



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
JUNE 21, 2018-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, June 21st 2018 in the Harold “Andy” Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Tom Miller called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Kevin Wetuski, Kathleen Alexander, and Tom Miller. Members absent were: Jason Dale, Harold Sargus and Mike Circo. Also in attendance were Chris Solberg, City Planner; Meghan Engberg, Permit Technician; and John Kottmann, 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 Miller at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – April 19, 2018

Krzywicki moved, seconded by *Malmquist*, to approve the April 19th minutes. **Ayes: Alexander, Gahan, Krzywicki, Miller, Malmquist, and Wetuski. Nays: None. Abstain: None. Absent: Dale, Sargus and Circo. Motion Carried, (6-0)**

3. Old Business

None.

4. New Business

A. Conditional Use Permit: Home Occupation, Puppyland, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, Puppyland, LLC, is requesting a Conditional Use Permit to allow Home Occupation – Dog Daycare/Training at 7505 Thorn Apple Lane. The applicant proposes to run a dog daycare/dog training business that specializes in service dogs from her home. Staff recommends the approval for the Conditional Use Permit for Puppyland, LLC as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.
- ii. **Applicant Presentation:** Cindy and David Bates, owners of Puppyland, came up and spoke. They brought up a visual aid showing some of the dogs that they work with and told stories about the dogs that they take care of. Cindy said that Puppyland

takes care of dogs from puppies to seniors, from all challenges. They specialize in the support service from CGC, to therapy dogs, to companion and emotional support dogs, along with the true and authentic service dog. They would like to continue having the in-home care that they give to keep all the dogs balanced in their transitions from home, to them, and back to home. She said that when it comes to any type of service dog, they cannot go to any normal facility that is free range for everyone because they can pick up bad habits. They keep their training program with controlled socialization, they just do not let them run amok. Safety is very important to them as well as cleanliness, they also keep things very quiet. Cindy talked about how she also travels to various states to train dogs. She mentioned that there were neighbors and clientele there in support of her business and had letters from those who were unable to make it to the meeting. She said that they would like to stay working with the community and helping others save the dogs that they can.

Miller commented that Cindy had a lot of passion and seemed to be very good at what she does.

iii. Public Hearing – Miller opened the public hearing.

Seven people from the public, including a couple of neighbors, came up and spoke in favor of the applicant. They praised her cleanliness, quietness and the work she had done and continues to do for their dogs.

Miller closed the public hearing and asked for Commission comments and questions. He also wanted to make sure that they had received the revised CUP (that was placed on the desks of the Commission).

Malmquist asked what the difference was between the old version and the new version.

Solberg said that there are a couple of aspects that were carried over from the operational statement, even though condition “2a” references how the business needs to operate in relation to the operational statement (that is an exhibit to the CUP), they decided to put a little bit more into items “2e” and “2c” to address overnight stays.

Krzywicki said that he guessed with people having experience with her in this business before that she was operating without a permit and needed one and that’s why she came to them.

Solberg said that that was correct. They were notified of her operation at the time and the Humane Society mentioned it to them and so they decided they needed to address it at that time because it was a home occupation that they did not know of.

They needed to make sure they were in compliance so they could continue to operate.

Krzywicki said that it was almost like they had a trial period before they came in for an application and that their neighbors are very supportive, which tells them that with the Conditional Use Permit that if they've already been operating the way they and continue to operate that way, with the proper permit, then they will continue to be good neighbors.

Malmquist said that if they have been operating several years without a permit and no complaints that it speaks well for them.

- iv. **Recommendation –Approval: Malmquist moved, seconded by Alexander, to recommend the Conditional Use Permit for Puppyland, LLC be recommended for approval because it is consistent with the Comprehensive Plan and Zoning Ordinance. Ayes: Alexander, Krzywicki, Miller, Malmquist, and Wetuski. Nays: Gahan. Abstain: None. Absent: Dale, Sargus and Circo. Motion Carried, (5-1)**

B. Conditional Use Permit Amendment: Bobcat of Omaha

- i. **Staff Report – Chris Solberg:** Solberg stated that the applicant, Retreat Financial LLC, is requesting a Conditional Use Permit amendment to allow for a 8,104 square foot expansion to the main building for Bobcat of Omaha. This is to allow for the expansion of an existing Farm Implement Sales and Service operation on their existing site at Lot 1 Lakeview South II Replat 5. Staff recommends approval of the Conditional Use Permit for Retreat Financial, LLC as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.
- ii. **Applicant Presentation:** Jason Heinze came up and spoke on behalf of the applicant. He said that they have a current Conditional Use Permit to operate this business at that location. They aren't looking to change anything they are doing, but are wanting to expand at that location to add some additional office space and paving on that side.
- iii. **Public Hearing – Miller opened the public hearing.**

Miller closed public as no members of the public came forward.

