

**CITY OF LA VISTA**  
**PLANNING COMMISSION MINUTES**  
**MAY 17, 2007**

The Planning Commission meeting of the City of La Vista was convened at 7:00 p.m. on Thursday, May 17, 2007 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Andsager, Horihan, Carcich, Hewitt, Malmquist, and Gahan. Krzywicki absent. Also in attendance were City Engineer John Kottman, Community Development Director Ann Birch, and City Planner Marcus Baker.

Legal notice of the public meeting and hearing was posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission and a copy of the acknowledgement of the receipt of notice is attached to the minutes. 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 Vice Chairperson Carcich at 7:10 p.m. A copy of the agenda and staff report was made available to the public.

**2. Approval of Meeting Minutes – April 19, 2007**

Gahan motioned to approve the minutes of April 19 2007. Horihan seconded. Ayes: Andsager, Gahan, Carcich, and Horihan. Nays: None. Motion carried. Hewitt and Malmquist abstained.

**3. Old Business**

None.

**4. New Business**

**A.** A replat application for Lots 1-3, Southport West Replat Three, being a replatting of all of Lot 1, Southport West Replat Two, located in the SW ¼ of Section 18 and the SE ¼ of Section 18, T-14-N, R-12-E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located NW of Southport Parkway and Giles Road.

**B.** A conditional use permit application to locate and operate a hotel on Lot 1, Southport West Replat Three, generally located NW of Southport Parkway and Giles Road.

**C.** An amendment to the PUD Plan for Lots 1-3, Southport West Replat Three located in the SW ¼ of Section 18 and the SE ¼ of Section 18, T-14-N, R-12-E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located NW of Southport Parkway and Giles Road.

i. Staff Report

The staff report will cover items A, B, and C on the agenda. Two handouts were distributed as additional packet items: Page 2 of the staff report and then the draft of the PUD amendment.

The applicant, La Vista Courtyard Development, LLC desire to continue development of Lot 1, Southport West Replat II. The proposal is to build a Courtyard by Marriott Hotel on a separated lot from the adjoining convention Center and Embassy Suites Hotel. An amendment to the PUD is requested to allow for zero setback on the side lot line.

The proposed hotel would be six stories with 243 rooms, including meeting rooms, a restaurant, a lounge and recreational facilities. The recreational facilities include a swimming pool, fitness center, spa, outdoor playground and patio. This hotel would assist in serving the patrons of the adjoining convention center; an enclosed walkway would be constructed as a connection to the convention center.

The property is being re-platted so that the two hotels and the convention center would each have their respective lots with their respective parking areas; although it is understood that the parking areas will be shared among the users. The plat is being reviewed as a Final Plat.

The building footprint for the proposed hotel would be over 38,000 sq. ft. with an additional 126,477 sq. ft. of pavement for parking and sidewalks. The PUD has an engineered storm water system in place, so site run-off will be piped into this system. About 50,000 sq. ft. of green space is planned for the site.

Building Design Review will be required to meet the design standards of the Southport PUD prior to any building permit approvals.

The airport shuttle service proposed by the applicant would help reduce the demand for parking spaces and would reduce traffic congestion in and around the site. This proposal would satisfy the CUP standard found in Section 6.05.11 of the Zoning Ordinance.

Pedestrian sidewalks and walkways need to provide safe and convenient linkages to perimeter sidewalks.

Staff recommends approval of the Courtyard by Marriot Hotel Conditional Use Permit, Southport West Replat III, and PUD amendments to Southport subject to addressing items noted .

ii. **Public Hearing:**

Malmquist motioned to open the public hearing for agenda Items A, B, and C. Hewitt seconded.

Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing was opened at 7:16 p.m.

John Meng-Frecker, with E & A Consulting Group was present for the applicant, John Q. Hammons to answer any questions.

Hewitt asked if these were three separate developments. Meng-Frecker said this was correct and each needed to have a separate lot.

No other questions or comments were received from the public.

