



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
NOVEMBER 15, 2018, 7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, November 15, 2018 in the Harold “Andy” Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Tom Miller called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Kevin Wetuski, Mike Circo, Tom Miller, Kathleen Alexander, John Gahan, and Harold Sargus. Members absent were: Jason Dale. Also in attendance were Ann Birch, Community Development Director; Meghan Engberg, Permit Technician; 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 Miller at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – October 18, 2018

Circo moved, seconded by Malmquist, to approve the October 18th minutes. **Ayes: Krzywicki, Wetuski, Sargus, Alexander, Miller, Circo and Malmquist. Nays: None. Abstain: Gahan. Absent: Dale. Motion Carried, (7-0-1)**

3. Old Business

None.

4. New Business

A. Planned Unit Development (PUD) Development Amendment – Lot 1, Southport West Replat Five – HOA Restaurant Holder, LLC

- i. **Staff Report – Ann Birch:** Birch stated that the request is for a Planned Unit Development Site Plan amendment to allow for a freestanding, 5,633 square foot restaurant. The site is currently vacant and is located in Southport West between the Boot Barn and Mutual of Omaha Bank. The staff recommendation is for approval with some contingencies.
- ii. **Applicant Presentation:** Brian Nebel from CDS came up and spoke on behalf of the applicant. He said that he was available to answer any questions they may have.

Gahan brought up item 4.2 and the references made to Papillion Fire Department. He said that it's indicated that the proposal must comply with emergency responder radio coverage requirements and asked for an explanation of what that means.

Birch said that this is being reviewed by the Papillion Fire Department and there is another person doing plan review and they have noticed some more substantial comments lately from them. She said that this a regular requirement that they are just now noting, but it is something that is constructed within the building.

Kottmann added that for this size of building it's probably a nonissue, but with larger warehouse buildings, the fire department has had some problems in the past with their emergency radios being able to get reception and communicate with dispatchers, so in certain buildings they need to have repeaters so that their radios can make contact with dispatch. It is a requirement to check that provision, but in this size of building, he doesn't expect that it would be an issue, but it is part of their normal requirement.

iii. Public Hearing – Miller opened the Public Hearing

Miller closed the public hearing as no members of the public came forward.

iv. Recommendation: Sargus moved, seconded by Malmquist to recommend approval of the PUD Site Plan for a restaurant development contingent on satisfactory finalization and recording of a common area installation and maintenance agreement and the substantial completion of the design review process prior to City Council approval, as the PUD Site Plan request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Gahan, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale. Motion Carried. (8-0)**

B. Zoning Map Amendment – Lots 6-11 Chalco Valley Business Park – NEBCO, Inc.

- i. Staff Report – Ann Birch:** Birch stated the request is for rezoning from I-1 Light Industrial with a Floodplain Overlay District to I-2 Heavy Industrial. She directed the commission to look at the staff report under E: Requested Actions that it is incorrect. It says I-2 Light Industrial and it should actually be I-2 Heavy Industrial. Birch said that it is for Lots 6-11, Chalco Valley Business Park. Staff's recommendation is for approval of the rezoning.
- ii. Applicant Presentation:** Joe Flaxbeard came up and spoke on behalf of the applicant. He also mentioned that Doug Whitehead from NEBCO was there as well. He said that

this was just for a rezoning, but they were there to answer any questions the commission may have.

Circo asked if they had any possible businesses that are interested in going into the lots in the future.

Flaxbeard said that might be something that Whitehead may want to come up and talk about. He did mention that the lots were historically a part of Sarpy County and that the zoning it was under coincided more with the county's original jurisdiction.

Whitehead came up and said they had a potential tenant approach them about a possible development there and that's when they discovered that the previous zoning under Sarpy County conflicted with the current zoning in La Vista. They are still hoping to put together a project, but aren't sure if that's going to happen or not. It did however open their eyes to get their current zoning in line with what the development was laid out for.

iii. Public Hearing – Miller opened the Public Hearing

Miller closed the public hearing as no members of the public came forward.

iv. Recommendation: Krzywicki moved, seconded by Wetuski to recommend to city council approval of the amendment to the Zoning Map from I-1 Light Industrial with a Floodplain District Overlay to I-2 Heavy Industrial with a Floodplain District Overlay as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Gahan, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale. Motion Carried. (8-0)**

5. Adoption of the 2019 City of La Vista Review Schedule

Engberg mentioned to the commission that updated copies were put on their desk prior to the meeting.

Birch said that there were changes made to sentence number one. It now states that a pre-application meeting is now required for virtually any application submitted.

Circo moved, seconded by Alexander for approval of the review schedule as presented. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Gahan, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale. Motion Carried. (8-0)**

6. Comments from the Floor

No members of the public were present.

7. Comments from Planning Commission

None

8. Comments from Staff

Birch mentioned that Solberg is out of town and that is why he was not at the meeting tonight.

9. Adjournment

Miller adjourned the meeting at 7:17 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date