



MEETING MINUTES
CITY OF LA VISTA PLANNING COMMISSION
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
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THURSDAY, OCTOBER 17 AT 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, October 17, 2024, in the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. Legal notices 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. The following Planning Commission members were present and absent:

PRESENT: Amanda Brewer, John Gahan, Michael Kryzwicki, Josh Frey, Kathleen Alexander, Mike Circo, and Gayle Malmquist, and Harold Sargus

ABSENT: Patrick Coghlan, Harold Sargus and Debra Dogba

STAFF PRESENT: Bruce Fountain, Community Development Director; Lydia McCasland, Permit Technician; Chris Solberg, Deputy Community Development Director; Cale Brodersen, Associate City Planner; and Pat Dowse, City Engineer.

1. Call to Order

The meeting was called to order by Chairperson Alexander at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes from October 3, 2024

Motion: Malmquist moved, seconded by Brewer, to **approve** the October 3, 2024, minutes.

RESULT:	Motion carried 7-0-0
MOTION BY:	Malmquist
SECONDED BY:	Brewer
AYES:	Brewer, Gahan, Kryzwicki, Frey, Alexander, Circo and Malmquist.
NAYS:	None
ABSTAINED:	None
ABSENT:	Coghlan, Sargus, and Dogba

3. Old Business

There was no old business for discussion

4. New Business

A. Conditional Use Permit – Assisted Living Facility/Nursing Care – Trahera Property Group – Lot 6 Schaefer's I Addition; east of the intersection of Gertrude Street and S. 74th Street

Staff Report – Cale Brodersen, Associate City Planner: Brodersen introduced the application for a conditional use permit for an assisted living facility near Gertrude Street and 74th Street. Brodersen explained the next steps for the applicant were he to receive approval on the CUP, which include replatting the property and completion of the city's design review process. Brodersen introduced the applicant, David Arehart, who delivered some background on the proposed 16 bedroom assisted living facility. David explained that staff will be present 24 hours per day, 7 days per week, and that there would regularly be 3 caregivers on site during the day, and 2 caregivers on site at night.

Kryzwicki asked if the facility would host entertainment for the residents and guests and if the parking would be sufficient. Arehart explained that there would be regular programming for the residents, but rarely would there be events hosted for all the residents and their families. He mentioned that if there was an occasionally need for additional parking, there is street parking available adjacent to the facility.

Circo asked if there would be age restrictions for the assisted living facility. Arehart told them no there would be no age restrictions. They would also accept younger adult residents if they need assistance with daily living activities.

Circo then asked if the facility would provide transportation for residents to attend doctor appointments. Arehart replied that small facilities like this typically do not, as it would take staff away from the facility, but that residents would rely on family members or other transportation services that exist in the metropolitan area. He said they would also explore bringing in a general practitioner to provide the residents with on-site check-ups.

Chair Alexander opened the Public Hearing.

Public Hearing:

Resident Carol Job asked Arehart if the facility will be private pay only. Arehart confirmed that it would be.

Resident Maryann Gomez who expressed that she has a condo next door and is concerned about the number of parking stalls provided. David stated that he would meet with his architect to see if any additional parking stalls can be added.

Resident Marian Iversen asked about where the existing property lines are and expressed concerns about not being able to make contact with the current property owner to ensure that they would not lose access to their condo building. Brodersen explained that in order for the property to be sold and the assisted living facility constructed, the properties would first need to be replatted and one requirement that the city has when replatting is that the resulting properties maintain access to the public street, so the condo owners and residents would not lose their driveway access.

Resident Ellen Schroeder also voiced concerns over access and easements. Brodersen confirmed that staff will be reviewing that the proper easements are put in place as part of the replat process

Commissioner Brewer asked what the next steps would be. Brodersen explained that next the property owner will apply for the replat to re-draw property lines so the owner could sell the lot to the applicant for the assisted living facility. If this process is approved by city council, the applicant will then need to go through the design review process. Once that is approved, they can apply for building permits.

Commissioner Brewer asked the applicant about his background with assisted living facilities. Arehart explained that while he has not owned and operated a similar facility before, he has gone through a residential assisted living training program and has many mentors and coaches that he has developed relationships with through the program who he can reach out to for guidance. Arehart explained that he would be the owner operator to get the facility going and he would seek to hire a full time administrator to run the facility. Brewer asked if Arehart had explored the financing for the project. Arehart explained that he would be seeking a Small Business Association loan and that there are lenders who specialize in projects of this type.

Resident John Gomez voiced concerns about whether or not the parking provided on the site plan would be sufficient for the residents, visitors, and staff.

