

# MINUTE RECORD

## PAPILLION PLANNING COMMISSION MEETING APRIL 27, 2022

The Papillion Planning Commission met in open session at the Papillion City Hall Council Chambers on Wednesday, April 27, 2022 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. Planning Director Mark Stursma, City Planner Michelle Romeo, Staff Engineer Derek Goff, and City Attorney Alan Thelen 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 April 15, 2022. 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 Mr. Hrabik, seconded by Mr. Robinson III, 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. Robinson III, to approve the March 30, 2022 minutes. Roll Call: Nine yeas, no nays. Motion carried.

### FINAL PLATS

**Final Plat** – A Final Plat for the property legally described as a replatting of Outlot A, Steel Ridge South, together with the platting of Tax Lot 2D and Tax Lot 9 of the NW1/4 of Section 35, T14N, R11 E of the 6th P.M., Sarpy County, NE and those parts of the SW1/4, SE1/4, and NE1/4 of Section 34, T14N, R11E of the 6th P.M., Sarpy County, NE, lying south and east of Interstate 80 right-of-way except those parts taken for road right-of-way, generally located S of HWY 370 between I-80 and 156<sup>th</sup> Street. The applicant is Dowd Grain Co. (Steel Ridge South (Phases 2))  
**FP-21-0011**

Chairwoman Hoch called for the applicant.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant. He communicated that this is the second phase of the project, which the Planning Commission has seen many times.

Chairwoman Hoch called for discussion amongst the Commission.

Mr. Keller asked whether the applicant is confident he can address the contingencies outlined in the Planning Commission Staff Report. Mr. Kellner answered in the affirmative.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Hrabik, to recommend approval of the Steel Ridge South (Phase 2) Final Plat (FP-21-0011) 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: Nine yeas, no nays. Motion carried.

## **PUBLIC HEARINGS**

**Preliminary Plat** – A request for a Preliminary Plat for the property legally described as a tract of land being part of the NE ¼ of the SW ¼, part of the SE ¼ of the SE ¼, part of the SW ¼ of the SE ¼, part of the NW ¼ of the SE ¼, Part of the NE ¼ of the SW ¼, and part of the SE ¼ of the SW ¼, all in Section 28, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SW corner of S 96<sup>th</sup> Street & Lincoln Road. The applicant is BHI Development, Inc. (Granite Creek East) **PP-21-0007**

Chairwoman Hoch opened the public hearing.

Mark Westergard, 10909 Mill Valley Road (Omaha), stepped forward to represent the applicant. He noted that developer Jerry Torczon, project attorney Pat Sullivan, and Granite Creek West engineer Randy Kuszak were present. He summarized the location of the properties involved in the Granite Creek East and Granite Creek West proposals. He noted that the project is being split between two engineering firms due to its size. He clarified that Granite Creek East and Granite Creek West would be incorporated as two separate SIDs that will cost share public improvements.

Mr. Westergard stated that the proposal offers a mix of multiple-family residential, single-family detached residential, single-family attached residential, villa style housing, park amenities, an elementary school site, and a few commercial lots. He explained that the largest park or greenspace amenity encompasses approximately 18 acres adjacent to the creek that would have a linear trail connection to Walnut Creek Hills Recreation area.

Mr. Westergard stated that the proposed intersection at S 102<sup>nd</sup> Street and Highway 370 is already existing; however, the project proposed to move such access about 200 feet to the west. He verified that Lamp Rynearson is working with the Nebraska Department of Transportation (NDOT) regarding improvements necessary at this intersection.

Mr. Westergard explained that a Specific Planned Unit Development (PUD-2) overlay is proposed in the southeast corner of Granite Creek East. This PUD is expected to develop with a mix of duplexes and villa type homes. He added that this request asks for smaller side yard to increase density and create a more affordable product.

He summarized that Granite Creek East and Granite Creek West would have access points at S 102<sup>nd</sup> Street and Highway 370; Lincoln Road and S 99<sup>th</sup> Street; Lincoln Road and S 102<sup>nd</sup> Street; Wittmus Drive and Prospect Street; Wittmus Drive and Sherman Street and S 96<sup>th</sup> Street and Buckboard Boulevard. The development will also have access to Overland Hills V from S 97<sup>th</sup>

Street (Mesa Street). He clarified that the PUD request on the south side of Highway 370 would have one access via S 102<sup>nd</sup> Street; however, the Papillion La Vista School District has agreed to allow an emergency vehicle access through the Papillion La Vista South High School campus.

