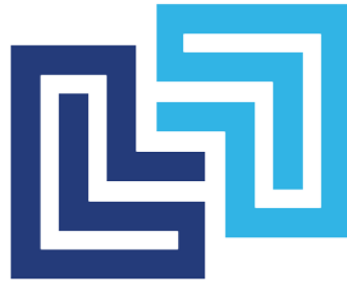


AGENDA ITEM 4A

**Ratification of Actions Taken by the La Vista Planning
Commission During Meetings Held Virtually from
March 19, 2020 Through June 18, 2020**

MEMO



TO: Planning Commission

FROM: Chris Solberg, Deputy Community Development Director

DATE: 7/28/2020

RE: Ratification of Virtual Actions

A resolution has been prepared to ratify actions taken by the Planning Commission of the City of La Vista during meetings held from March 19, 2020 through June 18th, 2020 by teleconference and/or videoconference.

On March 13, 2020 the Governor of the State of Nebraska declared a state of emergency in Nebraska due to COVID-19. On March 16, 2020 Mayor Kindig declared a state of emergency in La Vista due to Covid-19 as authorized under Nebraska State Statute R.R.S. 81-829.50.

The following meetings were held virtually by telephone and/or video conferencing pursuant to Governor Ricketts' Executive Orders No. 20-03 and No. 20-24:

- March 19, 2020 (telephone conference)
- May 21, 2020 (telephone and video conference)
- June 18, 2020 (telephone and video conference)

Proper notice was given in advance of the meetings with the necessary information to allow the public and media to attend. The proposed resolution will ratify actions identified in the attached minutes taken by the La Vista Planning Commission.

RESOLUTION NO 2020-3

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LA VISTA, NEBRASKA RATIFYING ACTIONS TAKEN BY THE LA VISTA PLANNING COMMISSION DURING MEETINGS HELD VIRTUALLY FROM MARCH 19, 2020 THROUGH JUNE 18, 2020

WHEREAS, the Governor of Nebraska declared a state of emergency in Nebraska on May 13, 2020 due to the Coronavirus (COVID-19); and

WHEREAS, the Governor of Nebraska issued Executive Orders No. 20-03 and No. 20-24 allowing meetings to be held virtually by telephone and/or video conferencing before June 30, 2020; and

WHEREAS, the Planning Commission of the City of La Vista held the following meetings virtually by telephone and/or video conferencing:

March 19, 2020 (telephone conference)

May 21, 2020 (telephone and video conference)

June 18, 2020 (telephone and video conference); and

WHEREAS, the Planning Commission of the City of La Vista wishes to ratify all actions taken during those meetings;

NOW THEREFORE BE IT RESOLVED, that the Planning Commission of the City of La Vista, Nebraska, does hereby ratify actions taken by the Planning Commission of the City of La Vista during meetings held virtually from March 19, 2020 through June 18th, 2020.

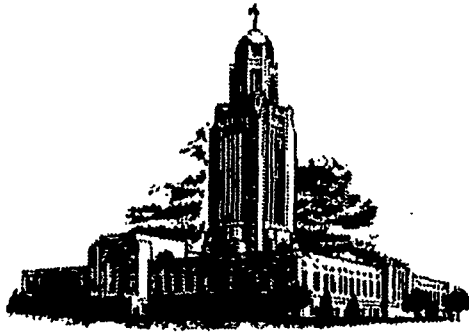
PASSED AND APPROVED THIS 6TH DAY OF AUGUST, 2020.

CITY OF LA VISTA PLANNING COMMISSION

Chairman

ATTEST:

Secretary



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 20—03
CORONA VIRUS – PUBLIC MEETINGS REQUIREMENT LIMITED WAIVER

WHEREAS, In order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

WHEREAS, the State of Nebraska is committed to providing seamless government operations to the people of Nebraska throughout the state of emergency; and

WHEREAS, state and local governmental boards, commissions and other public bodies must comply with the Open Meetings Act so that citizens may exercise their democratic privilege of participating in meeting of public bodies; and

WHEREAS, for public health purposes, meetings and gatherings have now been limited to no more than 50 people and may be further limited if the presence of COVID-19 warrants;

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this limited waiver of certain requirements of the Nebraska Open Meetings Act.

