



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
APRIL 20TH, 2017-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, April 20th, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Gayle Malmquist called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Tom Miller, Kevin Wetuski, Harold Sargus, and Kathleen Alexander. Members absent were: Mike Circo, Jason Dale and Jackie Hill. Also in attendance were Chris Solberg, City Planner; Pam Buethe, City Clerk; and John Kottmann, City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

The meeting was called to order by Chairman Malmquist at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – February 16, 2017

Alexander moved, seconded by *Krzywicki* to approve the February 16, 2017 minutes. **Ayes:** *Krzywicki, Malmquist, Gahan, Wetuski, Sargus, and Alexander*. **Nays: None.** **Abstain: Miller.** **Absent: Circo, Dale, and Hill.** **Motion Carried.** (6-0-3)

3. Old Business

None.

4. New Business

A. Final Plat – Heimes – J & H Investments, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, J & H Investments LLC, is requesting a Final Plat to divide S 1551.37 FT of Tax Lot 4 (23-14-11) and Lot 2 Lakeview South II Replat 6 into multiple lots with associated right-of way. The location of the plat is generally located northwest of the intersection of Meadows Blvd. and 145th Street. Staff recommends approval of the final plat, contingent on the approval of traffic and drainage studies and the finalization of a subdivision agreement prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan.

- ii. **Applicant Presentation:** Doug Dreessen came up and spoke on behalf of the applicant. He presented a picture of the plat and offered to answer any questions they had in regards to the plat.
- iii. **Recommendation:** Sargus moved, seconded by Krzywicki for approval of the final plat, contingent on the approval of traffic and drainage studies and the finalization of a subdivision agreement prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes:** Wetuski, Miller, Sargus, Krzywicki, Malmquist, Gahan, and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Dale, and Hill. **Motion Carried.** (7-0-3)

**B. Public Hearing for Comprehensive Plan Amendment: Future Land Use Map – Lot 1
Harrison Hills – CBRE I MEGA**

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, CBRE I MEGA, is requesting a Future Land Use Map amendment to allow for re-designation of Lot 1 Harrison Hills to an Industrial land use. The property is located east of the intersection of S. 118th Street and Emiline Street. Staff's recommendation is to approve of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.
- ii. **Applicant Presentation:** Sam Garden came up and spoke on behalf of the applicant. He mentioned that this zoning change will add the greatest flexibility of their intended use of the land and that it is also the same zoning as the land directly adjacent to it.

Malmquist corrected the applicant and let him know this is the agenda item for the Comp. Plan amendment and the next agenda item is for the Zoning Map Amendment.

- iii. **Public Hearing – Malmquist opened the Public Hearing.**
Sargus asked if this gets approved and something happens and the plans don't come about, if that means it can be approved at a later time through this body as a heavy industrial.

Solberg said that the possibility is there if you do change a Future Land Use Map to industrial that in the future it can be changed to heavy industrial zoning because both are allowed through that industrial future land use, but of course it would have to come back to this commission and they would have to make that decision in the future if they believe that is warranted. He then noted that it would be butting a heavy industrial up to a light industrial and it would be the only lot zoned heavy industrial in that area, so you would be getting into spot zoning discussion at that point.

Krzywicki asked if Harrison Hills Apartments had been notified of this and if they had any comments or thoughts.

Solberg said that Harrison Hills Apartments is within the 300 foot radius and were included in the mailing and the notice was also posted in the paper. He said that they did not hear from them.

Malmquist closed the Public Hearing.

