



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

**THURSDAY, FEBRUARY 29 AT 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, February 29, 2024, 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, Debra Dogba, and Michael Kryzwicki

**ABSENT:** Kathleen Alexander, Patrick Coghlan

**STAFF PRESENT:** Bruce Fountain Community Development Director; Chris Solberg, Deputy Community Development Director, 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 January 4, 2024**

***Motion:*** Malmquist moved, seconded by Frey, to **approve** the January 4, 2024, minutes.

<b>RESULT:</b>	<b>Motion carried 6-0-1</b>
<b>MOTION BY:</b>	Malmquist
<b>SECONDED BY:</b>	Frey
<b>AYES:</b>	Sargus, Malmquist, Circo, Gahan, Frey, Krzywicki,
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	Dogba
<b>ABSENT:</b>	Coghlan, Alexander

**2. Old Business**

**3. New Business**

**A. Proposed Amendment No. 3 to the Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area**

i. **Staff Report – Chris Solberg, Deputy Community Development Director:** Solberg introduced Amendment No. 3 to the Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area. Lot 14, or the Vivere North building, is the lot against Central Park. The commercial building bays on the west side of the building have limited visibility from the road due to the size of the Astro, which has led to limited commercial interest in them. The developer has requested to replace the bays with 8 luxury apartment units. Solberg then discussed the overall approval process necessary for the conversion of the commercial bays to multi-family residential units.

**Chair Sargus opened the Public Hearing.**

ii. **Public Hearing:**

Kryzwicki asked how it [the proposed commercial conversion] will affect the overall development, sales tax, and the TIF financing involved. Solberg replied that the original plans for the development depicted a smaller building to the west that would not have limited the visibility of these commercial bays, making commercial more viable. However, since the building was built (the Astro) was significantly larger than what was originally planned in that location the bays were in fact being “covered up”. Kryzwicki asked additional questions about the original development and the expected financial return for the City. Solberg answered a few of the questions and noted that the developer’s presentation will likely cover the rest.

Chris Erikson with City Ventures provided a presentation with what changes were going to be made.

Sargus asked Erickson to describe what Luxury apartments are and if there was a market for them. Erickson replied with additional information about the apartments to be constructed. Additional discussion ensued about the concert venue operations and concerns about the potential impact on these additional units. Erickson noted the limited number of noise complaints and how they get more complaints about lesser issues.

Commission member Kryzwicki inquired on the overall TIF financing for the development and how the conversion from commercial to residential development may impact the taxes taken in from this development. Erickson responded with a discussion about the TIF financing for the development. He also mentioned that a standalone restaurant was originally planned in the

location where the Astro is and that the Astro is expected to bring in more sales tax than the combination of the originally planned restaurant and the commercial bays in the Vivere building that are proposed to be converted.

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

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

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

iii. **Recommendation:** Malmquist moved, seconded by Gahan to recommend **approval** of the Proposed Amendment No. 3 (affirmative recommendation would be subject to Comprehensive Development Plan Amendment to incorporate Redevelopment Plan Amendment No. 3)

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

B. **Proposed Comprehensive Development Plan Amendment to Incorporate Proposed Amendment No. 3, as described in Agenda item 4A above, into the Comprehensive Development Plan**

i. **Staff Report — Chris Solberg, Deputy Community Development Director:** introduced the Proposed Comprehensive Development Plan Amendment to Incorporate Proposed Amendment No. 3.

ii. **Public Hearing**

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

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

iii. **Recommendation:** Malmquist moved, seconded by Frey to recommend **approval** of the Proposed Comprehensive Development Plan Amendment to Incorporate Proposed Amendment No. 3, as described in Agenda item 4A above, into the Comprehensive Development Plan

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

**C. Conditional Use Permit – Ground Floor Multi-Family Apartments - Lot 14 La Vista City Centre – City Centre 1, LLC**

i. **Staff Report — Chris Solberg, Deputy Community Development Director:** As noted before this would be the final allowance for zoning for the construction of the ground floor apartment use. Solberg asked if the commission had any questions.

**Chair Sargus opened the Public Hearing.**

ii. **Public Hearing**

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

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

iii. **Recommendation:** Malmquist moved, seconded by Gahan to recommend **approval** of Conditional Use Permit – Ground Floor Multi-Family Apartments - Lot 14 La Vista City Centre – City Centre 1, LLC

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

**D. Zoning Ordinance Amendments – Container Bars - Sections 2.04 and 5.19.**

i. **Staff Report — Chris Solberg, Deputy Community Development Director:** introduced the Zoning Ordinance Amendments for Container Bars regarding Sections 2.04 and 5.19 of the La Vista Zoning Ordinance, noting that there is an increasing popularity of container bars as a low cost way of getting an activity in downtowns or development districts. Solberg noted that based on an inquiry about constructing one in La Vista City Center, Staff has looked into it and has concluded it would be beneficial to allow for the use through a CUP. Solberg continued with a discussion about how the City can monitor and control the use through an approved CUP. Krzywicki asked about the temporary natures and the details of the CUP for this use. Solberg stated that each CUP would be done on a case-by-case basis.

Gahan asked if the patrons could exit the container bar area and walk around City Centre. Solberg replied that there would be a fenced off area the patrons would have to stay in order to drink according to the State liquor laws. Gahan asked about bathrooms for the venue. Solberg said that subject is a building code issue and it is what they are looking into now. Circo asked about similarities between container bars and food trucks. Fountain spoke existing restrictions that limit proximity of food trucks to restaurants in the area.

Gahan and Sargus asked a couple questions about the general operations of such a use and Erickson provided the Commission members more insight.

Frey asked about sanitation and if there was a requirement for sinks. Solberg note that those aspects would be handled through the building code and that container bars would also have to be regularly inspected by the State like other bars and restaurants.

Circo asked if there are restrictions on what the development would look like. Solberg said it would be tough for a container bar to meet the existing design guidelines for the City Centre development and that an exemption for the use was added to the design guidelines as part of the redevelopment plan amendments. Sargus noted worries about the possibility of the placement of a rusty container in City Centre without the guidelines. Solberg responded that all those aspects will be controlled through the required CUP, from original design to the maintenance of the use.

**Chair Sargus opened the Public Hearing.**

**ii. Public Hearing**

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

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

**A. Recommendation:** Frey moved, seconded by Gahan to recommend **approval** of Zoning Ordinance Amendments – Container Bars - Sections 2.04 and 5.19

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

#### **4. Report of the Nominating Committee**

The nominating committee nominated the following slate for officers: Chair: Kathleen Alexander, Vice Chair: Josh Frey, Secretary: Coghlan.

#### **5. Elections**

Krzywicki moved, seconded by Circo to accept the nominating committee's recommendation and elect Kathleen Alexander as Chair, Josh Frey as Vice Chair, and Patrick Coghlan as Secretary.

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

#### **6. Comments from the Floor**

#### **7. Comments from the Planning Commission**

#### **8. Comments from the Staff**

#### **9. Adjournment**

Chairman Sargus adjourned the meeting at 7:40 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