



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
FEBRUARY 20, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, February 20, 2020 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Kevin Wetuski, Kathleen Alexander, John Gahan, Harold Sargus, Josh Frey, and Mike Circo. Members absent were: Jason Dale and Patrick Coghlan. Also, in attendance were Chris Solberg, Deputy Community Development Director; Cale Brodersen, Assistant Planner; Rita Ramirez, Assistant City Administrator; Bruce Fountain, Community Development Director; Tom McKeon, City Attorney; Meghan Engberg, Permit Technician; and Pat Dowse, 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 Wetuski 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – February 6, 2020

Malmquist moved, seconded by *Krzywicki*, to approve the February 6th minutes. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (8-0)**

3. Old Business

None.

4. New Business

A. Proposed Amendment No. 2 to the Redevelopment Plan for the 84th Street Redevelopment Area

- i. **Staff Report – Chris Solberg:** Solberg stated that as an additional proposed amendment to the Redevelopment Plan, titled "*Redevelopment Plan for the 84th Street Redevelopment Area – Amendment No. 2,*" has been prepared to continue the Redevelopment Area efforts within the City Centre Area. He told the commission that what they have in front of them, in their packet, is the TIF application, the proposed Redevelopment Plan Amendment, with the Redevelopment Agreement and Subdivision Agreement as exhibits to that amendment. Solberg said that the Planning

Commission, after the public hearing, is asked to review and make recommendations to the City Council regarding Amendment No. 2 as to its conformity with the Comprehensive Development Plan. Staff recommends approval of Redevelopment Plan Amendment No. 2 as it is in conformity with the general plan for the development of the City as a whole, and staff recommends approval of the Comprehensive Development Plan Ordinance to incorporate Redevelopment Plan Amendment No. 2, subject to any conditions specified by the Planning Commission in its recommendation. He then noted that if the Planning Commission wishes to provide a favorable recommendation to City Council, then the recommendation will be a little bit different than the usual process. He said that the motion will be whether to approve Resolution Number 2020-1, which spells out the recommendation to the City Council.

ii. Public Hearing: Wetuski opened the Public Hearing

Chris Erickson came up and spoke on behalf of City Ventures. He presented the commission some exhibits of the proposed development and TIF application. Erickson said that the proposed development is for a 52,000 square foot indoor/outdoor music venue. He said that he would answer any questions the commission may have. Erickson then mentioned that they plan on having up to 150 shows, of those, there would be 15 outdoors and approximately 135 indoor shows. The capacity inside is roughly 2400-2500 and the capacity for the outdoor space is 4500-5000. Erickson said that he felt that this project is going to add a lot of draw, not just to the venue, but to the surrounding area as well.

Wetuski closed the Public Hearing.

McKeon verified that the Planning Commission had the resolution that Solberg referred to and said that he felt that it would be easier just because it says what's being presented, which would be the Redevelopment Plan Amendment No. 2 and that the statute requires that the Redevelopment Plan be in accordance with the Comprehensive Plan. He said that if you look in paragraph number 2, it's essentially making a recommendation of the Planning Commission in a finding that it's being recommended to the City Council in accordance with the Comprehensive Development Plan, subject to a few conditions and modifications. The other thing is that it would be subject to incorporating Redevelopment Plan Amendment No. 2 into the Comprehensive Plan, to ensure that everything is synchronized. He then said that what they would need to do, if this is the direction they would want to go, would be to make a motion and a second to approve this resolution.

iii. Recommendation: Sargus moved, seconded by Malmquist, to approve Resolution 2020-1, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE CITY OF LA VISTA COMMUNITY DEVELOPMENT AGENCY AND GOVERNING BODY OF THE CITY OF LA VISTA PROPOSED REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA - AMENDMENT NO. 2.

*Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist.
Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (8-0)*

B. Proposed Comprehensive Development Plan Amendment to Incorporate Proposed Amendment No. 2, as described in Agenda item 4A above, into the Comprehensive Development Plan

- i. **Staff Report – Chris Solberg:** Solberg stated that as mentioned by the city attorney and required by statute, the Comprehensive Plan Amendment will be required to incorporate the Redevelopment Plan No. 2 into the Comprehensive Plan. As with the Redevelopment Plan Amendment, the Commission’s motion will be whether or not to approve Resolution 2020-2, which provides a recommendation to City Council.

- ii. **Public Hearing: Wetuski opened the Public Hearing**

Wetuski closed the Public Hearing as no members of the public came forward.

McKeon said that he read the memo that they were provided and that it seemed to refer to a draft ordinance to amend the Comprehensive Plan as being available at this meeting. He said that he did have a copy of the draft ordinance that will be on file with the clerk.

