

COPY



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402)593-640

PLANNING COMMISSION MINUTES
FEBRUARY 16TH, 2017-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, February 16th, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Gayle Malmquist called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Kevin Wetuski, Harold Sargus, Kathleen Alexander, Jason Dale and Jackie Hill. Members absent were: Tom Miller and Mike Circo. Also in attendance were Chris Solberg, City Planner; Meghan Engberg, Permit Technician, John Kottmann, City Engineer; and Rocky Henkel, Streets Superintendent.

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

2. Approval of Meeting Minutes – January 19, 2017

Krzywicki moved, seconded by *Alexander* to approve the January 19th minutes with corrections.
Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Hill, Gahan, and Dale. Nays: None.
Abstain: None. Absent: Miller and Circo. Motion Carried. (8-0)

3. Old Business

None.

4. New Business

A. Public Hearing for the review of the One & Six Year Road Plan

- i. **Staff Report – Rocky Henkel:** Henkel came up to give an update on the One and Six year road program to let everyone know what projects were completed last year and what projects have been identified to be completed this year. He mentioned that last year the resurfacing of 66th St. from Harrison to Giles was completed and Giles Rd. from 66th to 69th St. Also, Port Side Pkwy. was completed from 125th St. to Westport Pkwy. He then went on to talk about the projects that have been identified to be completed this year. Henkel went on to discuss the engineering and ROW acquisition project for intersection of 132nd St. and West Giles Rd. with the City's portion being \$15,000, as well as Sarpy County's, while Federal's is \$126,000.

They anticipate this project making the May bid letting, so hopefully everything is on track for that project. Henkel then showed some pictures depicting the area. He said that this project includes Engineering and Construction costs. Henkel then talked about the project on 84th St. from Harrison to Giles Rd, which is the adaptive signals project. He anticipates this project being bid in July, so everything is on pace for the project as well.

Sargus asked if the cost of the project was just for the signals or if it includes everything.

Henkel said that it includes everything; the studies, the software and the equipment. He then mentioned that John Kottmann could probably explain better and give more information, if they wanted it.

Malmquist asked what the "other" funding source listed was.

Henkel said that "other" was listed as the project is a collaborative effort from the cities of Ralston, Papillion, and Omaha.

He then went on to talk about the project at the intersection of 96th and Brentwood Dr.: installing traffic signals at that intersection, which should be going in sometime this fall. The next project he brought up is a concrete panel replacement on Harrison St. He is in the process of drawing up a contract for that project and it should be going out sometime this spring, with \$315,000 allocated for that project. The next project brought up was Giles Rd.; an asphalt overlay from Harrison St. to Interstate 80. This contract has been awarded with a start date in June. He then talked about the Giles Rd. Widening design and traffic study. Henkel then brought up the 84th St. Public Improvements Redevelopment Project and anticipates that \$1,000,000 will be spent in this project in the coming year. Right now it's in 30% design and they are hoping to have 60% by April. The last project he mentioned for this year was the Multi-Sports Complex, which has been allocated \$700,000 in engineering and design. Henkel then asked if there were any questions.

Hill brought up the '18 agenda for the Multi-Sport Complex and mentioned that they \$9.3 million listed and asked if he had any idea what the break out is on that.

Henkel said that it's for public infrastructure.

Hill asked what the city's contribution was for this project.

Kottmann said that \$9.3M is the construction cost and that is the public improvements and the parking improvements that the city would be providing and that there is no funding split.

ii. Public Hearing: Opened by Maimquist

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

- iii. **Recommendation:** Krzywicki moved, seconded by Wetuski to recommend approval to the City Council of the One and Six Year Road Plan for 2017. **Ayes:** Sargus, Krzywicki, Malmquist, Wetuski, Alexander Hill, Gahan, and Dale. **Nays:** None. **Abstain:** None. **Absent:** Miller and Circo. **Motion Carried. (8-0)**

B. Public Hearing Zoning Map Amendment – Lot 1 Lakeview South II, Lot 1 Lakeview South II Replat 4, Lots 1 and 2 Lakeview South II Replat 6, Lot 2 Lakeview South II Replat 2, South 1551.37FT TAX LOT 4 23-14-11 – J & H Investments LLC

