

**CITY OF LA VISTA
PLANNING COMMISSION MINUTES
JUNE 18, 2009**

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The Planning Commission meeting of the City of La Vista was convened at 7 p.m. on Thursday, June 18, 2009, at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Malmquist, Hewitt, Andsager, Kramolisch, Gahan and Alexander. Absent: Circo, Nielsen and Horihan. Also in attendance was Marcus Baker, City Planner, Ann Birch, Community Development Director and John Kottmann, City Engineer.

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 Chairman Krzywicki at 7p.m. Copies of the agenda and staff report were made available to the public.

2. Approval of Meeting Minutes – May 21, 2009

Gahan motioned to approve the minutes of May 21, 2009. Malmquist seconded the motion. Ayes: Hewitt, Krzywicki, Andsager, Kramolisch, Alexander, Malmquist and Gahan. Nays: None. Motion carried.

3. Old Business

None.

4. New Business

A. Continuance of Public Hearing for Comprehensive Plan Amendment and Rezoning for Lots 13 & 14 of Crestview Heights Subdivision and Harrison Heights Preliminary Planned Unit Development (PUD) and Preliminary Plat.

i. Staff Report: Planner Baker updated the commission on the new materials presented tonight. Two letters from the public were mailed with the packets, and another letter was handed out this evening. The developers' site plan revisions are also included.

Baker continued the topic from the last meeting as to what the difference would be in traffic generation between an assisted senior living facility and independent senior living on Lot 5. The updated trip generation results showed a negligible decrease at peak times and a minor increase in week-day trips. No significant difference was indicated between the two uses.

Also, Baker indicated that staff had done research on another continued topic regarding whether staff would recommend approval of the project if it were two independent living facilities versus both an independent and an assisted living facility. Research was done by staff on existing facilities in Sarpy County, within 3 – 5 miles of La Vista, and Baker noted that there were 6 facilities in all. One facility in La Vista, and the others are in Papillion. All have waiting lists at this time. A new senior housing project, currently under construction in Papillion, will help satisfy some of that demand. There is a general need for senior housing in La Vista. Specifically, La Vista is in need of both assisted living and independent living facilities. Currently working with 2000 population data, the City is hoping the results from the 2010 census will provide better information regarding the aging population. The staff conclusion is that the community needs both independent and assisted living for seniors in La Vista. This project will offer the independent living component on these lots and staff would support this request and look to other properties in the future to obtain the assisted living facilities.

Staff has requested many revisions to the site plan, which were addressed in last month's staff report. These revisions should be made before City Council reviews the project.

Vic Pelster, with NP Dodge Management Company, representing the developer on the project spoke to the commercial portion of the project. Their intent is to build the 3 buildings on 3 separate lots. They would start with the 10,000 square foot building first and the smaller 5,000 and 5,500 square foot buildings as they lease, or offer the lots for sale to those who wish to own their own buildings within the development. The entrances to the commercial buildings are from Gertrude Street and a right-in and right-out off of Harrison Street.

Pelster said they had worked closely with the city and there are a few issues yet to be worked out. They are willing to make changes by suggestions that people offer.

Jack Graham, citizen asked if the property had been rezoned. He also asked why only one entrance is planned to Harrison Street. He felt it could be a bad problem between the lights, traffic, visitors, etc.

Quinn Abraham, citizen, had sent an email regarding his concerns about the commercial development. The Lot 3 commercial development is 120 feet from his front door. He opposes the zoning of commercial uses on this site. He also felt the 3-story, multi-family units, even though it is below grade, would be rather large. He wondered why the green space faces Harrison Street, he felt it should face the side of the existing neighborhood.

Reed commented that the building must face Gertrude as no access is allowed from Harrison Street.

Yesef Chelinsky, citizen, is afraid that due to the winter road conditions on Gertrude Street he would have twice as many cars sliding onto his property than usual, damaging his grass and sprinkler system. He also was concerned that if the developers could not find the age of tenants desired, the units could be rented to anyone they wanted to.

Red Emmons, citizen, said he was told last Fall that the graders were leveling for duplexes or single family homes. Then at the first of the year, he got a letter to say it would be 110 living assisted living units, in two 3-story buildings. First, he does not want a three-story building. He gave ideas on how to restructure those buildings into two story buildings instead and a different plan for the entrance. He stated he is not opposed to the commercial, his concern is with the three-story buildings.