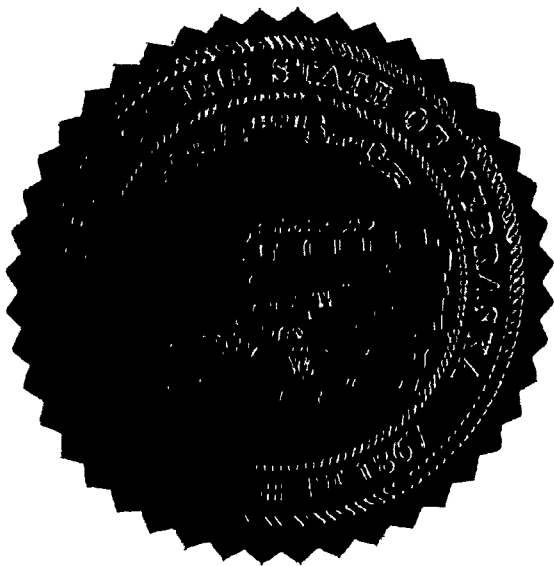
Pursuant to this declaration, I hereby order the following:

1. This executive order applies to all governing bodies as defined in Neb. Rev. Stat. §84-1409 (1) and to all public meetings as defined in Neb. Rev. Stat. § 84-1409 (2).
2. All governing bodies may meet by videoconference or by telephone conferencing or by conferencing by other electronic communication so long as there is made available at such meeting access to members of the public and to members of the media.

3. The advanced publicized notice and the agenda requirements for meetings that are set forth in Neb. Rev. Stat. §84-1411 and the remaining provisions of Nebraska's Open Meeting Act shall continue to be complied with by all governing bodies and are not waived by this executive order.
4. This waiver shall apply to all public governing body meetings that occur from today through May 31, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 17th day of March, 2020.

ATTEST:



A handwritten signature in black ink, appearing to read "Pete Ricketts", written over a horizontal line.

Pete Ricketts, Governor

A handwritten signature in black ink, appearing to read "Robert B. Evnen", written over a horizontal line.

Robert B. Evnen, Secretary of State



STATE *of* NEBRASKA

OFFICE OF THE GOVERNOR

LINCOLN

EXECUTIVE ORDER NO. 20-24 CORONAVIRUS – CONTINUED LIMITED WAIVER OF PUBLIC MEETINGS REQUIREMENTS

WHEREAS, in order to provide flexibility to assist in meeting the emergency conditions and subsequent impacts brought on from COVID-19, a state of emergency was declared in Nebraska on March 13, 2020; and

WHEREAS, the State of Nebraska is committed to providing seamless government operations that are open to the people of Nebraska throughout the state of emergency.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this continued limited waiver of certain requirements of the Nebraska Open Meetings Act.

Pursuant to this declaration, I hereby order the following:

1. Executive Order No. 20-03, which is currently scheduled to end on May 31, 2020, shall remain in effect through June 30, 2020; and
2. The identical statutory waivers and conditions contained within Executive Order No. 20-03 shall continue through June 30, 2020.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 19th day of May, 2020.



Attest:

Pete Ricketts, Governor
State of Nebraska

Robert B. Evnen,
Secretary of State
State of Nebraska



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
MARCH 19, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, March 19, 2020 in the Harold “Andy” Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present via teleconference were: Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, Harold Sargus, Josh Frey, Mike Circo, Jason Dale, Patrick Coghlan, and Deputy Community Development Director, Chris Solberg. Members absent were: None. Also, in attendance in the Council Chambers were Bruce Fountain; Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Chairman Wetuski.

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 via teleconference. Governor Pete Ricketts issues Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

1. Call to Order

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

2. Approval of Meeting Minutes – February 20, 2020

Krzywicki moved, seconded by *Circo*, to approve the February 20th minutes. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander and Malmquist. Nays: None. Abstain: Dale. Absent: None. Motion Carried, (9-0-1)**

3. Old Business

None.