- i. **Staff Report – Chris Solberg:** Solberg states that the applicants, J & H Investments LLC, is requesting a rezoning of the aforementioned lots northwest of the intersection of Meadows Blvd. and 145th St, from C-3 and I-1 along with a Gateway Corridor Overlay to I-2 with Gateway Corridor Overlay over a portion of the property. Staff's recommendation is for the approval of the amendment to the Zoning Map from the aforementioned zoning, as depicted on the Zoning Map Amendment Exhibit, as the request is consistent with the Zoning Ordinance and the Comprehensive Plan.
- ii. **Applicant Presentation:** Douglas Dreessen came up and spoke on this agenda item, on behalf of the applicants. He said that he is there to answer any questions they may have. Dreessen then showed some slides of what they are proposing to do. He said that there are 4 lots and that they will have a variety of uses. He mentioned that there will be a pavement repair company, an industrial equipment company, a concrete recycler and that they all planning on continuing their operations at this location. He said that Woodhouse is also purchasing some of the property to the north and we will learn about that later in the meeting.
- iii. **Public Hearing – Malmquist opened the public hearing.**

Malmquist closed the public hearing as no members from the public came forward.
- iv. **Recommendation:** Gahan moved, seconded by Sargus to recommend approval to the City Council, item 4B of the Zoning Map Amendment as described earlier by the chair. **Ayes:** Sargus, Krzywicki, Malmquist, Wetuski, Alexander Hill, Gahan, and Dale. **Nays:** None. **Abstain:** None. **Absent:** Miller and Circo. **Motion Carried. (8-0)**

C. Preliminary Plat – Heimes – J & H Investments LLC

- i. **Staff Report – Chris Solberg:** Solberg states that the applicant, J & H Investments LLC is requesting approval of the Preliminary Plat to divide S 1551.37 FT of Tax Lot 4 (23-14-11) and Lot 2 Lakeview South II Replat 6 into multiple lots with associated right-of-way. Solberg mentioned that the location of the property is the Northwest intersection of Meadows Blvd. and 145th St. Staff recommends approval of the preliminary plat, contingent on the approval of the amendment to the Zoning Map (Rezoning) request listed on the agenda as item 4B and the finalization of storm water and traffic issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan.

Doug Dreessen came up to speak on this item. He showed a rendering of the improvements that are contemplated. He pointed out the cul de sac that he referred to before. He mentioned that there are four parcels to the back, west portion and the other parcels, along the frontage, will remain the same. He mentioned that the Woodhouse project will be on the north side. He said that they are in the process of working through the drainage and traffic issues on the project with Woodhouse and the NRD. He said that his understanding is that there aren't any real big issues there at this point and that they will get those contingencies taken care of. He then invited the commission to ask any questions they may have.

Malmquist asked what Heimes will be doing out there and if they are the owners or operators.

Dreessen said that they are the owners and operators. He said they currently have a location out by Sapp Bros. that includes concrete recycling, utility installs and those kinds of things. They will be expanding into that area some and are also selling off some of their property for Woodhouse's operation. They are also accommodating the Ditch Witch dealer that is out there currently, so it's kind of an expansion of what is already there. The paving contractor is fairly new to the area, but they're excited to be out in that area as well.

Hill mentioned that she noticed that the Papillion NRD has some concern about the drainage direction into the spillway and asked what the concerns were.

Dreessen said he wasn't sure what their concerns were. He said that the drainage has all been directed away from their property, so he believes that's been resolved with them.

Krzywicki mentioned that the Papio NRD in the last couple of years has been trying to minimize the amount of additional flow into the street, streams, and creeks, etc. He asked in a development like this, where they have put a lot of imperviable pavement, buildings and stuff on the property, which leaves less land to soak in the water, what type of regulations would a developer like this have to comply with.

Kottmann said that La Vista is a member of the Papillion Creek Watershed partnership and our interlocal agreement with the other agencies, which includes Papio NRD, is requiring us to implement their watershed management policies, essentially that is no increase in 2-year peak flows above existing conditions and

treatment of the first ½" of run off. He says those are stated in the chapter 154 of our Municipal Code, which are the basic criteria. He said that we also have a subdivision regulation requirement that 10-year peak flows cannot exceed 125% of predevelopment peak flows, so several criteria are in place and they have done drain studies, demonstrating those compliances and there are some details they have asked to look over in coordination with Woodhouse to the north. Kottman continued to state that they had a meeting with them last week and it looks like they are finishing up on that. They will eventually need to get Sarpy County to sign off because they control the culverts on Giles Rd., which is the reason for the stipulation.

