

**CITY OF LA VISTA
PLANNING COMMISSION MINUTES
JANUARY 22, 2009**

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The Planning Commission meeting of the City of La Vista was convened at 7:05 p.m. on Thursday, January 22, 2009, at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Carcich, Alexander, Circo, Horihan, Hewitt, Andsager, and Gahan. Nielson and Malmquist were absent. Also in attendance was Marcus Baker, City Planner; and John Kottmann, City Engineer.

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 Chairman Krzywicki at 7:05 p.m. Copies of the agenda and staff report were made available to the public.

2. Approval of Meeting Minutes – November 20, 2008

Circo motioned to approve the minutes of November 20, 2008. Alexander seconded the motion. Ayes: Krzywicki, Alexander, Circo, Horihan, Gahan, Hewitt, Carcich and Gahan. Nays: None. Motion carried. Carcich abstained.

3. Old Business

A. Revisions to City of La Vista Zoning Ordinance – Section 2.02 Definitions

i. Staff Report: Revisions have been made to the definitions section of the Zoning Ordinance to eliminate words or phrases that appear nowhere else in the code; to add definitions to uses that are elsewhere in the code; and to revise content for definitions that are in need of clarity, rewriting, and/or updating.

The American Planning Association's Planning Advisory Service has been utilized to help determine appropriate wording for definitions.

Staff recommends approval of the proposed revisions with any added changes, if applicable.

Hewitt commented that she thought Section 2.02.443 - storm water detention - definition had been used in some of the development requirements, yet it has been proposed for deletion.

Baker said the Planning Commission had previously looked at revisions to the code to add stormwater regulations into the municipal code and the subdivision regulations. Within those separate documents, stormwater definitions are proposed to be inserted. The zoning code, however, does not use these same terms, so the definitions are proposed for deletion within the zoning code only.

Gahan questioned why the definition for "tattoo parlor" had been eliminated.

Baker said this is not a use that appears in the zoning code anywhere. However, if anyone wanted to build a tattoo parlor, then they would need to request a text amendment to the zoning code to allow such use. In which case, a definition could be proposed to the zoning code along with the proposed use.

Circo asked if a text amendment was the process used with Beyond Golf.

Baker said that applicant did not need to request a text amendment. That situation was reviewed after identifying the tavern as the primary use, which was conditionally permitted within the zoning district, and the indoor recreational use was considered as an accessory use.

ii. Public Hearing: The public hearing was closed after a recess / continuation from the previous meeting.

iii. Recommendation: Carcich motioned to recommend approval of the revisions to the City Council. Horihan seconded. Ayes: Krzywicki, Alexander, Circo, Andsager, Horihan, Hewitt, Carcich and Gahan. Nays: None. Motion carried.

4. New Business

A. Public Hearing for proposed revisions to the City of La Vista's Subdivision Regulations and La Vista's Municipal Code to incorporate new stormwater management regulations.

i. Staff Report: State law is requiring local governments to manage stormwater runoff starting in 2009. On October 16, 2008, the Planning commission recommended approval of amendments to achieve compliance in stormwater management. However, significant changes were needed to the drafted revisions after this recommendation.

The City Engineer has recommended additional changes to the subdivision regulations and municipal code to reflect these needed changes. These include:

- A clarification noting that the developer must plan for the first ½ inch of stormwater runoff. (See revisions to the subdivision regulations.)
- A deletion of the statement, "address the reduction of stormwater peak discharges after development of the subject parcel to pre-development conditions for 2-year, 10-year, 50-year and 100-year return frequency storm events." (See Municipal code revision.)

These additional revisions were made to coincide with what other cities in the Omaha metro area are adopting in accordance with the recommendations of the Papio-Missouri River Natural Resource Districts (NRD).