Resident Sandra Schoch wanted to know if the assisted living facility ownership would be sharing in the expenses to operate the streetlights and sprinkler system that currently are located west of the condo building. Fountain explained that the particulars will depend on how the property is replatted and where the property lines fall in relation to the location of the streetlights and sprinkler system.

Resident Arlene Eledge asked what the plans were for garbage disposal for the facility. Brodersen showed the residents where the proposed dumpster enclosure would be located on the property to serve the assisted living facility.

Circo asked if on-street parking is allowed on only one side of 74th Street. Staff confirmed that parking is only permitted on one side. Circo asked how many cars would fit on that stretch of road in front of the proposed assisted living facility, and Dowse responded that staff would need to look into that number.

Gahan moved, seconded by Malmquist, to close the public hearing.

RESULT:	Motion carried 7-0-0
MOTION BY:	Gahan
SECONDED BY:	Malmquist
AYES:	Brewer, Gahan, Kryzwicki, Frey, Alexander, Circo, and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Coghlan, Sargus, and Dogba

Chair Alexander stated that the motion to close the Public Hearing was approved.

Frey asked staff for clarification on the off-street parking requirements, and if additional stalls could be required. Solberg replied that if the Planning Commission decided that additional parking is needed, the CUP process is the time to introduce that requirement as it relates to the site plan.

Circo asked about the potential to include additional parking stalls north of the access drive for the Heritage Condos. Brodersen replied that yes it would be possible with the introduction of an easement as part of the replat process.

Recommendation:

Malmquist moved, seconded by *Gahan* to recommend approval to the City Council for the Conditional Use Permit – Assisted Living Facility/Nursing Care – Trahera Property Group – Lot 6 Schaefer's I Addition; east of the intersection of Gertrude Street and S. 74th Street subject to further investigation of the parking needs and the introduction of additional parking stalls if deemed necessary.

RESULT:	Motion carried 4-3-0
MOTION BY:	Malmquist
SECONDED BY:	Gahan
AYES:	Gahan, Frey, Circo, and Malmquist
NAYS:	Brewer, Kryzwicki, and Alexander
ABSTAINED:	None
ABSENT:	Coghlan, Sargus, Dogba

B. Conditional Use Permit – Multiple Family Dwellings – Lot 2 Cimarron Woods Replat Three (southeast of the intersection of S. 99th Street and Josephine Street)

Staff Report – Chris Solberg, Deputy Community Development Director: Solberg explained to the Planning Commission that Pedcor was in front of them 2 years ago to apply for a CUP to allow for the construction of phase 3 of the Cimarron Terrace Apartments. He explained how the CUP was approved at that time by City Council, but that their CUP expired as they have yet to begin construction due to not obtaining the financing through NIFA that they were seeking. As a result, they have applied for a new Conditional Use Permit as they are seeking financing again through NIFA to build out this third phase.

Frey asked if there were any changes to this application since the last time. Solberg confirmed that it was exactly the same. Frey remembered there was a question brought up about how to deal with the concerns regarding potential damage to the roundabout and 99th street related to the construction activity. Fountain said staff would look into the discussion from 2 years ago to determine how this would be addressed.

Solberg introduced Turner Lesneck with Pedcor who presented the scope of the third phase of the development in more detail. Lesneck explained that Pedcor held a virtual meeting with the residents of Cimarron Woods and the president of the HOA recently to answer any questions or concerns that they might have about the renewed proposal.

Brewer asked about Pedcor's history using low-income housing tax credits in Nebraska for affordable housing developments. Lesneck detailed Pedcor's development history in the area and the current competitive financing market for these projects.

Brewer asked what Pedcor would plan to do if they did not receive the funds again this cycle. Lesneck replied that the land would likely sit as it is today until they would be able to obtain the funding to move forward.

Brewer asked if this would have the potential to be built out as a market rate project if they did not receive the low-income housing tax credit money to which Lesneck said Pedcor does not feel it would be in the best interest of the company nor the city in today's economic environment to consider a market rate project.

Brewer noted concerns over the amount of time that it took to have a roof replaced on one of the existing buildings. Lesneck speculated that it may have been tarped for an extended period due to an insurance claim dispute, but that he would investigate what happened with the property maintenance team.

Circo asked about the status of a traffic signal on 99th and Harrison with the addition of phase 3. Lesneck explained that there was a traffic study completed at the time of the PUD which anticipated that the signal would meet warrants upon full build out of phase 3 of the apartment complex. At that time there was an agreement reached between the City of La Vista, the City of Omaha, and Pedcor, and as part of that agreement Pedcor already contributed toward the cost of the traffic signal infrastructure. When warrants are met Omaha will lead the installation of the signal. Dowse confirmed that Omaha would start the process of determining when warrants are met and arranging for the signal to be installed.