4. New Business

A. Final Plat – Echo Hills Replat Four – West Management, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, West Management LLC, is looking for approval for a final plat for Lot 3 Echo Hills, being replatted as Lots 1-4 Echo Hills Replat Four for the purpose of development including an assisted living and memory care facility, multi-family housing and a commercial

area that may include a restaurant, retail space and drive-thru coffee shop. Brodersen reminded the commission that in December they reviewed some items for Echo Hills which included the Future Land Use Map, Comprehensive Plan Amendment, a Rezoning, A Planned Unit Development and the Preliminary Plat. They are now looking at the second round of items which includes this Final Plat and two Conditional Use Permits. He then mentioned that in relation to the Final Plat, a Subdivision Agreement has been drafted by the applicant and is under review by the City and will need to be finalized before the Final Plat is approved by City Council. Staff recommends approval of the Final Plat for Lot 3 Echo Hills, being replatted as Lots 1-4 Echo Hills Replat Four, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.

- ii. **Applicant Presentation-** Brett West said that he had nothing to present on this item but would be happy to answer any questions.

Krzywicki mentioned that he had sent an email to Solberg about a possible discrepancy between the number of parking stalls on Lot 2 and the number of parking listed on the exhibits in the Conditional Use Permits.

Solberg said that he had forwarded that onto Brodersen to review.

Brodersen said that he did look into it and mentioned that in the staff report, under the parking requirements, the provided stalls for Lot 2 says 514 and that is an error. He said that the number is 497, which is listed in exhibit B in the Conditional Use Permit items. Brodersen said that the 514 was taken from an old PUD site plan, but they had asked the developer to make a change, which caused a reduction in the amount of parking stalls. He said that there may be some confusion in the landscaping plan because it lists 207 spaces for Lot 2 and that is referring to the interior spaces and was listed there because they used the number of interior parking spaces to calculate some of the requirements for landscaping.

Krzywicki asked that any motion made reflect what was just indicated.

- iii. **Recommendation:** Krzywicki moved, seconded by Dale, to recommend for approval the Final Plat for Lot 3 Echo Hills, being replatted as Lots 1-4 Echo Hills Replat Four, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. As well as making the changes that Brodersen had mentioned for the stalls. *Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander, Dale, and Malmquist. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0)*

B. Conditional Use Permit – Lot 3 Echo Hills/Proposed Lot 1 Echo Hills Replat Four – West Management, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, West Management LLC, is looking for the approval for a Conditional Use Permit for the construction and operation of an assisted living and memory care facility on proposed Lot 1 Echo Hills Replat Four. He said that this will include 60 assisted living units and 20 memory care units, all of which would be at market rate. Brodersen said that each building, before construction, must be approved through the city’s design review process and are requiring that be substantially complete before the Conditional Use Permits can be executed. He said that those processes are underway and that the design review architect has gotten back the first round of comments, so that is moving forward. Staff recommends approval of the Conditional Use Permit for Lot 1 Echo Hills Replat Four, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.
 - ii. **Applicant Presentation:** Brett West spoke on behalf of the applicant and project. He went over the layout and design of the assisted living and memory care facilities with the planning commission. He then invited the Planning Commission to ask questions.
 - iii. **Public Hearing: Wetuski Opened the Public Hearing**

Wetuski closed the Public Hearing.
 - iv. **Recommendation:** Frey moved, seconded by Gahan to recommend approval for the Conditional Use Permit for Lot 1 Echo Hills Replat Four, contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. *Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander, Dale, and Malmquist. Nays: None. Abstain: None. Absent: None. Motion Carried, (9-0)*
- C. **Conditional Use Permit – Lot 3 Echo Hills/Proposed Lot 2 Echo Hills Replat Four – West Management, LLC**
- i. **Staff Report – Cale Brodersen:** Brodersen stated the applicant, West Management LLC, is requesting a Conditional Use Permit for the construction and operation of multi-family housing on proposed Lots 2 Echo Hills Replat Four. He said that this would include four, three-story apartment buildings that would include a total of 210 market-rate apartment units. Staff recommends approval of the Conditional Use Permit for Lot 2 Echo Hills Replat Four contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance. He said that he will include the corrected parking in the staff report.

