HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Monday, July 16, 2018 at 4:00 PM in the City Building, 220 North Hastings Avenue.

AGENDA:

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Motion to adopt the current agenda for the Planning Commission Meeting

5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, July 13, 2018. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

6. Approval of Minutes

    a. Meeting of May 21, 2018

7. Special Order of Business

8. Unfinished Business

    a. Continued Applications - None
    b. Tabled Applications - None
    c. Postponed Applications - None
    d. Unfinished Applications - None

9. Public Hearings.

    a. **2018-020.** Public hearing at the request of THOAR, LLC to consider Ordinance No. 4559 to change zoning from "C-2 Commercial Business" and "I-1 Light Industrial" to "CP-2 Commercial Business Planned District" for Lot 1, Lofts Subdivision of the City of Hastings, Adams County, Nebraska.

    b. **2018-021.** Public hearing at the request of Ryan Mousel on behalf of Hastings MOB, LLC for Resolution 2018-34, a Plan Modification #06.19.18.A to Redevelopment Area Number VI for a portion of Lots 7, 8, 13, and 14, Block 3 of Buswell's Addition to the City of Hastings, Adams County, Nebraska, generally located north of 7th Street and west of Kansas Avenue.

    c. **2018-022.** Public hearing at the request of Tim and Shellie Faris to consider approval of Resolution 2018-35, a Plan Modification #06.19.18.B to Redevelopment Area Number I for Lots One, Two, and Three (1-3), Block 26, of Original Town, now the City of Hastings, Adams County, Nebraska, commonly addressed as 601-609 West 1st Street, Hastings, Nebraska.

d. **2018-023.** Public hearing at the request of Cliff Mesner on behalf of Mesner Development Company to consider Resolution 2018-36, a Plan Modification #06.19.18.C to Redevelopment Area Number XIV for a portion of Lot 1, Block 4, North Park Commons Addition to the City of Hastings, Adams County, Nebraska, generally located north of 26th Street and east of Osborne Drive East.

e. **2018-024.** (POSTPONED AT THE REQUEST OF APPLICANT). Public hearing on the request of Chris Johnson on behalf of First Assembly of God Church for Ordinance No. 4560, a change of zoning from "R-1 Single family Residential" to "R-3 Multiple family Residential" for Lots 1 through 5 of North Shore West Subdivision of the City of Hastings, Adams County, Nebraska, generally located north of 33rd Street and east of Fisherman Lane.

10. Subdivisions

a. **2018-025.** A Preliminary/Final Plat for P&L Spady Subdivision, a replat of all of Lot 1, Great Plains Subdivision, in the City of Hastings, Adams County, Nebraska.

11. Reports

a. Committee Reports
b. Chairman Comments
c. Staff Reports
    i. Contractors for planning and zoning projects
    ii. Railroad Quiet Crossing Open House, July 18th
    iii. West 12th Street (Area 13) Visioning Meetings, July 25 and 26
    iv. 42nd Street

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, May 21, 2018

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, on May 21, 2018.

The meeting was called to order at 4:00 p.m. in Regular Session by Acting Chair Hamburger with the following members present: Rakesh Srivastava, Marshall Gaines, Mac Rundle, Dale Hamburger, Jodi Graves. Absent: Gavin Raitt, Chuck Rosenberg, Dave Johnson, Lou Kully, Alternate Megan Arrington-Williams.

Acting Chair Hamburger led the group in recital of the Pledge of Allegiance to the United States of America.

Moved by Graves, seconded by Rundle, to adopt the current agenda for the April 16, 2018 Planning Commission meeting. Roll Call: Ayes: Srivastava, Gaines, Rundle, Hamburger, Graves. Nayes: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

Acting Chair Hamburger read the Public Notice - Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

Moved by Srivastava, seconded by Gaines, to approve the minutes of the April 16, 2018, Planning Commission meeting. Roll Call: Ayes: Srivastava, Gaines, Rundle, Hamburger, Graves. Nayes: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

8. Public Hearings.
a. 2018-018. Public hearing on Resolution 2018-29, a moratorium on solar generation facilities.

The legal was read into the record.

The Acting Chair declared the public hearing open.

Don Threewitt stated the City would like to ensure that renewable energy is a welcome addition to energy generation in the area, whether or not it is sold locally. The City is asking for a moratorium to allow time to draft renewable energy regulations. Consultants are being looked at to write regulations that the Development Services Office would oversee. The City wants to focus on reducing the impacts of solar energy on neighbors and land, rather than regulating how much electricity can be generated, who can use the electricity or where it can be used. We want to look an maximizing control over the land use impacts.

Graves asked if this was coming to the Commission as a proactive measure or is an application before the City.

Don Threewitt stated there is a solar developer that has been looking for property for 6-8 months. Once the scale of the plan was reviewed, staff concluded it is a topic that needs to be

addressed. There have been several inquiries on community scale solar as well as residential rooftop solar. The City needs to be able to regulate the solar fields.

Gaines asked about a timetable.

Don Threewitt stated the Resolution is a recommendation to City Council. Staff is looking at 4-6 months maximum, looking for consultant, deadlines in place, and develop solar regulations that are fair to all developments. Staff supports a recommendation to approve Resolution 2018-29.

The Acting Chair declared the public hearing closed.

Moved by Srivastava, seconded by Gaines, to recommend approval to the City Council of Resolution 2018-29, placing a moratorium on solar generation facilities. Roll Call: Ayes: Gaines, Hamburger, Graves, Srivastava, Rundle. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

b. 2018-019. Public hearing to consider Ordinance No. 4555, a recommendation to amend Hastings City Code, Section 34-216 "F.D. Flood hazard district regulations."

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated the proposed regulations are required to implement the new flood insurance rate map and flood insurance study. By adopting language that is similar to model state language, any state-level interventions for future modifications, such as Letters of Map Amendment and Letter of Map Revision, should be more efficient to coordinate. The City would want to retract any restriction on critical facilities within the 500 year flood plain. Staff supports a recommendation to approve Ordinance No. 4555.

Dave Wacker commented the City went into the Flood Insurance Program August 17, 1981. This affects the City of Hastings in that certain portions of the city, the flood elevation has risen and other areas it has receded. Libbs Park area, Webster Avenue, Hewett Avenue, 12th and 14th Street areas will be removed on the new mapping. The area west of the mall and west of Marian Road has risen a foot. Lake Hastings area has not changed. Osborne Drive East, the old WalMart store, Rivals's Bar, Menards and the North Commons Development, the flood plain in that area is shown to be receding. 35th Street and Wendell Drive, the flood plain has risen 1 foot in those areas. The city is required to have the ordinance adopted by July 5, 2018. The loss of a basement exception in a flood prone area is another change.

The Acting Chair closed the public hearing.

Srivastava questioned whether this action is an update or is it a FEMA requirement that the city is to accomplish?

Dave Wacker replied it is a FEMA requirement that the maps be updated to remain in the federal flood insurance program. This action will affect 70-200 properties.

Graves asked about notification.

Dave Wacker replied by letter and/or published in the newspaper.

Moved by Rundle, seconded by Gaines, to recommend approval to the City Council of Ordinance No. 4555 amending Section 34-216 of Hastings City Code. Roll Call: Ayes: Gaines, Hamburger, Graves, Srivastava, Rundle. Nays: None. Absent: Raitt, Rosenberg, Johnson, Kully, Alternate Arrington-Williams. The motion carried.

10. Reports

a. Committee Reports. The ad hoc committee did meet. Discussions were rural events and parking. The solar moratorium was discussed and a copy of the City's proposed resolution was shared with the Committee members.

11. Work session to discuss possible Zoning and Subdivision Code Changes.

Don Threewitt commented on five possible changes.

1. Content neutral sign code. An inspector should not have to read a sign to regulate it.
2. Solar and renewable energy generation. Distributed commercially and residentially. Utility scale would be a solar farm sitting on its own, feeding into the grid. Distributed commercially would be a solar farm that is on the building or on site that would feed straight to the commercial building. Distributed residentially would be rooftop solar panels or wind turbine. The City needs to regulate the impacts on land use and be able to say the City of Hastings is open to renewables.
3. Communication towers. The regulations need to be clarified and easier to understand.
4. Private parking lots and outdoor storage. Staff needs to look at land use, not how the business is conducted. Need to clarify as far as screening, setbacks, and conditions that separate parking lots from impound yards.
5. Subdivision minimum access requirements. Staff needs to look at ingress and egress into neighborhoods.

The goals are a clear articulation of purposes. Adopt minimum regulations necessary to accomplish community interests. Regulate only to the extent that the City has the capacity to enforce and that definitions remain clear and succinct.

The priority is to get the solar moratorium through.

Adjourn

_____

Chairman

Department: Development Services
Staff Contact: Donald Threewitt
Planning Commission Meeting Date: 07/16/2018
File No: 2018-020
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing at the request of THOAR, LLC to consider Ordinance No. 4559 to change zoning from "C-2 Commercial Business" and "I-1 Light Industrial" to "CP-2 Commercial Business Planned District" for Lot 1, Lofts Subdivision of the City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

The applicant, the people of Hastings, and the City.

Why Planning Commission action is required:

Upon the final hearing of an application to amend the zoning map, the Commission shall approve or deny the same and a report of such action, together with a recommendation for final approval or denial, shall be made by the Commission to the City Council [34-801 (2)(f)].

Type of action requested:

Ordinance

Suggested motion:

Motion to approve Ordinance No. 4559, changing zoning to "CP-2 Commercial Business Planned District" for Lot 1, Lofts Subdivision of the City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

This item is scheduled to be heard at the regular meeting of City Council on August 13, 2018.

Department head comments:

This change of zoning is a planned district amendment in order to allow additional flexibility for signage in the Block 27 loft development. The attached narrative outlines the proposed sign amendments, and the attached facade plan visually depicts planned signage.

Current zoning is as follows:
North: "C-2 Commercial Business"
South: Railroad right-of-way
East: "C-2 Commercial Business"

West: "C-2 Commercial Business"

Recommendation:

Staff supports a recommendation to change zoning to "CP-2 Commercial Business Planned District" for Lot 1 of Lofts Subdivision of the City of Hastings, Adams County, Nebraska.

THOAR LLC (THOAR) CP-2 Rezoning Narrative

The Applicant for this rezoning initiative is THOAR L.L.C. (THOAR). THOAR is a wholly-owned consortium of investors local to Hastings, NE. THOAR wants the City of Hastings, NE to thrive and be on the cutting edge of development trends within the region. THOAR has executed this vision with the development described below.

THOAR is seeking approval to rezone .38 acres of the .49 acre block from its current designation of Central Business District (C-2) and Light Industrial District (I-1) to Commercial Planned District (CP-2) in order to redevelop 9 Lots of the 12 lot block into an extension of their first class retail and residential space THOAR is known to have created in the past. The proposed Planned District zoning change will be an excellent addition to the many diverse offerings of Hastings, while creating new jobs and additional tax revenues.

The historical and current use of the property is mixed use, retail and warehouse with a portion of the block being vacated buildings. The current configuration includes 9 platted urban sized lots within the 12 lot block (see below for legal descriptions). The .38 acre site is located on W. 1st Street with adjacencies to Murphy's Wagon Wheel to the North West and a parking lot to the north. The property is bordered by classifications of Central Business District (C-2) to the North, East, West, Heavy Industrial District (I-2) to the South (BNSF RR).

The THOAR mixed use project will operate year round. Hours of operation for the retail portions are proposed to be 8:00am through 10:00 pm, Monday through Friday. The redevelopment plan in place includes over 35,000 SF of mixed use retail-residential space. By comparison, there is currently over 50,000 SF of similar spaces adjacent to this property. The proposed use should have little or no additional impact on public facilities (public safety, etc.) above the current zoning of the property. Access to the property will remain at its current locations off 1st Street. Signage and hardscape improvements will enhance as well as promote the project's theming throughout the development. The existing signage and proposed signage will adhere to the new requirements of the Commercial Planned District (CP-2) of which is described below. The project is anticipated to be completed in three phases with the brewery and residences above (713-717 1st Street) as phase 1 (completed); the retail space and residences above (721-723) as phase 2 (near completion); and the retail space and residences above (721-737) as phase 3.

The proposed project is located within the Davis Addition and portions of the Original Town of Hastings and immediately adjacent to Buchanan's Subdivision of Johns Addition as well as Oliver's Subdivision. These subdivisions represent a combination of commercial, office, residential and community service uses. The redevelopment of the property into custom residential and commercial space will continue the recent trend of enhancements to the area. The Comprehensive Plan designates this portion of these subdivisions as "Mixed Use Downtown". Clearly a Commercial planned zoning that carries a residential theme for the intended 9 small lots meets the intent of the Plan.

THOAR's architectural theme is based on "Modern Contemporary Style" architecture and the entire property will follow a natural design approach that incorporates preservation of the property's natural resources and emphasizes low impact design solutions to the greatest extent possible. Additional parking areas are well screened with existing trees along the north side of 1st Street and buffer areas will be maintained or enhanced around the perimeter of the property. Any single mixed use development on 1st Street shall follow a similar role to that of the rest of the development. Any modified structure heights shall be observed to be in compliance with adjacent properties to the east, west and south.

