

MINUTE RECORD

PAPILLION PLANNING COMMISSION MEETING JANUARY 27, 2021

The Papillion Planning Commission met in open and public session on Wednesday, January 27, 2021 at 7:00 PM via Zoom Video Conference pursuant to Executive Order 20-36 issued by Governor Ricketts on November 25, 2020 as extended by Executive Order 21-02 on January 11, 2021. Chairwoman Rebecca Hoch called the meeting to order. Planning Assistant Andrea Blevins called the roll. Planning Commission members present were Howard Carson, Jim Hrabik, John E. Robinson III, Herb Thompson, and Wayne Wilson. Judy Emswiler and Raymond Keller Jr. were absent. Alternate member Leanne Sotak was not required to attend. Planning Director Mark Stursma, Assistant Planning Director Travis Gibbons, City Planner Michelle Romeo, Assistant City Attorney Carla Heathershaw Risko, 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 January 13, 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 on the City's website www.papillion.org.

Approval of Agenda

Motion was made by Mr. Carson, seconded by Mr. Thompson, to approve the agenda as presented. Roll call: Seven yeas, no nays. Motion carried.

Approval of the Planning Commission Minutes

Motion was made by Mr. Robinson III, seconded by Mr. Thompson, to approve the December 16, 2020 minutes. Roll Call: Seven yeas, no nays. Motion carried.

FINAL PLATS

Final Plat - A request for a Final Plat for the property legally described as a tract of land located in part of Tax Lot 10, Section 35, T14N, R11E of the 6th PM, Sarpy County, NE, generally located SW of S 150th Street and Shepard Street. The applicant is Scannell Properties, LLC. (Highway 370 Industrial Park) **FP-20-0010**

Consideration of this item occurred after the Motion and Vote for the Highway 370 Industrial Park Large Project Special Use Permit.

Upon completion of the Motion and Vote for the Highway 370 Industrial Park Large Project Special Use Permit, Chairwoman Hoch called for consideration of the Highway 370 Industrial Park Final Plat.

Kylie Haase, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant and offered to answer any questions from the Commission.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Carson asked when the applicant anticipated that construction would begin and end on this project. Mr. Haase stated that the applicant would like to commence construction in the summer (2021) and anticipates that construction will take one year to eighteen months to complete. Chris Miller, 8801 River Crossing Boulevard, Suite 300 (Indianapolis, IN), stepped forward to represent the applicant and explained that construction is anticipated to be complete in May of 2022 with tenant finishes to be completed during the summer of 2022.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the Highway 370 Industrial Park Final Plat (FP-20-0010) based on general consistency with the Comprehensive Plan as amended, compatibility with adjacent uses, compliance with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll call: Seven yeas, no nays. Motion carried.

PUBLIC HEARINGS

Ordinance No. 1924 - A request to amend (1) Table 205-38 (Permitted Uses Table) of Article IV (Zoning District Regulations) to allow Multiple-Family Residential in the CC Community Commercial District by Special Use Permit and (2) § 205-89 (Site Regulations) of Article XIV (Community Commercial District) to adopt site regulation for Multiple-Family Residential. The applicant is Collective Development. (Multiple-Family in the CC District Amendment) **TC-20-0006**

Chairwoman Hoch opened the public hearing.

Max Honaker, 1915 S 38th Avenue (Omaha), stepped forward to represent the applicant. He explained that his company purchased the long-term stay motel at 1409 E Gold Coast Road that is currently zoned CC Community Commercial. He explained that the applicant intends to upgrade the motel to accommodate apartments. He noted that this property poses an opportunity to repurpose an older building and provide affordable work force housing.

Chairwoman Hoch called for proponents and opponents.

Chairwoman Hoch and Ms. Blevins noted that Todd Aerni of Hillcrest Health Services, 1902 Harlan Drive (Bellevue), submitted an email in favor of this amendment.

