



MEETING MINUTES
CITY OF LA VISTA PLANNING COMMISSION
8116 PARK VIEW BOULEVARD, LA VISTA, NE 68128
P: (402) 593-6400

THURSDAY, MARCH 3, AT 6:30 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, March 3, 2022, in the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Boulevard. 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. The following Planning Commission members were present and absent:

PRESENT: Mike Krzywicki, Gayle Malmquist, Kathleen Alexander, Mike Circo, Harold Sargus, and Josh Frey.

ABSENT: Kevin Wetuski, Patrick Coghlan, John Gahan, and Jason Dale

STAFF PRESENT: Chris Solberg, Deputy Community Development Director; Cale Brodersen, Assistant Planner; Meghan Engberg, Permit Technician; and Pat Dowse, City Engineer.

1. Call to Order

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

2. Approval of Meeting Minutes From January 6, 2022

Motion: Krzywicki moved, seconded by Malmquist, to **approve** the January 6th, 2022 minutes.

RESULT:	Motion carried 5-0-1
MOTION BY:	Krzywicki
SECONDED BY:	Malmquist
AYES:	Krzywicki, Sargus, Alexander, Coghlan, and Malmquist
NAYS:	None
ABSTAINED:	Circo
ABSENT:	Wetuski, Coghlan, Gahan, Dale

3. Old Business

None.

4. New Business

A. Comprehensive Plan Future Land Use Map Amendment – Lots 3 and 4 Echo Hills Replat Four and associated ROW – West Management, LLC

i. **Staff Report – Cale Brodersen, Assistant City Planner:** Brodersen said the requests being presented are from West Management, LLC and they are related to the second phase of a project that was previously approved and is under way at 144th Street and Chandler Road. He mentioned that the initial development was reviewed by the Commission in January of 2020 to rezone property for the development of a 60-unit assisted living and 20 unit memory care facility, a 210-unit apartment complex, and 2 lots to be developed in the future for commercial use. Brodersen said that the applications being presented tonight are related to the request by the applicant to develop the remaining 2 commercial lots with an additional apartment building that will contain 71-units.

Brodersen said the applications involved in the request include the amendment to the Future Land Use Map of the Comprehensive Plan to re-designate the 2 lots for high-density residential development, the zoning map amendment to rezone the properties from C-1 to R-3, the PUD Site Plan Amendment to incorporate the new proposal into the site plan, the Replat to combine lots 2, 3, and 4 so the apartments will be on one property, and an amendment to the existing CUP for the apartments to add the fifth building.

Brodersen mentioned that with the addition of this building, the parking lot count has changed from 385 to 422 bringing the number to 10% above what is required by the current Zoning Ordinance. He said that with the original proposal they had a traffic study submitted and reviewed, and when the applications for this new proposal were submitted, we also received a trip generation memo that evaluated the anticipated changes in traffic from the first study. He said the new study concluded there was no significant change and that the memo is attached to the PUD staff report. Brodersen said the applicant has requested an allowance for the lot size minimum requirement for the Echo Park Apartments through the PUD ordinance that would represent approximately an 11% reduction in the requirement. The applicant has also requested the ability to include a coffee shop user in the southwest corner of the proposed additional apartment building.

Staff recommends approval of the Comprehensive Plan Future Land Use Map amendment, subject to satisfaction of all applicable requirements including without limitation, notice, hearing, and approval of an amendment to the Official Zoning Map, PUD site plan amendment, Conditional Use Permit amendment, and approval and recording of the final plat and subdivision agreement.

ii. **Applicant Presentation:** Brett West showed pictures of the completed portions of Phase 1 of the project. He said that the changes to Phase 2 stem from not being able to find tenants who are interested in the originally planned retail space. West said that the coffee shop is an ancillary use to provide another space for their residents to gather.

West talked about the parking and showed a diagram of the parking lot and the layout of the new building including the parking garage and where the coffee shop will be located.

