



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
NOVEMBER 18, 2010

The City of La Vista Planning Commission held a regular meeting on Thursday, November 18, 2010, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Hewitt, Krzywicki, Miller, Gahan, Andsager, Alexander, Circo and Malmquist. Members absent were: Nielsen. Also in attendance were Michelle Alfaro, Secretary and John Kottmann, Assistant Public Works Director/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.

1. Call to Order

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. It was noted that Commissioner Miller, alternate, would be participating in the vote.

2. Approval of Meeting Minutes – September 16, 2010

- a. Circo moved, seconded by Malmquist to approve the September 16, 2010 minutes as submitted. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Nielsen.* **Motion Carried.** (9-0)

3. Old Business

None.

4. New Business

A. La Vista Strategic Plan.

- i. **Staff Report:** Brenda Gunn, City Administrator, came forward and discussed the 2010-2012 Strategic Plan Initiatives.

B. Zoning map amendment for Tax Lots 6B and 13 (proposed Lot 1 Gary & Debbie Pink Addition 2) in Section 19, Township 14N, Range 12 E in Sarpy County, Nebraska, from C-3, Highway Commercial/Office Park to C-2, General Commercial.

- i. **Staff Report:** Alfaro stated the request was located south of West Giles Road and west of Westport Parkway. The applicant was requesting to rezone the property from C-3, Highway Commercial and Office Park District to C-2 – General Commercial District for the development of an indoor farmers' market.

currently zoned Commercial and Industrial. The property was rezoned in 2006 from I-1, Light Industrial to C-3, Highway Commercial and Office Park. Alfaro stated the property does have access to West Giles road through two access points along the northern edge of the property, but additional traffic improvements may be required upon development of the lots. The Administrative plat creating the lot to which the rezoning applies would need to be ready to record prior to the City Council taking action on the rezoning. Should the rezoning be denied by the City Council the Administrative Plat would not need to be recorded. Alfaro stated the rezoning of the property would not result in a significant change in impact to existing infrastructure and recommended approval of the rezoning request as it is consistent with La Vista's Comprehensive Plan.

- ii. **Public Hearing Opened:** Malmquist moved, seconded by Alexander to open the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

Jeremy Fritz came forward and discussed the general intent of the indoor farmers' market.

Commissioner Krzywicki questioned if there was a restriction at the C-3 level that made them apply at the C-2 level.

Ann Birch, Community Development Director, stated C-3 does not allow for grocery stores.

- iii. **Public Hearing Closed:** Kramolisch moved, seconded by Miller to close the public hearing. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)
- iv. **Recommendation:** Malmquist moved, seconded by Circo to approve the rezoning of Tax Lots 6B and 13 in NE ¼ of Section 19, Township 14N, Range 12E from C-3, Highway Commercial and Office Park to C-2, General Commercial as it is consistent with the Comprehensive Plan. **Ayes:** Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist. **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

C. **Public Hearing for an amendment to the City of La Vista Zoning Ordinance – Section 2.02 Definitions and Section 7.01 Sign Regulations.**

- i. **Staff Report:** Alfaro stated the request to amend Section 2.02 (Definitions) and 7.01 (Sign Regulations) of La Vista's zoning ordinance was being revised. The publication was for a public hearing; however, they were not ready to move forward with the amendments. Staff requested to continue the item.

- ii. **Public Hearing Opened:** Hewitt moved, seconded by Malmquist to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)
- iii. **Recommendation:** Malmquist moved, seconded by Kramolisch to continue the public hearing. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

D. Public Hearing for an amendment to the City of La Vista Ordinance – Sections 5.08 R-3 High Density Residential and 5.09 R-4 Condominium Residential.

- i. **Staff Report:** Alfaro stated the request was to amend Section 5.08 (R-3 High Density Residential) and Section 5.09 (R-4 Condominium Residential) of La Vista's Zoning Ordinance. The current ordinance was adopted in November 2001 which removed Multi-Family Dwellings from the Permitted Use section and added them to the Permitted Conditional Use section. Alfaro requested to add verbiage to the Permitted Use section allowing multiple family dwellings that were constructed prior to the adoption of the current regulation, November 20, 2001, to remain in conformity as the existing verbiage within the ordinance placed restrictions upon multi-family dwellings in regard to refinancing as the zoning verification letters issued would indicate they are existing non-conforming uses. Alfaro stated Multi-Family Dwellings constructed after November 20, 2001 would be required to obtain a Conditional Use Permit.
- ii. **Public Hearing Opened:** Circo moved, seconded by Andsager to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

Commissioner Krzywicki questioned if the multi-family dwelling was destroyed would they be able to rebuild.

Birch confirmed if fifty percent (50%) of the complex was destroyed they would have to rebuild to conform with the current regulation.

- iii. **Public Hearing Closed:** Hewitt moved, seconded by Malmquist to open the public hearing. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)
- iv. **Recommendation:** Hewitt moved, seconded by Kramolisch to amend the City of La Vista zoning ordinance section 5.08 (R-3 High Density Residential) and section 5.09 (R-4 Condominium Residential) to incorporate the pre-imposed November 20, 2001 changes. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** Nielsen. **Motion Carried.** (9-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Birch stated that some Commissioners may receive letters regarding expiring terms.

7. Adjournment

Malmquist moved, seconded by Hewitt, to adjourn. **Ayes:** *Kramolisch, Hewitt, Miller, Krzywicki, Gahan, Andsager, Alexander, Circo and Malmquist.* **Nays:** None. **Abstain:** None. **Absent:** *Nielsen.* **Motion Carried.** (9-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date