



**MEETING MINUTES**  
**CITY OF LA VISTA PLANNING COMMISSION**  
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128  
P: (402) 593-6400

**THURSDAY, NOVEMBER 2 AT 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, October 19, 2023, in the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. 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. The following Planning Commission members were present and absent:

**PRESENT:** Gayle Malmquist, Harold Sargus, John Gahan, Josh Frey, Mike Circo, Patrick Coghlan, Michael Krzywicki, and Deborah Dogba

**ABSENT:** Kathleen Alexander and Jason Dale

**STAFF PRESENT:** Chris Solberg, Deputy Community Development Director; Cale Brodersen, Associate City Planner, Lydia McCasland, Permit Technician; and Pat Dowse, City Engineer

**Call to Order**

The meeting was called to order by Chair Sargus at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

**1. Approval of Meeting Minutes from October, 19, 2023**

**Motion:** Malmquist moved, seconded by Circo, to **approve** the October 19, 2023, minutes.

<b>RESULT:</b>	<b>Motion carried 7-0-1</b>
<b>MOTION BY:</b>	Malmquist
<b>SECONDED BY:</b>	Circo
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	Krzywicki
<b>ABSENT:</b>	Alexander, Dale

## 2. Old Business

### A. Comprehensive Plan Future Land Use Map Amendment – ETJ Extension

- i. **Staff Report – Chris Solberg, Deputy Community Development Director;** Solberg offered some background and history for the Commission and audience members on the City's extraterritorial planning jurisdiction and statutory authority to extend it. He explained that in 2012 the City decided to expand the ETJ to encompass the properties immediately west of 144<sup>th</sup> Street in order to have control of the development of the corridor. There is one parcel, located in the vicinity of 144<sup>th</sup> and Chandler, that runs approximately one mile east-west that our ETJ line divides. The eastern portion of the parcel is currently in the City's ETJ but the western portion is in Sarpy County's zoning jurisdiction. Therefore, any potential development applications on that parcel would need to be approved by both Sarpy County and the City of La Vista. At the last Planning Commission meeting, the Commission recommended approval of an amendment to the ETJ map that would extend the ETJ line to encompass the entire property, as to reduce complexity in the development review process and to allow the City to better control the development.

This agenda item is related to the future land use map in the La Vista Comprehensive Plan which needs to be amended to establish a land use designation on the additional property. The next item is a proposed amendment to the zoning map to establish a zoning district on the additional property.

Solberg described the additional property in more detail, including that much of the property is in the floodplain, and therefore subject to additional requirements through the Natural Resources District. For example, no development can occur in the floodway, and development in the floodplain is limited to 25% of the area, and only if the property in that 25% is raised to one foot above the base flood elevation.

Solberg acknowledged the public and that the Commission and staff heard their concerns during the last Planning Commission meeting on October 19<sup>th</sup>. Since that meeting, planning staff are proposing changing the recommended future land use designation to Business Park (as opposed to Industrial), and the recommended zoning designation to I-1 Light Industrial (as opposed to I-2 Heavy Industrial).

### ii. Public Hearing:

**Chair Sargus opened the Public Hearing.**

Victor Pelster with NP Dodge, representing the applicant, offered to answer any questions.

Ben Lierman inquired about the site plan review process, and asked if the company would need to resubmit for approval if they wanted to make changes to the approved site plan. Solberg explained that any company wanting to build in a PUD area would have to go through the planning review process, which includes review by the Planning Commission and City Council, and that if they wanted to make significant changes to

the site plan they would need to go through the process again to amend the existing PUD.

Natalia Batchenkova asked what is included in a site plan submittal for a planned unit development application, and if it includes an environmental study of how it may impact the flood plain. Solberg explained that the PUD process includes a comprehensive review of the site and staff look at orientation and location of roads and buildings, landscaping, proposed grading and drainage, utilities, and other site amenities such as sidewalks, parking, dumpster enclosures, and lighting. The specifics of the drainage study and post-construction stormwater management plan are reviewed as part of the building permit review process, and impacts on the flood plain are looked at during that time.