The proposed use should create additional revenues to the City and County through property taxes. At peak operating times, the proposed development could employ as many as 30 employees or more. To the best of our knowledge there is no other architectural style of this type in the Hastings market area which should create a unique demand proposition for the property's ongoing success just as shown in the adjacent current phase of the Block 27 development. This style is also reminiscent of the Haymarket development in Lincoln, NE.

The property is well located off W. 1st Street and within one mile of the City Fire Department. The new building projects will meet current life safety code requirements. Emergency and fire lanes will be maintained as well as multiple building access points for fire and rescue vehicles.

All public utilities are in place to serve the property. There is adequate supply of potable water from the City of Hastings as well as sanitary sewer capacity from the City of Hastings. Other utility providers include; Hastings Utilities for electrical, Hastings Utilities for natural gas, Allo Communications, Charter Communications, Glenwood for cable, internet and telephone.

While a traffic study has not been conducted, the traffic conditions are expected to be similar to the existing use since the proposed development will utilize the existing parking lot that fronts the north of W. 1st St. for business and residential use. Once the Block 27 project is developed, the proposed mixed use project will have pedestrian access on the South East corner of W. 1st Street and Lincoln Ave as well as on street parking.

The proposed mixed use project will appropriately transition the current I-1/C-2 Zoning into a more residential-scaled theme to carry through to current comprehensive plan designation of 'Mixed Use Downtown'. THOAR may require covenants to the development to enforce its design cohesiveness as deemed necessary. The mixed use project shall serve as a transition between the large-scale commercial developments to the north on 2nd Street and the industrial uses to the south (BNSF and beyond).

THOAR appreciates this opportunity to present the above items and information and we look forward to becoming a more integral member of the Hastings community.

Legal Descriptions:
713-737 W. 1st St.
Lot 1, Lofts Subdivision of the City of Hastings, Adams County, Nebraska
Property ID: 010006085

C-2 to CP-2 zoning differences

CP-2 Zoning code adopts all of C-2 zoning with the following exceptions:

Signage:

1. Signs in the CP-2, Central Planned Business District shall comply with the current published zoning requirements for signage in the C-2 Central Business District, with the following changes. CP-2 shall adhere to the least restrictive when interpreting zoning requirements for signage.
2. All Building signs shall not be limited to the first level.
3. Signs that serve a structural or architectural purpose, such as a railing, may extend above the parapet or eave of the building.
4. Building marker signs
    a. 300sf area, total of all signs

   b. 4 per street frontage and address
5. Canopy and awnings
   a. Shall not count wall area limit but shall count as one of the (4) four signs
   b. Canopies and awnings shall be comprised of like materials to the structure attached and shall be non-combustible.
   c. Wall signs may be mounted to canopies/awnings
6. Marquee and projecting signs
   a. Maximum horizontal projection shall be 6 feet over public sidewalks less than 12 feet in width but shall not penetrate the vertical plane of the inside curb line
7. Other Permanent Sign Design Criteria.
   a. Signs are regarded as an integral and complementary element of the overall architectural character of the City and shall be integrated with the building and landscape design.
   b. All freestanding signs shall have a substantial base or planter with a minimum height of two feet (2') and shall not be permanently attached within right of way.
   c. All signs, except those consisting of individual letters mounted against a non-differentiated surface, shall have edge treatment or borders.
   d. Signs consisting of durable materials which are designed to be reflective of Hastings heritage are encouraged.
   e. Sign Permit Required. A sign permit is required for all signs, unless specifically exempted, which are intended to be erected, painted, or otherwise installed in the CP-2 District. Building permits shall not be required for home occupation signs, temporary real estate, construction, or for minor repair or for repainting of any permitted sign in same color scheme.
8. Temporary Signs
   a. Businesses, Public, Community, and NonProfit Organizations.
   b. Grand Opening Sign.
      i. A grand opening sign is a temporary sign which calls attention to a new business or institutional use. These signs are allowed in any zone in which the commercial, industrial, or institutional uses are permitted.
      ii. The sign or signs shall not be displayed for more than ninety (90) consecutive days in a calendar year.
      iii. The maximum banner size for grand openings shall be forty-eight (48) square feet.
      iv. Only one (1) grand opening sign shall be allowed per use.
      v. For large single-users and/or other mitigating circumstances, the Development Services Director may modify the size, number and/or placement provisions of this subsection.
9. Special Event Signs.
   a. A business special event sign(s) is a temporary sign(s) displayed on property used or zoned for any use other than a single-family residence and which displays any type of event that is unique or significant to the business located upon the property. Such events include, but are not limited to, an anniversary, special sale, change in ownership or management, or similar event.
   b. Special event signs are subject to all of the following requirements:

i. Use of such sign(s) shall be limited to no more than fifty-two (52) cumulative days within each calendar year;
ii. The maximum banner size for special event signage shall be forty-eight (48) square feet;

10. Open During Construction Signs. An "open during construction sign" is a temporary sign displayed on property used or zoned for any use other than a single-family residence and which calls attention to an existing business or institutional use located on property adjacent to or otherwise affected by a Town funded or designated construction project.
    a. No sign permit is required.
    b. Open during construction signs are subject to all of the following requirements:
    c. Only one (1) single or double-faced open during construction sign shall be allowed per use;
    d. Such sign may include a banner, pennant, or tear-drop banner;
    e. The face area of said sign shall not exceed sixteen (16) square feet; and,
    f. The sign shall be removed promptly following the completion of the designated construction project.

Existing streetscape views

BLACKMAN & FULLER WHOLESALE GROCERS
GENUINE
"BULL" DURHAM
Smoking Tobacco.
BEST FOR THREE GENERATIONS
STANDARD OF THE WORLD.

THOAR LLC.

BLOCK 27 BUILDING RENOVATION

737 W. 1ST STREET, HASTINGS, NEBRASKA 68901

ZONING REVIEW

PROJECT DESCRIPTION	
SITE WORK:	NEW ACCESSIBLE RAMP, GUARDRAILS, AND NEW CONC. STAIR
DEMOLITION:	SELECTIVE DEMOLITION: EXISTING FINISHES AND STRUCTURE
ARCHITECTURAL:	RENOVATION TO EXISTING VACANT BUILDING. DEVELOP SPACE FOR RETAIL TENANT USE & RESIDENTIAL OCCUPANCY
STRUCTURAL ENGINEERING:	HEAD & LINTEL MODIFICATIONS AT DOOR/WINDOW OPENINGS. MODIFY STRUCTURE FOR NEW OCCUPANCY
ARCHITECTURAL ENGINEERING:	MECHANICAL, ELECTRICAL, & PLUMBING ENGINEERING TO SERVE RESIDENTIAL & RETAIL SPACE THAT CONTAINS RESTROOMS, SALES FLOOR, OFFICES, & BREAK AREAS

VICINITY MAP

PROJECT DIRECTORY

OWNER:
THOAR, LLC.
1540 HIGHLAND DRIVE
HASTINGS, NE 68901
PH: 402.705.7283
CONTACT: DAVE RIPPE
E: drippe5@gmail.com

ENGINEER:
W DESIGN ASSOCIATES
2626 W. 2ND ST.
HASTINGS, NE 68901
P: 402.463.2377
CONTACT: STEVE WOLFORD
E: steve@wdesignea.com

SPECIALTY CONSULTANT:
TBD
TBD
TBD
P:
CONTACT:
E:

GENERAL CONTRACTOR:
TBD
TBD
TBD
P:
CONTACT:
E:

GEOTECHNICAL ENGINEER:
TBD
TBD
TBD
P:
CONTACT:
E:

SPECIALTY CONSULTANT:
TBD
TBD
TBD
P:
CONTACT:
E:

ARCHITECT:
W DESIGN ASSOCIATES
2626 W. 2ND ST.
HASTINGS, NE 68901
P: 402.463.2377
CONTACT: JAY WICKMAN
E: jay@wdesignea.com

SURVEYOR:
TBD
TBD
TBD
P:
CONTACT:
E:

SPECIALTY CONSULTANT:
TBD
TBD
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P:
CONTACT:
E:

DRAWING INDEX

DRAWING NAME	DRAWING NUMBER	SHEET ISSUE DATE	CURRENT REVISION	REVISION ISSUED	PROJECT STATUS
1 - GENERAL					
COVER PAGE	CVR	MARCH, 2018		No	ZONING REVIEW
PROJECT INFORMATION	GI-1	MAY 2018		No	ZONING REVIEW
2 - CIVIL					
SITE PLAN	AS-1.1	05/25/18		No	ZONING REVIEW
3 - ARCHITECTURAL					
ADA - LIFE SAFETY	A-1.1	MAY 2018		No	ZONING REVIEW
LIFE SAFETY	A-1.2	05/23/18		No	ZONING REVIEW
LIFE SAFETY	A-1.3	05/23/18		No	ZONING REVIEW
LIFE SAFETY	A-1.4	05/23/18		No	ZONING REVIEW
FLOOR PLANS	A-1.5	MARCH, 2018		No	ZONING REVIEW
FLOOR PLANS	A-1.6	MARCH, 2018		No	ZONING REVIEW
FLOOR PLANS	A-1.7	03/15/18		No	ZONING REVIEW
CEILING PLANS	A-1.8	05/29/18		No	ZONING REVIEW
CEILING PLANS	A-1.9	05/30/18		No	ZONING REVIEW
ELEVATIONS	A-2.1	MARCH, 2018		No	ZONING REVIEW
ELEVATIONS	A-2.2	05/29/18		No	ZONING REVIEW
DETAILS	A-5.0	05/29/18		No	ZONING REVIEW
SCHEDULES & DETAILS	A-6.1	05/29/18		No	ZONING REVIEW
SUPPLEMENTAL VIEWS	A-9.0	05/30/18		No	ZONING REVIEW

I, Jay H. Wickman, am the Coordinating Professional on the Block 27 Building Renovation project.

This bar is one inch long on original drawing.
If not one inch on this sheet, adjust scales accordingly

THOAR LLC.
BLOCK 27 BUILDING RENOVATION
737 W. 1ST STREET, HASTINGS, NEBRASKA 68901

DESIGN ASSOCIATES
314 E. 15TH ST. | HOLDREGE, NE 68949 | 308.340.2070 | 1540 HIGHLAND DRIVE | HASTINGS, NE 68901 | 402.463.2377 | WWW.WDESIGNEA.COM

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Seal of Coordinating Professional:

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT #: 636-18
DRAWN: Author
CHECKED: Checker
REVISIONS:

CVR
COVER PAGE

DATE: JUNE 2018

6/1/2018 9:52:51 AM
C:\Users\tkwiecinski\Documents\636-18 THOAR_TJKAIA.rvt

1 SITE PLAN
Scale: 1" = 20'-0"

I, Jay H. Wickman, am the Coordinating Professional on the Block 27 Building Rennovation project.

This bar is one inch long on original drawing.
if not one inch on this sheet, adjust scales accordingly

6/1/2018 9:51:59 AM
C:\Users\tkwiecinski\Documents\636-18 THOAR_TJKAIA.rvt

THOAR LLC.

BLOCK 27 BUILDING RENOVATION

737 W. 1ST STREET, HASTINGS, NEBRASKA 68901

DESIGN ASSOCIATES
214 E 1ST ST HOLDREGE, NE 68949 | 308.995.2339 | HOLDREGE ARCHITECTS
305 W. 2ND ST HASTINGS, NE 68901 | 402.463.2371 | WWW.WDESIGNER.COM

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Seal of Coordinating Professional:

PRELIMINARY
NOT FOR CONSTURCTION

PROJECT #: 636-18
DRAWN: Author
CHECKED: Checker
REVISIONS:

