

**CITY OF LA VISTA
PLANNING COMMISSION MINUTES
January 19, 2006**

The Planning Commission meeting of the City of La Vista was convened at 7:01 p.m. on Thursday, January 19, 2006 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Carcich, Malmquist, Gahan, Andsager, Dumont, and Krzywicki. Member absent: Hewitt, Roarty, and Rizzo. Also in attendance were: 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 Chairperson Krzywicki at 7:01 p.m. A copy of the agenda was made available to the audience.

2. Approval of Meeting Minutes of January 5, 2006

Carcich motioned to approve the minutes of January 5, 2006. Malmquist seconded. Ayes: Carcich, Malmquist, Krzywicki, Gahan, and Andsager. Nays: None. Dumont abstained. Motion carried.

3. Old Business

None.

4. New Business

4A & B: A final P.U.D. application for approximately 90.3 acres in the N1/2, Section 21, T-14-N, R-12-E, Sarpy County, NE and a final plat application for Lots 1-242 and Outlots A-D, Portal Ridge and waiver to the subdivision regulations, generally located south of 101st and Giles Road.

i. **Staff Report:** A public hearing was scheduled to consider final P.U.D and final plat applications for 90.3 acres referred to as Portal Ridge, generally located south of 101st and Giles Road. The applications have been submitted by Boyer-Young Development. The property is currently zoned R-1 Single Family Residential.

According to the City's Zoning Ordinance, the intent of the PUD-1 District is to encourage the creative design of new living and retail areas, as distinguished from subdivisions of standard lot sizes, in order to permit such creative design in buildings, open space, and their inter-relationship while protecting the health, safety and general welfare of existing and future residents of surrounding neighborhoods. As such, the proposed preliminary P.U.D. application has established the following lot width, setback requirements and open space designation for the said 90.3 acres:

- Minimum Lot Width of 60 feet instead of the required 70 feet.
- Front Yard Setback (including street side yard) of 25 feet instead of the required 30 feet.
- Side Yard Setback of 7 feet instead of the required 10 feet.
- Rear Yard Setback of 25 feet instead of the required 30 feet.
- Open Space – approximately 68.4% (as defined in Section 5.15.04.16 of the Zoning Ordinance)

Rezoning to a PUD-1 will allow for smaller sized lots and reduced setbacks, but will provide added open space within the development and take advantage of some of the existing natural features of the land. The development will consist of 241 single family lots, one lot designated for public facilities and four outlots consisting of open space. A waiver has been requested to Article 4, Section 4.24 of the La Vista Subdivision Regulations regarding a waiver of street centerline minimum radii and involving two curves on Virginia Street for a centerline radii of 100 feet.

The applications are consistent with the comprehensive plan and compatible with surrounding developments. The proposed development will connect with the existing Val Verde subdivision to the east. The proposed mixed use development to the west and southwest will be screened by buffer strips. Trails, open space and landscaped outlots along Giles Road contribute to the overall aesthetics and compatibility of the development.

City engineer John Kottmann and staff have reviewed the applications for the proposed final P.U.D. and final plat and have the following comments regarding the final plat:

1. The proposed street names must be reviewed by the Chief Building Official, the Public Works Director and public safety personnel. The final plat must include delineation points where the changes in names from Virginia Street to 102nd Street and from Virginia Street to 106th Street to Cary Street take place. This also applies to Quail Ridge Drive to Shannon Drive. The plat must also include the word "Street" after 102nd.
2. The applicant needs to provide itemized cost estimates for the public improvements and these estimates need to include itemized soft costs.
3. Proposed buffer spaces along Giles Road and Cornhusker Road will need to be analyzed prior to consideration of the plat by City Council.
4. A note must be added to the final plat noting the required front, side and rear yard setbacks as proposed in the P.U.D. Plan.
5. There are two Outlot "D"s on the final plat. The Outlot between 101st and 102nd Streets should be changed to Outlot "E". The plat title and all related notes and references must be corrected.
6. Any proposed covenants should be provided to the City as required by Article 3.05.23 of the Subdivision Regulations.
7. A staking bond must be provided at the rate of \$100 per lot prior to execution of the plat.
8. The existing subdivision name on the north side of Giles Road needs to be corrected.
9. The spelling of "Homeowners" needs to be corrected in several places on the final plat.
10. The word "works" shall be deleted in Note #5 on the final plat.
11. The final plat is in general conformity with the approved preliminary plat although it has five fewer building lots. The final plat is consistent with the preliminary plat in regards to street layout.
12. The applicant needs to provide a drawing that shows that the location of Virginia Street on the east side of 107th Street is aligned with the proposed access drive location in Portal Plaza.
13. A waiver is required for the proposed 200-foot radius curves on Centennial Road and 101st Street. According to the Subdivision Regulations, a radius of 300 feet is required for collector streets. An additional waiver, as requested, is required for the centerline radii in Virginia Street between 104th and 106th Streets.
14. The amount of required park area, the amount of usable park area, and the amount of park area that can be considered for acquisition will need to be evaluated in more detail prior to City Council approval of the Subdivision Agreement.
15. A detailed analysis identifying the spread of the 100-year storm event through Outlot B must be provided. This analysis needs to include routing of the 100-year storm event

through the box culvert under Giles Road and the drainage structure under Cornhusker Road. The analysis also needs to identify that the spread of the 100-year storm event will remain within Cary Street and Quail Ridge Drive rights-of-way.