Solberg said that he'd like to point out that there is an error on page 2 under the Staff Report.

- ii. **Recommendation – Preliminary Plat** *Krzywicki* moved, seconded by *Dale* to recommend approval to City Council the approval of the preliminary plat, contingent on the approval of the amendment to the Zoning Map (Rezoning) request listed on the agenda as item 4B and the finalization of storm water and traffic issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes:** *Sargus, Krzywicki, Maimquist, Wetuski, Alexander Hill, Gahan, and Dale*. **Nays:** *None*. **Abstain:** *None*. **Absent:** *Miller and Circo*. **Motion Carried. (8-0)**

D. Waiver, Revised Preliminary Plat, Final Plat, and Public Hearing on Planned Unit Development Site Plan and Conditional Use Permit – Woodhouse Place – LB Southwest Investments, LLC

- i. **Staff Report – Chris Solberg:** Solberg said that the applicant, LB Southwest Investments, LLC is requesting Number 1, a waiver of section 4.24 of the Subdivision Regulations regarding minimum centerline radius of a local street, from 200 feet to 150 feet. Number 2, a revised Preliminary Plat for Woodhouse Place. Number 3, a Final Plat for Woodhouse Place. Number 4, a Planned Unit Development site plan for Woodhouse Place and Number 5, a Conditional Use Permit for Woodhouse Place. Solberg said that this is for Tax Lot 4 EXC S 1551.37 FT & EXC ROW 23-14-11. Staff's recommendation is approval of the request for waiver of Section 4.24 of the Subdivision Regulations regarding minimum centerline radius of a local street from 200-150 feet. Staff also recommends approval of the revised preliminary plat, contingent on the approval of the waiver of Section 4.24 of the Subdivision Regulations and the resolution of traffic, sewerage, and drainage study issues prior to City Council review, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. Staff recommends approval of the final plat, contingent on the approval of the revised Preliminary Plat, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. Staff recommends approval of the PUD Site Plan, contingent on the approval of the revised Preliminary Plat and Final Plat, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. Finally, staff recommends approval of the Conditional Use Permit, contingent on the approval of the revised Preliminary Plat,

Final Plat, And PUD Site Plan, as the request is consistent with the Zoning Regulations and the Comprehensive Plan.

- ii. **Applicant Presentation:** Larry Jobeun came up and spoke on behalf of the applicant. He mentioned that Mike McIntosh from Lamp Ryneerson and Paul Cech from Woodhouse were there with him as well. Jobeun then showed the commissioners a site plan. He said that this is a 30 acre site on the southwest corner of 144th and Giles. He said that the recommendations brought forth tonight will allow the construction of auto dealerships at this particular site. On the north will be a Hyundai dealership, the one immediately to the south is the Nissan dealership, and the one immediately south of that is the Mazda dealership and the final dealership is the Lincoln dealership. He asked them to note that there is a public street that connects to Giles Rd. that goes all the way through the site and connects to the south. He said that it will be built to public standards, but will be paid for privately. He said that have been working with the County and the City regarding the extensions and the sanitary outfall to the north to make the connection to provide sanitary sewer for not only that site, but potentially the sites to the south as well. Jobeun said that the drainage way will be preserved and the water from that drainage way will go under Giles Rd. and dissipate to the north. He then pointed out that the other detention basin is in the outlot on the corner of that lot. He said that there are really only 2 lots on that site plan, one consists of everything on the west side of 145th St. and the other lot is immediately on the west side between 144th and 145th St. Jobeun then said that as far as the PUD is concerned, they are hoping to have a general buildable area and within that buildable area they can pretty much build whatever they are applying for here. He then showed some conceptual elevations of the buildings. He said that the Hyundai will be a 2 story building and each floor will be 30,000 sq. ft. plus or minus 5,000 sq. ft. depending on what the dealership would actually like there. The Nissan dealership is also a 2 story building and the other 2 buildings will be 1 story buildings. As far as public improvements, there is a decel lane on the site off of Giles Rd. and of course they have the waiver request for the minimum centerline radius. He said that he appreciates the recommendation of the staff and that they are there to answer any questions.

