



**CITY OF LA VISTA
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**PLANNING COMMISSION MINUTES
FEBRUARY 18, 2021 6:30 P.M.**

The City of La Vista Planning Commission held a meeting on Thursday, February 18, 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 Kathleen Alexander, Mike Circo, and Josh Frey. Also, in attendance were Chris Solberg, Deputy Community Development Director; Bruce Fountain, Community Development Director; Cale Brodersen, Assistant City Planner; Meghan Engberg, Permit Technician; 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 – February 4, 2021

Malmquist moved, seconded by *Sargus*, to approve the February 4, 2021 minutes. **Ayes: Krzywicki, Gahan, Coghlan, Frey, Sargus, Wetuski, Dale, Circo, and Malmquist. Nays: None. Abstain: Alexander. Absent: None. Motion Carried, (9-0-1)**

3. Old Business

None.

4. New Business

A. Zoning Map Amendment – Lots 2 & 3 Gary & Debbie Pink No. 3 – TNT Holdings, LLC

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that TNT Holdings, LLC is requesting to rezone Lots 2 & 3 Gary and Debbie Pink to extend the Planned Unit Development zoning overlay over those lots, which are generally located Southwest of the intersection of Giles Road and West Giles Road. Staff recommends approval of the Zoning Map Amendment to add a Planned Unit Development – Overlay District to Lots 2 and 3 of Gary & Debbie Pink No. 3 with the allowances stated within the staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.

ii. Public Hearing; Wetuski opened the public hearing.

Ken Hahn spoke on behalf of the applicant. He showed the Commission a drawing of the site area that shows Lots 2 and 3 and mentioned that about 3 years ago, Dr. Miyomoto and his wife purchased Lot 3 and put a dental clinic on that lot. He said that they found that even with utilizing every square inch that they could in the building and meeting parking guidelines, it is proving to be inadequate for their practices and would like to provide some additional parking. Hahn said the owners purchased Lot 2 hoping there would be a way for them to be able to use some of that land for parking. He mentioned that Lot 2 is such a narrow lot, that it's hard to find use for that piece of land. The thinking was that if they were to develop this lot in a way where they could put the building on the west end, the parking needed for that would consume a portion of Lot 2, but not all of it. The remainder of the lot would then be used for parking and would help with the additional need on Lot 3.

Krzywicki mentioned the parking shown in the plan and the diagonal part of the roadway and asked if that was existing or new.

Hahn said that it's all existing.

Krzywicki mentioned that when he drove by there today, there were 2 cars parked on the road and asked if they would start utilizing the parking to the left of the road.

Hahn said that was correct.

Krzywicki asked if it would make more sense to have the road moved so people don't have to cross the street.

Hahn said that he wasn't sure if he'd be able to give a definitive answer for that and that it goes beyond what they are trying to achieve. He said that they are putting in a sidewalk and there will also be a crosswalk as well.

Jill McCormick addressed the Commission and said that she lives directly across the Burlington Northern line near the project site. She said that the applicant had mentioned there was another building to be constructed to the west and asked what type of use would be included. She also asked if it was the Rocket Carwash that was being advertised nearby.

Solberg said that the Rocket Carwash, is proposed for a site to the west of this site, however, no plans or applications have been submitted to the City for that project at this time.

McCormick said that the Planning Commission Public Hearing sign was placed directly under the Rocket Carwash sign and that's why she thought they were here tonight. Solberg indicated that the sign was misplaced and that would be corrected.

Hahn said that the building that is shown on the plans will be a professional office building.

McCormick said that all of this is directly north of her property and her biggest concern is the lighting and the effect it will have on Haunted Hollow which they own and operate. She mentioned that the dentist office has one light along the access road that is turned toward the railroad tracks and their driveway and shines directly into their customers' faces. She just wants everyone to know, that as La Vista is developing that area, there is a residence still right there.

Wetuski closed the Public Hearing.

Sargus mentioned the parking lot light and asked if there is a code on where the light must be placed.

Hahn said that there is a requirement that they must follow the lighting design guidelines that are in the Gateway Corridor District and the lights they have there are in compliance with those requirements.

Solberg said that projects in this area do go through design review and that the proposed Rocket Carwash will be required to as well when it is submitted. The car wash also will be required to get a Conditional Use Permit and they will have to go before the Planning Commission and have a public hearing for that request, as well. He said that all these properties are in the Gateway Corridor Overlay District, which requires a specific type of lighting fixture, which is "dark sky compliant". Solberg said that it was selected back in 2004, when the original guidelines were developed. The topography down to the Haunted Hollow property is downward sloping, so there are some angle issues with the light. He then said that when they go to work with the architect on the proposed new building, that they can look into any existing issues as well.