Krzywicki mentioned the diagram that showed the drive thru for the coffee shop and that it was listed in one of the staff reports that only 5 cars can be stacked at a time, he asked Brett to point out where cars would be stacked.

Brett pointed out on the diagram where that would be.

Krzywicki mentioned the requirement and asked how the City would police and enforce that if they were in violation of the stacking requirement.

Brodersen said that when the applicant find a coffee shop user that wants to go in that space, the City will evaluate the user's potential for vehicle stacking to ensure that cars would not be likely to stack into S 146th Street. Brodersen said that the City can enforce the requirement through the Conditional use Permit, and that if it did become an issue, that they would work with the developer to come up with a solution.

West said that they are expecting the parking lot to empty out at a decent time due to residents leaving to go to work. He then showed a picture of the Phase 2 area. He said that he talked with one of the residents earlier and that there had been concerns about contractors parking on the street. West mentioned that he has bi-weekly meetings with the leasing management and that they have been encouraging their residents and subcontractors to not park on the street, but that he ultimately can't control residents and their visitor's from parking in the street where street parking is legal. He said they will continue to work on the parking issue. He mentioned that they have put in a parking lot across the street, a fence, and speed bumps as part of the first phase of the development. He said they will be installing a stop sign so that residents pulling out onto S 146th Street across from Margo Street will stop before turning.

Krzywicki asked if apartment complexes ever do surveys of residents currently living there to determine how many vehicles per unit are parking in the lots.

West said they do, and they also develop a lot of complexes and what they have found is a sharp decline in the number of cars per unit. He said that the mix is tending to be more studio and one-bedroom units, so there tend to be more single occupants. West said that with the cost per stall and the cost of parking garages, you don't want to guess too high, but you also don't want to guess too low and upset residents.

iii. Public Hearing: Sargus Opened the Public Hearing

Mike Maier, a neighbor of the Echo Park Apartments, voiced his concerns about the capacity of the detention pond with the additional development, in addition to the street parking that has been occurring since construction and the first few buildings opening.

Kathy Seymour, a neighbor of the Echo Park Apartments, said that she agreed with the gentleman who came up before her in regard to the concerns about the traffic, and she feels that in order to alleviate the problem, there should be no parking allowed on either side of Echo Hills Dr and on 146th St. between Echo Hills Dr. and Chandler Rd. She mentioned that she has been in contact with NDOT and city staff about getting a traffic signal on 144th and Echo Hills Dr.

Sargus closed the Public Hearing.

iv. Recommendation: Malmquist moved, seconded by Circo, to recommend **approval** of Comprehensive Plan Future Land Use Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Official Zoning Map, PUD site plan amendment, Conditional Use Permit amendment, and approval and recording of the final replat subdivision agreement.

RESULT:	Motion carried 6-0.
MOTION BY:	Malmquist
SECONDED BY:	Circo
AYES:	Krzywicki, Frey, Circo, Sargus, Alexander, and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

B. Zoning Map Amendment – Lots 3 and 4 Echo Hills Replat Four and associated ROW – West Management, LLC

- i. **Staff Report – Cale Brodersen, Assistant Planner:** Brodersen stated that staff recommends approval of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Future Land Use Map of the La Vista Comprehensive Plan, PUD site amendment, Conditional Use Permit amendment, and approval and recording of the final replat and subdivision agreement. Regarding the neighbor's concerns mentioned in the hearing for the previous item, Brodersen said they had talked about the establishment of a no-parking zone along 146th and Echo Hills Dr., but because it's in the County and SID jurisdictions, that decision and recommendation would need to come from the SID Board's engineer and then approved by the County, as the Sarpy County Sheriff would be the enforcement agency.
- ii. **Public Hearing: Sargus Opened the Public Hearing**

Maier said that he was needing clarification as to who's in charge because the property is in an SID, but the City is in charge of the development taking place in the SID.

