

**DRAFT MINUTES  
PAPILLION PLANNING COMMISSION MEETING  
AUGUST 25, 2021**

The Papillion Planning Commission met in open session at the Chrysalis Event Center in Papillion Landing on Wednesday, August 26, 2021 at 7:00 PM. Vice Chairman John E. Robinson III 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., Jim Masters, Leanne Sotak, and Wayne Wilson. Chairwoman Rebecca Hoch and Herb Thompson were absent. Planning Director Mark Stursma, City Planner Michelle Romeo, Assistant City Attorney Carla Heathershaw-Risko, and Staff Engineer Derek Goff were also present.

Vice Chairman Robinson III led those present in the Pledge of Allegiance.

Notice of the meeting was given in advance by publication in the Sarpy County Guide on August 13, 2021. A copy of proof of publication is on file at the office of the City Clerk.

Vice Chairman Robinson III 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 Ms. Sotak, to approve the agenda as presented. Roll call: Eight yeas, no nays. Motion carried.

**Approval of the Planning Commission Minutes**

**Motion** was made by Mr. Carson, seconded by Mr. Hrabik, to approve the July 28, 2021 minutes. Roll Call: Seven yeas, no nays, one abstention from Mr. Wilson. 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 4, a tax lot located in part of the NW1/4 of the NW1/4, part of the NE1/4 of the NW1/4, part of the SE1/4 of the NW1/4, and part of the SW1/4 of the NW1/4 located in Section 5, T13N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located SW of S 114<sup>th</sup> Street and Schram Road. The applicant is Felker Family Farms, LLC. (Belterra (Phase 3)) **FP-21-0006**

**Consideration of this item occurred after the Motion and Vote for the Belterra (Phase 3) Change of Zone.**

Upon the completion of the Motion and Vote for the Belterra (Phase 3) Change of Zone, Vice Chairman John E. Robinson III called for consideration of the Belterra (Phase 3) Final Plat.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant.

Vice Chairman Robinson III called for discussion amongst the Commission.

Mr. Carson asked whether S 114<sup>th</sup> Street would be paved south of Schram Road with this project. Mr. Thiellen answered in the affirmative.

Mr. Carson noted that the Planning Commission Staff Report states that a small portion of the property is located within the Sarpy County and Cities Wastewater Agency's sewer area, and asked whether this presents a problem. Derek Goff stated that a small portion of the development falls south of the ridgeline, and the developer plans to grade this area to be gravity served by the City's sewer system. He added that a portion of the property south of the ridgeline is undevelopable due to an existing OPPD easement.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Keller, recommend approval of the Belterra (Phase 3) Final Plat (FP-21-0006) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning regulations, and the Subdivision regulations if the requested waivers are approved by City Council, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**Final Plat** – A request for a Final Plat for the property legally described as a tract of land located in the W1/2 of the NW1/4 of Section 2, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SE corner of S 156<sup>th</sup> Street and Schram Road. The applicant is R & R Realty Group. (R & R Commerce Park South) **FP-21-0005**

**Consideration of this item occurred after the Motion and Vote for the R & R Commerce Park South Revised Preliminary Plat.**

Upon the completion of the Motion and Vote for the R & R Commerce Park South Revised Preliminary Plat, Vice Chairman John E. Robinson III called for consideration of the R & R Commerce Park South Final Plat.

Larry Jobeun, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant. Noting that this is the first final plat of six total phases.

Vice Chairman Robinson III called for discussion amongst the Commission.

Mr. Carson offered his support to the project.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Ms. Emswiler, recommend approval of the R & R Commerce Park South Final Plat (FP-21-0006) 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: Eight 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 located in part of Tax Lot 4, a tax lot located in part of the NW1/4 of the NW1/4, part of the NE1/4 of the NW1/4, part of the SE1/4 of the NW1/4, and part of the SW1/4

of the NW1/4 located in Section 5, T13N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located SW of S 114<sup>th</sup> Street and Schram Road. The applicant is Felker Family Farms, LLC. (Belterra (Phase 3)) **PP-18-0002R**

Vice Chairman Robinson III opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that the requests consists of the third and final phase of the Belterra subdivision, which is anticipated to develop as 127 single-family residential lots and 97 Planned Unit Development (PUD) villas. He clarified that the PUD portion would be targeted to seniors as owner occupied units with all-inclusive outdoor maintenance and a clubhouse amenity.

