



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
AUGUST 19, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, August 19, 2010, 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: Kramolisch, Hewitt, Krzywicki, Nielsen, Gahan, Andsager, Alexander and Miller. Members absent were: Circo and Malmquist. Also in attendance were Ann Birch, Community Development Director, Christopher 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. It was noted Commissioner Miller, alternate, would be participating in the vote.

2. Approval of Meeting Minutes – July 15, 2010

- a. Kramolisch moved, seconded by Gahan to approve the July 15, 2010 minutes noting the correction with the spelling of Commissioner Nielsen. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander and Miller.* **Nays:** *None.* **Abstain:** *Nielsen.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (7-0)

3. Old Business

None.

4. New Business

A. Public Hearing for Brook Valley Replat 4.

- i. **Staff Report:** Solberg stated that the request was to replat two properties, providing additional land to the existing Lot 55A (to be renamed "Lot 1"), in exchange for a utility easement from Olive Street to the existing Lot 33C (to be renamed "Lot 2"). Staff recommended approval of the replat with the following conditions:
 1. The route and granting of an ingress/egress easement across proposed Lot 2 for the city to have vehicular access for maintenance of an existing public sanitary sewer that exists across the south end of Lot 2 easement needs to be agreed upon prior to this plat considered by the City Council.
 2. The applicant needs to provide a letter from the utility company that they are agreeable to the proposed easement arrangement to provide gas service across Lot 1 to reach Lot 2. This needs to be provided prior to the City Council

consideration.

3. The applicant for Lot 55A, (Lot 1) needs to submit a letter stating that he understands that if the BNSF does not release the spur track easement, he may not be able to utilize the additional property being added to Lot 55A (Lot 1) in the manner that he desires.

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

Jason Theiland, E & A Consulting Group, came forward and stated he agreed with the conditions and hoped that within the next month or two the conditions would be fulfilled.

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

- iv. **Recommendation:** Gahan moved, seconded by Hewitt to approve the Brook Valley Replat 4 subject to the three conditions listed in the Staff Report. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

B. Public Hearing for the Orchards at Wildwood Conditional Use Permit for property located at Lot 5, Harrison Heights, located in the NE ¼ of Section 14, Township 14 North, Range 12 East of the 6th P.M. Sarpy County, Nebraska.

- i. **Staff Report:** Solberg stated the request was for a Conditional Use Permit on Lot 5, Harrison Heights Subdivision, for multi-family senior housing. Staff recommended approval to the Conditional Use Permit.
- ii. **Open Public Hearing:** Hewitt moved, seconded by Nielsen to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

No one came forward.

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

Commissioner Hewitt requested clarification on the uncovered parking spaces. Solberg stated that it would be sixty uncovered parking spaces and no covered parking spaces.

- iv. **Recommendation:** Hewitt moved, seconded by Nielsen to approve of the Conditional Use Permit on Lot 5 Harrison Heights, for multi-family senior housing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

The item will go to Council on September 21, 2010.

C. Public Hearing for Min Yu Home Occupation – Personal Fitness Services Conditional Use Permit (CUP) for property located at Lot 3, Giles Corner Replat One, a subdivision of Sarpy County, Nebraska.

- i. **Staff Report:** Solberg stated the request was for a Conditional Use Permit to allow the use of a fitness studio within the basement of a single-family house. Activities will be by appointment only with less than twenty (20) appointments per week. Staff recommended approval of the Conditional Use Permit to allow a Home Occupation – Fitness Studio.
- ii. **Open Public Hearing:** Alexander moved, seconded by Miller to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Min Yu, property owner, was in the audience to answer any questions.

Darrell Johnson, neighbor, came forward and stated he was not opposed to Min Yu's request.

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

Recommendation: Hewitt moved, seconded by Nielsen to approve the Conditional Use Permit to allow a home occupation for a fitness studio on Lot 3 Giles Corner Replat One. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

The item will go to Council on September 21, 2010.

D. Public Hearing regarding Capital Improvement Program 2011-2015.

- i. **Staff Report:** Ramirez came forward and discussed the proposed Capital Improvement Program.
- ii. **Open Public Hearing:** Miller moved, seconded by Hewitt to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Joe Soucie, Public Works Director, came forward and clarified the funding of the Thompson Creek project.

- iii. **Public Hearing Closed:** Miller moved, seconded by Nielsen to close the public hearing. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)
- iv. **Recommendation:** Gahan moved, seconded by Hewitt to approve the Capital Improvement Plan for 2011-2015 for City Council. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

The item will go to Council on September 7, 2010.

5. Comments from the Floor

None.

6. Comments from the Planning Commission

None.

7. Adjournment

Hewitt moved, seconded by Nielsen, to adjourn. **Ayes:** *Kramolisch, Hewitt, Krzywicki, Gahan, Andsager, Alexander, Miller and Nielsen.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo and Malmquist.* **Motion Carried.** (8-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date