- ii. **Applicant Presentation:** Brett West spoke on behalf of the applicant and project. He went over the design and layout of the apartment buildings. He then invited the Planning Commission to ask questions.

- iii. **Public Hearing: Wetuski Opened the Public Hearing**

Wetuski closed the Public Hearing

- iv. **Recommendation:** Malmquist moved, seconded by Frey to make a recommendation to approve the Conditional Use Permit for Lot 2 Echo Hills Replat Four contingent on the resolution of the issues mentioned in this staff report, as the request is consistent with the Comprehensive Plan and the Zoning Ordinance.
Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Circo, Alexander, Dale, and Malmquist. Nays: None. Abstain: None. Absent: Dale and Coghlan. Motion Carried, (9-0)

5. Comments from the Floor

No member of the public came forward.

6. Comments from the Planning Commission

None.

7. Comments from the Staff

Brodersen said that the Echo Hills items are slated to go to city council on April 21st. He also mentioned that there will be no meeting on April 2nd and that we will keep the Commission updated on future meetings. He thanked the Commission for being patient with us and having to call in for the meeting.

Solberg said that he also wanted to thank the Planning Commission for adjusting so quickly to having to call in for the meeting. He also thanked Fountain, Brodersen, and Engberg on making this change to this new format so quickly.

Circo asked how the public was notified of the changes to how the meetings were being held for Planning Commission and City Council.

Fountain said that they were notified primarily through social media and the website.

Fountain thanked everyone for adjusting to how the meeting was held and for the chairman coming in for the meeting. He also mentioned that City Hall and the Community Development offices are now closed to the public. He said that staff will be there as allowed, answering phone calls and dealing with the public as much as we can. Fountain said that there is also information

on our webpage regarding to this as well. He said that our inspectors are continuing to do exterior and new construction inspections but are not doing remodels or inhabited structures at this time.

8. Adjournment

Wetuski adjourned the meeting at 6:57 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
MAY 21, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, May 21, 2020 via Zoom, which included video and teleconferencing options. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, Harold Sargus, Josh Frey, Jason Dale, and Patrick Coghlan. Members absent were: Circo. Also, in attendance were Bruce Fountain; Community Development Director; Chris Solberg; Deputy Community Development Director, Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Pat Dowse; City Engineer.

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 via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

1. Call to Order

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

2. Approval of Meeting Minutes – March 19, 2020

Malmquist moved, seconded by *Sargus*, to approve the March 19th minutes. **Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)**

3. Old Business

None.

4. New Business

A. Replat – Alpine Village South Addition Replat 1 – CLR Development, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, CLR Development LLC, is requesting a replat to redraw some property lines between 3 properties located approximately northwest of the intersection of 84th Street and Brentwood Drive. Brodersen did a share screen to show the commissioners what is being proposed. He said that the replat is essentially a land swap to redraw some of the property lines to correct a current issue where part of the parking lot and access driveway for one of the strip retail buildings currently sits on a section of the

adjacent properties. Brodersen mentioned that the applicants were present to answer questions. Brodersen stated that staff recommends approval for the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 221A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations.

- ii. **Applicant Presentation-** Steve Humphries spoke on behalf of the applicant. He said that he didn't have much to add and that what they are doing is straight-forward.
- iii. **Recommendation:** *Krzywicki* moved, seconded by *Malmquist*, to recommend for approval the Replat for Lots 21A1, 21A2, 22B, 22A1B, and 22A1A1 Alpine Village South and Outlot 1A1 Granville South, being replatted as Lots 1-3 Alpine Village South Addition Replat 1, as the request is consistent with the City's subdivision regulations. *Ayes: Krzywicki, Gahan, Wetuski, Frey, Sargus, Dale, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo. Motion Carried, (9-0)*

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

Krzywicki asked how we knew if members of the public were present during the Zoom meeting.

