

CITY OF LA VISTA  
PLANNING COMMISSION MINUTES  
SEPTEMBER 20, 2007

**DRAFT**

The Planning Commission meeting of the City of La Vista was convened at 7:00 p.m. on Thursday, September 20, 2007 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Andsager, Horihan, Carcich, Hewitt, Malmquist, and Gahan. Also in attendance were City Planner Marcus Baker and Community Development Director Ann Birch.

Legal notice of the public meeting and hearing was posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission and a copy of the acknowledgement of the receipt of notice is attached to the minutes. 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 Chairperson Krzywicki at 7:04 p.m. A copy of the agenda and staff report was made available to the public.

2. Approval of Meeting Minutes – August 16, 2007

Carcich motioned to approve the minutes of August 16, 2007. Malmquist seconded. Ayes: Andsager, Gahan, Carcich, Krzywicki, Malmquist, Hewitt, and Horihan. Nays: None. Motion carried.

3. Old Business

None

4. New Business

A. Brook Valley Business Park Replat 2, generally located at the Northwest corner of 108<sup>th</sup> and Emiline Streets.

i. Staff Report: Ron Westergard of Cornhusker Car Washes, Inc. has applied to replat Lot 13A (1 acre site) of Brook Valley Business Park into Lot 1 (0.35 acres) and Lot 2 (0.65 acres). The existing zoning is I-2 Heavy Industrial and the property currently has a building for a car wash on the eastern portion of the lot.

The surrounding properties consist of a Kwik Shop (I-2) to the north, Rotella's Italian Bakery, Inc. (I-2) to the east, and Brook Valley Business Park (I-2) to the south and west.

The Future Land Use Map of the Comprehensive Plan designates this property for industrial uses. The future plans for the proposed Lot 1 are unknown. An existing access allows ingress/egress to

Emiline Street. A second access to Emiline Street may be possible for the proposed Lot 1. All utilities are available to the site.

The following review comments were made:

1. Addressing of the proposed Lot 1 and 2 will need to be corrected to Emiline Street addresses.
2. The minimum setbacks may be difficult to achieve with new industrial development on a relatively small lot, especially given the recorded easements on the property.
3. A drainage plan will be required when a building permit is requested on Lot 1; an erosion control plan is also required. The preliminary plat needs to show how drainage currently crosses Lot 13A.
4. A tract sewer connection fee will be applied when a building permit is requested for the proposed Lot 1. The applicant needs to be made aware of this.
5. Existing grades were not shown on the Preliminary Plat. Contours (of 5' or less) shall be added to the plat prior to City Council review.

Staff recommends approval of Brook Valley Business Park Replat 2 subject to addressing the items noted above in the review comments.

ii. **Public Hearing:** Carcich motioned to open the public hearing. Malmquist seconded. Ayes: Andsager, Krzywicki, Gahan, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing was opened at 7:08 p.m.

Ron Westergard, property owner, was present. He commented that he had not been aware of the access easement. Baker said it is a recorded easement with Sarpy County. Westergard indicated that he has a prospective buyer that wants to build a 3200 sq. ft. building for an unknown use.

Krzywicki asked what size building could be constructed that would accommodate the set back requirements and the easement

Baker said the minimum setback requirements are: front: 35 ft., side: 30, rear: 25 ft.

Krzywicki said it looked like a building of 33 ft x 90 ft. would be possible.

Westergard said he has a letter from Qwest that he can buy back the easement to the covenant restriction for \$35,000.

Krzywicki asked who the owner was. Westergard said he is to transfer ownership on the lot within the next 30 days.

Krzywicki said his concern is that a lot split adversely affects the ability to develop a lot in the future.

Birch commented that if an easement could be released, it should be so that the easement would not be shown on the plat. Westergard was not immediately inclined to do this. Birch said at the time a building permit was requested the document to release that easement would need to be presented.

Baker felt a 3,000 sq. ft. footprint of a building would be about the maximum size building that could fit on the proposed lot.

Hewitt asked if he was going to have any problem showing the drainage crossing lot 13A which he would need to provide before proceeding with his request to City Council. Hewitt stressed that items #3 and 5 were items Mr. Westergard needed to accomplish before a lot split could be further considered.

Horihan offered that Mr. Westergard could present the request to his engineers, and they would help him out.

Carcich motioned to close the public hearing. Horihan seconded. Ayes: Andsager, Gahan, Krzywicki, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Public hearing closed at 7:20 p.m.

iii. **Recommendation:** Malmquist motioned to recommend approval of Brook Valley Business Park Replat 2 subject to addressing the review items noted relative to adding the drainage location. Horihan seconded. Ayes: Andsager, Gahan, Krzywicki, Carcich, Malmquist, Hewitt, and Horihan. Nays: None. Motion approved.

This item is tentatively scheduled to be on the agenda for the City Council meeting of October 16, 2007.

**5. Comments from the Floor.**

None.

**6. Comments from the Planning Commission.**

Krzywicki inquired if there had been any considerations for the Planning Commission vacancies. Birch said she had been given a couple of names by others and would have the Mayor send a general letter of interest to those individuals. Krzywicki suggested that a person from our Millard area be considered, if anyone has an interest, as this is a significant population in our jurisdiction.

**7. Adjournment**

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Malmquist motioned to adjourn. Andsager seconded. Ayes: Andsager, Gahan, Carcich, Krzywicki, Malmquist, Hewitt, and Horihan. Nays: None. Meeting adjourned at 7:26 p.m.

Reviewed by Planning Commission: John Gahan

*Marcia R. Dennis*

Recording Secretary

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Planning Commission Chair

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Approval Date