

**CITY OF LA VISTA  
PLANNING COMMISSION MINUTES  
October 19, 2006**

The Planning Commission meeting of the City of La Vista was convened at 7:00 p.m. on Thursday, October 19, 2006 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Malmquist, Gahan, Horihan, Carcich, Roarty, and Hewitt. Members excused: Andsager and Rizzo. 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 7:01p.m. A copy of the agenda and staff report was made available to the public.

**2. Approval of Meeting Minutes of September 7, 2006**

Hewitt motioned to approve the minutes of September 7, 2006. Gahan seconded. Ayes: Carcich, Malmquist, Horihan, Gahan, Roarty, Hewitt, and Krzywicki. Nays: None. Motion carried.

**3. Old Business**

None.

**4. New Business**

**4A. A replat application for Lots 1-3, Southport East Replat Seven located in parts of the SE ¼ of Section 18 and the SW ¼ of Section 17, T-14-N, R-12-F, of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located a Eastport Parkway and Giles Road.**

**i. Staff Report:** A public hearing has been continued from the September 7, 2006, meeting to consider a replat application of Lot 1, Southport East zoned C-3 consisting of approximately 5.5 acres, generally located in the northeast corner of Eastport Parkway and Giles Road.

The application has been submitted by Ron Smith with RS Land, Inc. The applicant has received comments from the city engineer and staff regarding the proposed replat and has asked for a continuance so that the issues may be adequately addressed. Staff recommends continuing the public hearing to the next meeting or until the required items are addressed. A complete application and plat will be provided to you prior to such meeting.

Staff recommends continuation of the hearing until the next meeting.

**ii. Public Hearing:** Malmquist motioned to continue the public hearing until the next meeting. Mary seconded. Ayes: Carcich, Malmquist, Gahan, Horihan, Gahan, Hewitt, and Krzywicki. Nays: None.

**4B. An amendment to a Final P.U.D. Plan (Ordinance) for Southport West (Lots 1-4, 15-16, 19-20, 23-27, and Outlots A&B), Southport West Replat One (Lots 1-3), and Southport West Replat Two (Lots 1-3) located in parts of the SE ¼ and SW ¼ of Section 18, T-14-N, R-12-F, of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located at Southport Parkway and Giles Road.**

**i. Staff Report:** A public hearing was held to consider amendments to the Final P.U.D. Plan for approximately 150 acres zoned C-3 PUD-1 and known as Southport West, generally located at Southport Parkway and Giles Road. The action being proposed by the current property owners in Southport West is consistent with the comprehensive plan and compatible with surrounding developments.

A proposal has been made to amend the current Planned Unit Development (P.U.D.) Plan which was approved by the City Council on September 5, 2006. The Southport West P.U.D. Plan is designed to compensate for project demands concerning height, setback, use limitations, parking requirements, etc. According to the La Vista Zoning Ordinance, the intent of the PUD-1 District is to encourage the creative design of new living and retail areas, as distinguished from subdivisions of standard lot sizes, in order to permit such creative design in buildings, open space, and their inter-relationship while protecting the health, safety and general welfare of existing and future residents of surrounding neighborhoods. The proposed amendment to the Southport West P.U.D. Plan is change the building setback from the property line in Parcel One from 75 feet to 60 feet for buildings eight stories or less.

Staff has reviewed the proposed amendment to the Final P.U.D. Plan and finds that it complies with the zoning and the intent in which Southport West was developed. A copy of the proposed P.U.D. Plan is included in your packet for your review.

Staff recommends approval of the proposed PUD amendment to City Council as the PUD Plan complies with the Zoning Ordinance.

**ii. Public Hearing:** Hewitt motioned to open the public hearing. Roarty seconded. Ayes: Carcich, Malmquist, Gahan, Horihan, Roarty, Hewitt, and Krzywicki. Nays: None. Hearing was opened at 7:05 p.m.

Carcich motioned to close the public hearing. Malmquist seconded. Ayes: Carcich, Malmquist, Horihan, Gahan, Roarty, Hewitt, and Krzywicki. Nays: None. Hearing was closed at 7:06 p.m.

Malmquist inquired how many stories the building has. Birch said the building would be seven (7) stories tall.

**iii. Recommendation:** Malmquist motioned to recommend approval of the proposed PUD amendment to City Council as the PUD Plan complies with the Zoning Ordinance. Roarty seconded. Ayes: Carcich, Malmquist, Gahan, Hewitt, Roarty, Horihan, and Krzywicki. Nays: None. Motion carried.

**4C: A tower development permit application on Lot 246A, Val Vista.**

**i. Staff Report:** A public hearing has been scheduled to consider a tower development permit application for a 60-ft. communications tower on Lot 246A, Val Vista owned by the City of La Vista. The proposed monopole will provide wireless relay communications for the new La Vista Fire Station. The application has been submitted by Pat Archibald on behalf of the City of La Vista.