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

Chairwoman Hoch asked staff to clarify whether the multiple-family residential requests would still require a Special Use Permit, and therefore a public process, to be permitted in the CC District. Mr. Stursma answered in the affirmative.

Mr. Masters asked the applicant to disclose the maximum and current occupancy of the motel. Mr. Honaker stated that there are 38 total units, and that eleven units are currently occupied by month-to-month tenants while the property is remodeled.

Mr. Hrabik asked for more details regarding the extent of the proposed remodel. Chairwoman Hoch stated that this question would be more appropriate if asked during consideration of the Special Use Permit request for the motel.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Wilson, to recommend approval of Ordinance No. 1924 (TC-20-0006) because it is consistent with Neb. Rev. Stat. § 19-901 and the vision and goals of the Comprehensive Plan. Roll call: Six yeas, no nays, one abstention from Mr. Hrabik. Motion carried.

Special Use Permit – A request for a Special Use Permit to allow Multiple-Family Residential as a principal use on the property legally described as Lot 29A, Huntington Park Replat, generally located at 1409 E Gold Coast Rd. The applicant is Max Honaker. (Liberty Lodge Special Use Permit) **SUP-20-0007**

Chairwoman Hoch opened the public hearing.

Max Honaker, 1915 S 38th Avenue (Omaha), stepped forward to represent the applicant and offered to answer any questions.

Chairwoman Hoch called for proponents and opponents.

Chairwoman Hoch noted that Todd Aerni of Hillcrest Health Services, 1902 Harlan Drive (Bellevue), submitted an email in favor of this amendment.

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

Mr. Hrabik asked for more details regarding the extent of the proposed remodel. Mr. Honaker stated that the remodel would involve the installation of new flooring, upgraded bathrooms and kitchens, windows in the bedrooms, and the addition of can lights.

Mr. Hrabik noted his understanding that fire code requires the installation of a fire protection system if the property is remodeled fifty percent or more. He advocated that the property should be brought into compliance with the current International Building Code (IBC) to show a full commitment by the applicant. Mr. Honaker noted that the installation of hard wired smoke detectors was reasonable; however, the installation of a sprinkler system would be both costly and burdensome.

Mr. Masters asked whether it is necessary that the applicant remodel the property more than fifty percent as Mr. Hrabik suggested. Mr. Stursma stated that Special Use Permit approval does not waive any requirements of the building, fire, or electrical code. He noted that these requirements would be analyzed at the time of building permit. He added that the applicant likely does not want to make a significant investment in improving the property without the entitlements in place to operate as a multiple-family residential use.

Mr. Hrabik asked when the extent of the remodel would be determined. Mr. Stursma noted that this would be determined at the time of building permit review by the Chief Building Official or his

designee. In addition, the request before the Commission is regarding the use of the property, not the internal remodel.

Mr. Masters asked the applicant to confirm that he intends to follow the applicable codes. Mr. Honaker answered in the affirmative.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Masters, to recommend approval of the Liberty Lodge Special Use Permit (SUP-20-0007) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning Regulations should City Council approve Ordinance No. 1912 and Ordinance No. 1924, contingent upon the City Council approval of the aforementioned ordinances. Roll call: Six yeas, no nays, one abstention from Mr. Hrabik. Motion carried.

Preliminary Plat – A request for a Preliminary Plat for the property legally described as a tract of land located in part of Tax Lot 10, Section 35, T14N, R11E of the 6th PM, Sarpy County, NE, generally located SW of S 150th Street and Shepard Street. The applicant is Scannell Properties, LLC. (Highway 370 Industrial Park) **PP- 20-0006**

Chairwoman Hoch opened the public hearing.

Kyle Haase, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant and asked staff to display the site plan. He explained that Lot 1 is proposed to develop as a package sorting and distribution facility. He added that there is room for expansion of the proposed facility to the south. He stated that semi access to the site would be provided via Gold Coast Road, van access would be provided via S 150th Street, and car access would be provided via Shepard Street.

