

**CITY OF LA VISTA  
PLANNING COMMISSION MINUTES  
JANUARY 21, 2010**

The Planning Commission meeting of the City of La Vista was convened at 7 p.m. on Thursday, January 21, 2010, at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Also in attendance was 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 7:04 p.m. Copies of the agenda and staff report were made available to the public.

**2. Approval of Meeting Minutes – December 10, 2009**

Circo motioned to approve the December 10, 2009 minutes as presented. Malmquist seconded. Ayes: Krzywicki, Malmquist, Kramolisch, Andsager, Alexander, Nielsen, and Circo. Nays: None. Hewitt, Horihan and Gahan abstained. Motion carried. Alternate Nielsen will not be a voting member tonight as we have a full panel of nine members.

**3. Old Business**

**A. Public Hearing for Val Vista Replat Six Preliminary Planned Unit Development (PUD) and Final Plat for property located at Lots 6 and 7, Val Vista Replat One, a subdivision in the SW ¼ of Section 16, Township 14N, Range 12E of the 6<sup>th</sup> P.M, Sarpy County, NE.**

i. Staff Report: This public hearing was continued from the November 19 and December 10, 2009 Planning Commission meetings pending additional items noted in the staff report. To date this information has not been received.

Staff recommends continuance of the public hearing to the February 18, 2010 Planning Commission meeting as the applicant is not ready to go forward.

ii. Public Hearing: Malmquist motioned to continue the public hearing. Alexander seconded. Ayes: Malmquist, Andsager, Kramolisch, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried.

#### **4. New Business**

##### **A. Public Hearing on amendments to the Subdivision Regulations and amendments to Chapter 154, Municipal code, to establish new minimum requirements for Post-Construction Storm Water Management Plans.**

i. Staff Report: A public hearing has been scheduled and ordinances have been prepared for the Planning Commission to consider amendments to the Subdivision Regulations and Chapter 154 of the Municipal Code regarding storm water management.

City Engineer John Kottmann has prepared the proposed revisions to the Subdivision Regulations and the Municipal Code which include the following:

- 1) The storm water peak discharge rates after development of the property are required to be the same as the pre-development conditions for the 2-year storm event.
- 2) The addition of Papillion Creek Watershed Management fees to be collected for new developments and significant redevelopment requiring a subdivision agreement. The fees will be transferred to the Papio-Missouri River Natural Resources District for the construction of regional detention structures and water quality basins.
- 3) Setbacks for streams designated in the Papillion Creek Watershed Plan are increased to three-to-one plus fifty feet (3:1 + 50').
- 4) The Omaha Regional Storm Water Design Manual has been adopted for storm sewer design standards. For single family subdivisions, storm water management areas are encouraged to be in outlots in lieu of individual private lots.

Staff recommends approval of the amendments to the Subdivision Regulations and Chapter 154 of the Municipal Code to establish new requirements for Post-Construction Storm Water Management Plans.

Krzywicki asked if anyone had done any estimate of what possible increases in development costs might be with the implementation of the changes? Kottmann said fees were set forth in the master fee schedule.

Krzywicki asked if there were any penalties for communities that do not sign on to these requirements. Kottmann replied, yes, if a community does not sign into the partnership, that community is on their own to get a general permit for discharging and that would be a very expensive proposition.

Hewitt wondered in 4.222 the proposed new language where it says increased to 3 to 1 plus 50 feet shouldn't it actually say 3 to 1 slope plus 50 feet? Kottmann agreed this is correct.

Circo asked if La Vista had a copy of the Omaha Regional Water System Design Manual? Kottmann said the City Clerk would have it in her office or it could be downloaded.

Krzywicki asked if these new regulations require a lot more overview on approvals of subdivision agreements than was done before because they are more strict? Kottmann said they would spend a lot more time with that as well as the individual permits.

ii. Public Hearing: Hewitt motioned to open the public hearing. Malmquist seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried. Hearing opened at 7:16 p.m.

Hewitt motioned to close the public hearing. Nielsen seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried. Hearing closed at 7:18 p.m.

iii. Recommendation: Hewitt motioned to recommend approval of the amendments to the Subdivision Regulations and Chapter 154 of the Municipal Code to establish new requirements for Post-Construction Storm Water Management Plans with the corrections suggested. Kramolisch seconded. Ayes: Malmquist, Andsager, Kramolisch, Alexander, Circo, Hewitt, Gahan and Krzywicki. Nays: None. Horihan abstained. Motion carried.