City staff has reviewed the application for the proposed communications tower and have the following comments:

1. The tower must be designed to applicable ANSI standards (Section 7.11.03.04). In accordance with Section 7.11.04.05 the applicant shall provide written evidence from an engineer that the proposed tower will meet the building code and applicable state and federal and ANSI standards. This evidence should list the design loading factors.
2. The applicant should be aware of the requirement set forth in Section 7.11.03.04 of the La Vista Zoning Ordinance requiring certification of the completed construction by a qualified engineer before the tower is placed into service. This will need to address the tower and the tower foundation.
3. The applicant should submit information demonstrating that the future co-location installations will be at an elevation that will make such installations viable or that collocation is not possible.
4. In accordance with Section 7.11.09, the applicant shall provide information on how the proposed tower is compliant with the requirement for "stealth" design.

Staff recommends approval of the tower development permit to City Council subject to resolution of items identified by city staff and the conditions stated in proposed Tower Development Permit prior to City Council approval as the proposed use complies with the zoning ordinance.

Pat Archibald, Building and Grounds Director, City of La Vista, was present to describe the 60 ft. tower as triangle based with an 18 inch face that will hold one microwave dish that measures approximately 14 inches x 14 inches that will tie city building phone and computer lines together. It could be possible in the future that one UHF antennae would be installed for the Fire Department paging system.

Horihan inquired as to what future co-location installations might be. Archibald said there really was no way to put the dish on another tower, so there would be no future co-location proposed.

Horihan further inquired as to what the 'stealth' design was. Archibald said it is simply a galvanized color that vanishes into the sky.

Carcich asked if the FAA had any problems with the 60 ft. height. Archibald said the FAA doesn't have any concerns unless towers are greater than 100 ft. high. The city is, however, obtaining a letter from the FAA to state this is indeed the case.

**ii. Public Hearing:** Carcich motioned to open the public hearing.

Malmquist seconded. Ayes: Carcich, Malmquist, Gahan, Hewitt, Roarty, Horihan, and Krzywicki.  
Nays: None. Motion carried. Public hearing opened at 7:13 p.m.

Birch stated that notices were sent to property owners within a 300 ft. radius regarding this public hearing and that she had received a couple of phone calls in regard to the issue, however, no one has appeared at the meeting tonight. One inquiry, which was the owner of the Brentwood Park Apartments requested copies of staff reports and information regarding this issue. This is the practice of apartment management when they receive notices of public hearings for any reason.

Gahan asked for clarification on Archibald's remarks that this tower will carry phone and computer line communications. Archibald said it is currently being done with the police station. At the police department, three lines are hard-wired in from Qwest, and the other four lines are wired into city hall and go over the wireless to the police department as a back-up in case police department phones are cut. The fire station will also have to tie back into the city hall building.

Malmquist asked if the tower is a line of site issue. Archibald said the fire station tower would only have to have line of site with the Alltel tower on 96<sup>th</sup> Street.

Hewitt asked if there were any means set up to keep the children from climbing the tower. Archibald said there is a bolt-on climb guard circling the bottom of it.

Hewitt asked if a maintenance shed is necessary. Archibald said no, only one conduit will go directly into the fire station, where the equipment is all located.

Roarty motioned to close the public hearing. Gahan seconded. Ayes: Carcich, Malmquist, Gahan, Horihan, Hewitt, Roarty, and Krzywicki. Nays: None. Hearing was closed at 7:16 p.m.

**iii. Recommendation:** Carcich motioned to recommend approval of the tower development permit to City Council subject to resolution of items identified by city staff and the conditions stated in proposed Tower Development Permit prior to City Council approval as the proposed use complies with the zoning ordinance. Malmquist seconded. Ayes: Carcich, Malmquist, Gahan, Hewitt, Roarty, Horihan, and Krzywicki. Nays: None. Motion carried.

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

None.

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

Carcich asked if another tour of the La Vista jurisdiction could be arranged in order that the Planning Commission members could work more efficiently at their task.

Birch said that an email or phone calls would be sent out to poll the members as to their dates of choice.

Krzywicki asked if there were any tenants being considered at the recently vacated Wal-Mart location. Birch said there were no further updates. Gahan mentioned also that Gordman's too would be leaving their La Vista location soon.

Horihan asked if there were any news regarding the revitalization of the 84<sup>th</sup> Street corridor which is seeing a number of businesses moving away. Birch said there is a discussion about putting a plan together.

With regard to a potential tenant the location where The Bakery was formerly located, there was talk that an access change would be beneficial and contacted John Kottmann, city engineer. Kottman reported that he has not heard back within the last 30 days, although his office had made suggestions that some adjustments could be made without sacrificing safety.

It was announced that the Zoning Ordinance would soon be on the web site.

**7. Adjournment:** Carcich motioned to adjourn. Hewitt seconded. Ayes: Carcich, Malmquist, Gahan, Horihan, Roarty, Hewitt, and Krzywicki. Nays: None. Motion carried. Meeting adjourned at 7:29 p.m.

Reviewed by Planning Commission: John Gahan

*Sharon R Dennis*  
Recording Secretary

*Michael J Kypwiski*  
Planning Commission Chair

*11-16-2006*  
Approval Date

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