



CITY OF LA VISTA
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DRAFT

**PLANNING COMMISSION MINUTES
APRIL 21, 2011**

The City of La Vista Planning Commission held a regular meeting on Thursday, April 21, 2011, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Miller. Members absent were: Kramolisch and Alexander. Also in attendance were Chris Solberg, City Planner and John Kottmann, Assistant Public Works Director/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

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

2. Approval of Meeting Minutes – February 17, 2011

- a. Circo moved, seconded by Nielsen to approve the February 17, 2011 minutes noting that Commissioner Hewitt was not reappointed by the February 17th meeting. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager and Miller. **Nays:** None. **Abstain:** Gahan. **Absent:** Kramolisch and Alexander.
Motion Carried. (7-0)

3. Old Business

None.

4. New Business

A. Public Hearing regarding amendments to Sections 2.2 and 7.01 Zoning Regulations, regarding Signage

- i. **Staff Report:** Solberg stated staff was proposing to amend the definition of Electronic Message Board Sign and proposing to add a definition for Project Directory Sign. These definitions relate to additional sign uses proposed to be allowed within the Zoning Regulations.

The amendments also include modifications to 7.01.05.02 Center Identification Signs of the Zoning Regulations to allow for limited use of Electronic Message Boards as part of a Center Identification Sign.

Amendments also include the new sign type, Project Directory Signs which are multi-tenant signs that will be allowed as off-premise signage within certain

proximity of the advertised business. The proposed sign type limits the proximity of Project Directory Signs to other Project Directory Signs, therefore limiting the over-proliferation of off-premise signage through this sign type.

Staff recommended to approve the amendments to Section 2.02 and 7.01 of the Zoning Regulations regarding signs.

- ii. **Public Hearing Opened:** Malmquist moved, seconded by Miller to open the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander. **Motion Carried.** (8-0)

None came forward.

- iii. **Public Hearing Closed:** Circo moved, seconded by Nielsen to close the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander. **Motion Carried.** (8-0)

Solberg explained and discussed examples of Project Directory Signs and multi-tenant signs assisting with advertisement as off-premise siding.

Commissioners questioned if electronic message boards would be constantly changing.

Solberg explained the restrictions for the electronic message boards including how frequently the sign changes and overall square footage.

Commissioner Krzywicki questioned if the grandfathered signs would continue to be grandfathered until they had to replace the sign.

Solberg stated that was correct.

Commissioners questioned if every new business would be allowed to have an electronic message board.

Solberg stated that not every new business would be allowed to have an electronic message board. Some requirements include that they have to have multiple tenants and also a restriction that says that no two electronic message boards will be within 500' (feet) of another.

- iv. **Recommendation:** Malmquist moved, seconded by Andsager to recommend approval of the amendment to Section 2.2 and 7.01 of the Zoning Regulations regarding Signs as presented. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander. **Motion Carried.** (8-0)

B. Public Hearing regarding amendments to Sections 7.05 and 7.06, Zoning Regulations, regarding Off-Street Parking.

- i. **Staff Report:** Solberg stated staff was proposing to add Section 7.05.08 to Off-Street Automobile Storage to include language regarding requirements for enclosed garage parking. This will require new multi-family, apartment and condominium developments to construct 0.5 garages per unit.

An analysis of four of the most recent apartment complexes was provided breaking down the number of garages that were constructed per unit. The proposed amendments were developed to increase safety within the complexes and reduce the amount of police calls due to vehicle break-ins.

Staff recommended approval of the amendments to Sections 7.05 and 7.06 of the Zoning Regulations, regarding Off-Street Parking.

- ii. **Public Hearing Opened:** Miller moved, seconded by Circo to open the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander. **Motion Carried.** (8-0)

None came forward.

- iii. **Public Hearing Closed:** Malmquist moved, seconded by Gahan to close the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander. **Motion Carried.** (8-0)

Commissioner Krzywicki questioned what research was done and if existing complexes were notified of the potential zoning change and how it could affect them. He also questioned if research was done to see what percentage of people use the garage as storage instead of a garage.

Solberg stated that developments were not contacted to see how existing garages are utilized. Solberg stated garages should be available regardless of occupation just in case there is an increase in demand for garages due to the number of vehicle break-ins. Solberg stated staff compared the number of garages across the board with existing developments. This particular change does not affect existing developments. It is only for new developments.

Commissioner Hewitt questioned if projects that were permitted but not completed would be required to go back and get a conditional use permit. She felt that the wording should be re-worded to include more than just started since some projects will go before the Commission, go through the platting process, and not have broken ground. Hewitt and Solberg suggested possibly changing the wording to "developments approved by the City prior to the date".

Commissioner Krzywicki suggested to change the wording from "shall have 0.5 enclosed garages" to "minimum of".

Commissioners questioned what the previous requirement was for garages.

Solberg stated that there was not a previous requirement for garages.

Commissioner Krzywicki questioned the impact on the developer and the impact on the renters due to increased cost of apartment rental.

Solberg stated staff had that concern; however, staff had spoken to a developer of subsidized housing and the developer felt the apartments could still be sold even though the City Council pushed for garages and other design improvements.

Commissioner Hewitt questioned if they could get a Conditional Use Permit if there was a complex where most tenants do not drive and have van support.

Solberg stated it might be possible to look at a P.U.D. for that example because a Conditional Use Permit would not allow for the alteration of verbiage in the Zoning Regulations.

Commissioner Malmquist stated they may also be able to go through the variance process.

- iv. **Recommendation:** Gahan moved, seconded by Malmquist to recommend approval the amendments to sections 7.05 and 7.06 to the Zoning Regulations regarding Off-Street Parking with the changes discussed. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander.
Motion Carried. (8-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission.

7. Adjournment

Malmquist moved, seconded by Nielsen, to adjourn. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Andsager, Gahan, and Miller. **Nays:** None. **Abstain:** None. **Absent:** Kramolisch and Alexander.

Motion Carried. (8-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date