Solberg acknowledged how confusing it can be when dealing with property that is in the City's extra-territorial jurisdiction. He explained that the City can control zoning and building activities, which helps for when we are able to annex that area, since they will already be following our guidelines. As far as running the streets and making sure the infrastructure is working and maintained in good repair, that is the SID's responsibility.

Sargus closed the Public Hearing.

iii. **Recommendation:** Malmquist moved, seconded by Alexander to recommend **approval** of the Zoning Map Amendment, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Future Land Use Map of the La Vista Comprehensive Plan, PUD site plan amendment, Conditional Use Permit amendment, and approval and final recording of the final replat and subdivision agreement.

RESULT:	Motion carried 6-0.
MOTION BY:	Malmquist
SECONDED BY:	Alexander
AYES:	Krzywicki, Circo, Sargus, Frey, Alexander, and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

C. Planned Unit Development Site Plan Amendment – Lots 1 through 4 Echo Hills Replat Four – West Management, LLC

i. **Staff Report – Cale Brodersen, Assistant City Planner:** Brodersen stated that staff recommends approval of the Planned Unit Development Site Plan amendment, subject to all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, Conditional Use Permit amendment, and approval and recording of the final replat and subdivision agreement.

ii. **Public Hearing: Sargus Opened the Public Hearing**

Sargus closed the Public Hearing as no members of the public came forward.

Recommendation: Frey moved, seconded by Circo to recommend **approval** of the Planned Unit Development Site Plan amendment, subject to all applicable requirements, including without limitation, notice, hearing, and approval of an amendment to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, Conditional Use Permit amendment, and approval and recording of the final replat and subdivision agreement.

RESULT:	Motion carried 6-0.
MOTION BY:	Frey
SECONDED BY:	Circo
AYES:	Krzywicki, Frey, Circo, Sargus, Alexander and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

D. Replat – Echo Hills Replat Five – West Management, LLC

i. Staff Report – Cale Brodersen, Assistant Planner: Brodersen stated that staff recommends approval of the replat for Lots 2-4 Echo Hills Replat Four, being replatted as Lot 1 Echo Hills Replat Five, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of amendments to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, the Planned Unit Development Site Plan, and the Conditional Use Permit.

ii. Recommendation: Malmquist moved, seconded by Frey to recommend **approval** of the replat for Lots 2-4 Echo Hills Replat Four, being replatted as Lot 1 Echo Hills Replat Five, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of amendments to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, the Planned Unit Development Site Plan, and the Conditional Use Permit.

Krzywicki asked about the revised grading plan because of the change of use and asked if that will happen at the time the building permit is issued.

Dowse said the grading plan is active and is contingent upon approval, the applicant can grade at their own risk, it is not contingent on the building permit.

Krzywicki said that this goes to the point that one of the members of the public made about the retention pond and if there's a change in use that effects the runoff, then it would need to be mitigated correctly.

Dowse said the applicant's engineer will demonstrate that the runoff will be adequately addressed through their calculations with the drainage study.

RESULT:	Motion carried 6-0.
MOTION BY:	Malmquist
SECONDED BY:	Frey
AYES:	Krzywicki, Frey, Circo, Sargus, Alexander and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

E. Conditional Use Permit Amendment – Multiple Family Dwellings – Lots 2 through 4 Echo Hills Replat Four – West Management, LLC

i. Staff Report – Cale Brodersen, Assistant Planner Brodersen stated that staff recommends approval of the amendment to the existing Conditional Use Permit for the Echo Hills Apartments, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of all amendments to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, and the Planned Unit Development Site Plan, and approval and recording of the final replat and subdivision agreement.

ii. Public Hearing: Sargus Opened the Public Hearing.

