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CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
OCTOBER 18, 2018-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, October 18, 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, Kevin Wetuski, Mike Circo, Tom Miller, Kathleen Alexander, and Harold Sargus. Members absent were: Jason Dale, and John Gahan. Also in attendance were Chris Solberg, City Planner; Meghan Engberg, Permit Technician; Cole Bockelmann, Community Development Intern; 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 – September 20, 2018

Malmquist moved, seconded by *Alexander*, to approve the September 20th minutes with corrections. **Ayes: Krzywicki, Wetuski, Sargus, Alexander and Malmquist Nays: None. Abstain: Miller and Circo. Absent: Dale and Gahan. Motion Carried, (5-0-2)**

3. Old Business

None.

4. New Business

A. Comprehensive Plan Amendment – Future Land Use Map – Lot 37, Brook Valley II Business Park – Lynch, LLC

i. Staff Report – Chris Solberg: Solberg stated that the applicant, Lynch Management, LLC, is requesting an amendment to the Comprehensive Plan – Future Land Use Map to change the future land use of Lot 37, Brook Valley II Business Park from commercial to industrial for the purpose of industrial development. Lot 37 is generally located on the southeast corner of 120th Street and Giles Road. Staff's recommendation is for approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay

(Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan.

- ii. **Applicant Presentation:** Joe Dethlefs came up and spoke on behalf of the applicant. He said that he was here to answer any questions the commission may have. He said that they are requesting the change in zoning to give the owner a little more flexibility in the use of their building and who they are going to lease to. He said that what's proposed is about a 40,000 square foot building with parking lots surrounding it and the necessary utilities. It's going to be an industrial flex type building with a possibility of either just one or multiple tenants.

Krzywicki brought up the way the zoning is currently structured and asked if it's pyramidal where a more intense zoning class could have less intense things on it or is restrictive to that zoning class.

Solberg that we have used to have a more pyramidal style ordinance before 2001. He said that each district has its own set of uses and so it is not pyramidal now.

Krzywicki then said they wanted more flexibility in there and it is now currently zoned at C-3 shopping and are okay to be in that district, they may not be able to go into it with the new zoning.

Solberg said that was correct, however, the type of building they are putting in is industrial which goes right into the uses allowed in the I-1 district.

Krzywicki then asked Solberg if he envisioned anything from the C-3 going in there.

Solberg said no.

- iii. **Public Hearing – Miller opened the Public Hearing**

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

- iv. **Recommendation:** Sargus moved, seconded by Malmquist to recommend approval of the amendment to the Future Land Use Map of the Comprehensive Plan from Commercial with a Gateway Corridor Overlay (Overlay District), to Industrial with a Gateway Corridor District (Overlay District), as the request is consistent with the Comprehensive Plan. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist Nays: None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)**

B. Zoning Map Amendment – Lot 37, Brook Valley II Business Park – Lynch, LLC

- i. **Staff Report – Chris Solberg:** Solberg stated the applicant, Lynch Management, LLC, is requesting a Zoning Map Amendment to allow for the rezoning on Lot 37, Brook Valley II Business Park to I-1, Light Industrial District and Gateway Corridor District and FF/FW Floodplain Districts (Overlay District), for the purpose of industrial development. Lot 37, Brook Valley II Business Park is generally located on the southeast corner of 120th Street and Giles Road. Staff’s recommendation is for approval of the amendment to the Zoning Map Amendment (Rezoning) from C-3 Highway Commercial/Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.
- ii. **Applicant Presentation:** Joe Dethlefs came up and spoke on behalf of the applicant. He said that was there to answer any questions the commission may have.
- iii. **Public Hearing – Miller opened the Public Hearing**

Miller closed the public hearing as no members of the public came forward.
- iv. **Recommendation:** *Malmquist* moved, seconded by *Wetuski* to recommend approval Staff’s recommendation is for approval of the amendment to the Zoning Map Amendment (Rezoning) from C-3 Highway Commercial/Office Park with a Gateway Corridor Overlay (Overlay District) and FF/FW Floodplain Districts (Overlay District), to I-1 Industrial with a Gateway Corridor District (Overlay District) and FF/FW Floodplain Districts (Overlay District), as depicted in the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan. **Ayes: Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist Nays: None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)**

C. Zoning Ordinance Amendment – Section 4.15 (Height Restrictions) – City of La Vista

- i. **Staff Report – Cole Bockelmann:** Bockelmann stated that the flag issue is back on the agenda tonight. He said that this ordinance modifies the text of section 4.15 of the Zoning Ordinance, the permitted modifications of height restrictions. He said that after the Planning Commission meeting back in August, they took it to City Council in September and the City Council were opposed to the commercial flag restriction, so they struck the definition [and related language] and due to the amount of changes they brought it back to the commission. He said that the height restriction is the same as it was previously, so in section 4.15, they are restricting

the maximum height of flagpoles to 50' or 25% above ground of the company's building height, whichever is the lesser value. He then offered to answer questions.

Malmquist asked why 'as measured from the ground' is in blue.

Bockelmann said that it was a secondary change because it was not in the original ordinance.

Miller asked if Bockelmann could give any history as to why this is coming up.

Bockelmann said that a lot of this is coming up because the Omaha Planning Commission approved a 125' flagpole for a storage facility that wasn't very proportional to the building and they were trying to avoid that from happening. He said that the initial idea was to restrict commercial messages from flags, but council didn't seem to be in favor of that, so they revised it and kept it just to the height.

Sargus asked why 4.15.02 was still in the ordinance.

Bockelmann said that each zoning district has their own set of height restrictions and that section 4.15.02 sets the height at 75' no matter what for public buildings like hospitals, schools, etc. and that is why it's in the Zoning Ordinance.

Sargus asked what it means when 'each required yard line is increased by at least one (1) foot for each one (1) foot of additional building height.'

Solberg said that it's an additional setback from the property line for each additional foot above what the regulations allow for that district. For example, a school in one of these districts [is designed at] 50' in the district, but the district limit is 40'; they would set that building back another 10' from the lot line.

ii. Public Hearing: Miller opened the Public Hearing

Miller closed the public hearing as no members of the public were present.

iii. Recommendation: *Circo* moved, seconded by *Malmquist* to approve the Zoning Ordinance Amendment, section 4.15 height restrictions for the City of La Vista. Ayes: *Krzywicki, Wetuski, Sargus, Miller, Circo, Alexander and Malmquist* Nays: *None. Abstain: None. Absent: Dale and Gahan. Motion Carried. (7-0)*

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

Malmquist talked about a planning event [Iowa APA Conference] she went to at the Mid America Center.

Miller mentioned that he had just come back from Minneapolis last week and every place that they start up that's new they have the little islands set up for electric cars and asked if those were going to be put up at City Centre.

Solberg said that at this time we do not have it programmed as of right now. He said that it has come up in discussions before, but at this time, they do not have anything designed into our portion of things.

Malmquist said that there is a charging station at the NRD.

7. Comments from Staff

Solberg said that there a number of planning activities in the RFP or near the RFP stage or near the contract negotiation stage.

Circo asked if there was any more progress on the multisport complex.

Solberg said that there have been no new updates since the last meeting.

Kottmann said that there is still earthwork being done, but nothing new is going on.

Krzywicki asked if there has been any new hotels interested in being built by the complex.

Solberg said yes, there have been inquiries on a couple of lots out west, but that's all they have had.

8. Adjournment

Miller adjourned the meeting at 7:29 p.m.

Planning Commission Secretary

Planning Commission Chairperson

Approval Date