Maimquist reminded everyone that the initial request is for the waiver of Section 4.24. She then asked what the rationale was for that.

Jebuen said that he would probably have Mike McIntosh come up and speak on the engineering aspect of it, but showed on the site plan that the waiver still meets the requirements to allow a truck to get in and out and make all the turns without impacting, by staying on the road.

Mike McIntosh came up and explained that the reason for the decrease in radius was that they had to modify the buildings due to the stream being in place. They had to tighten the radius up in order to fit the 4 buildings on the site. He said that there were some concerns on whether the truck movements could still make that turn and not cross over the center line on Giles Rd. and so they ran the auto turn engineering analysis, actually widened the turning radius a little bit so that trucks

could still turn and make that without crossing over the center line. He feels like they addressed the main concern of the 200 to 150.

Kottmann then said that in addition to the jurisdictional water way that Mike mentioned, they were also required to keep the access connection to Giles Rd. as far to the west as possible away from 144th St., so that pushed that connection point very far to the west and created a challenge in geometry to get to that western location.

Malmquist asked if the westerly way in was better.

Kottmann said they've made modifications to the pavement geometry that allowed for the reduced center line radius without any negative turning impacts on Giles Rd. He is satisfied that they have compensated for the radius change.

Gahan said that he had a question in regards to the draining of the storm water into the field to the north and asked if that was an acceptable way of letting the water just sit there potentially after some heavy rain, day after day after day.

Kottmann asked Gahan if he meant the north side of Giles or the detention basins on the site.

Gahan then asked if he misunderstood or does water go from retention from the property on Giles Rd. and go to that field.

McIntosh said that there are existing culverts there where is currently drains to that field and that they are using detention ponds to reduce the flow. He said that it will continue to go to those existing culverts and looked at the capacity to make sure they don't go over.

Krzywicki asked if they have a retention pond on their property.

McIntosh said that they actually have two. He then showed them where they were at.

Hill brought up the diagram that they were showing and the waiver. She clarified that the reason they were asking for the waiver was because of the turning radius off of Giles and if it was because of the Hyundai building that is there and if they don't have enough room.

McIntosh said yes. He said that when they originally analyzed the drainage swell that runs through the middle of the site, they didn't believe it was originally jurisdictional and they were able to move the buildings and curve them and allow more space. When they found out that the swell was jurisdictional, they had to realign the site and had to line the buildings all up and when they did that, they ran out of space to do a 200 foot radius and all 4 buildings on that same space. They needed to tighten up the radius.

Hill then asked if there was no option to make the buildings a little bit smaller.

Jobeun said that the automobile manufacturers are very particular about the size and look of their dealerships, so there really isn't that opportunity and in order to really have the site function properly and have these 4 buildings, you had to really use that space up and that's why they requested that waiver.

Hill then asked the applicant to verify that this wasn't a convenience accommodation.

Jobeun said no, but that the point is that the intersection functions properly and that he believes that Mr. Kottmann agrees with that. He said in order to prevent a hardship or in order for this project to move forward, they need the 4 car dealerships to make it feasible to put in the public improvements. He said as an accommodation to that, they worked with the City and determined that that waiver request was acceptable.

Krzywicki brought up a slide that showed how the trucks would make the turn out onto Giles, but asked about when the trucks come to deliver vehicles onto the property and how they would be turning into the parking areas or wherever they would be dropping off the cars that are on their trailers turn into that development.

Jobeun asked if he meant through the site when they are making deliveries.

Krzywicki said yes and then asked how they would be making deliveries if there is a lot of turning radius going into the lots from that access road that's through the property.

Jobeun said that he believed that the trucks would come in and serve the properties. He showed the internal drive lanes that go through the site and said from that public street you can drive all the way back and exit through that location.

Solberg asked if he wanted to know about the turning radiuses into those lanes.

Krzywicki said yes.

Paul Cech then came up to speak. He said that the new cars are actually dropped off on the Heimes property that was talked about earlier. They have ample room to get a semi up and around there and out of that property. He said their intention was to put it on the 5 acre property and not have tractor trailers running through that property.