Hewitt motioned to close the public hearing. Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing closed at 7:18 p.m..

iii. **Recommendation:** Malmquist motioned to recommend approval of agenda items A, B, and C for Courtyard by Marriot Hotel Conditional Use Permit, Southport West Replat III, and PUD amendments to Southport subject to resolution of items noted in the staff report. Gahan seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Motion approved.

This item is tentatively scheduled to be on the agenda for the City Council meeting of June 19, 2007.

D. A conditional use permit application to locate and operate a beauty salon at 7105 Pine Drive, also known as Lot 367, Park View Heights 2<sup>nd</sup> Addition, generally located S of Harrison Street on Pine Drive.

i. **Staff Report:**

Applicant, Jana Newell, has requested a conditional use permit to locate and operate a home occupation of a beauty salon at 7105 Pine Drive which is an R-1 residential zoning area. The Comprehensive Plan identifies this area as medium density residential. The applicant was asked to provide proof of ownership or authority to allow her to apply for such usage on this property; and to provide the proposed hours of operation and the number of customers to be scheduled at any one time. The applicant has indicated four spaces for vehicles to be parked at this property. This applicant was previously granted a conditional use permit to operate a beauty salon at 9006 Granville Parkway, however, is now moving to Pine Drive.

Staff is recommending approval upon resolution of items noted above.

ii. **Public Hearing**

Malmquist motioned to open the public hearing. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing opened at 7:21 p.m.

Jana Newell was present to provide a copy of the closing paperwork on her new home. She stated there is room for three vehicles in the driveway and only herself is employed at this salon. Her business hours are Sat. 9-3, Wed-Thur 10-7, and Tues and Fri 9-5 and usually by appointment only.

Gahan asked if she had any problems with neighbors that had come up at her previous location. Newell said she had not. Hewitt asked if anyone in her new neighborhood had asked any questions of her. Newell said everyone that she was able to contact had approved.

With no further comments, Malmquist motioned to close the public hearing. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing opened at 7:29 p.m..

iii. **Recommendation:** Horihan motioned to recommend approval of the conditional use permit application to locate and operate a beauty salon at 7105 Pine Drive based upon resolution of items noted. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Motion approved.

This item is tentatively scheduled to be on the agenda for the City Council meeting of June 19, 2007.

**E. A replat application for Lots 1-4, Southport East Replat Nine, being a replatting of Lots 1 & 2, Southport East Replat Six, located in the SE ¼ of Section 18, T-14-N, R-12-E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located SE of Southport Parkway and Giles Road.**

**F. An amendment to the PUD Plan for Lots 1-4 Southport East Replat Nine, located in the SE ¼ of Section 18, T-14-N, R-12-E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located SE of Southport Parkway and Giles Road.**

i. **Staff Report**

Agenda Items E and F will be covered jointly.

The proposal is to replat Lots 1 & 2 of Southport East Replat VI to Lots 1-4 of Southport East Replat IX. This is approximately an 8.9 acre site. Access is proposed to Southport Parkway and through a network of internal private drives will also connect to Eastport Parkway through other phases of

development. Parking along these internal private drives may cause traffic congestion due to people backing out onto these drives. Also, large vehicles may extend out into traffic lanes causing further conflict.

Staff recommends approval of Southport East Replat IX subject to addressing the items noted below:

1. "Corner Streetscapes" should be installed as shown on the revised PUD Plan.
2. Building height of 55 feet has been determined to be acceptable, as long as the FAA has no objections.
3. No drive-up windows are proposed in the PUD plan.
4. Diagonal parking along the private roads is the preferable alternative to perpendicular parking stalls.
5. A left turn lane on Southport Parkway is being proposed upon City Engineer's recommendation. This will be a public improvement provided by the developer.
6. Other public improvements will include storm water and sanitary sewer installations within the project, as well as public sidewalks on the perimeter of the parcels with connecting pathways to each lot.
7. Southport East Replat VI is not yet finalized, but will be done prior to City Council approval of this proposed Replat.

ii. **Public Hearing**

Hewitt motioned to open the public hearing. Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing opened at 7:32 p.m..

