



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

**MONDAY, MAY 23<sup>RD</sup>, 2022 AT 6:00 P.M.**

The City of La Vista Board of Adjustment held a meeting on Monday, May 23rd, 2022 in the Harold “Andy” Anderson Council Chambers at La Vista City Hall, 8116 Park View Blvd. 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 Board of Adjustment and to those persons who had requests pending before the Board. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

**PRESENT:** Trish Donoghue, Gayle Malmquist, Brad Strittmatter, Brenda Carlisle, and Jason Sokolewicz.

**ABSENT:** None

**STAFF PRESENT:** Bruce Fountain, Community Development Director; Chris Solberg, Deputy Community Development Director; Cale Brodersen, and Assistant Planner; Meghan Engberg, Permit Technician.

**1. Call to Order and Roll Call**

The meeting was called to order by Strittmatter at 6:00 p.m. and roll call was taken. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – September 22, 2021**

**Motion:** Malmquist moved, seconded by Carlisle, to **approve** the September 22, 2021 minutes.

<b>RESULT:</b>	<b>Motion carried 5-0.</b>
<b>MOTION BY:</b>	Malmquist
<b>SECONDED BY:</b>	Carlisle
<b>AYES:</b>	Donoghue, Malmquist, Strittmatter, Carlisle, and Sokolewicz.
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	None

**3. Old Business**

There was no old business.

#### 4. New Business

##### A. Election of Officers (Chairperson, Vice-Chairperson, Secretary):

**Motion:** Donoghue moved, seconded by Sokolewicz, to re-elect Strittmatter as Chair, Carlisle as Vice-Chair, and Malmquist as Secretary.

<b>RESULT:</b>	<b>Motion carried 5-0</b>
<b>MOTION BY:</b>	Donoghue
<b>SECONDED BY:</b>	Sokolewicz
<b>AYES:</b>	Donoghue, Malmquist, Strittmatter, Carlisle, and Sokolewicz
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	None
<b>ABSENT:</b>	None

##### B. Variance Request Filed by Nebraska Multi-Sport Complex

**\*Strittmatter recused himself as a voting member for this agenda item due to a potential conflict of interest as his employer has done engineering work related to the Nebraska Multisport Complex development.\***

- i. **Staff Report:** Solberg explained that Nebraska Multi-Sport development has submitted a request for a variance from Section 7.17 of the Zoning Ordinance which requires the planting of one tree per every forty feet of street frontage. A significant portion of the street frontage along Eastport Parkway and Giles Road for the Nebraska Multi-Sport property has significant topographical challenges that would result in these trees being placed so far down the slope from the street edge that the impact of their planting would be negligible. An updated landscaping plan that the applicant is proposing for the site was provided by the applicant and dispersed to Board members at the meeting.

- i. **Public Hearing:** Carlisle opened the public hearing.

Kyle Graham with Olsson presented the variance request on behalf of the applicant and explained that the applicant is seeking to place the required trees throughout the site and not on the street edge due to the significant slope. The Zoning Ordinance requires a tree to be planted every 40 lineal feet of street frontage, which would be around 95 trees, and their proposed plan has 95 trees and 22 shrubs.

Carlisle asked if the right-in, right-out access shown on the site plan off of Giles was new.

Graham said yes, the access would be new and there will also be a traffic signal there.

Fountain indicated this would be a full intersection and not limited to right-in, right-out.

**Carlisle closed the Public Hearing.**

Malmquist noted the flowering crabapple trees depicted on the plan and said they can be messy.

Solberg clarified that the specific species of trees on the landscape plan can be changed still, so long as they are listed as an allowed species in the design guidelines for the Gateway Corridor Overlay District.

The Board discussed the application and each statutory requirement to determine whether a variance could be granted. They determined that the strict application of Section 7.17.03.02 pertaining to landscaping along street frontages would result in undue hardship upon the owner of the piece of property due to exceptional topographic conditions on the piece of property in question. They also determined that each of the 6 requirements listed in the staff report are satisfied.

- iii. **Decision:** Carlisle moved, seconded Sokolewicz to approve the variance request as proposed and presented, finding that at least one hardship has been created by the strict application of the Zoning Ordinance and finding that each specific requirement has been satisfied.

<b>RESULT:</b>	<b>Motion carried 4-0-0</b>
<b>MOTION BY:</b>	Carlisle
<b>SECONDED BY:</b>	Sokolewicz
<b>AYES:</b>	Donoghue, Malmquist, Carlisle, Sokolewicz
<b>NAYS:</b>	None
<b>ABSTAINED:</b>	Stittmatter
<b>ABSENT:</b>	None

**5. Comments from the Floor**

None.

**6. Comments from the Board of Adjustment**

Discussion was held regarding the construction timeline for the complex and which sports would be played at the complex.

**7. Comments from Staff**

Solberg mentioned that the Board is in need of an alternate member and to pass on any recommendations for potentially interested individuals on to the City Clerk.

**8. Adjournment**

**Chairman Stritmatter adjourned the meeting at 6:23 p.m.**

Reviewed by Board of Appeals:

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Secretary

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Chairman

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Approval Date