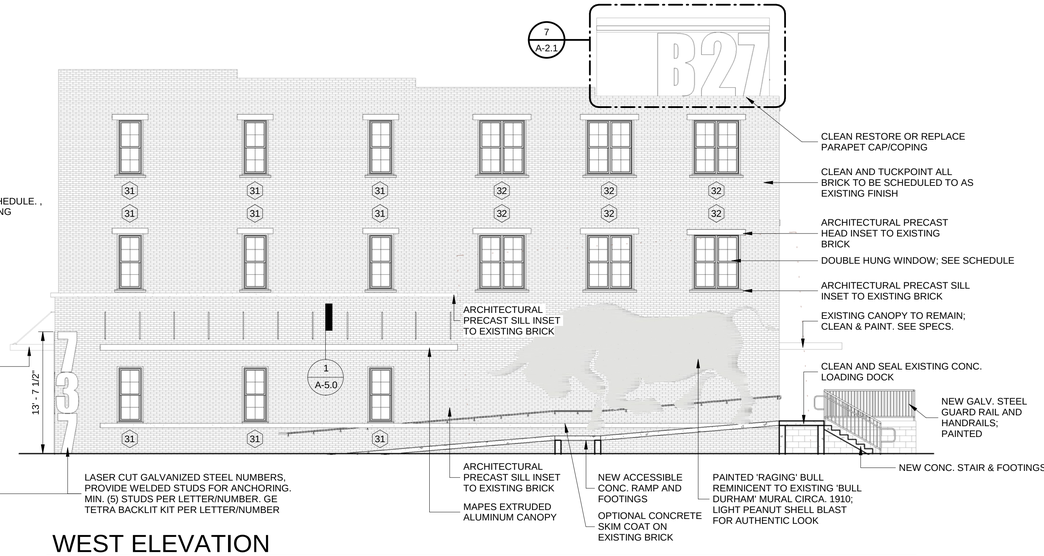
AS-1.1

SITE PLAN

DATE: JUNE 2018

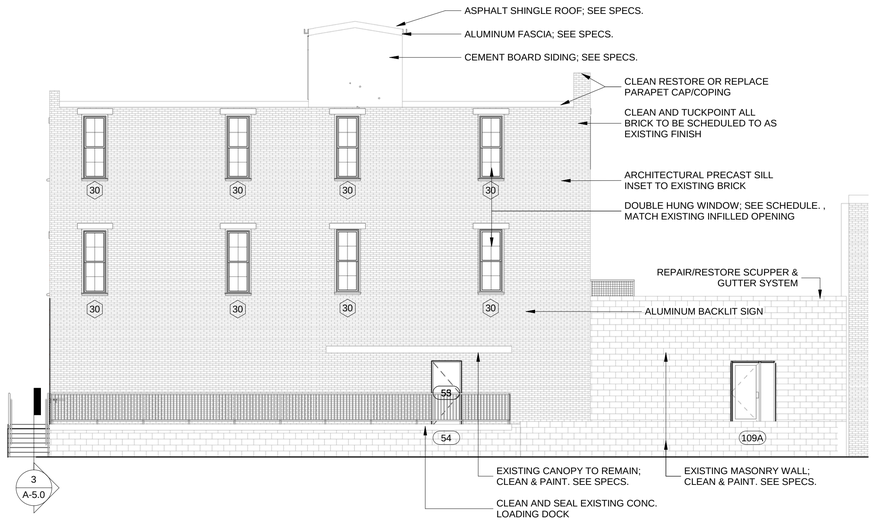
NORTH ELEVATION

1/8" = 1'-0"



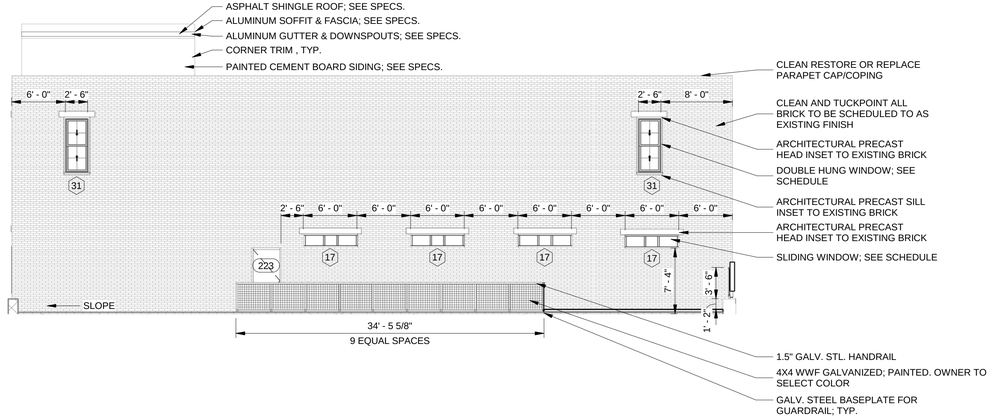
WEST ELEVATION

1/8" = 1'-0"



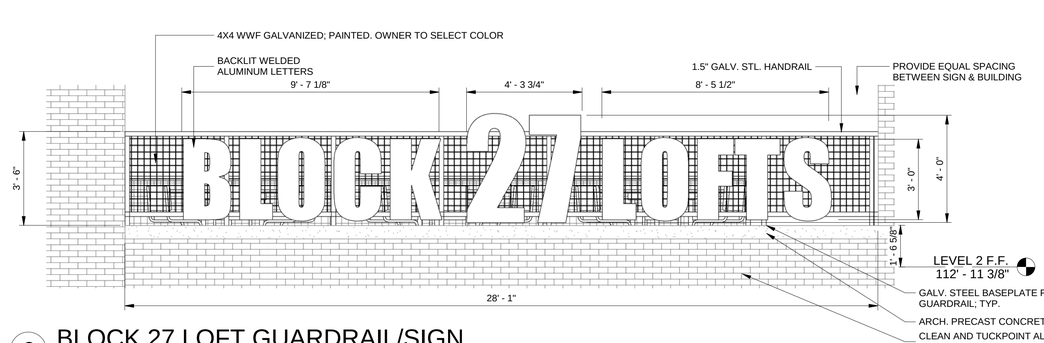
SOUTH ELEVATION

1/8" = 1'-0"



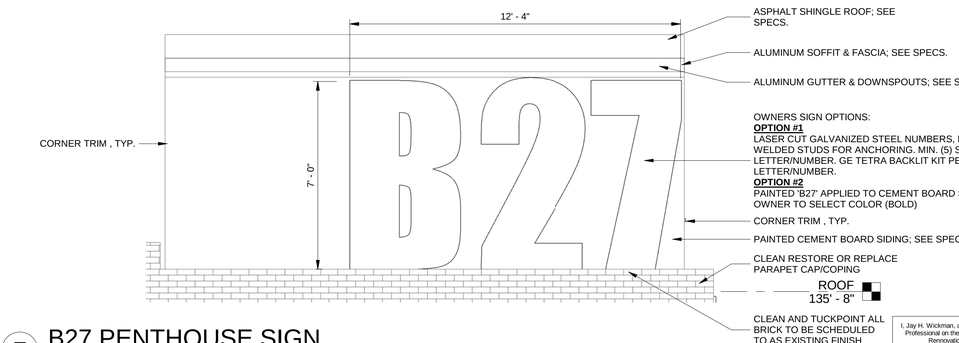
EAST ELEVATION

1/8" = 1'-0"



6 BLOCK 27 LOFT GUARDRAIL/SIGN

Scale: 3/8" = 1'-0"



7 B27 PENTHOUSE SIGN

Scale: 3/8" = 1'-0"

I, Jay H. Wickman, am the Coordinating Professional on the Block 27 Building Renovation project.

This bar is one inch long on original drawing.
If not one inch on this sheet, adjust scales accordingly

THOAR LLC.

BLOCK 27 BUILDING RENOVATION

737 W. 1ST STREET, HASTINGS, NEBRASKA 68901

DESIGN ASSOCIATES
314 E. 1ST ST. | MCCOOK, NE 69001 | 308.345.2731 | ARCHITECTS@DESIGNEA.COM
2308 W. 2ND ST. | HASTINGS, NE 68901 | 402.463.2377 | WWW.WIDESIGNEA.COM

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Seal of Coordinating Professional:

PRELIMINARY
NOT FOR CONSTRUCTION

PROJECT #: 636-18
DRAWN: Author
CHECKED: Checker
REVISIONS:

A-2.1

ELEVATIONS

DATE: JUNE 2018

6/1/2018 9:48:16 AM
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NW PERSPECTIVE

NE PERSPECTIVE

SW PERSPECTIVE

CROSSING LINCOLN

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If not one inch on this sheet, adjust scales accordingly

THOAR LLC.

BLOCK 27 BUILDING RENOVATION

737 W. 1ST STREET, HASTINGS, NEBRASKA 68901

DESIGN ASSOCIATES
214 E. 1ST ST | MOORE, NE 68515 | 308.483.2370 | DAARCHITECTS
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PROJECT #: 636-18
DRAWN: Author
CHECKED: Checker
REVISIONS:

A-9.0

SUPPLEMENTAL VIEWS

DATE: JUNE 2018

Department: Development Services
Staff Contact: Donald Threewitt
Planning Commission Meeting Date: 07/16/2018
File No: 2018-021
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing at the request of Ryan Mousel on behalf of Hastings MOB, LLC for Resolution 2018-34, a Plan Modification #06.19.18.A to Redevelopment Area Number VI for a portion of Lots 7, 8, 13, and 14, Block 3 of Buswell's Addition to the City of Hastings, Adams County, Nebraska, generally located north of 7th Street and west of Kansas Avenue.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, the taxing authorities within Adams County, and the City.

Why Planning Commission action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112).

Type of action requested:

Resolution

Suggested motion:

Motion to recommend approval of Resolution 2018-34, a Plan Modification #06.19.18A to Redevelopment Area Number VI for a portion of Lots 7, 8, 13, and 14, Block 3 of Buswell's Addition to the City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

This item is scheduled to be considered at the August 13, 2018 regular meeting of the City Council.

Department head comments:

This plan modification advances the redevelopment of Lots 7, 8, 13, and 14 of Buswell's Addition to the City, all currently within the Mary Lanning hospital parking lot, for the construction of a medical office building. The activities include site acquisition, preparation, public infrastructure, facade enhancements and other TIF-eligible expenditures.

The Commission shall find that the redevelopment plan conforms with the general plan for the development of the city as a whole.

In Imagine Hastings, the Future Land Use plan designation for the area is Public/Semi-public. This category allows those institutional land uses including government centers and facilities, educational facilities, and other public or semi-public uses and places like "places of worship," hospitals, private schools, libraries and cemeteries.

The current and proposed zoning is "CMP - Campus Institutional," which is consistent with the Comprehensive Plan and the adjacent current and planned development patterns in the area.

Recommendation:

Staff supports a Planning Commission recommendation to approve Resolution 2018-34, a Plan Modification #06.19.18.A to Redevelopment Area Number VI for a portion of Lots 7, 8, 13, and 14, Block 3 of Buswell's Addition to the City of Hastings.

REDEVELOPMENT PLAN VI
PLAN MODIFICATION NO. 6.19.18.A
(Hastings MOB, LLC Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #6 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #6.

Executive Summary:

Project Description
THE REDEVELOPMENT OF THE PROPERTY LOCATED ON LOTS 6, 7, 8, 13, 14, AND 15, BLOCK 3 OF BUSWELL'S ADDITION AND VACATED SAINT JOSEPH AVENUE NORTH, ALL IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA FOR ACQUISITION OF PROPERTY AND CONSTRUCTION OF A MEDICAL OFFICE BUILDING AND OTHER NECESSARY IMPROVEMENTS.

The use of Tax Increment Financing to aid in acquisition expenses associated with the purchase of the Mary Lanning medical services building and the construction of a 55,000 square foot medical office building on the property described above. The use of Tax Increment Financing is an integral part of the development plan and necessary to make this project affordable. Construction of an approximately 55,000 square foot medical office building, together with such other improvements necessary for operation of the Project. The new medical office building will be similar to the existing medical services building in size and scope, and the design will be cohesive with the hospital building and the surrounding Mary Lanning Memorial Hospital campus.

The Mary Lanning Memorial Hospital Association is the current owner of the existing Medical Services building and the ground on which the Project will be constructed. The parcel on which the Project will be constructed will be ground leased to the Developer by Mary Lanning Memorial Hospital (MLMH). The ground leased parcel will include the existing medical services building and the new medical office building to be constructed. Hastings MOB, LLC will purchase the existing building from the MLMH for fair market value in connection with the ground lease. MLMH has developed a long-range plan to meet the growing need for patient care services and ancillary facilities in the medical center's service area. Among the goals for the Project are to (i) encourage the location of more physicians and ancillary medical services on or near the MLMH campus, (ii) increase patient satisfaction through efficient delivery of patient services, (iii) deliver services in a more timely manner and increase the quality of care, (iv) enhance and increase health care services provided by MLMH, and (v) enhance the reputation of the City of Hastings as a leading provider of medical services in Central Nebraska. In connection with these goals, constructing a new medical office building and connecting it to the existing medical services building will provide more space for the provision of medical services to patients being treated at the medical center, and will improve the delivery of patient care services by making physicians more readily available to perform services.

Additional benefits of the Project include more efficient parking and design for the overall MLMH campus. Due to the nature of the Project and the parties involved, constructing the Project in a different location or off of the MLMH campus is not feasible or desirable. Furthermore, due to the specific location, as well as the numerous regulations governing health care related real estate projects, the Project is not feasible without TIF.

