

**CITY OF LA VISTA**  
**PLANNING COMMISSION MINUTES**  
**DECEMBER 10, 2009**

**DRAFT**

The Planning Commission meeting of the City of La Vista was convened at 7 p.m. on Thursday, December 10, 2009, at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Members absent were: Hewitt, Gahan and Horihan. Also in attendance was Ann Birch, Community Development Director 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 Chairperson Krzywicki at 7:02 p.m. Copies of the agenda and staff report were made available to the public. Alternate Jason Nielsen will be a voting member tonight.

**2. Approval of Meeting Minutes – November 19, 2009**

A. Approval of Meeting Minutes – November 19, 2009

Malmquist motioned to approve the November 19, 2009 minutes as presented. Alexander seconded. Ayes: Malmquist, Kramolisch, Andsager, Alexander, Nielsen, and Circo. Nays: None. Krzywicki abstained. Motion carried.

**3. Old Business**

A. **Public Hearing for Val Vista Replat Six Preliminary Planned Unit Development (PUD) and Final Plat for property located at Lots 6 and 7, Val Vista Replat One, a subdivision in the SW ¼ of Section 16, Township 14N, Range 12E of the 6<sup>th</sup> P.M, Sarpy County, NE.**

i. Staff Report: This public hearing was continued from the November 19 Planning Commission meeting pending additional items noted in the staff report. To date this information has not been received. This item is to appear on the January 21, 2010 meeting agenda.

ii. Public Hearing: Kramolisch motioned to further continue the public hearing. Nielsen seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Nays: None. Motion carried.

**4. New Business**

A. **Public Hearing for a Conditional Use Permit (CUP) for Nebraska Impact Volleyball club to operate an indoor recreation facility on Lot 2, I-80 Industrial Park Replat 1, located at 8619 S 137 Circle, Sarpy County, NE.**

i. Staff Report: Applicant, Nebraska Impact Volleyball Club is requesting a conditional use permit to operate a volleyball recreational facility at 8619 S. 137 Circle, Suite #2 which will house four regulation volleyball courts, used for junior girls and boys club volleyball practice, occasional tournaments, camps and clinics. This volleyball club has been practicing at The Courts facility at 8930 S. 137 Circle (a previously approved CUP) for the past two seasons along with three other clubs.

This property is in an I-1, Light Industrial District and is a flex-space industrial building of 20,000 square feet and a parking lot. Current businesses in the building include ASAP Express, Vision Auto Sales and some seasonal work by the Post Office. These uses do not appear to generate any significant customer parking demand within the parking lot. The rear of the building (north side) is used for truck deliveries. Access to the site is provided at two locations on S. 137<sup>th</sup> Circle. The applicant has been requested to provide a traffic impact study for the intersection of 137 Circle and Giles Road. A copy of a previous study done in 2006 was provided to the applicant.

Comments upon review are as follows:

1. The applicant must provide a plan for the proposed modifications to the building prepared by a qualified professional. Those plans would need to demonstrate compliance with various building code issues such as ingress and egress for life safety and area separation walls. The Chief Building Official, Jeff Sinnott, should be contacted to identify more completely the building code issues that need to be addressed to determine if the proposed use can be safely accommodated in the existing facility, along with other permitted industrial uses in the building.

Birch advised that the applicant has now submitted plans to show the lay-out of the space. The Chief Building Official has made some comments on these plans. These issues will need to be addressed before building permits can be issued.

2. The applicant has provided a full-size site plan to scale that shows the current conditions on the site, including parking stalls and access drives. There are 115 existing parking stalls and an additional 26 proposed to be added to the rear of the building. Based on staff estimates, it appears that adequate parking will be provided for tournament activities, including teams on the floor, teams waiting, and spectators and staff. This may, however, include adjacent tenant spaces that may be in business on Saturdays or during tournament events. The property owner must submit a statement in writing that they are agreeable to allowing the use of all or a majority of the parking spaces during large events. All parking shall be on-site and delineated.