Finally, Mr. Westergard noted that the General Obligation Debt Ratio for this project is above the City's 4% policy; however, not all general obligation improvements are day one, and some of the debt would be future obligations. He suggested that staff is amenable to the proposed ratio.

Chairwoman Hoch called for proponents and opponents.

Mike Lewis, 543 N Washington Street, stepped forward to notify staff that the audio was hard to hear at the back of chambers.

Trisa Eastman, 1312 Santa Fe Circle, stepped forward as a resident of Overland Hills V directly adjacent to Granite Creek East. She expressed concerns regarding the proximity of the proposed single-family attached residential to her neighborhood. She inquired as to whether an existing 30' easement behind her home would be maintained. She asked whether the development might have an effect on her property taxes. She expressed concerns about the possibility of her property value decreasing because her home would no longer back to an open field. She asked whether there would be another forum to voice her opinions regarding this project.

John David "JD" Heilman, 1405 Elaine Street, stepped forward to inquire how the proposed intersection at S 102<sup>nd</sup> Street and Highway 370 would operate.

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

Chairwoman Hoch asked the applicant to address Ms. Eastman's concerns regarding property values and the proposed buffer between the homes in Overland Hills V and the Granite Creek East PUD. Mr. Westergard explained that the sides of the proposed duplexes in Granite Creek East would back part of the homes in Overland Hills V. He noted that larger lots similar to the type of homes seen in Shadow Lake would also back the adjacent subdivision. He stated that the product on the larger lots would be of greater valuation than those in Overland Hills V. He advocated that the proposed development would not have a negative effect on neighboring property values.

Randy Kuszak, 14710 W Dodge Road, Suite 100 (Omaha), stepped forward to explain that a Traffic Impact Study (TIS) was performed regarding the intersection at S 102<sup>nd</sup> Street and Highway 370. He explained that the improvements identified in the study and NDOT will be performed.

Mr. Wilson asked for additional information regard the apartment proposal. Mr. Westergard explained that the proposed apartments would two-story, eight- and twelve-plex units.

Ms. Sotak asked whether the project would be phased. Mr. Westergard answered no. Ms. Sotak also asked whether a buffer would be provided between the existing residential and the proposed single-family attached residential. Mr. Westergard stated that an OPPD easement creates a 30'

buffer. Ms. Sotak offered support to the project noting that more affordable housing is greatly needed. She added that she would like to see a greater ratio of affordable homes.

Mr. Carson offered support the project, and asked staff why the City discourages cul-de-sacs. Mr. Stursma stated that although cul-de-sacs are a desirable place to live, they are difficult to maintain, and do not provide a public benefit as a through street.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to recommend approval of the Granite Creek East Preliminary Plat (PP-21-0007) 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: Nine yeas, no nays. Motion carried.

**Change of Zone** – A request for a Change of Zone from AG Agricultural to R-4/PUD-2 Multiple Family Residential with a Specific Planned Unit Overlay, R-4 Multiple Family Residential, and LC Limited Commercial for the property legally described as a tract of land being part of the NE ¼ of the SW ¼, part of the SE ¼ of the SE ¼, part of the SW ¼ of the SE ¼, part of the NW ¼ of the SE ¼, Part of the NE ¼ of the SW ¼, and part of the SE ¼ of the SW ¼, all in Section 28, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the SW corner of S 96th St & Lincoln Rd. The applicant is BHI Development, Inc. (Granite Creek East) **CZ-21-0010**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to provide additional testimony regarding this project.

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. Carson, seconded by Mr. Hrabik, to recommend approval of the Granite Creek East Change of Zone (CZ-21-0010) 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: Nine yeas, no nays. Motion carried

**Preliminary Plat** – A request for a Preliminary Plat for a tract of land being part of the E ½ of the SW ¼, Section 28, T14N, R12E of the 6th P.M., Sarpy County, NE together with Tax Lot 18, Section 33, T14N, R12E of the 6th P.M., Sarpy County, NE, generally located on the NW and SW corners of S 102nd St and HWY 370. The applicant is BHI Development, Inc. (Granite Creek West) **PP-21-0006**

Chairwoman Hoch opened the public hearing.