Baker reported that Item 7 above has now been finalized.

John Meng-Frecker with E & A Consulting Group was present on behalf of the applicant, John Hoich to answer any questions.

Hewitt asked if this application was for four buildings or five. Meng-Frecker said it is for four lots and only four buildings currently.

Gahan presumed that no drive-up windows meant there would be no restaurants located there. Meng-Frecker replied the no drive-up windows applies to replat 9. There are drive-up windows proposed in replat 6.

With no further comments, Hewitt motioned to close the public hearing. Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing closed at 7:36 p.m.

iii. **Recommendation:** Hewitt motioned to recommend combination of Items E and F to approve the replat application for Lots 1 &2 of Southport East Replat IX as well as an amendment to the PUD Plan for the same lots as one ordinance subject to resolution of the items noted.

Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Motion approved.

This item is tentatively scheduled to be on the agenda for the City Council meeting of June 19, 2007.

**G. An amendment to the PUD Plan for Lots 1-10, Southport East Replat Six, located in Section 18, T-14-N, R12-E, of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located at Eastport Parkway and Giles Road.**

i. **Staff Report:** The public hearing was continued from the April 17 meeting to consider amendments proposed by staff to the PUD Plan for Southport East Replat Six. The original PUD Plan was drafted by the developer of Replat Six, however as staff has worked with the plan several provisions have been noted which conflict with the Southport East Design Guidelines. In general, the sections of the plan governing setbacks, landscaping and signage have been revised; other revisions are proposed for the sake of simplicity, consistency of language, or were unnecessary (such as some of the definitions).

A new application has recently been received for a replat and PUD site plan amendment for a portion of this area. This request is preliminarily scheduled for the June 19 Planning Commission meeting. In order to avoid multiple amendments to the PUD plan for this area, staff is recommending this draft be combined with the proposed PUD amendments for Southport East Replat Nine so that they are consistent.

Staff recommends this draft be combined with the proposed PUD amendments for Southport East Replat Nine so that they are consistent and to approve these updates during the continuance at the May 17, 2007 Planning Commission meeting.

ii. **Public Hearing:**

This item was continued from the April 19 Planning Commission meeting.

Malmquist motioned to close the public hearing. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Motion carried. Public hearing closed at 7:44 p.m.

iii. Recommendation: Malmquist motioned to recommend approval of an amendment to the PUD Plan for Lots 1-10, Southport East Replat Six with the amendments as indicated on the staff updates. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Hewitt, Horihan, and . Nays: None. Motion carried.

This item is tentatively scheduled to be on the agenda for the City Council meeting of June 19, 2007.

- H. Updated Future Land Use Map for the City of La Vista.
- I. Updated Zoning Map for the City of La Vista

i. Staff Report: A public hearing was continued on both Agenda Items H & I from the April 19, 2007 Planning Commission meeting due to some delays in finalizing the Future Land Use and Updated Zoning Maps. It is recommended to continue these items once again due to additional clean-up with the Future Land Use Map.

ii. Public Hearing: Continued from last meeting  
Gahan motioned to continue the public hearing until the next meeting. Hewitt seconded. Ayes: Andsager, Gahan, Carcich, Hewitt, and Horihan . Nays: None. Motion carried.

5. Comments from the Floor.

None.

6. Comments from the Planning Commission.

Carcich asked if there were any applications for the Roarty vacancy on this Planning Commission. Horihan stated she had been actively recruiting. Birch said she would see if it could be entered into the city newsletter. Birch said that the new person should be someone from within the city limits (as opposed to the extra territorial area).

7. Adjournment

Hewitt motioned to adjourn. Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Hewitt, and Horihan. Nays: None. Meeting adjourned at 7: 48 p.m.

Reviewed by Planning Commission: John Gahan



Recording Secretary

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Planning Commission Chair

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Approval Date