Sargus asked Solberg to explain how the review process works for a PUD amendment. Solberg explained that first staff review the amendment application which includes the various site plans and supporting documentation, often there are some changes that are necessary to bring the development proposals into compliance with the City's regulations, then there is a public hearing scheduled for the Planning Commission to review the proposal. There is a notification about the public hearing that goes out to anyone within 300 feet of the affected property, in addition to a sign being posted at the property, and notice published in the newspaper. Then the Planning Commission offers a recommendation to City Council where another public hearing is held, and ultimately City Council has the authority to approve or deny applications.

Scott Owen thanked the Commission for their time and for listening to the feedback from the last meeting. He voiced concerns about construction activity in/near the floodplain, and wants the wellbeing of the wildlife to be considered. Dowse explained that the developer would need to follow La Vista's post-construction stormwater management regulations.

Natalia asked what type of development is anticipated for the site. Broderson replied that that the City has received interest to develop the property as light industrial, but that no formal applications have been received.

As no additional members of the public came forward to speak, Frey moved, seconded by Malmquist to close the public hearing.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Frey
<b>SECONDED BY:</b>	Malmquist
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

iii. **Recommendation:** Malmquist moved, seconded by Frey to recommend **approval** of the amendment to the City of La Vista Future Land Use Map.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Malmquist
<b>SECONDED BY:</b>	Frey
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

**B. Zoning Map Amendment – ETJ Extension**

i. **Staff Report – Chris Solberg, Deputy Community Development Director;** Solberg explained the proposal to extend the light industrial zoning onto the additional property proposed to be brought within the City of La Vista's ETJ, as this designation is consistent with the proposed future land use designation of Business Park.

**Chair Sargus opened the Public Hearing.**

ii. **Public Hearing:**

As no members of the public came forward to speak, Circo moved, to close the public hearing. The motion was seconded by Frey.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Circo
<b>SECONDED BY:</b>	Frey
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

**Chair Sargus stated that the motion to close the Public Hearing was approved.**

**Recommendation:** *Frey* moved, seconded by *Dogba* to recommend the adoption of the amendment to the City of La Vista Zoning Map.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Frey
<b>SECONDED BY:</b>	Dogba
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

### 3. New Business

- A. **Zoning Ordinance Amendments – Catering Kitchens - Section 2.04 – Definitions: C; Section 2.07 – Definitions: F; and Section 5.13 I-1 Light Industrial**
- B. **Staff Report – Cale Brodersen, Associate City Planner;** Brodersen introduced the request for Zoning Ordinance Amendments relating to catering kitchens which allow for the limited use of commercial kitchens in the I-1 light industrial zoning district. This would allow for the use of kitchens where customers are not coming to consume food on-site (like a restaurant), but offer a place where caterers or food truck vendors can prepare food on-site and deliver it to be consumed off-site.

**Chair Sargus opened the Public Hearing.**

- i. **Public Hearing:**  
Natalia Batchenkova asked where commercial kitchens are currently allowed and asked if the retail component allowed through the amendments would include drive-throughs. Brodersen mentioned that commercial kitchens are currently not allowed in industrial areas, but they are in commercial areas. He clarified that the retail component is not referring to a drive-through like what is allowed through the restaurant use in commercial areas, but rather allows small-scale food product manufacturers to sell some of their products on-site, such as a salsa producer that would like to have a limited storefront.

As no additional members of the public came forward, Gahan moved, seconded by Coghlan to close the public hearing.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Gahan
<b>SECONDED BY:</b>	Coghlan
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki,

<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

**Chair Sargus stated that the motion to close the Public Hearing was approved.**

- i. **Recommendation:** Malmquist moved, seconded by Krzywicki to recommend **approval** of the zoning text amendments to Sections 2.04, 2.07 and 5.13 of the La Vista Zoning Ordinance.

<b>RESULT:</b>	<b>Motion carried 8-0-0</b>
<b>MOTION BY:</b>	Malmquist
<b>SECONDED BY:</b>	Krzywicki
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Coghlan, Dogba, Krzywicki
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	Alexander, Dale

**4. Comments from the Floor**

None.

**5. Comments from the Planning Commission**

**6. Comments from the Staff**

**7. Adjournment**

Chairman Sargus adjourned the meeting at 7:25 p.m.

Reviewed by Planning Commission:

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Planning Commission Secretary

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Planning Commission Chair

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Date