Randy Kuszak, 14710 W Dodge Road, Suite 100 (Omaha), stepped forward to represent the applicant. He noted that Mr. Westergard summarized the project, adding that this portion is west of S 102<sup>nd</sup> Street.

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. Keller, to recommend approval of the Granite Creek West Preliminary Plat (PP-21-0006) 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: Nine yeas, no nays. Motion carried.

Chairwoman Hoch stepped away from her seat at 7:45 PM and asked Mr. Robinson III to act as chair for the next agenda item.

**Change of Zone** – A request for a Change of Zone from AG Agricultural to R-4 Multiple-family residential and R-4/PUD-2 Multiple Family Residential with a Planned Unit Development Overlay (Specific) for the property legally described as a tract of land being part of the E ½ of the SW ¼, Section 28, T14N, R12E of the 6th P.M., Saryp County, NE together with Tax Lot 18, Section 33, T14N, R12E of the 6th P.M., Saryp County, NE, generally located on the NW and SW corners of S 102nd St and HWY 370. The applicant is BHI Development, Inc. (Granite Creek West) **CZ-21-0009**

Vice Chairman Robinson III opened the public hearing.

The applicant did not wish to provide additional testimony regarding this project.

Vice Chairman Robinson III 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. Carson, seconded by Mr. Hrabik, to recommend approval of the Granite Creek West Change of Zone (CZ-21-0009) 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. Roll Call: Nine yeas, no nays. Motion carried

Chairwoman Hoch returned to her position at 7:48 PM.

**Special Use Permit** – A request for a Special Use Permit to allow Funeral Services as a permitted use on the property legally described as Lot 3, Walnut Creek Hills Replat Twenty, generally located on the SW corner of S 90<sup>th</sup> Street and HWY 370. The applicant is WC Investments, Inc. (Walnut Creek Hills Funeral Services) **SUP-22-0002**

Chairwoman Hoch opened the public hearing.

Dave TeBrake, 3335 West Saint Germain Street (St. Cloud, MN), stepped forward to represent the applicant. He explained that the applicant operates two funeral homes with accessory crematories in Omaha. He summarized the project location noting that access would be shared with Trinity Church off of Gold Coast Road. He advocated that a Funeral services use is a good compliment to the existing church.

Mr. TeBrake summarized the layout, capacity, and amenities that would be offered within the proposed facility. He stated that 85 parking stalls are planned; however, parking stalls could be shared with Trinity Church in the event of a large service. He stated that most funeral services occur between 10 AM and 2 PM, Monday – Saturday with visitations typically occur between 5 PM and 7 PM or Sunday afternoon.

Mr. TeBrake stated that Miller Architects builds designs and builds funeral homes throughout the country, and it is typical to locate such uses near residential areas to provide a buffer between residential and more intensive uses. He presented elevations of the proposed building and described the design. He assured the Commission that the applicant is cognizant of the design needs on this visible corridor.

Mr. TeBrake stated that he was aware of some of the neighbors' concerns. He explained that busy hours for the funeral home should not conflict with peak traffic for the school noting that funeral services is a low impact use. He added that in his experience, proximity to a funeral home does not decrease the property values of nearby homes. Mr. TeBrake read a letter provided to the applicant by the crematory manufacturer that concluded that the emissions from such crematories is minor. He added that crematories are heavily regulated by the state, and the Environmental Protection Agency (EPA) does not consider crematories a danger.

Chairwoman Hoch provided the names and addresses of all citizens who provided written testimony prior to 6:00 PM on Wednesday, April 27, 2022. She confirmed that the Planning Commission received copies of all such testimony.

Chairwoman Hoch called for proponents and opponents.

Jason Lemen, 1506 Ridgeview Drive, stepped forward to express concerns regarding potential decline in property values and health and safety concerns regarding crematory emissions. He stated that he served in mortuary affairs in the military and military policy suggests that cremation should occur "as far away as feasibly possible" from population centers. He advocated that the proposed location is inappropriate. He suggested that local children could suffer a trauma response due to the proximity to the school and daycares.

