



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
FEBRUARY 4, 2021 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, February 4, 2021 in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Wetuski called the meeting to order at 6:30 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, Harold Sargus, Patrick Coghlan, John Gahan, Jason Dale, Mike Circo, and Josh Frey. Kathleen Alexander was absent. Also, in attendance were Chris Solberg, Deputy Community Development Director; Bruce Fountain, Community Development Director; Cale Brodersen, Assistant City Planner; and Pat Dowse, 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 Wetuski at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – January 21, 2021

Malmquist moved, seconded by *Krzywicki*, to approve the January 21, 2021 minutes with one change of a reference to "Co-Chairman Sargus" to "Vice-Chairman Sargus". **Ayes: Krzywicki, Gahan, Coghlan, Frey, Sargus, and Malmquist. Nays: None. Abstain: Wetuski, Dale, and Circo. Absent: Alexander. Motion Carried, (6-0-3)**

3. Old Business

None.

4. New Business

A. Zoning Ordinance Amendment – Section 5.17 Gateway Corridor District (Overlay District) and the Gateway Corridor District Design Guideline Booklet

i. **Staff Report – Christopher Solberg, AICP:** Chris noted that revised copies of the amendment to the zoning ordinance and the Gateway Corridor Design Guideline Booklets are placed in front of each Planning Commission member, and that they should reference those for purposes of discussion.

Solberg stated that through the regular review process enacted by some of La Vista's regulations, staff have decided that several changes are necessary for the Gateway Corridor District. The first amendment would change the standard lighting fixture for

the 144th Street corridor. He mentioned that most of the land on the 144th street corridor is already developed, except for a few properties, and that our current standard light fixture for the entire Gateway Corridor Overlay District doesn't fit the aesthetic or design intent of the 144th street corridor which was introduced into La Vista's planning jurisdiction approximately 7 years ago. Solberg stated that the most logical light fixture for the corridor, to ensure continuity, would be the one approved for the Woodhouse Place development through the Woodhouse PUD.

Solberg stated that the other amendments relate to the criteria for application in the actual ordinance. The proposed changes simplify the process for design review by adding in a review category for "small projects," where at the discretion of the Community Development Director, it would be determined whether or not exterior improvements will need to go through the full design review process, or if they qualify for an internal administrative review by Community Development staff. Solberg clarified that this would allow for the in-house review of small improvements like minor additions or accessory buildings to keep an unnecessary monetary and time burden off small projects and business owners where the full external review is not necessary. Small projects would have a \$100 review fee, as compared to the \$1500 fee common for larger projects.

Solberg stated that a section was also added relating to waivers, where deviations from the guidelines for improvements that still meet the intent of the guidelines can be approved without needing to go through a lengthy review process. Solberg gave an example of a request for a small utility shed to house a lawn mower used for a senior living facility. If the small shed is not visible from any street or public right-of-way, and if the materials and colors used match the materials used for the primary building, is it necessary that this small utility shed be constructed of at least 51% masonry materials? Solberg reiterated that the amendments provide some flexibility in the handling of the review for small projects and the process for review and approval of waiver requests.

ii. **Public Hearing; Wetuski opened the public hearing.**

Seeing no one come forward, Wetuski closed the Public Hearing.

Krzywicki commented that since the definition of small projects in the proposed amendment does not mention dollar amounts or percentage requirements, it leaves it pretty wide open and gives a lot of discretion to staff in determining what is and what is not a small project.

Solberg confirmed that the definition does leave some room for interpretation, but that the intention is for requests for minor improvements or changes to existing facilities. He mentioned that most of the design review applications are for new buildings or major renovations where it is clear that they would not be considered small projects.

Krzywicki asked if the roof of a building in the Gateway Corridor were to be damaged by a hailstorm, would its replacement be reviewed as a small project?

Solberg answered that if the roof is just a replacement of what was there before, using the same material that was approved through the process when the building was constructed, they would not be required to go through any review. Solberg gave an additional example that if a property owner wanted to add a new awning to a building within the Gateway Corridor, this is something that could be considered a small project for review.

Krzywicki asked if there are buildings in the Gateway Corridor that do not conform as they were constructed prior to the implementation of the design criteria.

Solberg answered that we do have some, primarily along 84th Street.

Krzywicki asked if they would be required to go through design review if those buildings were damaged and needed repairs or replacements.

Bruce Fountain came to the podium and mentioned that one motivation for bringing this amendment forward is to allow for some staff review of projects that are currently exempt, but that do have visual impacts on the Gateway Corridor. He gave a few examples of recent buildings that avoided the design review process by manipulating the projects just enough to be exempt. Fountain explained how this shouldn't affect the way that most projects are handled and reviewed, but it provides a greater ability for review of some smaller projects without an expensive or lengthy review process.

Krzywicki voiced his concern that if a non-conforming structure experienced damage from a natural disaster, that the City would enforce expensive requirements and standards for them to repair the building.

Solberg clarified that there is a section within the Zoning Ordinance that addresses non-conforming structures and their ability to repair, but that it would depend on the extent of the damage and what is allowed within the Zoning Ordinance. He said that at a certain point or percentage, the design review requirement would kick in. Fountain mentioned that this would happen today even without the proposed amendments.

iii. **Recommendation:** Malmquist moved, seconded by Circo, to recommend approval of the text amendments to Section 5.17 of the Zoning Ordinance and the Gateway Corridor Design Guideline Booklet as presented. **Ayes: Wetuski, Krzywicki, Gahan, Dale, Circo, Coghlan, Frey, Sargus, and Malmquist. Nays: None. Abstain: None. Absent: Alexander. Motion Carried, (9-0-0).**

5. Report of the Nominating Committee

Malmquist delivered the report of the nominating committee. The committee approached the existing officers about serving another term in their respective roles and they have expressed

interest in doing so. The nominating committee recommends the re-election of Kevin Wetuski as Chair, Harold Sargus as Vice-Chair, and Kathleen Alexander as Secretary.

6. 2021 Election of Officers

- i. **Recommendation:** Malmquist moved, seconded by Gahan, to accept the nominating committee's recommendations for the election of officers for Wetuski as Chair, Sargus as Vice-Chair, and Alexander for Secretary. **Ayes:** *Wetuski, Krzywicki, Gahan, Dale, Circo, Coglan, Frey, Sargus, and Malmquist.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Alexander.* **Motion Carried,** (9-0-0).

7. Comments from the Planning Commission

A discrepancy was noted in what is listed as the appropriate comment time limit during public hearings. In the announcements at the beginning of the meeting it is said to be three minutes, but the agenda mentions a five-minute limitation on comments.

Solberg confirmed that we will reference the Open Meetings Act and correct the discrepancy.

8. Comments from the Staff

Solberg notified the Planning Commission that they will have a meeting in two weeks, and that there are currently between three and four items slated for that agenda.

9. Adjournment

Wetuski adjourned the meeting at 6:53 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date