16. An existing sanitary sewer easement is shown on the final plat just to the north of proposed Lot 94. It appears that this easement is occupied by the existing box culvert under Giles Road. The notation as a sanitary sewer easement needs to be checked for possible correction to a "storm" sewer easement. In addition, there appears to be an existing drainage channel located beyond the box culvert that lies within the rear of proposed Lots 94 and 95. Information is needed to identify the location of the channel relative to these lots and whether the channel is being relocated or if drainage easements are needed on the lots or if the lots need to be adjusted.
17. An acceptable subdivision agreement will be needed prior to City Council consideration of the final plat. This will include exhibits. A grading and erosion control plan exhibit will be required. In regards to the Sanitary and Paving & Storm exhibits that were submitted, the following items need to be addressed:
 - a. On Exhibit C-1 the wording of the existing sanitary sewer easement north of Lot 94 needs to be verified. It may be a storm sewer easement.
 - b. On Exhibit C-2 the existing storm sewers in Giles Road and Cornhusker Road need to be shown.
 - c. On Exhibit C-2 the proposed sidewalk along Giles Road needs to be shown.
 - d. On Exhibit C-2 the construction of left-turn bays in Giles Road needs to be shown.
 - e. A detail of the proposed traffic circle pavement geometry needs to be added to Exhibit C-2. A detail is also needed for the chicayne islands.
 - f. If islands are proposed in the pavement at the entrances onto Giles and Cornhusker Roads, these should be shown on Exhibit C-2.
18. The sewer connection agreement between the City of La Vista and the City of Omaha, currently pending renewal, will need to include the proposed connections to serve this subdivision. The city engineer will send a request to the City of Omaha to include this in the agreement.

Based upon the number of items identified, staff is recommending to continue the public hearing until these items have been resolved. It is further recommended that a revised preliminary plat be submitted and request for the additional waiver. Such re-submittal should also look at the elimination of Virginia Circle and the re-configuration of Lots 160-164.

Staff recommends the public hearing for Item 4A be continued until the February 16, 2006 Planning Commission meeting based upon the identified issues pertaining to the final plat application.

Staff recommends the public hearing for Item 4B be continued until the February 16, 2006 Planning Commission meeting based upon the identified issues pertaining to the final plat application.

ii. Public Hearing and Recommendation: Malmquist motioned to open the public hearing. Gahan seconded. Ayes: Carcich, Malmquist, Dumont, Gahan, Andsager, and Krzywicki. Nays: None. Motion carried. Public hearing opened at 7:08 p.m.

Mark Westergard, with E & A Consulting Group, was present to say the applicant would accept the continuance suggested by staff. He stated most of the eighteen issues suggested were minor in nature and the biggest item would be to quantify the open space calculation with regard to the park which will be done.

Westergard pointed out that Portal Plaza, within the Papillion jurisdiction, immediately west of the project under consideration, will require the paving of 107th Street; and this applicant has been asked to

participate in that paving. This applicant will need the City of La Vista's approval to participate in this paving as the Virginia Street stub out which connects into 107th was not on the original plat but was suggested by the City of La Vista. Also, discussions between Papillion, La Vista Public Works, and Sarpy County have taken place as there is a subdivision on the south side of the street known as Portal Plaza South which is within the Papillion jurisdiction that may require the improvement of Cornhusker Road to three lanes with an inter-local agreement with La Vista and Sarpy County.

Krzywicki asked about the permanent landscape buffers along Cornhusker and if property owners desired fences would they need to keep them inside the easement, or could they put them outside the easement.

Westergard deferred to the city authority on this, but, stated that in other developments if they are private fences they went on the inside of the landscape easement.

Kottman, city engineer, said the homeowners association in similar areas elected to provide uniform maintenance of that area outside the fence, and would make an assumption that this would be the case here.

Krzywicki said it looks like a listing of two outlot D's. Westergard agreed that one needs to be changed to Outlot E.

Krzywicki asked who would maintain the outside rear areas of Lots 160, 161, 162, and 163 that abutt the street if these were fenced as this has become a problem in other areas of the city.

Westergard responded that he felt this would be the responsibility of the homeowners association.

Carcich moved to recommend the public hearings for Items 4A and 4B be continued until the February 16, 2006 Planning Commission meeting based upon the identified issues pertaining to the final plat application. Andsager seconded. Ayes: Carcich, Malmquist, Dumont, Gahan, Andsager, and Krzywicki. Nays: None. Motion carried.