Danny Fudge, 1706 Eastview Drive, expressed his opposition to the proposed use. He referred to crematories as bio-medical waste incinerators and cited statistics from a 2010 study regarding crematory emissions with a focus on mercury emission. He asserted that the Cremation Association of America suggests that mitigation effort do not eliminate hazardous emissions. Mr. Fudge suggested that notice provided by the City was insufficient and vaguely worded. He stated that he canvassed his neighborhood to make neighbors aware of the proposal. He also expressed concerns regarding traffic and decreased property values.

Penny Fudge, 1706 Eastview Drive, mirrored Mr. Fudge's comments regarding insufficient notice. She echoed the public concerns regarding traffic and crematory emissions. She urged the Planning Commission to vote against the request.

Mark Gordon, 1605 Ridgeview Drive, echoed concerns regarding inadequate notice, decreased property values, hazardous emissions, and inappropriate location. He offered statistics regarding carbon dioxide and mercury emissions from crematories, and expressed his fear of possible health implications particularly to local vulnerable populations. He stated that the use would conflict with the enjoyment of his property. He added that the stigma of the nearby use would decrease property values.

Jason Huffstetler, 811 Clearwater Drive, stepped forward and stated that he shared the concerns expressed by the other opponents. He added that he is not against cremation, but is opposed to cremation at this location.

Kristion Rowe, 810 Lake Vista Drive, offered data regarding decreased property values adjacent to funeral homes. He echoed Mr. Gordon's concerns about the stigma. He also expressed concerns regarding medical safety from exposure to emissions, impacts on enjoyment of property and neighborhood amenities, and appropriateness of location.

Laura Fredlund, 1708 Eastview Drive, stated that she has children with asthma and worries about her family's health if exposed to crematory emissions. She echoed other opponents concerns regarding traffic and appropriateness of use.

Nicholas Glesinger, 1911 Southview Drive, echoed the concerns of other opponents regarding inadequate notice, appropriateness of location, decreased property values, traffic concerns, and health impacts from exposure to crematory emissions. He stated that other locations are available that would have less impact on residents.

Amanda Sanders, 903 Edgewater Drive, echoed the concerns of other opponents regarding inadequate notice, appropriateness of location, decreased property values, traffic concerns, and health impacts from exposure to crematory emissions. She stated that the long-term effects of exposure to emissions is unknown, and regulation of emissions tends to change with political changes. She added that equipment also degrades over time. She suggested that Trinity Church has motive to sell this lot for the proposed use due to the potential financial gains.

Adam Fredlund, 1708 Eastview Drive, expressed that the proposed location is inappropriate. He suggested that the proposal does not benefit the community. He added that Kansas City has regulations regarding how close crematory uses can be located to schools.

Holly Vail, 1011 Valley View Drive, echoed the concerns of other opponents regarding inadequate notice, appropriateness of location, traffic concerns, decreased proper values, and health impacts from exposure to crematory emissions. She advocated that mercury emissions from crematoriums are toxic. She stated that the proposal is not in the community's best interest.

Paul Kleffner, 1904 Walnut Creek Drive, echoed the concerns of other opponents regarding health hazards from emission exposure, decreased property values, and increased traffic. He expressed concerns regarding whether adequate water supply was available if the crematory were to catch fire. He asked whether the school district was aware of the proposal.

John David "JD" Heilman, 1405 Elaine Street, echoed the concerns of other opponents regarding inadequate notice, appropriateness of location, traffic concerns, decreased property values, and health impacts from exposure to crematory emissions. He suggested that the proposal will benefit few but has the potential to negatively affect many. He added that it may be traumatic for curious children who inquire about the use of the property.

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

Mr. TeBrake reiterated his prior comments regarding traffic generation, adding that another use at the same location could create more traffic than the funeral services use. He suggested that the commercial properties on the east side of S 90<sup>th</sup> Street creates a bigger traffic hazard. He offered data from the Cremation Association of North America that concluded Funeral services uses do not negatively impact home values. He added that the cremation process will not be seen, smelled, or heard.

Mr. TeBrake advocated that funeral homes are traditionally a place where community is brought together and does not belong on the fringes of the City. He presented case law precedent which prohibits denial of Funeral services uses where permitted.