TAX INCREMENT FINANCING TO PAY FOR THE ACQUISITION OF THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:

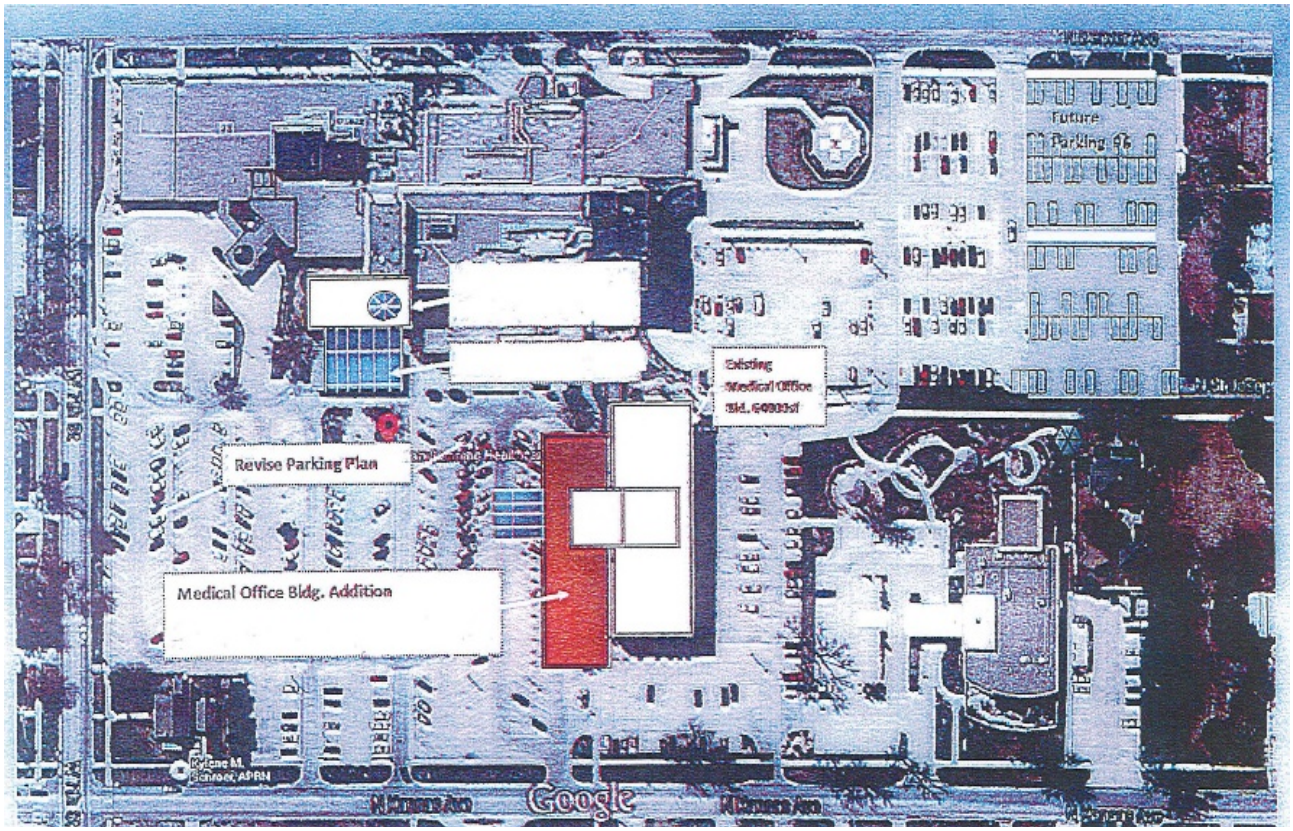
Property Description (the "Redevelopment Project Area")

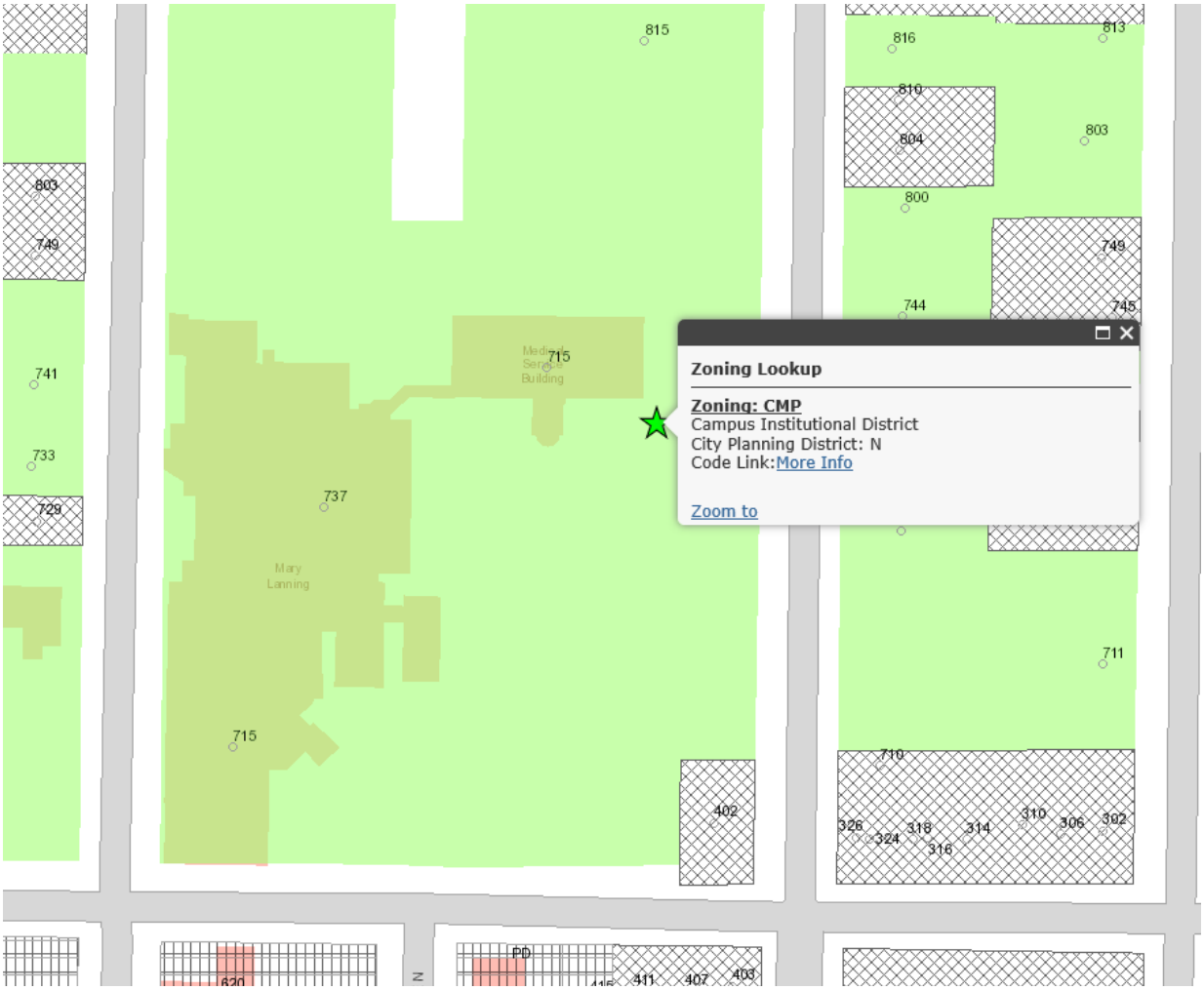
South of the Mary Lanning Memorial Hospital Medical Services Building between N. Kansas Avenue and N. St. Joseph Avenue.

Legal Descriptions: A Legal Description of a Proposed Property Lease located on Lots 7, 8, 13 and 14, Block 3 of Buswell's Addition all in the City of Hastings, Adams County, Nebraska; Referring to the Southeast corner of Lot 10, Block 3 of said Buswell's Addition, Thence N00°26'12"W, along the East Line of Lots 8, 9 and 10, Block 3, of said Buswell's Addition, a distance of 372.29 feet; Thence S89°19'35"W, a distance of 82.62 feet to the Point of Beginning(1); Thence S89°19'35"W, a distance of 200.00 feet; Thence N00°40'25"W, a distance of 100.00 feet to the South Face of the Existing Building; Thence N89°19'35"E, along the South Face of the Existing Building, a distance of 200.00 feet; Thence S00°40'25"E, a distance of 100.00 feet the Point of Beginning. Containing 20,000.00 Square Feet, subject to plot.

A Legal Description of a Proposed Property Lease located on Lots 6, 7, 14 and 15, Block 3 of Buswell's Addition and Vacated Saint Joseph Avenue North, all in the City of Hastings, Adams County, Nebraska; Referring to the Southeast corner of Lot 10, Block 3 of said Buswell's Addition, Thence N00°26'12"W, along the East Line of Lots 8, 9 and 10, Block 3, of said Buswell's Addition, a distance of 472.29 feet; Thence S89°19'35"W, a distance of 111.21 feet, to the Southeast Corner of the Existing Building and the Point of Beginning(2); Thence S89°19'35"W, along the South Face of the Existing Building, a distance of 199.85 feet, to the Southwest Corner of the Existing Building; Thence N00°40'25"W, along the West Face of the Existing Building a distance of 80.00 feet, the Northwest Corner of the Existing Building; Thence N89°19'35"E, along the North Face of the Existing Building a distance of 199.85 feet, to the Northeast Corner of the Existing Building; Thence S00°40'25"E, along the East Face of the Existing Building a distance of 80.00 feet, to the Southeast Corner of the Existing Building and the Point of Beginning. Containing 15,998.00 Square Feet, subject to easements and restrictions of record.

Map of Existing Land Use and Proposed Redevelopment Site





The tax increment will be captured for the tax years the payments for which become delinquent in years 2021 through 2035 inclusive.

The anticipated total project valuation is approximately $18,600,000. Hastings MOB, LLC projects an incremental valuation increase of approximately $11,000,000.00. This $11,000,000 incremental valuation is in addition to the $7,600,000 projected valuation of the existing building that is currently exempt and will be brought back on to the tax rolls.

This project will convert the existing tax exempt medical services building to a non-exempt status and real property ad valorem taxes on an estimated valuation of $7,600,000 will to be paid to the normal taxing entities. The increase in ad valorem taxes will come from the construction of the new 55,000 square foot office building for medical office uses as permitted in the CMP Zoning District.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on May 26, 1992 (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**

2. **Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a} and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to rehabilitate the building for permitted uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission held a public hearing at their meeting on July 16, 2018 and approved Plan Modification 6.19.18.A to Redevelopment Plan VI confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

    a. **Land Acquisition:**

The Redevelopment Plan for Area VI provides for real property acquisition and this plan amendment does not prohibit such acquisition. The Mary Lanning Memorial Hospital Association is the current owner of the ground on which the Project will be constructed. The parcel on which the Project will be constructed will be ground leased to the Developer by Mary Lanning Memorial Hospital Association.

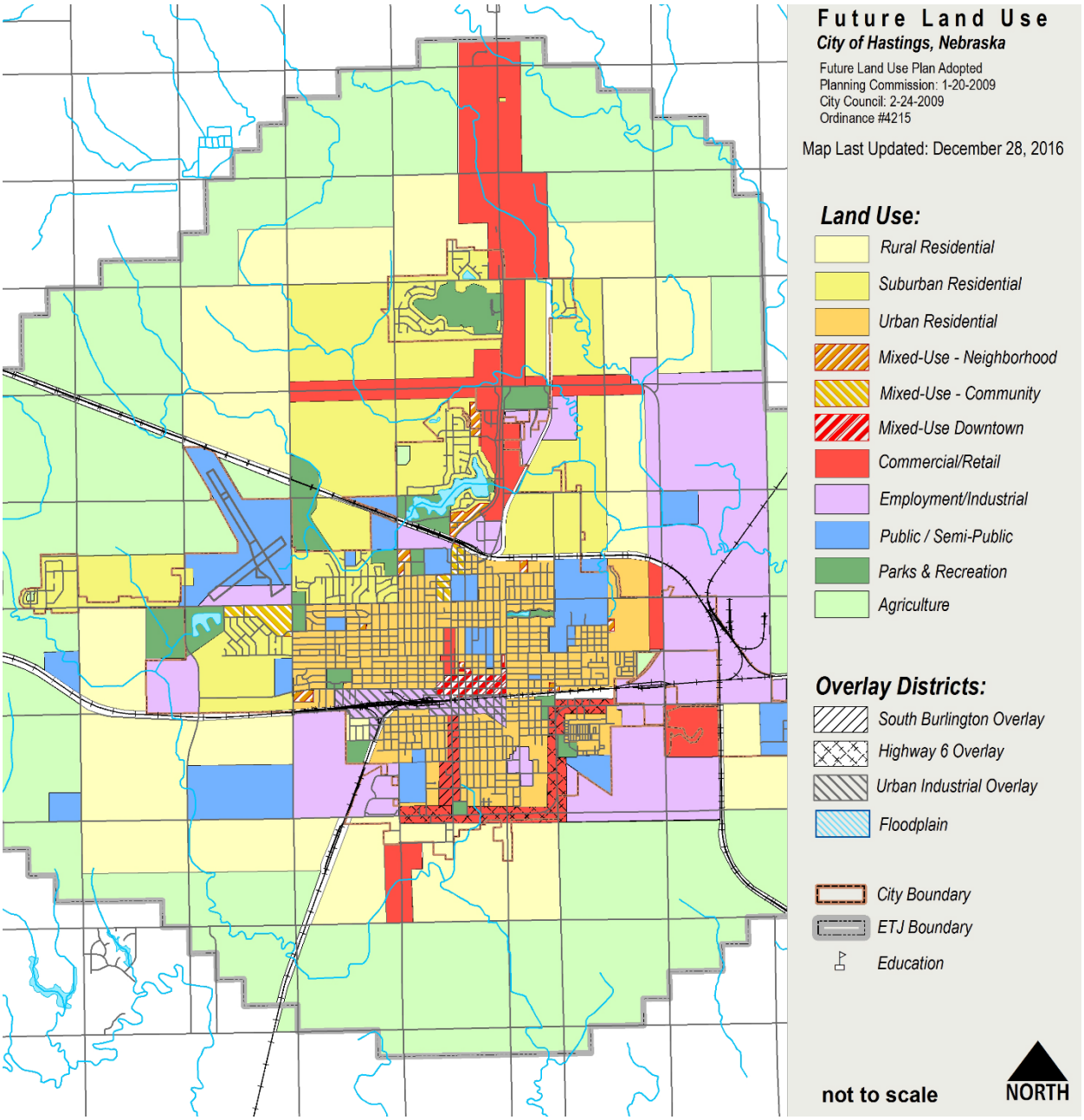
    b. **Demolition and Removal of Structures:**

The project to be implemented with this plan does not provide for the demolition and removal any structures on this property.

c. Future Land Use Plan

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for medical services development; this includes medical office and ancillary uses. This property is currently owned by the Mary Lanning Memorial Hospital Association and a lease is contemplated to the developer. [§18-2103(b) and §18-2111) The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5))

Future Land Use Map



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The area is zoned Campus Institutional District and no zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances, nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

e. Site Coverage and intensity of Use

The developer is proposing to construct a 55,000 square foot office building and plans to meet the applicable regulations regarding site coverage and intensity of use. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

Sewer and water are available to support this development. Electric utilities are sufficient for the proposed construction of this building. No other utilities would be impacted by the development. The developer will be responsible for replacing any sidewalks damaged during construction of the project. No other utilities would be impacted by the development. [§18-2103(b) and§18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has previously been utilized for office building uses and parking and no relocation is contemplated or necessary. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]

A member of the Community Redevelopment Authority is employed by one of the potential investors in the project. The member does not own or control an interest, direct or indirect, in any property included or to be included in this redevelopment project however, he has disclosed this perceived interest to the authority and the disclosure has been entered into the minutes of the authority. Even though the employee does not have a direct or indirect interest in the property he has agreed not to participate in any action by the authority affecting such property.