4C. A final plat application for Lots 1-12, Val Vista Replat Four and waiver to the subdivision regulations, generally located east of 108th and Chandler Road.

i. **Staff Report:** A public hearing was held to consider a final plat application for Lots 1-12, Val Vista Replat 4. The proposed platting will reconfigure Lots 241 and 248, Val Vista, and Lot 3, Val Vista Replat Three, into 12 lots with a proposed cul-de-sac. The property is zoned I-1 Light Industrial. The application was submitted by Giles Road No. 2 LLC and also includes a request for a waiver to Article 4, Section 4.11 of the La Vista Subdivision Regulations regarding a waiver of cul-de-sac length in excess of 600 feet.

City engineer John Kottmann and staff have reviewed the application for the proposed preliminary plat and have the following comments:

1. If there are any covenants that the developer proposes to apply to this subdivision, three copies must be provided to the city prior to consideration by the City Council as required by Section 3.05.23 of the Subdivision Regulations.
2. An acceptable amendment to the subdivision agreement needs to be developed prior to the plat being considered by the City Council.
3. A separate easement document must be created for the 20-foot wide storm sewer easement along the south side of Lots 1, 2 and 3. This easement must address how maintenance is to be provided and allocated among the benefited properties.

4. The sanitary sewer exhibit (Exhibit C1) needs to be revised to show how Lot 12 will be served with the existing sanitary sewer in Chandler Road. This exhibit also needs to show constructing sewer stubs in Chandler Road to serve Lots 1, 2 and 3 of Val Vista Replat Four and Lots 1 and 2 of Val Vista Replat Three.
5. Exhibit C-2 must be revised to include notations about the width and thickness of the proposed pavement and proposed cul-de-sac dimensions.

Staff recommends approval of the proposed final plat and requested waiver to City Council subject to the resolution of items identified by the city engineer and staff as it complies with the zoning and subdivision regulations

ii. Public Hearing: Carcich motioned to open the public hearing. Malmquist seconded. Ayes: Carcich, Malmquist, Dumont, Gahan, Andsager, and Krzywicki. Nays: None. Motion carried. Public hearing opened at 7:14 p.m.

Mark Westergard with E & A Consulting Group was present to say this is the Val Vista subdivision just north of the tracks, part of the industrial area. This is a plat to react to market conditions, these were originally platted in very large lots, 8-10 acres in size. The proposal today is to break each of these lots into smaller lots to meet market conditions. Because of the configuration, the applicant is asking for a waiver on the cul-de-sac length and the improvements on this project will be put in privately. Most of the conditions have already been addressed and the changes will be made to the mylars prior to City Council approval.

Gahan stated that it reads on line 3 that a separate easement document must be created for the 20-ft. wide storm sewer easement for the south side of Lots 1, 2, and 3. The map, however, shows Lots 1, 2, 3, and 4.

Westergard stated that Lot 4 is not included and that information has been corrected.

Kottmann said the purpose for that easement is that Lots 1, 2, and 3 drain toward the south and they will need to share a common private storm sewer as it does not serve any public run off. And for that reason, those property owners will need to share in the maintenance of that private, common storm sewer and necessitates a separate easement document.

Malmquist asked what type of access will there be for Lots 11 and 12. Westergard replied there were no restrictions and access to Lot 11 could come from either street.

Carcich motioned to close the public hearing. Dumont seconded. Ayes: Carcich, Malmquist, Dumont, Gahan, Andsager, and Krzywicki. Nays: None. Motion carried. Public hearing closed at 7:16 p.m.

iii. Recommendation: Malmquist motioned to recommend approval of the proposed final plat and requested waiver to City Council subject to the resolution of items identified by the city engineer and staff as it complies with the zoning and subdivision regulations. Gahan seconded. Ayes: Carcich, Malmquist, Dumont, Gahan, Andsager, and Krzywicki. Nays: None. Motion carried.

This will tentatively appear on the City Council agenda of February 21, 2006.

5. Comments from the Floor

Birch informed that on the City Council agenda of January 27 there was one re-appointment, Jody Andsager, to the Planning Commission, and one new appointment, Colleen Horihan, who was in the audience observing. Colleen will take her seat at the next Planning Commission meeting scheduled for February 16, 2006, after she has received the necessary material and training.

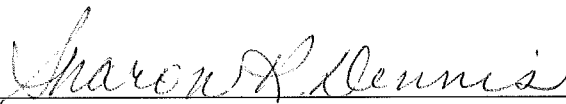
6. Comments from the Planning Commission

The next Planning Commission meeting is scheduled for February 16, 2006.

7. Adjournment

Carcich motioned to adjourn. Andsager seconded. Ayes: Carcich, Malmquist, Gahan, Dumont, Andsager, and Krzywicki Nays: None. Motion carried. Meeting adjourned at 7:19 p.m.

Reviewed by Planning Commission Secretary: John Gahan



Recording Secretary



Planning Commission Chair

2-16-2006 _____
Approval Date