



CITY OF LA VISTA
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PLANNING COMMISSION MINUTES
SEPTEMBER 19, 2013

The City of La Vista Planning Commission held a meeting on Thursday, September 19, 2013, 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: Tom Miller, Krzywicki, Malmquist, Gahan, Andsager, and Alexander. Members absent were: Circo, Nielsen and Lowell Miller. Also in attendance were Christopher Solberg, City Planner, Ann Birch, Community Development Director, and John Kottmann, 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.

2. Approval of Meeting Minutes – August 15, 2013

- a. Gahan moved, seconded by Tom Miller to approve the August 15, 2013 minutes as submitted. **Ayes:** *Tom Miller, Krzywicki, Malmquist, Gahan, Andsager, and Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Nielsen and Lowell Miller.*
Motion Carried. (6-0)

3. Old Business

None.

4. New Business

A. Public Hearing regarding Lakeview South II Replat 5

- i. **Staff Report:** Solberg explained the request is to consolidate Lot 4, Lakeview South II, and Lot 4, Lakeview South Replat 3, into a single lot for development. Staff recommends approval of the replat.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Alexander to open the public hearing. **Ayes:** *Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Nielsen and Lowell Miller.*
Motion Carried. (6-0)

Mark Westergard, E & A Consulting, representing the owner explained that Bobcat of Omaha on Highway 50 is looking to expand their parking area, have an area to display some of their machinery, and also to have an area where they can have a demonstration area, they call it a "play in the dirt" area, where they

demonstrate some of their equipment. They are a growing company and in order to expand they need to combine two lots. What is before the Planning Commission is three items, a preliminary plat, final plat, and an amendment to their conditional use permit. They have addressed all the items that were a concern to staff.

Krzywicki asked if the entire area around the current building unpaved.

Mr. Westergard explained it is paved.

Krzywicki asked if the additional area for the demonstrations will be paved.

Mr. Westergard explained the parking area and the display area will be paved but the area for demonstration for using the equipment would not be.

Krzywicki asked if there was any concern by the city about dust or other impacts to the area.

Solberg explained staff's main concern about the demonstration area was regarding run off.

Kottmann explained the post construction storm water management plan would include dust provisions. Kottmann included a comment in his review that water should be available if it needs to be applied during a dusty time.

- iii. **Public Hearing Closed:** Malmquist moved, seconded by Andsager to close the public hearing. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Tom Miller. **Motion Carried.** (6-0)
- iv. **Recommendation:** Malmquist moved, seconded by Gahan to recommend approval of the application by Retreat Financial, LLC, for Lakeview South II Replat 5. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Lowell Miller. **Motion Carried.** (6-0)

B. Public Hearing regarding Conditional Use Permit – Farm Implement Sales and Service – Lot 4, Lakeview South II, and Lot 2, Lakeview South II Replat 3, Sarpy County, Nebraska

- i. **Staff Report:** Solberg explained this was the same applicant as the replat. They are requesting a conditional use permit to operate a farm implement sales and service facility. They currently have a facility on the main lot however in order to expand their business they need to obtain a conditional use permit. They were previously under Sarpy County's jurisdiction and a conditional use permit was not required. Staff recommends approval.
- ii. **Public Hearing Opened:** Tom Miller moved, seconded by Gahan to open the public hearing. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Lowell Miller.

Motion Carried. (6-0)

Mark Westergard, E & A Consulting, was present to represent the applicant. He had no further comments.

- iii. **Public Hearing Closed:** Malmquist moved, seconded by Andsager to close the public hearing. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Lowell Miller.
Motion Carried. (6-0)

- iv. **Recommendation:** Gahan moved, seconded by Malmquist to recommend approval of the conditional use permit for Retreat Financial, LLC, for farm implement sales and service on Lot 4, Lakeview South II, and Lot 2, Lakeview South II Replat 3. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Lowell Miller.
Motion Carried. (6-0)

C. Public Hearing regarding Conditional Use Permit – Indoor Recreation Facility, Lot 4, I-80 Industrial Park, Sarpy County, Nebraska

- i. **Staff Report:** Solberg explained Millard Athletic Association is requesting to use a bay within an existing industrial building as an indoor training facility for baseball, football and softball practice. The bay is approximately 40,000 square feet in size. Staff recommends approval.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Alexander to open the public hearing. **Ayes:** Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo, Nielsen and Lowell Miller.
Motion Carried. (6-0)

Nick Dafney, Abrahams, Kaslow & Cassman, representing the applicant as an attorney and as vice-chairman of the Board. Also present was Mitch Campbell who is chairman of the Board for the Millard Athletic Association. The application is for a conditional use permit for an indoor recreation facility to train Millard Athletic Association's youth athletes in the areas of softball, baseball and football.

Malmquist asked if this is a new venture.

Mr. Dafney stated yes, the organization is over 70 years old and has been moving toward some projects they wanted to pursue. They wanted to do an indoor facility for some time but it has been hard to find a building without the extensive columns and low ceilings. So when this space opened up and the opportunity presented itself, the association was excited and starting looking at pricing artificial turf and netting.

Malmquist asked if the youth that would participate would be members of the Millard Athletic Association teams.

Mr. Dafney stated yes, that is their goal. They have engaged some coaches and the intention is to focus on their athletes.

Malmquist asked if they have looked at the conditions on the conditional use permit and are able to comply with them.

Mr. Dafney stated yes, the conditions fall in line with their intended use of the facility and the volume of activities.

- iii. **Public Hearing Closed:** Tom Miller moved, seconded by Malmquist to close the public hearing. **Ayes:** *Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Nielsen and Lowell Miller.* **Motion Carried.** (6-0)
- iv. **Recommendation:** Tom Miller moved, seconded by Malmquist to recommend approval of the conditional use permit for Millard Athletic Association on Lot 4, I-80 Industrial Park. **Ayes:** *Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Nielsen and Lowell Miller.* **Motion Carried.** (6-0)

5. Comments from the Floor

None.

6. Comments from the Planning Commission

Solberg noted there is a copy of *The Commissioner* magazine on their desks. Also, NPZA is planning a workshop for Planning Commission members in Omaha at the Mattress Factory in October. If members are interested in attending, let Chris know and the fee is paid by the city.

7. Adjournment

Gahan moved, seconded by Andsager to adjourn. **Ayes:** *Tom Miller, Krzywicki, Malmquist, Gahan, Andsager and Alexander.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Nielsen and Lowell Miller.* **Motion Carried.** (6-0)

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date