He offered information to debunk the concerns of toxic emissions.

Mr. TeBrake stated that the building would be sprinkled and a fire hydrant is required on site. He added that new technology is much less likely to catch fire.

He stated that he understands the stigma associated with the use. He confirmed that he is in favor of the City's recommendation of approval and accepted the contingencies outlined in the Planning Commission Staff Report.

Mr. Stursma gave a brief overview of the statutory requirements for public notice in zoning matters. He noted that the Planning Department does more than what is required by practice. Judy Emswiler noted that the statutory requirements have been the same for many years, and that there was not attempt by the City to conceal the project.

Ms. Sotak asked when public hearing notices must be published. Ms. Romeo stated at least ten days prior to the hearing, however, the City's is slightly longer due to the Sarpy County Guide's publication dates.

Ms. Emswiler asked staff what other uses might be permitted on properties in the R-3 Urban Family residential zoning district. Mr. Stursma offered a brief overview. Ms. Emswiler asked whether a Funeral services use would be considered an accessory use to Religious Assembly. Mr. Stursma stated that it might be with a Special Use Permit.

Mr. Hrabik suggested that EPA data is not credible due to political underpinnings. He stated that human remains is not considered "other common waste." He offered data regarding possible carcinogenic emissions from crematories. He suggested that radiation exposure may be a

possible emission when chemotherapy patients are cremated. He stated that he does not think the Nebraska Department of Environmental Energy is a reliable entity to regulate emissions.

Ms. Emswiler asked whether the applicant would consider separating the funeral home use from the crematory, and build the crematory somewhere else. Mr. TeBrake stated that the applicant would prefer to have the service on site as outsourcing cremation creates too many unknowns.

Mr. Hrabik asked why cremation is being proposed as opposed to alkaline hydrolysis. Mr. TeBrake stated that this process is unpopular for patrons because of the high cost. Chairwoman Hoch asked Mr. Hrabik to bring his comments back to the scope of the request in front of the Planning Commission.

Mr. Carson asked if cremation was more popular than other processes. Mr. TeBrake stated that approximately 50% of services result in cremation. Mr. Carson stated that he has seen heavy smoke generated by other funeral homes. Mr. TeBrake stated that this is unlikely unless the business is operating with an older or malfunctioning unit.

Mr. Thompson stated that more information may be warranted prior to a vote on this project. He suggested continuance of the hearing. Chairwoman Hoch asked the applicant whether he would prefer a lay-over or a vote. Mr. TeBrake asked for a consensus from the Planning Commission regarding how they would vote on the project as presented. He also requested guidance on when a Special Use Permit application could be withdrawn. The Planning Commission unanimously stated that they are not in favor of the project as presented. Several members stated that they are in support of the funeral home but not the crematory.

Ms. Emswiler asked whether the Planning Commission could stipulate a condition in their motion to state that they are in favor of the request if the crematory is removed. Mr. Thelen and Mr. Stursma answered in the affirmative. Mr. Stursma clarified that City Council does not necessarily have to honor such stipulation. Ms. Romeo advised Mr. TeBrake that the applicant has an opportunity to withdraw their request at any time.

Mr. Thompson asked the applicant why the exhaust stack for the crematory is not shown in the elevations provided. Mr. TeBrake stated that the software used in the renderings does not have the ability to show an exhaust stack. He noted that the two exhaust stacks will be approximately 30" in height and will be clad to complement the building design. He offered to show photos to Mr. Thompson who declined.

Chairwoman Hoch summarized the possible motions.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Thompson, to recommend approval of the Walnut Creek Hills Funeral Services Special Use Permit (SUP-22-0002) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning regulations, contingent upon the resolution of staff comments. Roll Call: No yeas, nine nays by Carson, Emswiler, Hoch, Hrabik, Keller, Robinson III, Sotak, Thompson, and Wilson. Motion fails, therefore, the recommendation is denial.

**Change of Zone** – A request for a Change of Zone from R-2 Single-Family Residential (Medium-Density) to R-4/PUD-2 Multiple-Family Residential with a Planned Unit Development (Specific Overlay, for the property legally described as the S 77' of Lot 2, Block 33, Beadles Addition, generally located at 526 N Jefferson Street. The applicant is St. Columbkille Church. (St. Columbkille Campus) **CZ-22-0002**

Chairwoman Hoch opened the public hearing.