Frey asked if there could be a requirement to provide screening with trees or anything else to help with the light bleeding onto other properties.

Solberg said they can look into it with their architect to see what all could be done, but there isn't much room due to the railroad right-of-way. He said that they can look into ways to keep that lighting level down and verify that there aren't sconces shining light onto the adjacent properties.

- iii. **Recommendation:** Sargus moved, seconded by Malmquist, to recommend approval of the Zoning Map Amendment to add a Planned Unit Development – Overlay District to Lots 2 and 3 of Gary & Debbie Pink No. 3 with the allowances stated within the staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes:** *Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *None.* **Motion Carried, (9-0).**

B. Planned Unit Development Site Plan – Lots 2 & 3 Gary & Debbie Pink No. 3, TNT Holdings, LLC

i. **Staff Report- Christopher Solberg, AICP:** Solberg stated that TNT Holdings, LLC and VNT, LLC, is requesting a PUD site plan amendment to allow for a development with shared parking on Lots 2 & 3 Gary and Debbie Pink No. 3. Staff recommends approval of the Planned Unit Development Site Plan for Lots 2 and 3 Gary and Debbie Pink No. 3, with the allowances stated within the staff report, contingent on the resolution of any issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.

ii. **Public Hearing: Wetuski opened the Public Hearing.**

Wetuski closed the Public Hearing as no members of the public came forward.

iii. **Recommendation:** *Malmquist* moved, seconded by *Dale*, to recommend approval of the Planned Unit Development Site Plan for Lots 2 and 3 Gary & Debbie Pink No.3, with the allowances stated within the staff report, contingent on the resolution of any issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0).**

C. Replat- Lots 1 & 16 Harrison Hills – Streck, Inc.

i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that Streck, Inc. has applied to replat Lots 1 & 16 of Harrison Hills to be replatted as Lots 1 and 2 Harrison Hills Replat 7. This will consolidate Lot 16 into Lot 1 Harrison Hills and the division of Lot 1 Harrison Hills into two lots for the development of multi-family housing units. Staff recommends approval of the replat of Lots 1 and 16 Harrison Hills, being replatted at Lots 1 and 2 Harrison Hills Replat 7, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Subdivision Regulations.

Caleb Snyder, the project engineer, spoke on behalf of the applicant. He said that they are seeking approval of a replat for Lots 1 and 2 for the Streck Housing project. He mentioned that they were here a little over a month ago seeking an amendment to the Future Land Use Map and Rezoning and this was the next step in the process. He said that he was there to answer any questions the Commission may have.

- ii. **Recommendation:** *Circo* moved, seconded by *Alexander* to recommend approval for the replat of Lots 1 and 16 as according to the staff report. **Ayes: *Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist.* Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0).**

D. Planned Unit Development Site Plan – Lots 1 & 16 Harrison Hills – Streck, Inc.

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated the applicant, Streck, Inc. is requesting an approval of a revised PUD Site Plan to allow for the construction and operation of a multi-family housing development on Lot 1 Harrison Hills Replat 7. The PUD Amendment request will allow for the development of an 84-unit multi-family housing development on roughly 3.03 acres. Staff recommends approval of the Planned Unit Development Site Plan Amendment for Lots 1 and 2 Harrison Hills Replat 7 with allowances for a reduction of the required garage stalls per unit and a reduction in the required site square footage per unit, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.

- ii. **Public Hearing: *Wetuski* opened the Public Hearing.**

Dale mentioned that when this project was brought forward in December, they were told that these units were not going to be solely for Streck employees, although that is the primary goal. He asked with the parking spaces being reduced, if there was additional parking that could be used with the existing Streck building.

Snyder said that the reduction in parking is for covered parking and that they are above the required number for parking otherwise.

Zach Reinhardt, the project manager, spoke on behalf of the applicant. He said that if Streck employees needed to overflow into the parking lot they could, but it shouldn't be an issue.

Krzywicki brought up the recent heavy snow and that he's noticed that some of the parking lots around the City have snow sitting in the parking spaces, which reduces the number of spaces available and asked if the City has any requirements to remove snow from required parking spaces.