Mr. Thiellen explained that the Revised Preliminary Plat is necessary because the PUD portion was reconfigured. He asserted that the applications conform to the applicable regulators and the applicant will work with staff to address any contingencies.

Vice Chairman Robinson III called for proponents and opponents.

Tony Clark, 12550 S 114<sup>th</sup> Street, stepped forward as a representative for the property to the south of Belterra. He expressed concerns regarding the street connection shown to the southern property on the Belterra plat. He believes that such connection will undermine an existing detention basin on the property.

Mr. Keller asked the applicant to address Mr. Clark's concerns. Mr. Thiellen stated that the location of S 117<sup>th</sup> Street has been anticipated since the infancy of the subdivision and was included on previous preliminary plats. He stated that he is not aware of any existing detention basin that would be affected by the proposed street alignment.

Seeing no further input, Vice Chairman Robinson III closed the public hearing and called for Commission Discussion or Motion.

Mr. Keller asked Mr. Clark to clarify his concerns. Mr. Clark stated that the property owned by Nebraska Christian College drains to the north to an existing detention basin. Larry Jobeun, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant. He explained that S 117<sup>th</sup> Street falls to the west of the existing basin, adding that S 117<sup>th</sup> Street would not continue to the south until the property to the south redevelops. Mr. Sturmsma added that the staff report states that the southern stub of S 117<sup>th</sup> Street within Belterra would not need to be constructed until a connection can be made to the south.

Mr. Masters spoke in favor of the PUD villas concept, and asked whether elevations were available. Mr. Thiellen asked staff to display elevations and summarized that the villas would be single-story, slab on grade homes with approximately eight different floor plans. He stated that the villas would likely sell for \$350,000 - \$450,000.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Masters, recommend approval of the Belterra (Phase 3) Revised Preliminary Plat (PP-18-0002R) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and

compliant with the Zoning regulations, and the Subdivision regulations if the requested waivers are approved by City Council, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**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 Specific Planned Unit Development Overlay for the property legally described as a tract of land located in part of Tax Lot 4, a tax lot located in part of the NW1/4 of the NW1/4, part of the NE1/4 of the NW1/4, part of the SE1/4 of the NW1/4, and part of the SW1/4 of the NW1/4 located in Section 5, T13N, R12E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located SW of S 114<sup>th</sup> Street and Schram Road. The applicant is Felker Family Farms, LLC. (Belterra (Phase 3)) **CZ-21-0006**

Vice Chairman Robinson III opened the public hearing.

Jason Thiellen, 10909 Mill Valley Road, Suite 100 (Omaha), stepped forward to represent the applicant.

Vice Chairman Robinson III called for proponents and opponents. Seeing no further input, Vice Chairman Robinson III closed the public hearing and called for Commission Discussion or Motion.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Hrabik, recommend approval of the Belterra (Phase 3) Change of Zone (CZ-21-0006) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with the Zoning regulations, and the Subdivision regulations if the requested waivers are approved by City Council, contingent upon the resolution of staff comments. Roll Call: Eight yeas, no nays. Motion carried.

**Preliminary Plat** – A request for a Preliminary Plat for the property legally described as the NE1/4 of Section 3, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SW corner of S 156<sup>th</sup> Street and Schram Road. The applicant is Matt Weller (Hubbell Realty). (Sarpy West Industrial) **PP-21-0005**

Vice Chairman Robinson III opened the public hearing noting that the applicant and staff have requested a continuance.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant. He explained that the applicant is in agreement with staff's recommendation to continue the public hearings for the Sarpy West Industrial agenda items. He explained that the applicant has been having a hard time confirming sewer service with Sarpy County, and needed an application on file to get the City's assistance in obtaining such confirmation.