6. Section 18-2114 of the Act requires that the Authority consider:

1. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The cost of acquisition of the existing medical office building is approximately $7,600,000 and the total development costs for the new medical office building is approximately $15,500,000, for a total project cost of approximately $23,100,000. The Developer initially will contribute approximately $8,000,000.00 in equity and real property for the Project, and the Developer plans to obtain traditional financing to fund the majority of the overall Project cost. Financing secured by the Developer is anticipated to be in the form of a conventional construction loan (to be converted to permanent financing upon construction completion) from a bank, and the Developer may also seek alternative lending sources (such as New Market Tax Credits) to assist with financing for the Project. Based on current projections, the Developer is seeking $2,500,000 in TIF to make the Project economically viable in Hastings, and the Developer believes the project is not feasible without the assistance of TIF.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by providing $2,500,000 from the proceeds of tax increment financing which after TIF loan interest is paid

will result in approximately $3,558,571 of direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2021 through December 2035.

3. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanita1y or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Hastings Comprehensive Development Plan by providing the following benefits;

- The public will benefit from the enhanced delivery of patient care services by having physicians more readily available in the medical center's service area.
- In addition to constructing a new medical office building in the City of Hastings, the Project will convert the existing, tax exempt medical office building located on the MLMH campus to non-exempt status, thereby benefitting the City of Hastings through additional tax revenue.

8. Time Frame for Development

Development of this project is anticipated to be completed between October of 2018 and March 2020. Excess valuation should be available for this project for 15 years beginning with the 2021 tax year.

9. Justification of Project

The Project meets the following goals of the Hastings Comprehensive Development Plan:

- Maximize use of existing infrastructure, public investments and resources through infill development and redevelopment.
- Promote infill development that respects the surrounding character in which it is proposed.
- Encourage infill development that respects the development patterns, urban, suburban and rural, as defined by the Development Pattern Map.
- Encourage the use of local, state and federal incentives the Downtown, Urban Residential and Urban Industrial Areas and the mixed-use centers.
- Support strategic growth of Hastings that accommodates new growth and expansion opportunities.
- A cost effective use of public resources and infrastructure.

- Maintain Downtown Hastings as the civic and institutional center for Hastings and Adams County.
- Maintain and expand the substantial institutional presence in Downtown Hastings
- Maintain and improve Hastings' standing as a higher educational center within Nebraska, the Midwest and Nation.
- Expand Hastings' presence as a regional health care leader.
- Encourage collaborative networks between Mary Lanning Memorial Hospital and local businesses and public entities to collaborate on business opportunities that support the missions and functions of each.
- Expand medical services within the tri-cities region and surrounding towns and counties.
- Encourage and incent development that has positive impact on the environment and community.
- Encourage quality building design and materials that promote longevity and adaptability of building and developments over time.
- Design of new construction and rehabilitation should be appropriate to the context in which it is set.
- Encourage a mix of residential and commercial development types including urban, suburban and rural development patterns with new, infill and rehabilitation opportunities throughout Hastings.
- Encourage infill residential development that is respectful of the context and neighborhood in which it is located
- Maintain and expand high quality office, research and industrial environments that will attract, retain and grow business and industry in Hastings.
- Encourage the redevelopment of the urban industrial area to attract new businesses and small industries that desires an urban development format.
- Incent new and growing local businesses to locate in the urban industrial area.
- Create a balanced economic development policy founded on the principles of retention, attraction and expansion of business
- Encourage and support existing business in identifying and accomplishing their future goals within the context of a balanced economic development strategy.
- Encourage and incent the growth of existing businesses.
- Work to retain, attract and expand quality businesses and industry that are diverse in size, employment and product.

10. **Cost Benefit Analysis**

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $3,558,571 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority will be required to complete the project. This investment by the Authority will leverage $20,600,000 in private sector financing; a private investment of $5.79 for every TIF dollar investment.

USE OF FUNDS	SOURCE OF FUNDS			
Description	**TIF Funds**	**Other Grants**	**Equity or Bank Funds**	**Totals**
Site Acquisition	$2,500,000	$ -	$5,100,000	$7,600,000
Construction Costs	$ -	$ -	$14,706,000	$14,706,000
Financing Costs	$ -	$ -	$378,000	$378,000
Contingency	$ -	$ -	$416,000	$416,000
TOTALS	$2,500,000	$ -	$20,600,000	$23,100,000

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2018, valuation of approximately $7,600,000. Based on the 2017 levy of .02230715 this would result in *new* real property taxes of approximately $169,534 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by $11,000,000 upon full completion, as a result of the site redevelopment. This development will result in an additional estimated tax increase of over $245,400 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to berealized.

Estimated 2018 assessed value	$7,600,000
Estimated value after completion	$18,600,000
Increment value	$11,000,000
Annual TIF generated (estimated)	$245,400
TIF bond issue	$2,500,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The redevelopment project area when changed to non-exempt status should have an estimated valuation of $7,600,000. The proposed redevelopment will create additional valuation of $11,000,000. No tax shifts are anticipated from the project. The project creates additional valuation of $7,600,000 from the previously tax exempt property and new valuation of $11,000,000 from the construction of a new medical office building that will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. It is not anticipated that this will impact schools in any significant way. Fire and police protection are available and should not be negatively impacted by this development. The addition of a newly reconfigured parking area should reduce congestion and help traffic flow.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment and should provide for additional job opportunities in the medical field.

(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City's Comprehensive Plan..

Time Frame for Development

Development of this project is anticipated to be completed between October 2018 and March 2020. Excess valuation should be available for this project for 15 years beginning January 1, 2020. If there is no increase in valuation for the 2020 tax year the 15 year period would begin January 1, 2021. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount not to exceed $2,500,000. Based on the estimates of the expenses of the rehabilitation the developer will spend at least $2,500,000 on TIF eligible activities.

Department: Development Services
Staff Contact: Donald Threewitt
Planning Commission Meeting Date: 07/16/2018
File No: 2018-022
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing at the request of Tim and Shellie Faris to consider approval of Resolution 2018-35, a Plan Modification #06.19.18.B to Redevelopment Area Number I for Lots One, Two, and Three (1-3), Block 26, of Original Town, now the City of Hastings, Adams County, Nebraska, commonly addressed as 601-609 West 1st Street, Hastings, Nebraska.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, the taxing authorities within Adams County, and the City.

Why Planning Commission action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112).

Type of action requested:

Resolution

Suggested motion:

Motion to recommend approval of Resolution 2018-35, a Plan Modification #06.19.18.B to Redevelopment Area Number I for Lots One, Two, and Three (1-3), Block 26, of Original Town, now the City of Hastings.

Deadlines associated with action:

This item is scheduled to be considered at the August 13, 2018 regular meeting of the City Council.

Department head comments:

This plan modification advances the redevelopment of Lots 1-3 of Block 26 to the City, currently within the Phelps building, for the construction of a first floor commercial space and upper level residential. The activities include site acquisition, preparation, public infrastructure, facade enhancements and other TIF-eligible expenditures.

The Commission shall find that the redevelopment plan conforms with the general plan for the development of the city as a whole.

In Imagine Hastings, the Future Land Use plan designation for the area is Mixed-use Downtown. This category allows the continued mix and growth of all types of land uses.

The current and proposed zoning is "C-2 - Commercial Business," which is consistent with the Comprehensive Plan and the adjacent current and planned development patterns in the area.

Recommendation:

Staff supports a Planning Commission recommendation to approve Resolution 2018-35, a Plan Modification #06.19.18.B to Redevelopment Area Number I for Lots One, Two, and Three (1-3), Block 26, of Original Town, now the City of Hastings.

REDEVELOPMENT PLAN I
PLAN MODIFICATION NO. 6.19.18.B
(Faris Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #1 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #1.

Executive Summary:

Project Description
THE REDEVELOPMENT OF THE BUILDING LOCATED AT 601-609 W. 1ST STREET FOR COMMERCIAL AND RESIDENTIAL USES, INCLUDING FIRE/LIFE SAFETY IMPROVEMENTS AND BUILDING REHABILITATION AND REMODELING.

The use of Tax Increment Financing to aid in rehabilitation expenses associated with redevelopment of both the 2nd floor, main floor and the basement area of the property at 601-609 W. 1st Street into a mixed use building containing one owner occupied residential unit and one or more commercial tenant spaces. The use of Tax Increment Financing is an integral part of the development plan and necessary to make this project affordable. The project will result in renovating this historic building into a combination of commercial space and owner occupied residential space. The addition of the residential unit is consistent with the 2013 Downtown Revitalization Plan and the 2016 Hastings Housing Study priorities to add 38 owner-occupied residential units to the downtown area by 2021. This project would not be possible without the use of TIF.

Tim and Shellie Faris plan to purchase the property from the Community Redevelopment Authority and all levels of the building are currently vacant. The developer is in the process of putting together a financial plan and will provide evidence that they can secure adequate debt financing to cover the costs associated with the remodeling and rehabilitation of this building prior to the execution of a Redevelopment Contract. The Hastings Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated over the 15 year period beginning January 1, 2019 towards the allowable costs and associated financing for rehabilitation. If there is no increase in valuation for the 2019 tax year the 15 year period would begin January 1, 2020.

TAX INCREMENT FINANCING TO PAY FOR THE REHABILITATION OF THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:
Property Description (the "Redevelopment Project Area")

601-609 W. 1st Street in Hastings Nebraska

> **Legal Descriptions:** Lots One (1), Lots Two (2), and Three (3), Block Twenty-Six (26), in the Original Town, now the City of Hastings, Adams County Nebraska, according to the recorded plat thereof.

