

# MINUTE RECORD

## PAPILLION PLANNING COMMISSION MEETING OCTOBER 27, 2021

The Papillion Planning Commission met in open session at the Chrysalis Event Center in Papillion Landing on Wednesday, October 27, 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, Raymond Keller Jr., Leanne Sotak, and Wayne Wilson. Chairwoman Rebecca Hoch, Jim Hrabik, Jim Masters, and Herb Thompson were absent. Planning Director Mark Stursma, City Planner Michelle Romeo, and Assistant City Attorney Carla Heathershaw-Risko 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 October 15, 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 Mr. Carson, seconded by Ms. Sotak, to approve the agenda as presented. Roll call: Six yeas, no nays. Motion carried.

### **Approval of the Planning Commission Minutes**

**Motion** was made by Mr. Keller, seconded by Mr. Wilson, to approve the September 29, 2021 minutes. Roll Call: Five yeas, no nays, one abstention from Mr. Carson. Motion carried.

### **FINAL PLATS**

**Final Plat** – A request for a Final Plat for the property legally described as the S1/2 of the SE1/4 of Section 25, T14N, R11E of the 6th P.M., Sarpy County, NE, generally located on the NW corner of S 132<sup>nd</sup> Street and HWY 370. The applicant is NP Dodge. (Black Elk Industrial) **FP-21-0008**

Eric Williams, 2111 N 67<sup>th</sup> Street (Omaha), stepped forward to represent the applicant. He stated that the request is to plat one parcel into two LI Limited Industrial lots and one outlot.

Vice Chairman Robinson III called for discussion amongst the Commission.

Mr. Keller asked whether the applicant was confident that he could address the contingencies outlined in the Planning Commission Staff Report. Mr. Williams answered in the affirmative.

Mr. Carson asked the applicant to expand on the request. Mr. Williams summarized that Lot 1 is proposed to develop as an industrial warehouse, and Lot 2 will be reserved for future development. Mr. Carson asked whether the applicant has a client in mind for the warehouse space. Brian Hartman, 12915 W Dodge Road (Omaha), stepped forward to represent the applicant. He summarized that the 12 acre lot will develop as a 140,000 square foot distribution

warehouse. He added that the warehouse would be constructed of concrete tilt-up panels with a façade similar to that at R & R Commerce Park. Mr. Carson asked the applicant to be sensitive of the proximity to Prairie Queen Recreation Area and Westmont when considering design and other external effects.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Ms. Emswiler, recommend approval of the Black Elk Industrial Final Plat (FP-21-0008) 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: Six yeas, no nays. Motion carried.

## **PUBLIC HEARINGS**

**Special Use Permit** – A request for a Special Use Permit to allow Commercial Recreation (Controlled Impact) as a permitted use on the property legally described as Tax Lot A1B1A, A1B1C & A1B1D 23-14-12, generally located at 841 Tara Plaza. The applicant is Elegat Edge Events – Natalie Kotrc. (The Fireside) **SUP-21-0006**

Vice Chairman Robinson III opened the public hearing.

Ms. Blevins noted that the applicant had a conflict and is unable to attend the meeting; however, she offered to continue the hearing to November. Staff advised the applicant that she did not need to continue the public hearing.

Vice Chairman Robinson III called for proponents and opponents.

Mr. Keller asked staff for more information on the request. Mr. Stursma explained that a Special Use Permit was previously granted for 841 Tara Plaza that was not transferrable to a new owner. He summarized that the need for a new Special Use Permit was due to transfer ownership to the applicant.

Ms. Emswiler stated that she was comfortable voting on the item without the applicant present.

Ms. Romeo explained that The Fireside is an existing event center meant to accommodate events with 100 or less attendees. She noted that there is ample parking available on site, and that events are primarily held in the evenings and end around 10 or 11 P.M.

Ms. Sotak asked staff whether the applicant would need to renew the Special Use Permit on an annual basis. Mr. Stursma stated that staff is advising that the Special Use Permit be specific to this applicant, and a change in ownership would create the need for a new Special Use Permit.

Vice Chairman Robinson III stated that he was comfortable voting on the item without the applicant present due to the limited scope of the request.

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 Ms. Sotak, recommend approval of The Fireside Special Use Permit (SUP-21-0006) because the proposed land use is generally consistent with the zoning and the surrounding uses, contingent upon applicant agreeing to the conditions set forth in the Planning Commission Staff Report. Roll Call: Six yeas, no nays. Motion carried.

