



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
SEPTEMBER 18, 2014

The City of La Vista Planning Commission held a meeting on Thursday, September 18, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman John Gahan called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Harold Sargus, Mike Circo, Kevin Wetuski, and Jody Andsager. Members absent were: Lowell Miller, Tom Miller and Kathleen Alexander. Also in attendance were Christopher Solberg, City Planner; John Kottmann, City Engineer; Meghan Engberg, Permit Technician; and Court Barber, Planning Intern.

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 Gahan at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – August 21, 2014

Malmquist moved, seconded by Wetuski to approve the August 21, 2014 minutes as submitted. **Ayes:** Krzywicki, Malmquist, Gahan, Sargus, Wetuski, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Lowell Miller, Alexander, and Tom Miller. **Motion Carried.** (7-0)

3. Old Business

None.

4. New Business

A. Public Hearing for Conditional Use Permit for CrossFit Papio

- i. **Staff Report:** Solberg explained that CrossFit Papio is seeking a CUP for a 3,000 square foot bay to use for Crossfit Papio training and recommended approval.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Krzywicki to open the public hearing. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Kathleen Alexander, and Lowell Miller. **Motion Carried.** (7-0)

Joe Leggett co-owner of CrossFit Papio officially put in the request for the CUP. He stated that the emphasis and business model of CrossFit Papio is community and the development of its members, both physically and mentally.

Wetuski asked how much running is done outside. Leggett said only a couple of times per week. Wetuski then asked if there is any running done in the streets. Leggett said that any outside running has been done in the parking lot. The area has more than enough space for running and classes only run about 5 to 10 people.

Circo asked if there have been any complaints from other businesses of noise from loud music and volumes of people entering and exiting the facility. Leggett said that there have been no complaints about volume as classes are small and the only daytime classes are at nine and noon. There has been one complaint of noise and they have someone coming in to bid installing an additional layer of sound proofing.

Greg Foran from the Lund Company talked about how this is a great addition to their space and reiterated that they are only using 10% of the building. He mentioned that additional steps for sound proofing are being taken, but that there isn't much interruption during daytime business hours since classes are at nine and noon, and usually only have about 12 people per class.

Krzywicki asked if there is going to be enough room for parking. Foran said yes, as the 2 other businesses usually only have about 5 or 6 employees there during the day.

- iii. **Public Hearing Closed:** Krzywicki moved, seconded by Malmquist to close the public hearing. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexandre, and Lowell Miller. **Motion Carried.** (7-0)
- iv. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of the CUP. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller.

Solberg mentioned this will be going to City Council on 10/21.

B. Public Hearing for Rezoning, Preliminary PUD, Replat and Conditional Use Permit for Andover Pointe.

- i. **Staff Report:** Solberg delivered staff report. Solberg instructed the Planning Commission to provide individual recommendations for the rezoning PUD, CUP, and replat.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Krzywicki to open the public hearing. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller.

Jim Hall from Edward Rose talked about how he worked on the site plan. He gave the background of the company. They are a private company and fund themselves internally. He explained how they want to build a 438 unit apartment complex on 39.7 acres. He made a presentation to show what they are asking to have rezoned to make all of the property R-3. They are also asking for a SMATV tower (Satellite delivered Master Antenna Television System). He asked to have a second entry sign and a reduction in garage parking spaces from one garage for every two units to one garage for every four units. He is also asking for a waiver of connecting the boulevards because they have two entry ways proposed and an internal loop street

for emergency vehicles. He stated again that there will be 438 units, 2/3 will be one bedroom, and the remaining 1/3 will be 2 bedroom. The buildings are 3 stories high; some will be overlooking ponds that will be used for storm water collection as well as aesthetics. There will be a community building and a swimming pool. Tenants are offered commercial channels at no cost, which is why the antenna is being requested. He stated that units are not built at one time, they are phased out at 120 units per phase. They are looking at four years for completion and they would like to start in the spring of 2015. Hall explained the units are front to back with walk-in closets, frost-free refrigerators, washers and dryers, and have patios or balconies. The 1-bedroom units will run between \$730 and \$795. The 2- bedroom units will run between \$880 and \$900. He explained that research has been done and tenants average between 30-34 years of age with an average income of \$50,000/year. They have tracked tenants after they have moved out and most leave to purchase homes. He stated they will be contacting the school superintendent to let them know the schedule of the building. He also stated there will be a 24-hour on-site manager who will have 9 to 10 employees under them. Lastly, he explained they held a neighborhood meeting last month and had invited the neighbors that will be impacted by the property so that they could voice their concerns.

Krzywicki asked if there will be limited hours for the community center and pool. Hall said yes, the pool will be open 10am to sunset, and the community center will be open until midnight.

Krzywicki asked about the size of the usable space for parties in the community center. Hall answered it is 40 feet by 40 feet and usually holds about 30 people adequately.