Brodersen said anytime anyone wants to join, he will admit them into the meeting and they would be shown on the screen.

Sargus asked if members of the public would be announced if present.

Brodersen said that he would be sure to do that if there are members of the public present at the meeting.

Fountain added that he believed that members of the public would be muted until it was opened for public comment.

Krzywicki asked if there are any changes coming up to the directives for the City of La Vista regarding park accesses or anything like that they need to be aware of.

Fountain said that they have been getting new directives from the State that are being reviewed, so new information should be coming out shortly.

Solberg said that it will probably just be a slow rollout and that it sounds like the state has some things planned to start opening in late May and the month of June. He said that he feels that the city will be the same way. Solberg mentioned that one of the things being looked at is youth

activities and restroom accessibility. He said that there are probably going to be some best practices coming down from the State as well.

Sargus asked if the construction at City Centre is still on track or if it has slowed down because of Covid-19.

Solberg said that it did take a little bit of a dip, but that the current construction has kept going and hasn't slowed down much. He said that some planned projects took a little bit of a dip with financing, especially the event center because of the uncertainty of building something that holds thousands of people, but from recent discussions that have been had, it sounds like lenders are sounding optimistic and hopefully we will see that project being started soon. He said that the developer just received approval for TIF financing for a couple of new buildings over by the First National Bank and is hoping to start construction in early June.

Krzywicki asked if there was any estimate on when Chili's will be starting construction on their building.

Solberg said that the new Chili's facility was one of the items that was approved for TIF financing and should begin construction soon.

7. Comments from the Staff

Brodersen said that there will not be a meeting on June 4th, so the next meeting will be on June 18th.

Solberg said that he appreciated the commission's ability to be flexible in doing the meeting via Zoom.

8. Adjournment

Wetuski adjourned the meeting at 6:46 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
JUNE 18TH, 2020 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, June 18, 2020 via Zoom, which included video and teleconferencing options. Chairman Kevin Wetuski called the meeting to order at 6:30 p.m. with the following members present: Kevin Wetuski, Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, John Gahan, and Patrick Coghlan. Members absent were: Harold Sargus, Jason Dale, Mike Circo, and Josh Frey. Also, in attendance were Bruce Fountain, Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician, and Pat Dowse; City Engineer.

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 via teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Coronavirus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the phone number was given to the public through the City of La Vista website and through social media and was posted at the entrance of the meeting facility.

1. Call to Order

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

2. Approval of Meeting Minutes – May 21, 2020

Malmquist moved, seconded by *Alexander*, to approve the May 21st minutes. **Ayes: Krzywicki, Gahan, Wetuski, Alexander, Coghlan, and Malmquist. Nays: None. Abstain: None. Absent: Circo, Sargus, Dale, and Frey. Motion Carried, (6-0)**

3. Old Business

None.

4. New Business

A. Planned Unit Development – Lot 2 Southport East Replat Two – CPM-SFI Southport, LLC

- i. **Staff Report – Cale Brodersen:** Brodersen stated that the applicant, CPM-SFI Southport LLC, is looking for an amendment to an existing Planned Unit Development Site Plan for Lot 2 Southport East Replat Two, which is located southeast of the intersection of Giles Road and Southport Parkway. Brodersen said that this site plan contains two buildings, which would include a fast food restaurant with a drive-thru and a sit-down restaurant with a drive-thru. He mentioned that initial Planned Unit Development Ordinance was approved in December of 2005 and was then amended

in November of 2016, but the development proposal has since changed, which is why they are meeting on the proposed amendment now. Brodersen said that when Staff initially received this site plan, one of their concerns regarded the traffic and the potential stacking of cars in the drive-thru for the proposed fast food restaurant onto Southport Parkway, but the applicant worked with them pretty extensively to produce an alternative site plan which allows for more stacking length. The applicant also submitted a traffic queuing analysis which demonstrated that the site plan as proposed can adequately accommodate the traffic that will be generated from the proposed uses. Brodersen said that the applicant also worked with them to improve the pedestrian connections on the site, so that pedestrians moving around the lot or to the lot from surrounding developments can move safely. Staff recommends approval of the Planned Unit Development Site Plan Amendment for Lot 2 Southport East Replat Two, as the request is consistent with La Vista's Comprehensive Plan and Zoning Ordinance.