Vice Chairman Robinson III called for proponents and opponents. Seeing no further input, Vice Chairman Robinson III left the public hearing open and called for Commission Discussion or Motion.

With no further discussion, **Motion** was made by Mr. Wilson, seconded by Mr. Masters, to continue the public hearing of the Sarpy West Industrial Preliminary Plat (PP-21-0005) to a date to be determined by the applicant and staff. Roll call: Eight yeas, no nays. Motion carried.

**Change of Zone** – A request for a Change of Zone from AG Agricultural to LI Limited Industrial for the property legally described as the NE1/4 of Section 3, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SW corner of S 156<sup>th</sup> Street and Schram Road. The applicant is Matt Weller (Hubbell Realty). (Sarpy West Industrial) **CZ-21-0007**

Vice Chairman Robinson III opened the public hearing noting that the applicant and staff have requested a continuance.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant.

Vice Chairman Robinson III called for proponents and opponents. Seeing no further input, Vice Chairman Robinson III left the public hearing open and called for Commission Discussion or Motion.

With no further discussion, **Motion** was made by Mr. Hrabik, seconded by Mr. Carson, to continue the public hearing of the Sarpy West Industrial Change of Zone (CZ-21-0007) to a date to be determined by the applicant and staff. Roll call: Eight 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 the NE1/4 of Section 3, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SW corner of S 156<sup>th</sup> Street and Schram Road. The applicant is Matt Weller (Hubbell Realty). (Sarpy West Industrial) **SUP-21-0004**

Vice Chairman Robinson III opened the public hearing noting that the applicant and staff have requested a continuance.

Doug Kellner, 10836 Old Mill Road (Omaha), stepped forward to represent the applicant.

Vice Chairman Robinson III called for proponents and opponents. Seeing no further input, Vice Chairman Robinson III left the public hearing open and called for Commission Discussion or Motion.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Ms. Emswiler, to continue the public hearing of the Sarpy West Industrial Large Project Special Use Permit (SUP-21-0004) to a date to be determined by the applicant and staff. Roll call: Eight yeas, no nays. Motion carried.

**Revised Preliminary Plat** – A request for a Revised Preliminary Plat for the property legally described as a tract of land located in the W1/2 of the NW1/4 of Section 2, T13N, R11E of the 6<sup>th</sup> P.M., Sarpy County, NE, generally located on the SE corner of S 156<sup>th</sup> Street and Schram Road. The applicant is R & R Realty Group. (R & R Commerce Park South) **PP-19-0007R**

Vice Chairman Robinson III opened the public hearing.

Larry Jobeun, 11440 W Center Road, Suite C (Omaha), stepped forward to represent the applicant. He summarized that the proposed request would subdivide the property into six buildable LI Limited industrial lots, three outlots for stormwater detention, two outlots to buffer the existing creek, and one outlot for right-of-way. He noted that the project is expected to develop in six phases, and will be a product similar to that at R & R Commerce Park.

Mr. Jobeun noted that when the applicant purchased the property he only anticipated needing to contribute funds to one lane of Schram Road improvements, however, development in the area now calls for a five lane street section. He added that the applicant is still negotiating reimbursement costs for Schram Road.

Vice Chairman Robinson III called for proponents and opponents. Seeing no further input, Vice Chairman Robinson III closed the public hearing and called for Commission Discussion or Motion.

Mr. Masters asked whether staff is comfortable moving forward with the road reimbursement issue unresolved. Mr. Stursma clarified that the road reimbursement would not affect the plat.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Mr. Hrabik, recommend approval of the R & R Commerce Park South R & R Commerce Park South (PP-19-0007R) 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: Eight yeas, no nays. Motion carried.

### **OTHER BUSINESS**

With no further business to come before the Commission, **Motion** was made by Mr. Keller, seconded by Mr. Hrabik, to adjourn. The meeting adjourned by unanimous consent at 7:39 P.M.

CITY OF PAPILLION

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Rebecca Hoch, Chairwoman