Sargus asked about the neighborhood meeting. Hall said that about a dozen people showed up and the biggest concern brought up was if it was subsidized housing.

Sargus asked if there was going to be a border on the northern edge. Hall said that there will be a berm and extensive landscaping. He stated they will be working with the neighbors on placement.

Gahan asked if the ratios for garages have ever been changed for any other apartment. Solberg said that they were increased a few years ago. Kottmann said that prior to 5 years ago, enclosed garages were not required.

Gahan asked if there was going to be an issue with emergency vehicles getting through. Hall said that they planned for the turn radius and room needed for emergency vehicles. He explained they will have a looped street system in place during the building and when it is completed.

Krzywicki asked if there is going to be an increase in flooding. Kottmann said that there has been a study and no increase in drainage will occur.

Wetuski asked where the roof line would be in respect to the neighborhood. Hall said the building height would be 38 feet. He explained that there would be bridge buildings to ease the transition between the height of the houses and the height of the apartment buildings.

Greg Mathis, resident at 12947 Chandler, asked about roof height. He stated the last owners of the Andover Pointe property said that buildings would not be any higher than roof peaks. Hall showed cross sections and the approximate grade to Mathis's back yard. Mathis asked if a privacy fence will be placed. Hall said no because they require maintenance, but he will work with him if there are any issues in regards to landscaping.

Steve Carson, resident at 12817 Chandler, congratulated Edward Rose Company on eliminating a lot of issues. One of the issues they were not able to address was an increase in traffic. He mentioned having a light put in, and that it looks like roof lines were taken into consideration, but that they were concerned about where the houses will line up in regards to the back of the buildings. He appreciated looking into decreasing the traffic in the neighborhoods. He stated he is concerned about security lights shining into people's backyards. Mr. Carson said the last 4 houses were built over an old creek bed, each house has a sump pump, and there is a concern that a retaining wall could cause a backup of water.

Solberg mentioned the Planning Commission packet is located on the website.

Hall stated that a traffic study has been done and a traffic signal will be installed at Chandler Road. He also explained that a specially designed light, with guards, will be installed to prevent light spilling into yards. He stated that a drainage tube will flow into a pond, but they will make sure to inform the engineers of drainage issues.

Krzywicki asked about traffic coming from existing homes and the installation of traffic signals. Solberg mentioned that warrants have to be met in order for traffic signals to go in. Kottmann mentioned that near the end of phase 3 and 4 signal warrants will be met. This intersection is not in our jurisdiction, so traffic studies will go through Sarpy County and as each phase continues, traffic studies will be done.

iii. **Public Hearing Closed:** Sargus moved, seconded by Circo to close the public hearing. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller.

Sargus asked for clarification regarding recommendations versus requirements, as given by city staff, for swapping phases 2 and 4. Solberg mentioned that this is recommended to create a second access for emergency vehicles. It makes it safer for the citizens. Kottmann added that notes were put in the packet because of his comments and not necessarily a demand of the fire department.

_____ asked about the tower. Solberg said that FAA has approved the tower in regards to the Millard Airport.

iv. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of the rezoning from C-3 to R-3 PUD for Lot 1 Bella Vista. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miler. **Motion Carried.** (7-0)

v. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of the preliminary PUD plan. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller. **Motion Carried.** (7-0)

- vi. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approval of the Replat of Lots 1 and 2, Bella Vista, to Lot 1, Andover Pointe. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller. **Motion Carried.** (7-0)
- vii. **Recommendation:** Krzywicki moved, seconded by Andsager to recommend approval of the CUP. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller. **Motion Carried.** (7-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Krzywicki asked about a plan to modify the intersection of 84th and Giles westbound. Kottmann said that hasn't been a priority. There would have to be a traffic study done. A turn lane could reduce walkability; in addition, there is not enough space due to the location of the cemetery.

7. Comments from Staff

A. Comprehensive Plan Update

i. Discussion

Solberg mentioned that the contract is being finalized and should be ready by the end of the week. Staff will be having conversations as to when the first meetings will take place.

ii. Selection of Commissioners for the Comprehensive Plan Working Group

There will be a working group and it has been recommended that there are members from all groups and we need at least 2 people from the Planning Commission who would be willing to serve in the group. Malmquist and Sargus volunteered to be members. Meetings will be set ASAP. Solberg will pass on the names and final decisions will be made about the membership of the working group. Staff and the consultant are looking at fall for a start time and a year for completion of the plan.

8. Adjournment

Wetuski moved, seconded by Sargus to adjourn. **Ayes:** Wetuski, Circo, Sargus, Krzywicki, Malmquist, Gahan, and Andsager. **Nays:** None. **Abstain:** None. **Absent:** Tom Miller, Alexander, and Lowell Miller. **Motion Carried.** (7-0)

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date

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