- iv. **Recommendation:** Miller moved, seconded by Wetuski to recommend approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan. **Ayes:** Wetuski, Miller, Sargus, Krzywicki, Malmquist, Gahan, and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Dale, and Hill. **Motion Carried.** (7-0-3)

C. Public Hearing for Zoning Map Amendment (Rezoning) – Lot 1 Harrison Hills – CBRE I MEGA

- i. **Staff Report – Chris Solberg:** Solberg stated the applicant, CBRE I MEGA is requesting a Zoning Map Amendment to allow for the rezoning of Lot 1 Harrison Hills to I-1 PUD, Light Industrial Planned Unit Development and Gateway Overlay Corridor District, for the purpose of industrial development. The location of the lot is east of the intersection of S. 118th Street and Emilie Street. Staff recommends approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial / Office Park with a Gateway Corridor District (Overlay District), to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and a Planned Unit Development District (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Comprehensive Plan.
- ii. **Applicant Presentation:** Sam Garden came up and spoke on behalf of the applicant. He said that he believed that Chris captured it well and that he was there to answer any questions.
- iii. **Public Hearing: Malmquist opened the Public Hearing.**

Sargus asked if on the drawing of the Preliminary Plat showed what the land was going to be used for.

Garden said yes, the drawing shows what the preliminary use was going to be.

Sargus asked if he was able to say what the land was going to be used for.

Garden said that it is an existing La Vista business that is in light manufacturing and that it is clean use factory and laboratory type use and they're looking for a growth opportunity and this is the site that they selected.

Malmquist closed the Public Hearing.

- iv. **Recommendation:** Sargus moved, seconded by Miller to recommend approval of the amendment to the Zoning Map (Rezoning) from C-3 Highway Commercial /

Office Park with a Gateway Corridor District (Overlay District), to I-1 Light Industrial with a Gateway Corridor District (Overlay District) and a Planned Unit Development District (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan. **Ayes: Wetuski, Miller, Sargus, Krzywicki, Malmquist, Gahan, and Alexander. Nays: None. Abstain: None. Absent: Circo, Dale, and Hill. Motion Carried. (7-0-3)**

D. Public Hearing on Planned Unit Development Rezoning and Site Plan – Restaurant Depot – JRD Real Estate VI, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, JRD Real Estate VI, LLC is requesting a PUD Rezoning and a PUD Site Plan approval for a possible development of a Limited Membership Wholesale Store on Lot 2, Harrison Hills, generally located southwest of S 118th Street and Harrison Street intersection. Staff has recommendations for each item. Staff recommends approval of the rezoning from C-3 Highway/Office Park District and Gateway Corridor District (Overlay District) to C-3 Highway Commercial/Office Park District, Gateway Corridor District (Overlay District) and Planned Unit Development District (Overlay District) as the rezoning request is consistent with the Comprehensive Plan and the Zoning Ordinance. Staff also recommends approval of the PUD Site Plan for a Limited Membership Wholesale Store, contingent on the finalization of the landscaping plan prior to the City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance.
- ii. **Applicant Presentation:** Brian Grosse came up and spoke on behalf of the applicant. He mentioned that his company is the developer for Restaurant Depot. He said the Restaurant Depot is very excited to come and develop the first store in the state of Nebraska and that they have selected La Vista as their home. He said that Restaurant Depot is a wholesale, members only club that sells directly to the restaurant, bar and entertainment industry. They sell anything you could think of to run a restaurant from food items, to everything that one would need to operate a business. He then showed display boards to the commission illustrating the building and what they do. He said that they operate out of a 55,000 square foot building and showed where on the site it will be placed. He mentioned that they are going through the architectural review with staff as required. Grosse then said that they are asking for rezoning approval because of the nature of their business being a member's only type business, it makes more sense to be in a C-3. He also mentioned that the parking requirements are not such, even though they have a large footprint, they just don't have the need for the same type of parking you would need for a retail type application of the zoning code. They've asked for a more appropriate parking zoning for their use and the calculations for their use require about 157 spaces and they are showing 178 on the drawing. He said that all of the parking will be oriented towards Harrison and S 118th and will be kept completely separate from the truck access which will be off Emiline.
- iii. **Public Hearing: Malmquist opened the Public Hearing.**
Gahan asked if most of their customers or members order ahead and just pick up or do they actually shop inside.

Grosse said that they actually shop inside. He said that you can do either or. He mentioned that a lot of their repeat customers will place orders ahead of time, but that they still have customers that come in and shop the aisles.

Malmquist asked how many people would be employed out at the building.