Richard Barns, citizen, appeared to say he had nothing against the project. He is concerned about what the backside of the commercial property will look like as it will face his property. He is concerned that the traffic will be too much.

James Thusacker, citizen, felt he was more comfortable with today's presentation, but there are still concerns with the traffic. There is a horrendous ice problem on the residential streets in the winter. Speed bumps are a necessity, not really wanted, but would help the extra traffic load and speed problem. He asked if the question of power outage issues have been addressed.

Baker responded that city staff did contact OPPD for their response to power outages in the area. They examined the impact on power quality that the proposed development would potentially have and found it would not change the power quality on the circuit. An OPPD project in March 2009 was completed to reduce problems experienced in the past.

Thusacker was comfortable on what had been presented on the age restricted units. He did not want to lose control of these lots, however, to create a La Vista ghetto.

Terrie Saunders, citizen, had written a letter included in the packets and summarized her concern that adding 158 more apartments would create a high population density. The traffic is terrible as it is. Gertrude Street is very narrow. She has a safety concern with the kids in the neighborhood. She is somewhat concerned about the developer's lack of concern about the commercial buildings and that there are a lot of unoccupied commercial spaces vacant in La Vista already. Graders were in

Krzywicki voiced his concerns that the existing commercial development in the area is at capacity due to vacancy rates. He is concerned with the contiguity to residential housing nearby. Krzywicki suggested revisiting the design to reduce the height of the buildings to fit more closely with single-family residential neighborhoods. He stated that he would like to have all of the traffic from this development routed entirely away from Gertrude, and feels that routing the traffic directly on to Harrison would eliminate neighborhood traffic issues.

Sykes responded that the height was within the limits of the zoning district and by City Code, no residential access is permitted off of Harrison Street. Sykes also said that on Lot 4 the highest point of elevation is only 6 feet higher than the houses across the street.

Malmquist felt that the developers had responded very well with the task put before them and have responded by moving the green space around, have had conversation regarding the parking, the limited access, fire access, etc. The developer has responded appropriately to the concerns of the neighbors given the confines and restrictions of codes and requirements. Much of the remaining issues, she feels, are based on existing problems in the neighborhood. The traffic study, conducted according to engineering protocol, shows minor impact.

Gahan asked who determines if speed bumps are placed on a street and if parking would be restricted on Gertrude Street. Kottman said that Public Works would make a recommendation to the City Council whom would then approve or not approve these requests.

Kramolisch asked if there was a possibility of a one-way street that would eliminate back and forth traffic, and who makes that determination. Kottmann responded that too would be a City Council decision.

Baker informed the commissioners that there was another option that could be considered tonight. Approval could be recommended for the comprehensive plan amendment and recommend approval of the rezoning with a continuance of the preliminary PUD plan; however, staff would desire approval of the rezoning R-3 PUD-1 and C-2 PUD-1 so that the PUD agreement could be adopted.

Malmquist asked what the commissioners could see further if they continued the PUD and preliminary plat discussion. Krzywicki felt there were issues that still needed to be addressed. Hewitt thought the only issue left was parking. Krzywicki stated that in the staff report continuance had been recommended.

Baker said, continuance is an option for all motions, and he has written up conditions of approval as the discussion progressed tonight, in case the commission's choice is to recommend approval. Hewitt asked what those conditions of approval were.

Baker said if a recommendation for approval were the direction the commission would want to go, then three separate motions would be suggested, as follows:

Approval of the Comprehensive Plan Amendment to change the Future Land Use Map designation for proposed Lots 4 & 5 in Harrison Heights Subdivision from "Public" to "High Density Residential" and for proposed Lots 1-3 in Harrison Heights Subdivision from "Public" to "Commercial."

Approval of Rezoning proposed Lots 4 & 5 in Harrison Heights Subdivision from TA, Transitional Agriculture to R-3 PUD-1, High Density Residential and rezoning proposed Lots 1-3 of Harrison Heights Subdivision from TA, Transitional Agriculture to C-2 PUD-1, General Commercial.

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7. Adjournment

Hewitt motioned to adjourn. Malmquist seconded. Ayes: Hewitt, Krzywicki, Andsager, Malmquist, Kramolisch, Alexander and Gahan. Nay: None. Motioned carried. Nays: None. Meeting was adjourned at 9:08 p.m.

Reviewed by Planning Commission: John Gahan

Sharon L. Dennis
Recorder

Planning Commission Chair

Approval Date