Solberg said not from private required parking spaces, but there may be something for spots in public ways. He said that one thing about this PUD is that it has shared

parking and both sites exceed their parking minimums, so there should be plenty of parking, even if a few spots are taken up by the snow mounds.

Krzywicki said that the reason he brought it up is because he has noticed that some businesses have cars parked on the street due to parking overflow from spots being taken up by the snow. He mentioned that if there is nothing in the ordinance, that businesses should be reminded that they must keep required parking spots clear.

Solberg said staff can look into it. He continued to state that any areas with public parking that don't have actual spaces available, causing people to park illegally, the police have been very diligent on chasing those down. This is done to make sure they are cleared for Public Works to be able to plow snow from those spaces along the street. Solberg went on to state that adjustments in regulations is something staff can look into to see how other areas in the Northern United States handle it.

Fountain said that most developments are probably overparked in terms of required parking and that if the City got complaints that we should be able to go to the development and remind them that they must meet the minimum required parking.

Solberg said that depending on funding, the City is hoping to do a complete zoning ordinance update in the next couple of years and would be able to address this further if it's an issue.

Wetuski closed the Public Hearing as no members of the public came forward.

- iii. **Recommendation:** *Sargus* moved, seconded by *Gahan*, to recommend approval of the Planned Unit Development Site Plan Amendment for Lots 1 and 2 Harrison Hills Replat 7 with allowances for a reduction of the required garage stalls per unit and a reduction in the required site square footage per unit, contingent on the resolution of the issues mentioned in the staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: *Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist*. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0).**

E. Conditional Use Permit – Portion of Lot 1 Harrison Hills – Streck, Inc.

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated the applicant, Streck Inc., is requesting approval of a Conditional Use Permit to allow for the construction and operation of a multi-family housing development on the proposed Lot 1 Harrison Hills Replat 7. The CUP is to allow for the construction of a multi-family housing

development on the proposed Lot 1 Harrison Hills Replat 7 generally located South of the intersection of S. 117th St. and Emiline St. Staff recommends approval of the Conditional Use Permit for Lot 1 Harrison Hills Replat 7 contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and Zoning Ordinance.

- ii. **Public Hearing: Wetuski opened the public hearing.**

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

- iii. **Recommendation:** *Malmquist* moved, seconded by *Gahan*, to recommend approval of the Conditional Use Permit for Lot 1 Harrison Hills Replat 7 contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and Zoning Ordinance. **Ayes: Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0).**

F. Final Plat – La Vista City Centre Replat 4 – La Vista City Centre, LLC

- i. **Staff Report – Christopher Solberg, AICP:** Solberg stated that the final Plat for La Vista City Centre Replat 4 was approved by City Council on March 3, 2020. However, due to development delays related to the current pandemic, the Final Plat was never signed and recorded with the Sarpy County Register of Deeds. As per Section 3.04.06 of the Subdivision Regulations, final plats that are not recorded within 90 days of approval by the City Council are null and void. As such the plat will need to go through the whole approval process to be reapproved. As no regulations have changed since the prior approval, staff recommends reapproval of the La Vista City Centre Replat 4 Final Plat, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances.
- ii. **Recommendation:** *Krzywicki* moved, seconded by *Frey* to recommend approval of the La Vista City Centre Replat 4 Final Plat, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, recording of redevelopment agreement amendment, subdivision agreement amendment, and applicable property conveyances. **Ayes: Wetuski, Krzywicki, Gahan, Dale, Circo, Alexander, Frey, Sargus, and Malmquist. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0).**

5. Comments from the Floor

McCormick addressed the Commission again and discussed a traffic issue at Old Giles Road and S. 120th St. She said that the intersection bottlenecks due to traffic backup at the light at 120th and Giles. She asked if a traffic study could be done because the light doesn't seem to stay green long enough to let traffic through.

Dowse said that it's a situation they continue to monitor and are looking at ways that they can improve it.

6. Comments from the Planning Commission

None.

7. Comments from Staff

Fountain said that the 4Seams CUP was approved by the City Council. He said that staff also met with the applicant and the Fire Marshall and the building inspectors and that the issues have been resolved and will hopefully be opening soon.

Solberg said that we do not have Planning Commission meetings planned for March 4th or 18th as there currently are no pending applications slated for those meetings. Staff will keep the Commission posted if anything changes. He also mentioned that NPZA will be holding a Spring workshop virtually on March 12th and to let him know if they are interested in attending.

8. Adjournment

Wetuski adjourned the meeting at 7:14 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date