- iii. **Recommendation: Krzywicki moved, seconded by Frey to approve Resolution 2020-2 A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING THAT THE CITY OF LA VISTA CITY COUNCIL AMEND THE CITY OF LA VISTA COMPREHENSIVE PLAN TO INCORPORATE REDEVELOPMENT PLAN FOR THE 84TH STREET REDEVELOPMENT AREA - AMENDMENT NO. 2 INTO THE COMPREHENSIVE PLAN .**

*Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist.
Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (8-0)*

C. Final Plat – La Vista City Centre Replat 4 – La Vista City Centre, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated the applicant, La Vista City Centre LLC, is requesting a Final Plat for Lot 13 and Outlot A La Vista City Centre, Lot 1 La Vista City Centre Replat 3, and portions of Tax Lot 12 14-14-12. These lots will be replatted as Lots 1-3 La Vista City Centre Replat 4, generally located north of Main Street and City Centre Drive. Staff recommends approval of La Vista City Centre Replat 4 Final Plat, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of redevelopment agreement

amendment, subdivision agreement amendment, and applicable property conveyances.

- ii. **Applicant Presentation:** Chris Erickson came up and said the replat is a redrawing of the boundaries to accommodate the alternative building, but that there's not much going on beyond that.
- iii. **Recommendation:** *Circo* moved, seconded by *Gahan* to recommend approval to City Council the Final Plat, La Vista City Centre Replat 4, La Vista City Centre LLC. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (8-0)**

D. Zoning Map Amendment – Part of Proposed Lot 3 La Vista City Centre Replat 4 – La Vista City Centre, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, La Vista City Centre LLC, is requesting the rezoning of a portion of Tax Lot 12 14-14-12 to be replatted as a portion of Lot 3 of La Vista City Centre Replat 4, generally located north of Main Street and City Centre Drive. Staff recommends approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final replat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.

- ii. **Applicant Presentation: Applicant did not come forward.**

- iii. **Public Hearing: Wetuski opened the Public Hearing.**

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

- iv. **Recommendation:** *Malmquist* moved, seconded by *Alexander* to recommend to City Council approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of the final plat, redevelopment agreement amendment, and applicable property conveyances. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (8-0)**

E. Conditional Use Permit – Proposed Lot 3 La Vista City Centre Replat 4 – La Vista City Centre, LLC

i. **Staff Report – Chris Solberg:** Solberg stated that the commission has been given a revised packet item for this item. It is a complete revision that replaces what was sent to them earlier. The applicant, La Vista City Centre LLC, is requesting a Conditional Use Permit to construct and operate an event center on proposed Lot 3 City Centre Replat 4, generally located north of Main Street and City Centre Drive. Staff notes that this is a draft CUP and that potential revisions may take place before presentation to City Council for final approval. Staff recommends approval of the Conditional Use Permit for an Event Center, subject to such modifications or conditions, if any, as the City Administrator determines necessary or appropriate, satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final plat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.

ii. **Applicant Presentation: Applicant did not come forward.**

Krzywicki asked for a summary of the changes that were made.

Solberg said that those items are currently in negotiation and that they are finalizing some of the intricate details.

McKeon said that most of the things that had changed were things that Erickson had mentioned that if these things are required by general city ordinance or the zoning ordinance, can they be eliminated from being specifically mentioned in the permit itself. They would have to comply with those requirements anyway, so those were most of the requirements that had changed. He said that the only other thing was that if there was a problem with a potential violation, a misstep under the Conditional Use Permit, there's a cure period and they would be given more time to address a situation.

Krzywicki said that it was mentioned that if it was already in the zoning ordinances, then it wasn't included in the Conditional Use Permit and asked if there were any conflicts between the hours of operation of the venue and the hours there could be loud music outside.

McKeon said there is not. McKeon then mentioned that there was a beginning time put in there that has since been removed, but the ending time is what is most important to the City. McKeon said that he didn't believe there was anything in the zoning that mentioned curfew times like that.

Solberg said that the operating statement packet states the ending times.

iii. **Public Hearing: Wetuski opened the Public Hearing**

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

- iv. **Recommendation:** *Malmquist* moved, seconded by *Circo* to recommend to the city council approval of the Conditional Use Permit for an Event Center, subject to such modifications or conditions, if any, as the City Administrator determines necessary or appropriate, satisfaction of all applicable requirements, including, without limitation, notice, hearing, and approval of an amendment to the Redevelopment Plan and approval and recording of final plat, redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances. **Ayes:** *Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist*. **Nays:** *None*. **Abstain:** *None*. **Absent:** *Dale and Coghlan*. **Motion Carried, (8-0)**

5. **Comments from the Floor**

No member of the public came forward.

6. **Comments from the Planning Commission**

None.

7. **Comments from the Staff**

Solberg mentioned that the NPZA conference is coming up and to let staff know if interested in attending. He also brought up that due to the conference, there will not be a meeting the first week of March.

8. **Adjournment**

Wetuski adjourned the meeting at 6:58 p.m.

Reviewed by Planning Commission:



Planning Commission Secretary



Planning Commission Chair

3/19/2020