- ii. **Applicant Presentation-** Philip Niewohner from Olsson, spoke on behalf of the applicant. He said that they are looking for approval on the amendment to the PUD, which is an update to the amendment done in 2016, so that they may be able to put in a fast food restaurant with drive thru and to potentially, in the future, put in a sit down restaurant as well. He then invited the commission and public to ask any questions they may have.

Fountain added that the City Engineer did review the traffic queuing study and is also available to answer questions.

Krzywicki asked how many cars can stack before it would back up to the Southport Parkway entrance.

Niewohner said that they were looking at it in terms of how far it would stack into the parking lot with respect to the adjacent hotel parking. He said that length is 8 cars and in order for it to stack onto Southport Parkway, it would be another 5 cars.

Krzywicki asked if they would have 2 different directions that cars would be pulling into the queue from.

Niewohner confirmed that vehicles could enter the drive-thru from two different directions, based on how they enter the site.

Krzywicki asked for clarification on the stacking amounts.

Niewohner said that from the drive-thru window to the edge of curb of the actual drive-thru itself would be 8. The stacking amount from Southport Parkway to the drive-thru entrance would be an additional 5 cars.

Krzywicki asked what the turning radius is coming off Southport Parkway to make that U-turn to drive into that stacking.

Niewohner said that the radius is 14' and that they did look at what the minimum U-turn radius was and did turn that into the City staff to show them that it was possible.

Krzywicki said that he used to work for a place that looked at the turning radius and said that pickup trucks usually require about a 42' turning radius to be able to make a clean turn and asked if a full-size pickup would be able to make a clean turn in there.

Niewohner said that he believed so and that they use a typical car length, which has an inner radius of about 30'.

Krzywicki said that in this part of the country there are a lot of pickups and that he is a little concerned about that not being a wide enough radius to accommodate the trucks.

Krzywicki asked if there are already 6 or 7 cars backed up to southeast using the longer stacking, would it block cars if there is a pickup truck coming in from Southport and would it prevent them from going around and coming in from the other direction.

Niewohner said that he doesn't believe that it would. He mentioned that there would be 2 or 3 different routes to help maneuver vehicles through the site. He said that if they absolutely had to, they would have the ability to swing out a little wider to make the turning radius.

Krzywicki said that he did read some things in the Staff Report about there being cross parking agreements on adjacent parking lots and asked for confirmation on this being correct.

Niewohner said that is correct.

Krzywicki asked if that meant they would be able to drive across the hotel's lot to come around the other side.

Niewohner said that is correct.

iii. Public Hearing- Wetuski opened the public hearing.

Andrew Willis spoke on behalf of the hotel owner, Southport Lodging, LLC. He said that the owners have some pretty significant concerns about this site plan, mainly the traffic and parking issues, some of which had already been discussed. He said that this all stems from the Cross Easement and Use Restriction Agreement from 2016 and that there is some shared parking and shared drives across these 2 lots. He said that one of the issues with the parking specifically, is that this site plan has only 119 stalls and shared parking and that the site plan would remove some of those shared stalls and the hotel relies on them. Willis said that the hotel is concerned that there will now only be 80 parking stalls and potentially 2 drive-thru restaurants which

will increase the traffic significantly. He said that part of the hotel's concern is the additional traffic coming through the hotel parking lot while people are trying to unload/load their cars. Willis said that the cross-easement agreement essentially said that the hotel has approved the site plan that was attached to that cross easement or anything substantially the same, but otherwise, the developer of this lot needs to get the hotel owner's written approval. He said that this plan is substantially different than what was set forth in that agreement. He then noted that the 2016 amendment to the PUD where the site plan was approved, that there was originally a drive-thru coffee shop that was planned for that site and they took that out because of concerns with that drive-thru. He said that hotel really sees how this will have a substantial detrimental effect and that they can't handle that additional traffic.