Chair Alexander opened the Public Hearing.

Public Hearing:

Resident Kristen Job voiced concerns over expansion of the Cimarron Terrace Apartments due to concerns regarding maintenance of the existing apartment buildings, including upkeep of the landscaping, the pool, and a roof on one of the buildings which had a tarp on it for an extended period of time before it was recently replaced. She also voiced concerns about the volume of traffic in and out of the complex, and around the traffic circle and 99th Street.

Resident Nancy Miller thanked Lesneck and Pedcor for meeting with them and for keeping the residents of Cimarron Woods updated and answering questions. She voiced concerns regarding the close proximity of planned building 13 of phase 3 to the back yards of the adjoining single-family homes. Miller voiced concerns about there only being one major access point for the complex onto the traffic circle. Miller also inquired about the potential for a traffic signal on 99th Street. Dowse confirmed that it would not be constructed until it met the traffic warrants, which was last anticipated to be met after the build out of phase 3.

Brewer asked staff if there was any way to connect to the complex directly to 96th Street. Solberg explained that it is unable to connect directly to 96th Street due to the large grade differential and the inability to meet the city's standards.

Brewer asked if there were any planning best practice concerns with the limited access options for the apartment complex. Solberg said that the access points and considerations were reviewed during the initial planned unit development and it was reviewed by the fire marshal to ensure adequate emergency response access.

Kryzwicki asked the residents if they used the light at 102nd Street. Resident Carol Job confirmed that they do during busy times. Kryzwicki noted an increase in traffic volume across the metropolitan area and voiced a desire to see a more recent traffic study conducted.

Frey inquired with staff about the specifics of the most recent traffic study. Brodersen replied that a revised traffic count was completed in 2021 and still noted that the warrants for the signal were not yet met. Dowse stated he would contact the City of Omaha to see if there are plans to conduct another traffic study in the near future.

Gahan moved, seconded by Frey, to close the public hearing.

RESULT:	Motion carried 7-0-0
MOTION BY:	Gahan
SECONDED BY:	Frey
AYES:	Brewer, Gahan, Kryzwicki, Frey, Alexander, Circo, and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Coghlan, Sargus, and Dogba,

Chair Alexander stated that the motion to close the Public Hearing was approved.

Recommendation:

Brewer moved, seconded by Frey to table the Conditional Use Permit application for Multiple Family Dwellings for Lot 2 Cimarron Woods Replat to a future planning commission meeting to give the applicant and staff an opportunity to address the concerns introduced at the meeting.

RESULT:	Motion carried 7-0-0
MOTION BY:	Brewer
SECONDED BY:	Frey
AYES:	Brewer, Gahan, Krzywicki, Frey, Alexander, Circo, and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Coghlan, Sargus, Dogba

5. Comments from the Floor

No comments were made.

6. Comments from the Planning Commission

Kryzwicki inquired about the landscaping requirements for Cimarron Woods after noticing that a few trees have been cut down along Harrison Street. He also asked about the timing for traffic signals on Giles. Dowse said he is contacting a consultant to arrange for a traffic study on Giles, for which the proposal will need to go before Council for approval to commence the study. Dowse also mentioned he would contact the SID engineer to get clarification on the landscaping issue.

7. Comments from the Staff

Solberg delivered a presentation on the various public projects and improvements that are underway or being planned within the 84th Street Corridor including park lighting, a surface parking lot, the streetscape, 84th street trail, underpass, Central Park West improvements, and pool replacement.

Circo asked if the multi-use trail will cross Park View Blvd at the street level or if there will be an underpass there. Solberg confirmed that at Park View it will cross at grade. Frey asked about the bridge design and Solberg showed a rendering with the design elements. Brewer asked if the trail would connect to the middle school. Solberg said it will connect with an existing sidewalk that students use to access the middle school, so indirectly yes.

Gahan asked if there would be a bond issue request on the ballot for the swimming pool. Solberg said staff has identified funding sources for the pool that would not require sending a bond issue to the voters. Frey asked about the status of tenants in City Centre. Solberg explained that Pen & Dagger booksellers would be opening in the next few weeks, and that City Ventures will be moving their offices into the second floor of the lot 10 building. He said they also have some plans for potential tenants to move into the lot 15 and lot 10 buildings.

8. Adjournment

Chairman Alexander adjourned the meeting at 8:40 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date