Krzywicki asked Kottmann if he had any comments about the storm water retention on the plan.

Kottmann said that the plan does indicate modifying the existing storm water retention basins to make them larger to accommodate the expansion of the current impervious surface. Detailed reviews of those items would occur during a building permit review process, but conceptually he did not have any objections to what they're proposing.

- iv. **Recommendation – Approval: Gahan moved, seconded by Malmquist to recommend that item 4B, the Conditional Use Permit for Bobcat Omaha, for approval to City Council, as it is consistent with the Comprehensive Plan and Zoning Ordinance. Ayes: Alexander, Krzywicki, Miller, Malmquist, Gahan, and Wetuski. Nays: None. Abstain: None. Absent: Dale, Sargus and Circo. Motion Carried, (6-0)**

5. Comments from the Floor

Cole Bockelmann, the new Community Development intern, came up and introduced himself.

6. Comments from the Planning Commission

Krzywicki said that he didn't know how long the trees had been in along Park View, but that he wanted to commend whoever did the work. It was the first time that he had seen new trees planted where the mulch was put around the trees correctly.

Solberg said that Mulhall's planted them.

Malmquist said that she went to the open house for the new First National Bank and said that the building and lighting at night look nice.

Krzywicki asked if there was any more word on Chili's.

Solberg said that the developer is having ongoing conversation with Chili's. There are different levels between building ownership as well as franchisee and settling out an agreement with them. There are actually several agreements right now. They have to punch a road through their parking lot first, but eventually it's the developer's goal and Chili's goal to move Chili's somewhere within the development to keep them close by. The developer has plans, which the commission has seen, to put a different building in that location.

Krzywicki asked what they were grading for out by the sports facility.

Kottmann said that they are currently grading for 12 soccer fields.

Krzywicki asked if there was any infrastructure related to that.

Kottmann said potentially.

Gahan asked if everything operated well with the heavy rains that we've had the last week or two as far as the storm water drainage into the lagoons.

Solberg asked Gahan if he meant in the Civic Centre Park.

Gahan said yes.

Solberg said yes, for the most part. It's worked as it had since 1980. They had some little tweaks that they've had to do here and there with the grading contractor for the site. They are working towards hopefully getting a contractor for the next phase of the improvements for Civic Centre Park. If that can be completed, they are hoping it can be started some time this year.

Gahan asked if it would be the sidewalks through the park.

Solberg said that it would be a portion of the sidewalks through the park, some electrical conduit running through for eventual lights, and a good chunk of the irrigation. He said that there is a programmed aeration for the lake as well as a fountain as part of that project. That's phase 2 of the park project and there will be additional phases beyond that which will include additional sidewalks, final lighting, picnic shelters, etc. They are just waiting for other aspects to shake themselves out as far as the underpass and interface with the development.

Gahan asked if the aeration kept the water fresher and continually moving.

Solberg said that it keeps it moving to add oxygen back into the water, but that it also keeps it moving so you don't get moss buildup.

Krzywicki asked if there would be an intentional introduction of fish in the lakes.

Kottmann said there are no plans to put fish in the lake.

Krzywicki asked what the average depth of the lake would be.

Kottmann said that the average depth would be about 12 feet.

7. Comments from Staff

Solberg said that they are working on final changes to the final draft of the Streetscape Plan. He said that they will likely see that coming along soon and is going through the approval process. He said that it came out really nice and that they got some really good public input out of it. He stated that once that plan is approved that they will be starting on the next phase, which is final design and phasing that (implementation) out. Solberg said that City Centre is moving forward. The Lot 15 building is under way and that the footings have been poured for the Lot 14 building, which is the building right up against the park.

Wetuski asked if they were able to get control of 84th Street.

Solberg said that they have submitted a letter to the NDOT requesting the release of our stretch of 84th Street from the highway system, but they have not heard a definitive response yet.

Gahan asked if Papillion had done the same.

Solberg said that he doesn't believe there's been any movement on that end. He believes they are doing research, from what he's heard, but no response on whether they want to or not.

8. Adjournment

Miller adjourned the meeting at 7:49 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date