John Kottman, City Engineer, made the added revisions to the municipal code and the subdivision regulations. The amendments drafted in October were previously desired by the NRD for adoption by the municipalities. The Planning Commission had recommended approval to City Council at that time. In the October amendments, the NRD asked for management of stormwater in 2 year, 10 year, 50 year, and 100 year storm events.

More recently, the NRD informed the City of La Vista that this is not what the cities of Papillion or Omaha had adopted. To maintain uniformity and recognize that the NRD is looking to utilize dams with regional stormwater management at peak flow control rather than at individual sites. The peak reduction of run-off reduction from the various storm events has been removed from what was considered by the Planning Commission in October. This new proposal would make the partnership communities consistent with the overall strategies.

Staff recommends approval of the revisions to the City Council.

ii. Public Hearing: Carcich motioned to open public hearing. Hewitt seconded. Ayes: Krzywicki, Alexander, Circo, Andsager, Horihan, Carcich, Hewitt and Gahan. Nays: None. Public hearing opened at 7:19 p.m.

No comments were received from the public.

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

iii. Recommendation: Horihan motioned to recommend approval of the revisions to the City Council. Circo seconded. Ayes: Krzywicki, Alexander, Circo, Andsager, Horihan, Hewitt, Carcich and Gahan. Nays: None. Motion carried.

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5. Comments from the Floor

None

6. 2009 Election of Officers

The current Planning Commission officers include:

Chair	–	Mike Krzywicki
Vice-Chair	–	Marv Carcich
Secretary	–	John Gahan

Chairperson: Carcich nominated Krzywicki. Hewitt seconded.
All in favor of this motion signify "Aye" by voice vote: Ayes: All. Nay: None.

Vice-Chairperson: Hewitt nominated Carcich. Alexander seconded.
All in favor of this motion signify "Aye" by voice vote: Ayes: All. Nay: None.

Secretary: Andsager nominated Gahan. Horihan seconded.
All in favor of this motion signify "Aye" by voice vote: Ayes: All. Nay: None.

Current office holders have been re-elected to serve for an additional one year.

7. Adoption of the 2009 Schedule of Planning Commission Hearings/City of La Vista Review Schedule

Krzywicki suggested that the December 17, 2009 date of PC Hearing be changed to December 10, 2009 to better afford an extended holiday with family.

Recommendation: Gahan motioned to approve the schedule with the suggested change from December 17 to December 10, as well as the accompanying deadlines to this change. Carcich seconded. Ayes: Krzywicki, Alexander, Circo, Andsager, Horihan, Hewitt, Carcich and Gahan. Nays: None. Motion carried.

8. Comments from the Planning Commission

Baker spoke about the memo from Ann Birch which was handed out to the commissioners regarding the 84th Street Corridor to establish a working group for the visioning process. This group would consist of 14-18 people total. It is desired that two of these members be from the Planning Commission, whom could dedicate themselves to this project. There would be four required meetings each of four hour durations to attend during a designated weekday proposed in the months of March, June, August and October. If some members are unable to dedicate this time but would still like to participate, there will be other opportunities. There will be interviews conducted of each planning commission member, invitations to do the walking tour, community workshops, speaker forums, etc. Please contact Mike Krzywicki, by February 12, if you have an interest in the working group. Mike can be phoned or emailed with any interest in these positions.

Baker provided a mailing from NPZA announcing the 2009 Conference to be held in Grand Island in late February 2009. Please contact Ann Birch if you have an interest in attending this conference, which is a good training experience for the commissioners.

Baker announced that he would also be attending the National APA Conference in Minneapolis.

Circo asked if Pedcor had re-applied for a multi-unit development on 96th Street and Harrison. Baker said they had not re-applied.

Krzywicki reminded the commissioners to respond to their invitation for the City of La Vista Recognition Dinner to be held February 7 at the Embassy Suites.

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9. Adjournment

Gahan motioned to adjourn. Hewitt seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Carcich, and Gahan. Nay: None. Motioned carried. Nays: None. Meeting was adjourned at 7:40 p.m.

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date