Map of Existing Land Use and Proposed Redevelopment Site

The tax increment will be captured for the tax years the payments for which become delinquent in years 2019 through 2033 inclusive unless there is no increase in valuation for the 2019 tax year in which case the tax increment would be captured for the tax years 2020 through 2034 inclusive.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase will come from rehabilitation of this building for commercial and residential uses as permitted in the C-2 Commercial Zoning District.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note(s), the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and
b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest

and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on March 23, 1987 (Resolution No. 1069). In September of 2017 a blight and substandard study was completed and the area was once again declared blighted and substandard by action of the Hastings City Council on November 13, 2017. (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**

2. **Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a} and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to rehabilitate the building for permitted uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission held a public hearing at their meeting on July 16, 2018 and approved Plan Modification 6.19.18.B to Redevelopment Plan I confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

    a. **Land Acquisition:**

The Redevelopment Plan for Area I provides for real property acquisition and this plan amendment does not prohibit such acquisition. The Authority currently owns the property and intends to sell the property to the developer.

    b. **Demolition and Removal of Structures:**

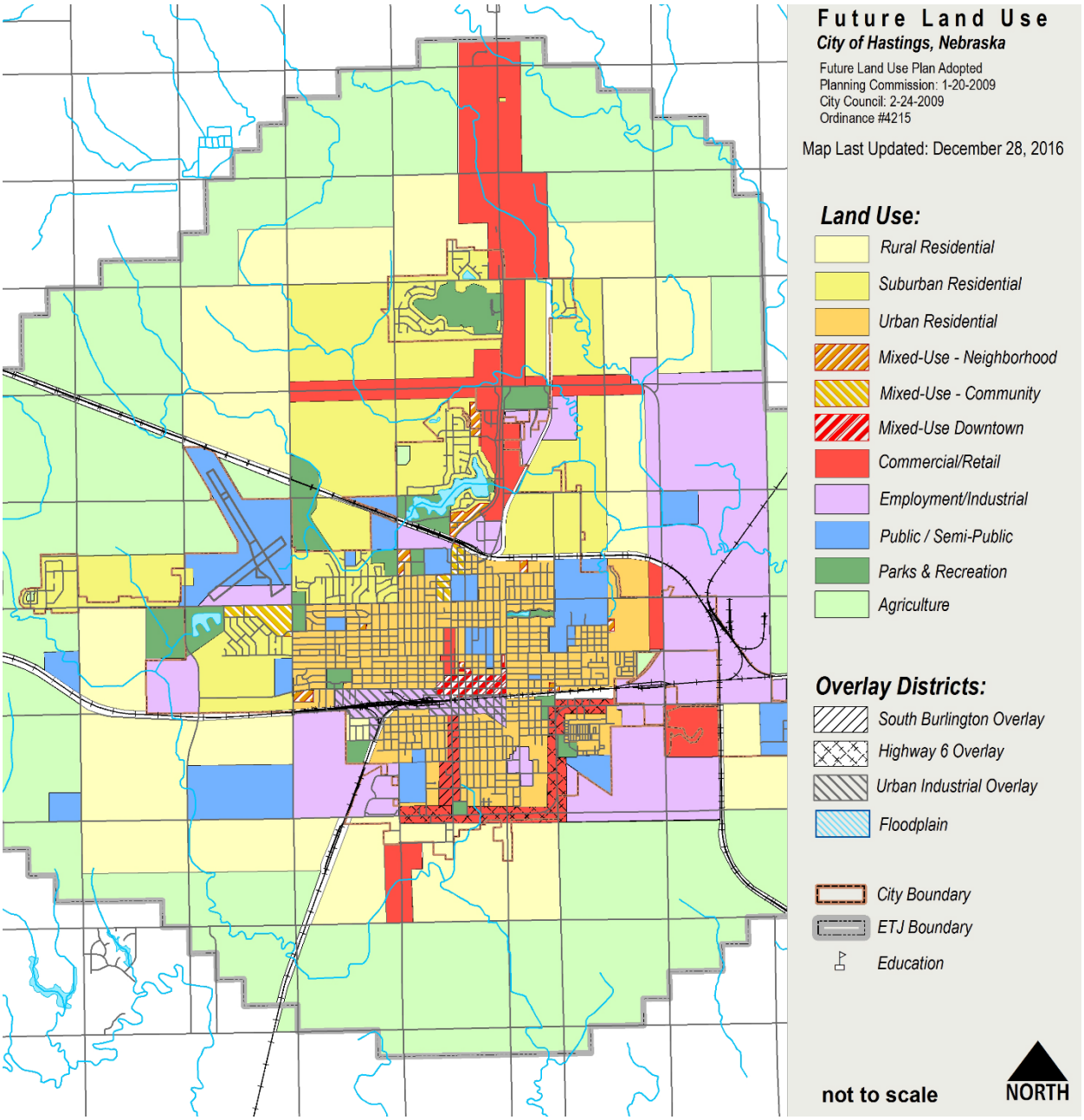
The project to be implemented with this plan does not provide for the demolition and removal any structures on this property.

    c. **Future Land Use Plan**

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for Downtown Commercial development; this includes housing and commercial uses within the same structure. This property is currently owned by the Authority and a

sale is contemplated to the developer. [§18-2103(b) and §18-2111) The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5))

Future Land Use Map



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The area is zoned C-2 Commercial and no zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

e. Site Coverage and intensity of Use

The developer is rehabilitating the existing building and the current building meets the applicable regulations regarding site coverage and intensity of use. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

Sewer and water are available to support this development. The developer may be required to extend a water line capable of providing sufficient water for a sprinkler system if required.

Electric utilities are sufficient for the proposed use of this building. No other utilities would be impacted by the development.

The developer will be responsible for replacing any sidewalks damaged during construction of the project.

No other utilities would be impacted by the development. [§18-2103(b) and§18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has previously been utilized for commercial and residential, however the property is currently vacant and no relocation is contemplated or necessary. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106] No members of the authority or staff of the CRA has any interest in this property.

6. Section 18-2114 of the Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The Authority purchased this property in January of 2016 for $51,000 and intends to sell the property to the developer for $51,000.00. The estimated costs of rehabilitation of this property are $447,000 and planning related expenses for Architectural and Engineering services of $20,000 are included as a TIF eligible expense. The total of eligible expenses for this project exceeds $498,000. The CRA has been asked to grant $50,000 in TIF funds to this project to offset the cost of TIF eligible expenses and the developer has been approved for a $45,000 façade grant to assist with an estimated $90,000 in facade improvement costs. The total eligible expenses for this project less other grant funds by the CRA is $403,000.

The subject property will be transferred to redevelopers by the Authority. The developer will provide and secure all other necessary financing.

b. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum $45,000 in façade improvement funds. The Authority will also provide $50,000 from the proceeds of tax increment financing which after TIF loan interest is paid will result in approximately $72,350 of direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest over the 15 year period beginning January 1, 2019. If there is no increase in valuation for the 2019 tax year the 15 year period would begin January 1, 2020.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanita1y or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Hastings Comprehensive Development Plan. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions. This will accomplish the goal of both the Downtown Business Improvement District and the Hastings City Council of increasing the number of residential units available in the Downtown area.

8. Time Frame for Development

Development of this project is anticipated to be completed between August 2018 and June 2019. Excess valuation should be available for this project for 15 years beginning with the 2019 or 2020 tax year.

9. Justification of Project

This is a historic building in downtown Hastings that will be preserved with this project. The addition of a new 2nd story upper level residential unit is consistent with goals of the May of 2016 Hastings Housing Study to build 36 new owner occupied residential units in downtown Hastings by 2021. The basement and main floor will be used for commercial tenant space.

10. **Cost Benefit Analysis**

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $72,350 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority will be required to complete the project. This property has requested and been approved for a facade improvement grant in an amount not to exceed $45,000. This investment by the Authority will leverage $403,000 in private sector financing; a private investment of $4.24 for every TIF and façade grant dollar investment.

USE OF FUNDS	SOURCE OF FUNDS			
Description	**TIF Funds**	**Other Grants**	**Equity or Bank Funds**	**Totals**
Site Acquisition		$ -	$51,000	$51,000
Engineering & Architecture	$ -	$ -	$20,000	$20,000
Renovation	$5,000	$ -	$332,000	$337,000
Façade	$45,000	$45,000	$ -	$90,000
TOTALS	$50,000	$45,000	$403,000	$498,000

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2018, valuation of approximately $63,995. Based on the 2017 levy of .02230715 this would result in a real property tax of approximately $1,427.55. It is anticipated that the assessed value will increase by $236,005 upon full completion, as a result of the site redevelopment. This development will result in an estimated tax increase of over $5,264.00 annually. The tax increment gained from this Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to berealized.

Estimated 2017 assessed value	$63,995
Estimated value after completion	$300,000
Increment value	$236,005
Annual TIF generated (estimated)	$5,264
TIF bond issue	$50,000

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;
The redevelopment project area currently has an estimated valuation of $63,995. The proposed redevelopment will create additional valuation of $236,005. No tax shifts are anticipated from the project. The project creates additional valuation that will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. It is not anticipated that this will

impact schools in any significant way. Fire and police protection are available and should not be negatively impacted by this development. The addition of life safety elements to this building and proper exits actually reduces the chances of negative impacts to the fire department.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment. This will provide one additional residence in the downtown area consistent with the planned development in Downtown Hastings.

(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City Council, the Business Improvement District and the Community Redevelopment Authority to create additional housing units in downtown Hastings.

Time Frame for Development

Development of this project is anticipated to be completed between August 2018 and June 2019. Excess valuation should be available for this project for 15 years beginning January 1, 2019. If there is no increase in valuation for the 2019 tax year the 15 year period would begin January 1, 2020. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount not to exceed $50,000. Based on the estimates of the expenses of the rehabilitation the developer will spend at least $403,000 on TIF eligible activities in excess of other grants given. The CRA will reserve the right to issue additional debt for this project upon notification by the developer of sufficient expenses and valuation to support such debt in the form of a second or third bond issuance. This issuance of additional debt is subject to CRA approval.

Department: Development Services
Staff Contact: Donald Threewitt
Planning Commission Meeting Date: 07/16/2018
File No: 2018-023
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing at the request of Cliff Mesner on behalf of Mesner Development Company to consider Resolution 2018-36, a Plan Modification #06.19.18.C to Redevelopment Area Number XIV for a portion of Lot 1, Block 4, North Park Commons Addition to the City of Hastings, Adams County, Nebraska, generally located north of 26th Street and east of Osborne Drive East.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, the taxing authorities within Adams County, and the City.

Why Planning Commission action is required:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S. 18-2112).

Type of action requested:

Resolution

Suggested motion:

Motion to recommend approval of Resolution 2018-36, a Plan Modification #06.19.18.C to Redevelopment Area Number XIV for a portion of Lot 1, Block 4, North Park Commons Addition to the City of Hastings.

Deadlines associated with action:

This item is scheduled to be considered at the August 13, 2018 regular meeting of the City Council.

Department head comments:

This plan modification advances the redevelopment of Lot 1, Block 4 of North Park Commons Addition to the City, for the construction of workforce housing. The activities include site acquisition, preparation, public infrastructure, facade enhancements, and other TIF-eligible expenditures.

The Commission shall find that the redevelopment plan conforms with the general plan for the development of the city as a whole.

In Imagine Hastings, the Future Land Use plan designation for the area is Suburban Residential. The most common development standard in Hastings, this category allows 2 to 5 units per acre with lots ranging in size from 8,750 to 20,000 square feet. Suburban residential development is primarily reserved for single family uses, but may include a mixture of housing types subject to residential location guidelines. In areas of suburban residential development where sensitive land forms or environmental constraints exist, cluster developments are encouraged. Suburban neighborhoods are strengthened by the presence of community services that are permitted.

The current zoning is "AP - Agricultural Planned District" and proposed zoning will be determined at the time of re-platting. Zoning will be consistent with the Comprehensive Plan, as well as the adjacent current and planned development patterns in the area.

Recommendation:

Staff supports a Planning Commission recommendation to approve Resolution 2018-36, a Plan Modification #06.19.18.C to Redevelopment Area Number XIV for a portion of Lot 1, Block 4, North Park Commons Addition to the City of Hastings.

REDEVELOPMENT PLAN XIV
PLAN MODIFICATION NO. 6.19.18.C
(Mesner North Redevelopment Project)

The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #14 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #14.

Executive Summary:

Project Description
THE PROJECT CONSISTS OF REDEVELOPMENT OF THE PROPERTY LOCATED NORTH OF 26TH STREET AND EAST OF OSBORNE DRIVE EAST ON UP TO TEN (10) ACRES IN LOT 1, BLOCK 4, NORTH PARK COMMONS ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA. THE PROPERTY WILL BE ACQUIRED, INFRASTRUCTURE INSTALLED AND THE DEVELOPER WILL CONSTRUCT 3O INCOME RESTRICTED TOWNHOMES AND 28 MARKET RATE TOWNHOMES.

Mesner Development will utilize Tax Increment Financing to aid in acquisition, infrastructure expenses and related construction costs associated with the purchase and development of workforce housing on approximately 10 acres in the North Park Commons subdivision.

Phase One will include the sale of fifteen lots to Osborne View Estates, LLC for a low income housing tax credit rental project on the west side of the subdivision. Thirty townhomes in a duplex design will be constructed beginning in the fall of 2018. Mesner Development is the LIHTC Developer and Applicant and will be the managing member of Osborne View Estates, LLC. The project rents are targeted at three units at or below 50% of AMI and twenty seven units targeted to those earning at 60% AMI or below. These units will be approximately 1,300 square feet, have three bedrooms, attached garage, storm shelters and will include appliances. Lawn care, snow removal and trash service will be provided.