Mr. Haase asked staff to display the project elevations noting that the design is compliant with the pertinent design guidelines. He added that the applicant is confident that it can resolve all Planning Commission Staff Report contingencies.

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

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to recommend approval of the Highway 370 Industrial Park Preliminary Plat (PP-20-0006) based on general consistency with the Comprehensive Plan as amended, compatibility with adjacent uses, compliance with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll call: Seven yeas, no nays. Motion carried.

Large Project Special Use Permit – A request for a Large Project Special Use Permit for the property legally described as a tract of land located in part of Tax Lot 10, Section 35, T14N, R11E of the 6th PM, Sarpy County, NE, generally located SW of S 150th Street and Shepard Street. The applicant is Scannell Properties, LLC. (Highway 370 Industrial Park) **SUP-20-0008**

Chairwoman Hoch opened the public hearing.

Kyle Haase, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant and offered to answer any additional questions.

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

Mr. Carson noted that traffic in this area is heavy, and asked staff to discuss the proposed road improvements. Mr. Stursma asked staff to display an exhibit showing the realignment of S 150th Street south of HWY 370, noting that construction could begin on this improvement as early as May or June of 2021. He added that S 150th Street would be improved south of Shepard Street with this development and development of the fourth phase of R & R Commerce Park. He added that this parcel of land has been zoned LI Limited Industrial for many years, and as such it has long been anticipated that a use with industrial traffic would eventually develop at this location.

Mr. Stursma explained that a study is currently being done to determine the need for an interchange near 192nd Street and I-80. He added that an additional interchange would also alleviate some of the traffic concerns in this area.

Mr. Carson offered his support to the project, but reiterated that he has concerns about infrastructure.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Wilson, to recommend approval of the Highway 370 Industrial Park Large Project Special Use Permit (SUP-20-0008) based on general consistency with the Comprehensive Plan as amended, compatibility with adjacent uses, compliance with Zoning and Subdivision Regulations, contingent upon the resolution of staff comments. Roll call: Seven yeas, no nays. Motion carried.

Ordinance No. 1923 - A request to amend § 205-208(C) of Article XXXIII (Supplemental Use Regulations), of Chapter 205 Zoning Regulations having to do with accessory uses for Civic use types. The applicant is the City of Papillion. (Accessory Uses for Civic Use Types Amendment) **TC-21-0001**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3rd Street, stepped forward to represent the applicant. He explained that this amendment seeks to allow child care as a permitted accessory use for the following civic uses: Administration, College and university facilities, Emergency residential services, Primary educational facilities, Religious Assembly, and Secondary educational facilities. He indicated that child care uses are common place in conjunction with those civic uses particularly Religious assembly. He indicated that it can be redundant to require a Special Use Permit for a common accessory use.

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

Mr. Hrabik asked whether the proposed amendment would also permit child care as an accessory use to certain commercial businesses. Mr. Stursma clarified that this amendment was specific to

the civic uses listed in the proposed amendment. Ms. Romeo added that child care uses are commonly permitted by right in zoning districts where commercial uses would be found. She added that it is common for civic uses to be located in residential zones and as such, require Special Use Permits for more intensive child care uses such as Child Care Center and Preschools.

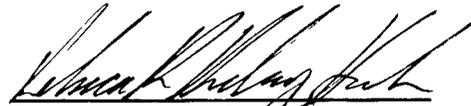
With no further discussion, **Motion** was made by, seconded by, to recommend approval of Ordinance No. 1923 (TC-21-0001) because it is consistent with staff's recommendation in the Planning Commission Staff Report. Roll call: Seven yeas, no nays. Motion carried.

OTHER BUSINESS

Mr. Stursma noted that the executive order allowing virtual meetings was extended through the end of April.

With no further business to come before the Commission, **Motion** was made by Mr. Hrabik, seconded by Mr. Robinson III, to adjourn. The meeting adjourned by unanimous consent at 8:03 P.M.

CITY OF PAPILLION



Rebecca Hoch, Chairwoman