**B. Public Hearing on amendments to Section 5.17, Zoning Regulations, regarding the Gateway Corridor Overlay District, to add the 84<sup>th</sup> Street corridor to the geographic area of the district, and an amendment to the Official Zoning Map**

i. Staff Report: Birch said this was a stopgap measure to put some design guidelines on the 84<sup>th</sup> Street Corridor. The city is working on the 84<sup>th</sup> Street Redevelopment Vision plan and that final document, which has not been received yet, will be seen by the Planning Commission and at that point specific guidelines will be worked out based on the plan. A public hearing has been scheduled and ordinances have been prepared for the Planning Commission to consider amendments to Section 5.17 of the Zoning Regulations regarding the Gateway Corridor Overlay District. The amendments do two things:

- 1) Add language in Section 5.17.03, Geographic Area, for the purpose of including the 84<sup>th</sup> Street corridor to the Gateway Corridor Overlay District.

- 2) Delete an unintentional duplication of the sub-area secondary overlay area description.

The Official Zoning Map would also be amended to identify the 84<sup>th</sup> Street corridor as falling within the Gateway Corridor Overlay District.

Staff recommends approval of the amendments to Section 5.17, Zoning Regulations, regarding the Gateway Corridor Overlay District, to add the 84<sup>th</sup> Street corridor to the geographic area of the district, and an amendment to the Official Zoning Map.

Circo asked how far out on 84<sup>th</sup> Street will this overlay go? Kottman said on the 96<sup>th</sup> Street corridor it was a ¼ mile or to the rear of a lot which ever would be the controlling criteria. Krzywicki asked if it were only commercial property, or residential also? Birch indicated single family residential had always been exempt but was looking for the language in the code to verify it. Krzywicki asked if the properties that back up along 84<sup>th</sup> Street did any substantial improvements would they have to comply with the design guidelines? Birch stated that language would need to be added to exempt single family residential if it were not already in there.

Horihan asked about the deletion of the red box on that page. Birch said this would be corrected. Chris Solberg, the new planner, pointed out from the audience that the second paragraph, second to last sentence in 517.01 under intent, clarifies the elimination of single family residential from the guidelines.

ii. Public Hearing: Malmquist motioned to open the public hearing. Horihan seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried. Hearing opened at 7:28 p.m.

Circo motioned to close the public hearing. Malmquist seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried. Hearing closed at 7:30 p.m.

Krzywicki asked if the guidelines are implemented, how would property owners who might want to make a significant investment in their property, but complying with the requirements would significantly increase their cost, would they defer it, or may move.

Birch did not think it would deter new projects based on phone calls she has had regarding potential projects. Horihan added that in the surrounding communities, such as Papillion, there are similar corridors.

Nielsen asked if the consulting work was completed. Birch said it was and the final plan document is being prepared and should be received soon. The plan will be brought to the Planning Commission and City Council for approval.

iii. Recommendation: Hewitt motioned to recommend approval of the amendments to Section 5.17, Zoning Regulations, regarding the Gateway Corridor Overlay District, to add the 84th Street corridor to the geographic area of the district, and an amendment to the Official Zoning Map with the corrections noted. Horihan seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried.

**5. Comments from the Floor**

Chris Solberg, not only an observer in the audience, but the newly hired La Vista Planner, was introduced and welcomed. He will start this position on February 8, 2010.

**6. Comments from the Planning Commission**

Birch advised the Commissioners that Colleen Horihan was serving her last meeting tonight and thanked her for her service to the City of La Vista. Horihan stated she felt it had been a great experience for her.

Krzywicki pointed out to the members that their packets contained information on the upcoming NPZA Conference in February and anyone desiring to attend should contact Ann Birch. Malmquist was planning to attend through her job in Council Bluffs but was looking for a ride with someone from La Vista to this conference.

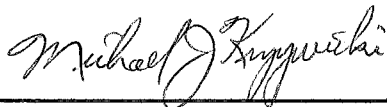
**7. Adjournment**

Alexander motioned to adjourn. Hewitt seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo, Hewitt, Gahan, Horihan and Krzywicki. Nays: None. Motion carried. Meeting was adjourned at 7:42 p.m.

Reviewed by Planning Commission: John Gahan



Recorder



Planning Commission Chair



Approval Date