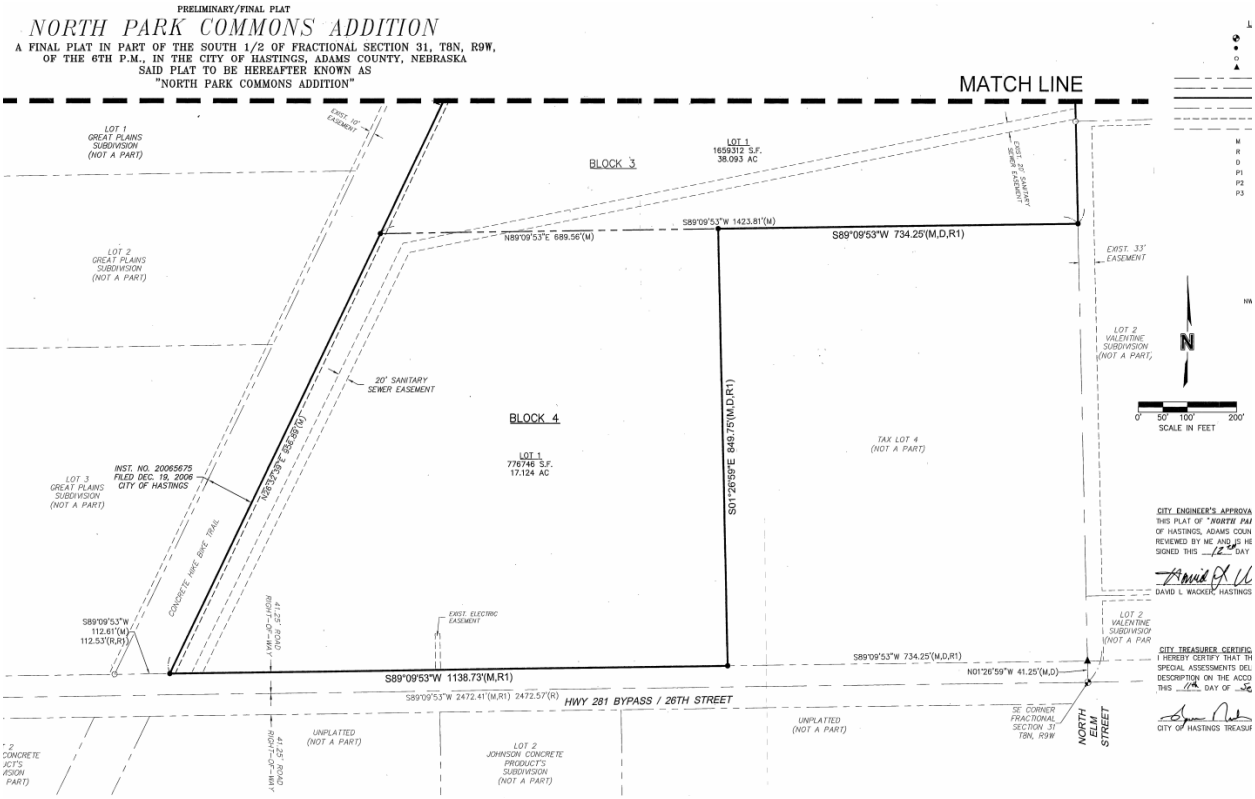
Phase Two of the project will include the development of 28 market rate townhomes on the east side of the subdivision to help meet the needs of workforce housing in the community. These homes will be built by Mesner Development Co. and Progressive Builders of Wayne, Nebraska. Lots may also be made available to local builders who agree to build according to the covenants within an 18 month window. Townhomes will be for sale or lease and will be governed by a homeowners association that will manage lawn care and snow removal. HEDC and the City of Hastings applied for and received funding from the Rural Workforce Housing Fund. A $950,000 low interest loan from this fund will buy down the cost of workforce housing by reducing interest costs. This project would not be possible without the use of TIF and the purchase of the property and construction of both phases is subject to approval of TIF funding.

TAX INCREMENT FINANCING TO PAY FOR THE ACQUISITION OF THE PROPERTY AND INSTALLATION OF SEWER, WATER AND PAVING WILL COME FROM THE FOLLOWING REAL PROPERTY:

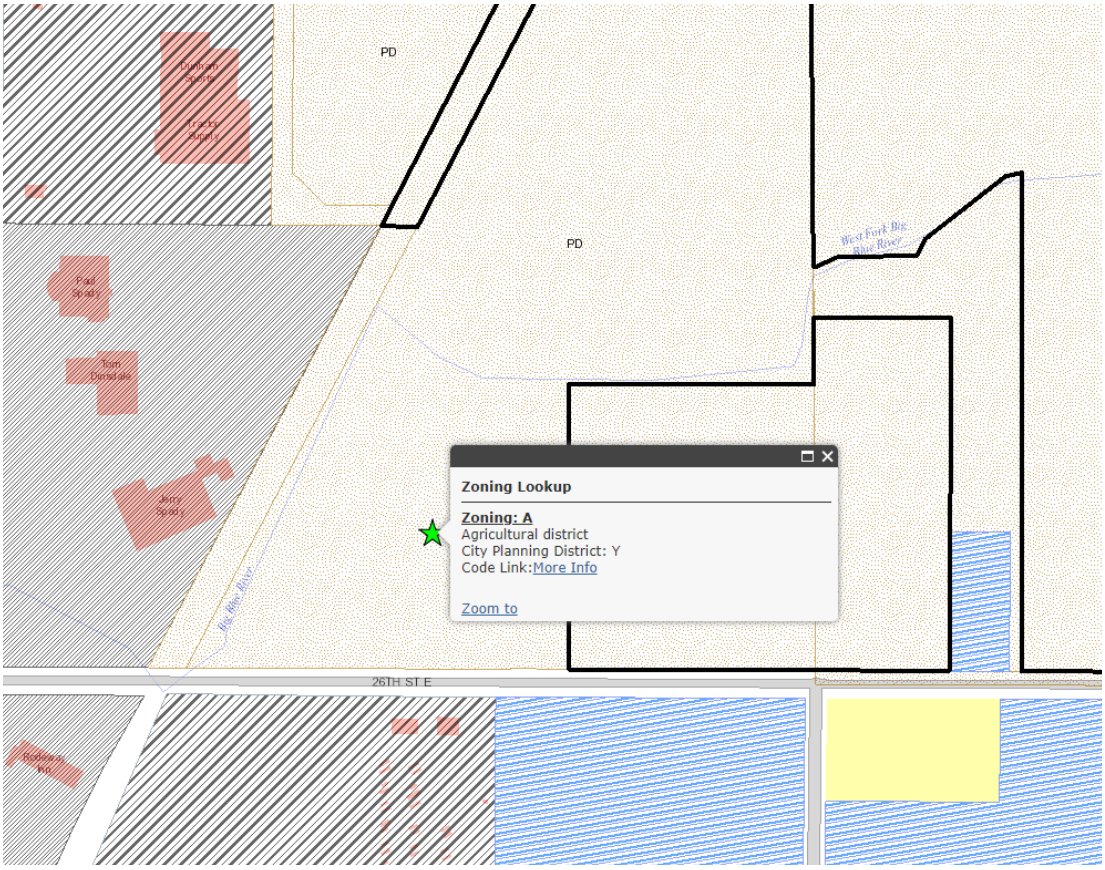
Property Description (the "Redevelopment Project Area")

North of 26th Street and east of Osborne Drive East on up to Ten (10) acres in Lot 1, Block 4, North Park Commons Addition to the City of Hastings, Adams County, Nebraska.

Legal Descriptions: Up to Ten (10) acres in Lot 1, Block 4, North Park Commons Addition to the City of Hastings, Adams County, Nebraska. (See attached preliminary plat)



Map of Existing Land Use and Proposed Redevelopment Site



The tax increment will be captured for the tax years 2020 through 2034 inclusive. Provided, however, if there is no increase in valuation for the 2020 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the new construction of up to 30 duplex style LIHTC townhomes and 28 workforce housing townhomes as permitted in the R-3 Residential Zoning District. The tax increment will be captured for the tax years 2020 through 2034 inclusive. Provided, however, if there is no increase in valuation for the 2020 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.

Total project costs for both the LIHTC project and the market rate townhomes are estimated to be $8,783,512. The anticipated LIHTC project valuation when completed is approximately $2,040,000 and the market rate townhomes are anticipated to be valued at $2,340,000. Mesner Development Co. projects an incremental valuation increase of approximately $4,380,000.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, Said taxes shall be divided as follows:

a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. **The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on September 11, 2017 (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**

2. **Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a} and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to construct workforce housing for residential uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission held a public hearing at their meeting on July 16, 2018 and approved Plan Modification 6.19.18.C to Redevelopment Plan XIV confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

3. **The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

    a. **Land Acquisition:**

The Redevelopment Plan for Area XIV provides for real property acquisition and this plan amendment does not prohibit such acquisition. Hastings Economic Development Corporation is the current owner of the ground on which the Project will be constructed. The parcel on which the Mesner North Redevelopment Projects will be constructed will be purchased by the developer.

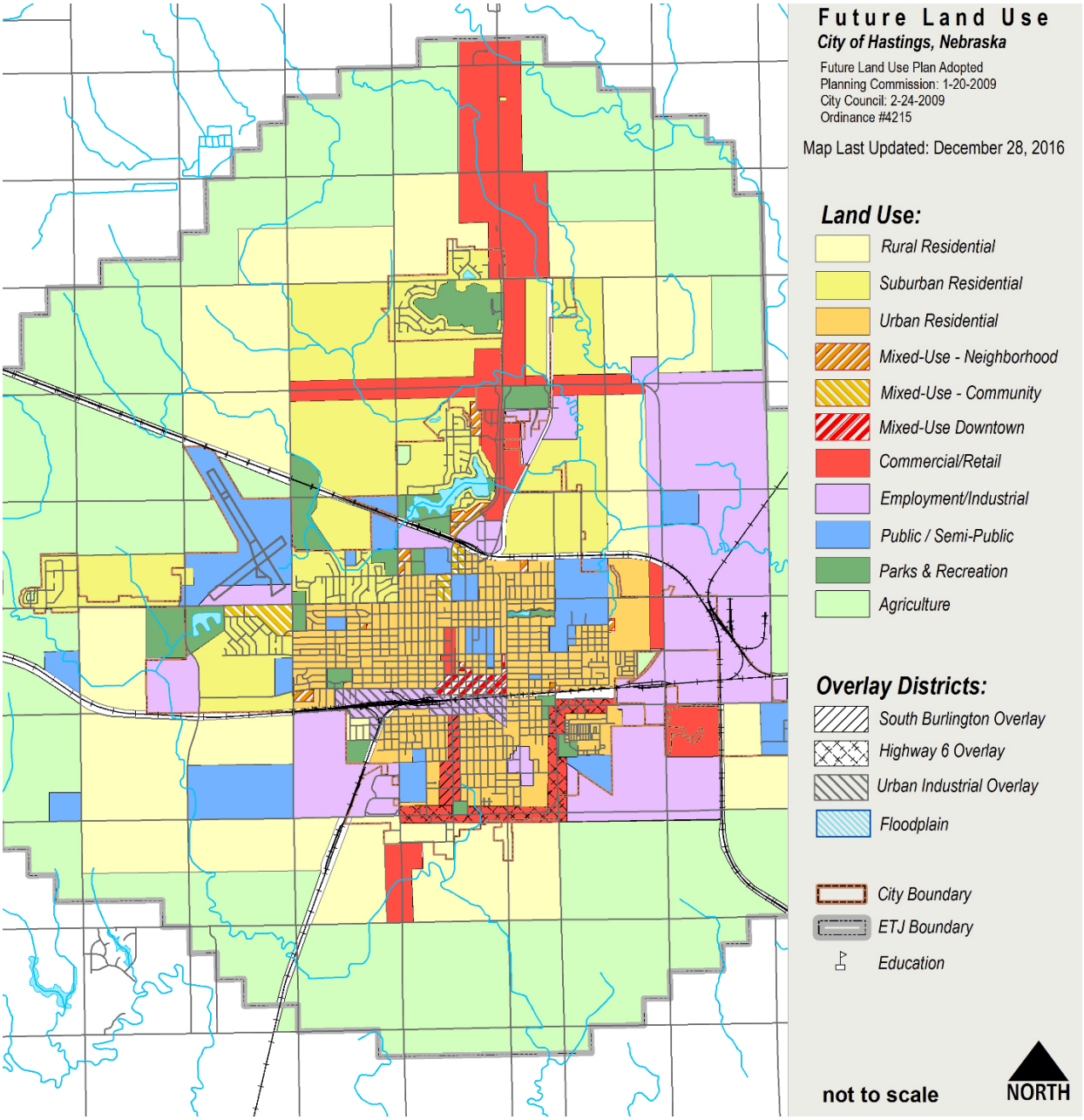
    b. **Demolition and Removal of Structures:**

The project to be implemented with this plan does not provide for the demolition and removal any structures on this property.

    c. **Future Land Use Plan**

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for residential development and ancillary uses. This property is currently owned by Hastings Economic Development Corporation and a sale is contemplated to the developer. [§18-2103(b) and §18-2111) The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5))

Future Land Use Map



d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes

The area is currently zoned Agriculture and a zoning change to R-3 Residential is anticipated with this project. The property will be graded and new streets will be constructed in conjunction with the plat to be filed with the City of Hastings. No changes are anticipated in building codes or ordinances, nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

e. Site Coverage and intensity of Use

The developer is proposing to construct up to 58 homes or townhomes and plans to meet the applicable regulations regarding site coverage and intensity of use. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

Sewer, water and paving will be installed by the developer to support this development. Sufficient electric utilities and gas lines will also be installed by the developer for the proposed construction of these homes. The developer will be responsible for installing any sidewalks required for the project. No other utilities would be impacted by the development. [§18-2103(b) and§18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has previously been utilized for farm ground and agriculture related uses and no relocation is contemplated or necessary. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]

6. Section 18-2114 of the Act requires that the Authority consider:

1. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

Land acquisition is $150,000 and the development costs for infrastructure are estimated to be $935,256. Total development costs of $1,085,256 for land and infrastructure will be paid for by TIF funds. Mesner Development Co. plans to purchase the TIF bond in the amount of $1,085,256 to fund the land purchase and infrastructure costs.