Birch informed that the City has received the requested letter stating they are agreeable to allowing the use of parking spaces during large events.

3. The traffic impact study that was done previously for the intersection of 137 Circle and Giles Road needs to be updated to include the additional traffic generation from this facility since the proposed use will generate higher volumes of traffic than a permitted industrial use, especially during tournament events. The purpose of the study would be to maintain an acceptable level of service during peak traffic generating events at the facility. A copy of the previous Traffic Study prepared for The Courts facility at 8930 S. 137 Circle was provided to the applicant.

Birch said the traffic impact study has been updated and submitted to City Engineer John Kottman for his review.

Kottman stated that the study had been done by E & A Consulting Group who did a traffic count at the intersection of Giles Road and 137<sup>th</sup> Circle one week ago tonight from 4:30 to 6:30 pm. These include the peak hours of 4:45 to 5:45 pm and adding the trips expected from the use of this facility, analyzed the level of service at that intersection, under present conditions, or the counts that were taken a week ago the level of service was about the middle of range C. This adds a little bit of delay to the intersection as a whole but does not change the level of service so no objections are found to the traffic impact study. The study has been passed along for traffic specialists to review, but it is not expected that any issues would arise. It is felt that it is acceptable at this time.

4. Approval will be required by the State Fire Marshall prior to building occupancy.

Birch advised that staff recommends approval.

ii. Public Hearing: Circo motioned to open public hearing. Malmquist seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Nays: None. Hearing opened at 7:11 pm.

Ron Hoffman, Director of Operations for The Courts Volleyball Training facility, spoke as neither an opponent nor a proponent of this proposal. His concerns are to the information made available in the public packet for tonight's meeting, specifically review comment #1; he didn't feel that there was enough information in the packet. They encourage the city to gather additional information to ensure that the occupancy numbers are accurately reflected for review. The facility that is being proposed during its peak occupancy will have the same number of courts available that their facility (The Courts) does.

Birch said that on page 2, Item F of the Conditional Use Permit, occupancy is limited to 320 persons total; this is due to the restroom facilities per the Chief Building Official. Additional occupants would require modifications of the restrooms. Other modifications would also be necessary as well.

Kottman said there may be some ingress/egress adjustments due to the width and number of doors which the State Fire Marshal will review and comment upon.

Malmquist motioned to close the public hearing. Circo seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Nays: None. Hearing closed at 7:15 pm.

Circo asked if the facility would be just courts or would there be seating for tournaments.

Mike Godek, applicant, said there would be seating along side of the courts. Each bleacher has seating for between 30-40 people and there are approximately 3 bleachers to each court. There would also be tables and chairs in a commons area with a concession stand.

Circo recommended approval of the Conditional Use Permit (CUP) for the Nebraska Impact Volleyball club to operate an indoor recreation facility on Lot 2, I-80 Industrial Park Replat 1, located at 8619 S 137 Circle, Sarpy County, NE. Alexander seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Nays: None. Motioned carried.

This item will go forward to City Council on January 19, 2010.

The applicant asked if they could go ahead and get their building permits and start construction.

Birch advised they could submit the plans, but the building department would not be able to approve any such plans until at least January 20, 2010. The building owner could submit a permit application for restrooms to be changed for the purpose that is there now, but the uses of this proposed Conditional Use Permit require City Council approval.

##### **5. Comments from the Floor**

None.

##### **6. Comments from the Planning Commission**

Birch advised the Commissioners that the 2010 Planning Commission meeting schedule was in their packets.

Birch advised that the search for a City Planner was on going and it was hoped that there would be a replacement in January-February 2010.

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**7. Adjournment**

Malmquist motioned to adjourn. Circo seconded. Ayes: Malmquist, Andsager, Kramolisch, Nielsen, Alexander, Circo and Krzywicki. Nays: None. Motion carried. Meeting was adjourned at 7:15 p.m.

Reviewed by Planning Commission: Mike Krzywicki

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Recorder

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Planning Commission Chair

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Approval Date