Grosse said that they work in shifts and that he believed that a shift usually has about 25 employees, plus back stock. He said that looking at store operations, there would be about 100+ employees. He mentioned that they are open 7 days a week, 7am-7pm.

Krzywicki asked for more thorough clarification of the comments that were made in the Staff report, including information about right-in and right-out and the fact that the exiting traffic would have to take a longer route than they would normally like to.

Grosse showed again the drawings of the streets. He said that most of the traffic will be coming in at Harrison to 118th. He said that they originally proposed that they right-in and right-out at 118th so customers could enter the front and not have to do a U-turn to get back out to Harrison. He said that in talking to staff and recommendations, they have changed this to be a right-in only and all exiting traffic would have to go down to Emilie, to 118th and then to Harrison, which is an acceptable traffic movement.

Malmquist asked where the trucks would come in and go.

Grosse said that the trucks will enter and exit off of Emilie.

Malmquist asked if customers would also drive to the docking areas to pick up orders.

Grosse said that there will be delivery areas up front and employees will help customers if they need to.

Malmquist asked if staff's concerns have been addressed.

Solberg said that the staff's recommendation for the project has a contingency to resolve any remaining issues of the landscaping plan prior to City Council approval. He said that they have resubmitted a landscaping plan and the design review architect hasn't had a chance to review that yet.

Malmquist closed the Public Hearing.

- iv. **Recommendation - Rezoning:** Krzywicki moved, seconded by Alexander to recommend approval of the rezoning from C-3 Highway Commercial/Office Park District and Gateway Corridor District (Overlay District) to C-3 Highway Commercial/Office Park District, Gateway Corridor District (Overlay District), and Planned Unit Development District (Overlay District) as the rezoning request is

consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: Wetuski, Miller, Sargus, Krzywicki, Malmquist, Gahan, and Alexander. Nays: None. Abstain: None. Absent: Circo, Dale, and Hill. Motion Carried. (7-0-3)**

v. **Recommendation – Site Plan:** Krzywicki moved, seconded by Alexander to recommend approval of the PUD Site Plan for a Limited Membership Wholesale Store, contingent on the finalization of the landscaping plan prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: Wetuski, Miller, Sargus, Krzywicki, Malmquist, Gahan, and Alexander. Nays: None. Abstain: None. Absent: Circo, Dale, and Hill. Motion Carried. (7-0-3)**

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

Krzywicki asked how things were going with the Multisport Complex as far as their financing.

Solberg said that he does not have an update on that right now and that things have not been finalized yet. He said that as soon as that happens, he will be able to give updated information.

Gahan asked about the gentleman out on 108th who operated heavy earth moving equipment at all hours of the night and had many complaints against, and wanted to know if that has ever been resolved.

Solberg said not yet. He said that the City filed a complaint with District Court regarding the issue. He actually has to report to the owner's deposition in early June, so there are some legal actions taking place to take care of that activity.

Sargus asked about the City Centre in regards to the amphitheater study and asked if the Council has taken action on that or if they already have.

Solberg said that that was just a study that was conducted for the City and Council doesn't have to take an action. He said that if they do decide to move forward with some type of amphitheater, then an action would be taken to enter into an RFP to acquire a design consultant to do the design for us. It would then go through Council approval for the design and construction.

Miller asked Kottmann about the streets in Southwind being torn up and asked if he knew what was going on 93rd Street.

Kottmann said that he is not personally involved in the project, but he does know that Rocky Henkel, our street superintendent, has a repair project going on over there where they are removing and replacing 11 panels.

7. Comments from Staff

Solberg mentioned that the final walls have come down and that Walmart is finally gone. He said that there are some things that need to be removed, but their main concern is the grading of the north part of the site, so they can start the development of the first 4 buildings. He said that they are expecting building permits in the very near future for that.

Solberg said that they are still working very diligently on the Comprehensive Plan and is hoping to bring the Planning Commission back into that fold here pretty soon.

8. Adjournment

Malmquist adjourned at 7:46p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date