Mr. DeKruiff suggested that the development meets or exceeds the City's design standards. He added that the landscape plan anticipates that 198 trees will be planted. He referred to a traffic and parking analysis in his presentation indicating that traffic generation from the project would be quite low. Finally, he explained that each unit would have 150 square feet or more of internal storage within the garage and closets.

Chairwoman Hoch called for proponents and opponents.

Michelle Thompson, 11213 S 115th Street, stepped forward as a proponent. She explained that her home backs up to the property, and that she believes that the proposed use is a good fit for the Prairie Hills neighborhood to the south. She welcomed the proposed trees and asked the Planning Commission to recommend approval of the project.

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

Ms. Emswiler offered her support to the project stating that she liked the product.

Ms. Sotak inquired about the average length of lease. Mr. DeKruiff explained that 12 month leases were standard.

Ms. Sotak expressed that property maintenance will be important to in being a good neighbor to Prairie Hills and asked whether there would be onsite maintenance. Mr. DeKruiff explained that nearly 60% of their maintenance technicians live on site. He added that Redwood utilizes the "forever tree" program in which any tree that dies will be replaced.

Mr. Hrabik inquired about rent prices. Mr. DeKruiff reiterated that Redwood originally anticipated their smallest unit would start at \$1,750; however, that price would likely be higher due to development costs. Ms. Emswiler asked Mr. DeKruiff to offer an estimate of the newly anticipated price range. Mr. DeKruiff stated that the largest units would likely have rents in the low \$2,000 range.

Mr. Carson thanked Mr. DeKruiff for the thorough presentation.

Ms. Emswiler asked whether electronic charging stations would be made available. Mr. DeKruiff said no.

Mr. Thompson expressed concerns about high turnover in renters. Mr. DeKruiff explained that approximately 13% of Redwood renters stay five years or more. He added that Redwood turnover rates are lower than that of traditional apartments.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Wilson, to recommend approval of the Prairie Hills Mixed Use Development Agreement (MISC-21-0008) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning regulations, contingent upon the applicant agreeing to the conditions outlined in the Planning Commission Staff Report. Roll Call: Nine yeas, no nays. Motion carried.

Change of Zone – A request for a Change of Zone from CC Community Commercial and R-4 Multiple-Family Residential to CC Community Commercial and R-4 Multiple-Family Residential for the property legally described as Lots 1 – 4, 6, 7, and Outlot A, Seventy Two Place, generally located on the southeast corner of S 72nd Street and Schram Road. The applicant is Papillion Schram Road Partners, LLC. (Seventy Two Place Replat 1) **CZ-21-0004**

Chairwoman Hoch opened the public hearing.

Jason Thiellen, 1909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant.

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

Ms. Emswiler asked staff to explain why the Change of Zone was necessary. Ms. Romeo explained that the boundary of the zones will change to match the new proposed lot configurations within the Final Plat.

With no further discussion, **Motion** was made by Mr. Robinson III, seconded by Mr. Hrabik, to recommend approval of the Seventy Two Place Replat 1 Change of Zone (CZ-21-0004) because it is generally consistent with the Comprehensive Plan, consistent with the Preliminary Plat approved by City Council, compatible with adjacent uses, and compliant with the Zoning and Subdivision regulations, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried.

Text Change – A request to amend Section 205-11 (Definition of general terms) of Article II (Development Definitions), and Section 205-215 (Setback adjustments) of Article XXXIV (Supplemental Site Development Regulations), both of Chapter 205 Zoning of the Papillion Municipal Code having to do with patio setbacks. The applicant is the City of Papillion. (Patio Amendment) **TC-21-0003**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3rd Street, stepped forward to represent the applicant. He explained that the current code allows patios to extend into a required yard ten feet, and noted that we have received many requests to allow patios to be closer to the lot lines. He read the proposed definition of patio, and explained that the code currently treats patios and decks the same. He added that similar at grade improvements such as drives and parking pads have less restrictive setbacks. Mr. Stursma stated that the proposed amendment seeks to allow at grade patios to be setback three feet from an interior side lot line, five feet from a street side lot line, and eight feet from a rear lot line. He explained that at grade means not more than two feet above or below grade.

Chairwoman Hoch called for proponents and opponents.

Jacqueline Stone, 10114 S 106th Street, stepped forward as a proponent of the ordinance amendment. She stated that she is in the process of putting in a patio with a fire pit, and suggested that in order to be far enough away from her house to be in compliance with fire safety, her patio

would need to be located outside of the current allowance for patio setbacks. She stated that she discussed her plans with her neighbors, and all are in support of her project.

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

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Ms. Emswiler, recommend approval of the Patio Amendment (TC-21-0002) because it is consistent with the Neb. Rev. Stat. § 19-901. Roll Call: Nine yeas, nays. Motion carried.

ELECTIONS

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

Nominations: Rebecca Hoch

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

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

Nominations: John E. Robinson III

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

OTHER BUSINESS

With no further business to come before the Commission, **Motion** was made by Mr. Hrabik, seconded by Ms. Sotak, to adjourn. The meeting adjourned by unanimous consent at 7:59 P.M.

CITY OF PAPIILLION



Rebecca Hoch, Chairwoman