Solberg said that it is also important to note that in the PUD plan set there is a truck access exhibit that shows the truck movements through the site.

- iii. Recommendation – Request for Waiver: Section 4.24 of the Subdivision Regulations** Sargus moved, seconded by Gahan to approve the request of the waiver for section 4.24 of the Subdivision Regulations regarding minimum centerline

radius of a local street from 200 feet to 150 feet as presented. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**

- iv. **Recommendation – Revised Preliminary Plat** Gahan moved, seconded by Wetuski, that item E2, the Revised Preliminary Plat for Woodhouse Place be approved, as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- v. **Recommendation – Final Plat** Gahan moved, seconded by Sargus for recommendation of approval to the City Council item 4E for final plat for the Woodhouse Place as the request is consistent with the Subdivision Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- vi. **Public Hearing – Planned Unit Development Site Plan and Conditional Use Permit**

Malmquist opened the public hearing.

Larry Jobeun came up and spoke on this agenda item. He said that this applies to the Planned Unit Development and the site plan that they went over earlier and that the Conditional Use Permit would actually allow them to operate under the C-3 zoning classification. He said that he would happy to answer any questions and go through the site plan again.

Malmquist asked Jobeun to point out the truck access that was discussed earlier.

Jobeun then showed and explained the picture of the truck access.

Sargus asked Solberg if they have looked at the lighting plan.

Solberg said yes, they have looked at the photometric plan and the light shed from what they've proposed and it doesn't appear to have much of an impact outside of the property, especially on the residential properties to the east. He said that they are in approval of it. He said that the design review architect hasn't reviewed it himself, but from the city's side analysis, they approve of it.

Sargus asked when this will be annexed.

Solberg said the annexation plan has this out a little ways and that he would have to look it up to know for sure. He said that he believes it's in the 5-10 year, if not further out.

Sargus asked when they plan on opening to the public.

Jobeun said that it will be at least 24 months for the build out. He mentioned that they currently have special use permits and are operating out the Deer Creek Shopping Plaza.

Solberg than said that chapter 9 of the Comprehensive Plan includes the annexation plan, which shows 10-15 years for that area. He did mention that they are looking at the annexation plan as part of the Comprehensive Plan update process and here in the next few months there will probably be a revised annexation plan.

Malmquist closed the public hearing.

- vii. Recommendation – PUD Site Plan** Krzywicki moved, seconded by Alexander to recommend to City Council the approval of the PUD Site Plan, contingent on the approval of the revised Preliminary Plat and Final Plat, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**
- viii. Recommendation – Conditional Use Permit** Krzywicki moved, seconded by Wetuski to recommend the approval to City Council of the Conditional Use Permit, contingent on the approval of the revised Preliminary Plat, Final Plat, and PUD Site Plan, as the request is consistent with the Zoning Regulations and the Comprehensive Plan. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, and Dale. Nays: Hill. Abstain: None. Absent: Miller and Circo. Motion Carried. (7-1)**

5. Report of the Nominating Committee

Krzywicki reported and said that they spoke a little informally at the end of last month's meeting and checked with the current officers and they were all in agreement that if asked, they would continue to serve in their current positions. Their suggestion is to nominate the existing Chair; Gayle Malmquist, existing Vice-Chair; Tom Miller, and existing Secretary; Kevin Wetuski to serve another year in their current positions.

Malmquist pointed out that Miller is aware of the decision and has agreed to stay in his current position.

- 6. 2017 Election of Officers:** Krzywicki moved, seconded by Sargus to re-elect the current officers to the same positions for the next year. **Ayes: Sargus, Krzywicki, Malmquist, Wetuski, Alexander, Gahan, Hill and Dale. Nays: None. Abstain: None. Absent: Miller and Circo. Motion Carried. (8-0)**

7. Comments from the Floor

No members of the public came forward.

8. Comments from the Planning Commission

Sargus asked if anyone was going to NPZA.

Malmquist she was, if she could find a ride. She said that she was hoping to bring some information back.

9. Comments from Staff

Solberg brought up NPZA and mentioned that there is going to be a pretty good line up there this year. Solberg then brought up that Community Development staff will be moving starting next week to the old police station.

10. Adjournment

Malmquist adjourned at 8:01 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date