Sargus closed the Public Hearing as no member of the public came forward.

iii. Recommendation: *Frey* moved, seconded by *Circo* to recommend **approval** of the amendment to the existing Conditional Use Permit for the Echo Hills Apartments, subject to satisfaction of all applicable requirements, including without limitation, notice, hearing, and approval of all amendments to the Future Land Use Map of La Vista's Comprehensive Plan, the Official Zoning Map, and the Planned Unit Development Site Plan, and approval and recording of the final replat and subdivision agreement.

RESULT:	Motion carried 6-0.
MOTION BY:	Frey
SECONDED BY:	Circo
AYES:	Krzywicki, Frey, Circo, Sargus, Alexander and Malmquist

NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

5. **Report of the Nominating Committee:** Krzywicki said that they reached out to see who would be interested in serving, if asked, and several agreed to serve if nominated. The committee nominated Sargus for chair, Alexander for vice-chair, and Dale for secretary.

6. **2022 Election of Officers**

Recommendation: Krzywicki moved, seconded by Malmquist to elect Sargus for chair, Alexander for vice-chair, and Dale for secretary.

RESULT:	Motion carried 6-0.
MOTION BY:	Krzywicki
SECONDED BY:	Malmquist
AYES:	Krzywicki, Frey, Circo, Sargus, Alexander and Malmquist
NAYS:	None
ABSTAINED:	None
ABSENT:	Wetuski, Coghlan, Gahan, and Dale

7. **Comments from the Floor**

None.

8. **Comments from the Planning Commission**

Krzywicki said that he has noticed that there has been a lot of apartment construction happening between Papillion and La Vista. He said that several years ago La Vista looked at whether they had too many apartments compared to other housing types and was wondering if the City was doing anything to keep on the pulse of the number of apartments compared to other developments. He asked if we ever survey the apartment complexes to see what their occupancy rates are and if they are really low, then why are more apartments being built.

Solberg said that as per the last census, we were at 46% renter occupied units. He said that we don't have any other property that is currently zoned for multi-family. Solberg mentioned that we are starting down the road of a land use and market analysis study and that a lot of requests have been made by developers for apartment complexes because of the lack of affordable housing overall in the metro area. Solberg said that there have also been some macro and regional level shifts in the development market, so they have contracted with RDG Consulting to analyze those shifts from their nationwide perspective and to see if that shift is a permanent thing. They will also be looking at the remaining vacant land and what could potentially be developed there.

Sargus asked if the 46% was a national average based on comparable cities.

Solberg said they haven't studied that yet but are hoping to get RDG to analyze that information.

Krzywicki asked if the occupancy rates in the apartments was known.

Solberg said that we did not know that information at that time. He mentioned that Sarpy County recently did a housing study and we may be able to get information from that.

Engberg offered to put something in with the rental inspection program renewal asking for occupancy rate of the complexes.

Sargus asked if the occupancy rate was low, what options would be on the table.

Solberg said that it would be something that when we're looking at the future land use map study, would help determine if land is needed for additional multi-family housing or could be looked at for future rezonings.

Krzywicki brought up the new Chili's building and said that the parking and entrance are a little confusing and that it's hard to tell if they're open because there are no directional signs pointing to the entrance or to indicate that they are open.

Frey mentioned that when looking at apartment site plans, there is a lot of focus on parking, and as he goes and looks at the sites, there's a lot of green space but it's all spread out. He said that he wasn't sure what the requirements for green space are, but what ends up happening is that you see people out on the right of ways to take their dogs out on and don't pick up after themselves. He asked if we could start requiring more green space for apartments.

Solberg said that there is a minimum requirement in the Zoning Ordinance. As far as the option to trade for park space, some subdivision regulations in other communities have stipulations that when a new single family housing development is built, they have to build a park space or provide an equal amount of funds to the city so they can develop a park space in return. He said that it is something that we can look into.

9. Comments from Staff

Solberg brought up the NPZA Spring Workshop coming up on March 18th.

10. Adjournment

Sargus adjourned the meeting at 7:38 p.m.

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chair

Date