Jamie Saldi spoke on behalf of the applicant and in response to Willis. He said that they have been part of the development team since 2016. He said that their site plan has changed a little bit, however, working through this site plan with the City, they feel like it's a good site plan, but they completely understand the hotel's concerns. He said that the hotel has been looking over the site plan the last couple of weeks, and they really haven't had the chance to effectively sit down and go over the whole thing up until today's meeting. Saldi said that they did send them the site plan and the traffic study and were looking for some more dialogue in the next couple of weeks.

Willis said that the hotel owners would like to see something built there and would like to sit down and discuss it. He said that the timing just hasn't worked out and when the hotel saw the plan, they were able to really see that it was much different than what was originally planned. He said that the hope is that they can sit down with the developer and come up with something that works for everyone.

Saldi agreed and said that they would be willing to do that.

Wetuski closed the Public Hearing.

- iv. **Recommendation:** Krzywicki moved, seconded by Gahan, to recommend tabling this agenda item until the July 16th meeting to allow time for the developer and hotel ownership to meet and resolve the issues. **Ayes:** *Krzywicki, Gahan, Wetuski, Alexander and Malmquist. Nays: None. Abstain: None. Absent: Circo, Sargus, Dale, and Frey. Motion Carried, (6-0)*

B. Zoning Ordinance Amendment – Sections 2.20, 7.01, and 7.03 (Signs)

- i. **Staff Report – Cale Brodersen:** Brodersen stated that staff are proposing some changes to the Zoning Ordinance regarding signage, specifically sections 2.20, 7.01, and 7.03. He said that there a couple of different things compiled into these proposed changes. The first is that there are currently 3 different sign types that are not allowed in the La Vista Zoning Ordinance that have been proposed and that staff feel, after doing research, are appropriate in certain circumstances in La Vista. These

include; roof signs, blade signs, and marquee signs. These changes introduce the circumstances for the use of the 3 new sign types in the Mixed-Use City Centre District. Brodersen said that there are some other changes that clean up and provide clarification to some existing sign types. The last major change exempts public school facilities from the signage requirements. He said that this is done by other communities in Nebraska, and that La Vista already exempts their public facilities, but schools do not currently fall under the Zoning Ordinance's definition of public facilities. This amendment would allow public schools to be included in this exemption, and utilize some signs that are currently unavailable to them due to their common placement in residential districts. Staff recommends approval of the proposed zoning text amendment.

ii. Public Hearing: Wetuski opened the public hearing.

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

iii. Recommendation: Krzywicki moved, seconded by Coghlan, to recommend approval of the proposed zoning text amendment. Ayes: *Krzywicki, Gahan, Wetuski, and Alexander*. Nays: *None*. Abstain: *None*. Absent: *Circo, Sargus, Dale, Malmquist, and Frey*. Motion Carried, (5-0)

5. Comments from the Floor

No members of the public were present.

6. Comments from the Planning Commission

None.

7. Comments from the Staff

Brodersen said that this will be the last digital Planning Commission meeting as we are now required by statute to go back to in person meetings so they're more accessible to the public. He said that we will follow council's lead and have set up chambers in the gym in the community center. Brodersen said that the commissioners and members of the public will be spaced at least 6 feet apart. Everyone is encouraged to wear a mask. He said that there will be more information coming and that we will be meeting in person for the July 16th meeting.

Brodersen said that at the August 6th meeting, we will be presenting on the CIP and related projects.

Fountain said that they will encourage the public and commission to wear masks to the July 16th meeting, but will not be requiring them. He said that we will have them available to anyone who wants one.

8. Adjournment

Wetuski adjourned the meeting at 7:03 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date