**Mixed Use Development Agreement Amendment** – A request for approval of the Second Amendment to 370 North Mixed Use Development Agreement for the property legally described as Lots 1 through 7, inclusive, Lots 10 through Lot 14, inclusive, Lots 16 and 17, and Outlots A and B, 370 North, Lots 1 and 2, 370 North Replat One, Lots 2 through 7, 370 North Replat Two, Outlots A and B, 370 North Replat Three, and Lot 1 and Outlot A, 370 North Replat Four, generally located on the NW corner of HWY 370 and HWY 50. The applicant is Noddle Companies. (370 North MUDA Amendment) **MISC-21-0020**

Vice Chairman Robinson III opened the public hearing.

Todd Swirczek, 2285 S 67<sup>th</sup> Street (Omaha), stepped forward to represent the applicant. He stated that the request is to amend the 370 North Mixed Use Development Agreement to allow vehicles to be displayed around the monument signs for one of the automotive dealerships. He detailed that this feature is important to draw customers into the business. Mr. Swirczek specified that the landscaping and design will be tasteful and complimentary to the rest of the development.

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. Keller offered his support of the request.

Mr. Wilson asked whether there would be a limit to the number of vehicles displayed. Mr. Swirczek stated that the agreement would limit the display to twelve vehicles.

Mr. Carson asked whether the request would impact the zoning code in effect for the entire I-80 corridor or just the 370 North development. Mr. Stursma stated that the requested change is specific to this development.

Ms. Emswiler asked whether the request includes a change in sign height. Mr. Swirczek stated that sign height was previously amended.

With no further discussion, **Motion** was made by Mr. Keller, seconded by Mr. Carson, recommend approval of the Second Amendment to 370 North Mixed Use Development Agreement (MISC-21-0020) because it is generally consistent with the Zoning Regulations, contingent upon the applicant completing the Mixed Use Development Agreement process. Roll Call: Six yeas, no nays. Motion carried.

**Mixed Use Development Agreement Amendment** – A request for approval of the First Amendment to Shadow Lake Square Mixed Use Development Agreement for the property legally described as Lot 1 and Outlot A, Shadow Lake Replat 5 and Lots 1 and 2, Shadow Lake Replat 7, generally located on the SW corner of S 72<sup>nd</sup> Street and Schram Road. The applicant is Alchemy Partners I, LLC. (Shadow Lake Square MUDA Amendment) **MISC-21-0021**

Vice Chairman Robinson III opened the public hearing.

Jessica Thomas, 10250 Regency Circle (Omaha), stepped forward to represent the applicant. She explained that Lot 1, Shadow Lake Replat 5 was originally slated for a commercial use, however, there is little demand for commercial development at this location. She anticipated that an additional 91 multi-family units would be added to this lot.

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.

Ms. Sotak asked whether this would be a continuation of the multi-family buildings already existing at Shadow Lake Square. Ms. Thomas answered in the affirmative. Ms. Sotak asked whether there was a timeline for construction. Ms. Thomas stated pending entitlements, the applicant may break ground in the Spring.

Mr. Carson inquired about the proposed change in building height. Ms. Thomas explained that this is needed to be consistent with the surrounding lots.

Mr. Carson asked whether there is a demand for additional multiple-family residential units in Papillion. Ms. Thomas stated that the occupancy rate is high on the existing buildings.

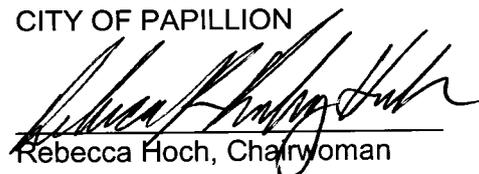
Mr. Carson asked about rent prices. Ms. Thomas offered to obtain that information for Mr. Carson.

With no further discussion, **Motion** was made by Mr. Carson, seconded by Ms. Sotak, recommend approval of the First Amendment to Shadow Lake Square Mixed Use Development Agreement (MISC-21-0021) because it is generally consistent with the Comprehensive Plan, compatible with adjacent uses, and compliant with Zoning Regulations, contingent upon the applicant completing the Mixed Use Development Agreement process. Roll Call: Six yeas, no nays. Motion carried.

**OTHER BUSINESS**

With no further business to come before the Commission, **Motion** was made by Ms. Sotak, seconded by Mr. Wilson, to adjourn. The meeting adjourned by unanimous consent at 7:28 P.M.

CITY OF PAPILLION



Rebecca Hoch, Chairwoman