Kyle Haase, 10909 Mill Valley Road (Omaha), stepped forward to represent the applicant. He summarized that the request is to add a vacant 0.35 acre lot to the overall campus for St. Columbkille. He explained that the lot would be developed with a maintenance building and eighteen additional parking spaces. He added that the applicant has already responded to the contingencies outlined in the Planning Commission Staff Report.

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

Mr. Carson asked the applicant whether he has elevations for the maintenance building. Mr. Haase stated that he did not have elevations; however, design would be stipulated in the Planned Unit Development Agreement and would be consistent with the St. Columbkille campus design. Chairwoman Hoch stated that the requirement for building materials was outlined in the Planning Commission Staff Report.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to recommend approval of the St. Columbkille Campus Change of Zone (CZ-22-0002) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning regulations, and consistency with the Planned Unit Development agreement adopted for the St. Columbkille Catholic School and Parish Center Campus, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried

**Special Use Permit** – A request for a Special Use Permit to authorize the following actions within the Downtown Overlay District: (A) Construction of a new accessory building for the St. Columbkille Parish Campus per § 205-118(A)(2) and (B) the expansion of the St. Columbkille Catholic School parking lot per § 205-118(A)(6), for the property legally described as the S 77' of Lot 2, Block 33, Beadles Addition, generally located at 526 N Jefferson Street. The applicant is St. Columbkille Church. (St. Columbkille Campus) **SUP-22-0003**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to share additional testimony regarding this project.

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. Wilson, to recommend approval of the St. Columbkille Campus Special Use Permit (SUP-22-0003) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant

with Zoning regulations, and consistency with the Planned Unit Development agreement adopted for the St. Columbkille Catholic School and Parish Center Campus, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried

**Planned Unit Development Agreement Amendment** – A request for an Amendment to the St. Columbkille Planned Unit Development Agreement for the property legally described as the S 77' of Lot 2, Block 33, Beadles Addition, generally located at 526 N Jefferson Street. The applicant is St. Columbkille Church. (St. Columbkille Campus) **MISC-22-0005**

Chairwoman Hoch opened the public hearing.

The applicant did not wish to share additional testimony regarding this project.

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 Ms. Sotak, to recommend approval of the St. Columbkille Campus Planned Unit Development Agreement Amendment (MISC-22-0005) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, compliant with Zoning regulations, and consistency with the Planned Unit Development agreement adopted for the St. Columbkille Catholic School and Parish Center Campus, contingent upon the resolution of staff comments. Roll Call: Nine yeas, no nays. Motion carried

**Text Change** – A request to amend Article VII (Special Provisions and Regulations) of Chapter 170 (Subdivision Regulations), of the Papillion Municipal Code having to do with waivers to the Subdivision Regulations. The applicant is the City of Papillion. (2022 Subdivision Regulations Waiver Update) **TC-22-0001**

Chairwoman Hoch opened the public hearing.

Mark Stursma, 122 E 3<sup>rd</sup> Street, stepped forward to represent the applicant. He summarized that the amendment seeks to codify the way the City handles waivers of the Subdivision Regulations to be consistent with practice. Mr. Thelen clarified that the current language could be interpreted as not applying to criteria located elsewhere in the code. The revised language closes the loop-hole created.

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. Wilson, seconded by Mr. Hrabik, to recommend approval of the Chapter 170 – Ordinance Amendment (TC-22-0001) as amended by the Aril 27, 2022 memo from Mark Stursma, because it is consistent with the intent of the waiver process established in Chapter 170. Roll Call: Nine yeas, no nays. Motion carried

## **OTHER BUSINESS**

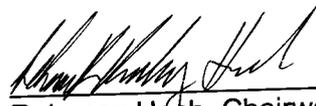
Mr. Stursma welcomed the Planning Commission to attend the virtual National APA conference.

He thanked Leanne Sotak for agreeing to be reappointed from alternate to a full-time member of the Planning Commission.

He added that the May Planning Commission Agenda should be short.

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 10:00 P.M.

CITY OF PAPILLION



Rebecca Hoch, Chairwoman