Funding for the Phase Two LIHTC townhomes will be come from a combination of Federal and State Housing Tax Credits, HOME funds, a deferred developer fee and First Mortgage Financing.

Financing for the Phase Two market rate townhomes will be secured by the Developer and is anticipated to be in the form of a conventional construction loan and a soft second mortgage loan provided by the HEDC Rural Workforce Housing Loan Program. Based on current projections, the Developer is seeking $1,085,256 in TIF to make the Project economically viable and the Developer believes the project is not feasible without the assistance of TIF.

2. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. Funding for the 30 LIHTC townhomes will be come from a combination of Federal and State Housing Tax Credits, HOME funds, a deferred developer fee and First Mortgage Financing. Financing for the Phase Two market rate townhomes will be secured by the Developer and is anticipated to be in the form of a conventional construction loan from Cornerstone Bank in the amount of $1,390,000 and a soft second mortgage loan provided by the HEDC Rural Workforce Housing Loan Program in the amount of $950,000. The Authority will assist the project by providing $1,085,256 from the proceeds of tax increment financing which after TIF loan interest is paid will result in approximately $1,648,441 of direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 2021 provided, however, if there is no increase in valuation for the 2020 tax year, TIF Revenues will be available beginning twelve months after the year in which an increase in value is available for capture.

3. **Statement of feasible method of relocating displaced families.**

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanita1y or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Hastings Comprehensive Development Plan by providing the following benefits;

- Quality housing for low to moderate income individuals.
- Quality housing that will help meet the needs of the Hastings workforce.

8. Time Frame for Development

Development of this project is anticipated to be completed between October of 2018 and October 2020. Excess valuation should be available for this project for 15 years beginning with the 2020 tax year, provided, however, if there is no increase in valuation for the 2020 tax year, the excess valuation will be available beginning in the year when an increase in value is available for capture.

9. Justification of Project

Extension of utilities, substantial site grading and installation of streets are necessary to facilitate redevelopment of this site. The redevelopment of this property will result in increased workforce housing opportunities and increased sales tax and is the first step in the creation of affordable housing opportunities for the Hastings community. The Hastings Economic Development Corporation and the

Hastings City Council have made it clear with previous decisions that they support development that will increase residential workforce opportunities.

10. Cost Benefit Analysis

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses.

Approximately $1,648,441 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority will be required to complete the project. This investment by the Authority will leverage $7,698,256 in private sector or other non-local financing; a private investment of $4.67 for every TIF dollar investment.

Description	TIF Funds	Other Grants	Equity, Bank, Other Funds	Totals
Site Acquisition	$150,000	$ -	$ -	$150,000
Infrastructure costs	$935,256	$ -	$ -	$935,256
Construction costs		$ -	$7,698,255	$7,698,255
TOTALS	$1,085,256	$ -	$7,698,255	$8,783,511

Tax Revenue. The property to be redeveloped is anticipated to have a January 1, 2018, valuation of approximately $98,905. Based on the 2017 levy of .01662862 this would result in real property taxes of approximately $1,644.65 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by $4,380,000 upon full completion, as a result of the site redevelopment. This development will result in an additional estimated tax increase of over $72,833 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 20I8 assessed value:	$98,905
Estimated value after completion	$4,478,905
Increment value	$4,380,000
Annual TIF generated (estimated)	$72,833
TIF bond issue	$1,085,256

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The proposed redevelopment will create additional valuation of $4,380,000. No tax shifts are anticipated from the project. The project creates new valuation from the construction of new homes that will support taxing entities long after the project is paid off.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. While Osborne View Estates is designed for families, Mesner Development currently has a waiting list of elderly clients from previous projects and it is anticipated that the majority of these rental units will be filled with seniors. It is anticipated that this project will not impact schools in any significant way. The Phase Two townhome project will provide workforce housing for

families but the addition of 28 units into the market is not anticipated to impact either school district in a significant manner. Fire and police protection are available and should not be negatively impacted by this development.

(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment and should provide for additional housing opportunities for employees and employers.

(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area and should provide for additional housing opportunities for employees.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

This project is consistent with the goals of the City's Comprehensive Plan, the Hastings Housing Study of 2016 and HEDC's goal to increase workforce housing in the community.

Time Frame for Development

Development of the Phase One, Osborne View Estates and the Phase Two workforce townhouse project is anticipated to be completed between October 2018 and December 2020.

Department: Development Services
Staff Contact:
Planning Commission Meeting Date: 07/16/2018
File No: 2018-024
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

Applicant requested this item to be postponed.

Names of People/Business affected by this action:

Why Planning Commission action is required:

Type of action requested:

Suggested motion:

Deadlines associated with action:

Department head comments:

Recommendation:

Department: Development Services
Staff Contact: Donald Threewitt
Planning Commission Meeting Date: 07/16/2018
File No: 2018-025
Prepared By: Donald Threewitt, Development Services Director

AGENDA ITEM SUMMARY SHEET

Description of Item:

A Preliminary/Final Plat for P&L Spady Subdivision, a replat of all of Lot 1, Great Plains Subdivision, in the City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

The applicant, the people of Hastings, and the City.

Why Planning Commission action is required:

No plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions set forth in Section 34-106 of the City Code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument affecting a subdivision until it has received the recommendation of the Hastings Planning and Zoning Commission (38-201).

Type of action requested:

Motion

Suggested motion:

Motion to approve the Preliminary/Final plat for P&L Spady Subdivision in the City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

This item is scheduled for consideration at the August 13, 2018 regular meeting of City Council.

Department head comments:

The property is a division of the existing Spady Automotive parcel. The owner wishes to consider a commercial or multi-family development to the east (behind) the dealership, and maintain the detention pond on a new, separate lot.

Existing uses in the area are commercial to the north, light industrial (automotive dealerships) to the south and west, and the North Park Commons subdivision to the east.

All requirements of Hastings City Code Sections 38-202 and 38-203 have been met, and the plat may be approved.

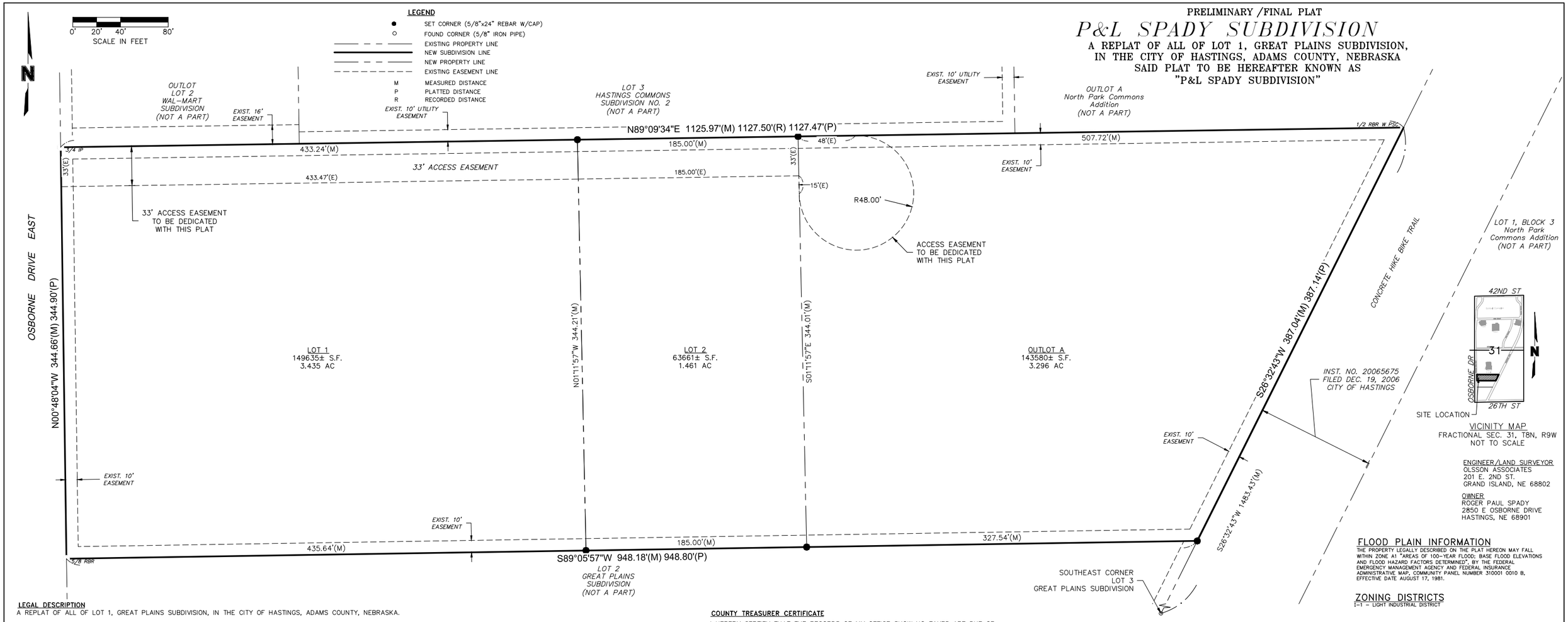
Recommendation:

Staff supports a recommendation to approve P&L Spady Subdivision.

PRELIMINARY /FINAL PLAT

P&L SPADY SUBDIVISION

A REPLAT OF ALL OF LOT 1, GREAT PLAINS SUBDIVISION,
IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
SAID PLAT TO BE HEREAFTER KNOWN AS
"P&L SPADY SUBDIVISION"



VICINITY MAP
FRACTIONAL SEC. 31, T8N, R9W
NOT TO SCALE

ENGINEER/LAND SURVEYOR
OLSSON ASSOCIATES
201 E. 2ND ST.
GRAND ISLAND, NE 68802

OWNER
ROGER PAUL SPADY
2850 E OSBORNE DRIVE
HASTINGS, NE 68901

FLOOD PLAIN INFORMATION

THE PROPERTY LEGALLY DESCRIBED ON THE PLAT HEREON MAY FALL WITHIN ZONE A1 "AREAS OF 100-YEAR FLOOD; BASE FLOOD ELEVATIONS AND FLOOD HAZARD FACTORS DETERMINED", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND FEDERAL INSURANCE ADMINISTRATIVE MAP, COMMUNITY PANEL NUMBER 310001 0010 B, EFFECTIVE DATE AUGUST 17, 1981.

ZONING DISTRICTS

I-1 – LIGHT INDUSTRIAL DISTRICT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 1, GREAT PLAINS SUBDIVISION, IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SAID TRACT CONTAINS A CALCULATED AREA OF 356,876.11 SQUARE FEET OR 8.193 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, JESSE E. HURT, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN COMPLIANCE WITH THE LAWS OF THE STATE OF NEBRASKA, THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION, OF "***P&L SPADY SUBDIVISION***" IN ALL OF LOT 1, GREAT PLAINS SUBDIVISION, CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, THAT ANY CHANGES FROM THE DESCRIPTION APPEARING IN THE LAST RECORD TRANSFER OF THE LAND CONTAINED IN THIS PLAT ARE SO INDICATED, THAT ALL MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED ON THE GROUND AND THEIR POSITION IS CORRECTLY SHOWN, AND THAT ALL DIMENSIONAL AND GEODETIC DATA ARE CORRECT.

SIGNED THIS _____ DAY OF _____, 2018.

_____
JESSE E. HURT, REGISTERED LAND SURVEYOR NUMBER, LS-674

OWNER'S CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS, THAT ROGER PAUL SPADY, THE OWNER OF RECORD OF THE REAL ESTATE SHOWN ON THE ACCOMPANYING PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, REPLATTED AND DESIGNATED AS "***P&L SPADY SUBDIVISION***", IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT SAID SURVEYING, SUBDIVIDING, REPLATTING AND DESIGNATION WAS DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AND WISHES OF THE UNDERSIGNED OWNER.
IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, NEBRASKA,
ON THIS _____ DAY OF _____, 2018.

_____ _____
ROGER PAUL SPADY LAURA L. SPADY

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF ADAMS SS

BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ROGER PAUL SPADY, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED ON THE "OWNERS CERTIFICATE" ON THIS PLAT, AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE OF HIS OWN FREE WILL AND ACCORD AS SAID OWNERS.
WITNESS MY HAND AND NOTARIAL SEAL AT _____, NEBRASKA, ON THIS _____ DAY OF _____, 2018.

_____
NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF ADAMS SS

BEFORE ME, A NOTARY PUBLIC, IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED LAURA L. SPADY, KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED ON THE "OWNERS CERTIFICATE" ON THIS PLAT, AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE OF HIS OWN FREE WILL AND ACCORD AS SAID OWNERS.
WITNESS MY HAND AND NOTARIAL SEAL AT _____, NEBRASKA, ON THIS _____ DAY OF _____, 2018.

_____
NOTARY PUBLIC

COUNTY TREASURER CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR DELINQUENT UPON THE PROPERTIES DESCRIBED IN THE LEGAL DESCRIPTION ON THE ACCOMPANYING PLAT AS OF THIS _____ DAY OF _____, 2018.

_____
ADAMS COUNTY TREASURER

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF "***P&L SPADY SUBDIVISION***", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, IS HEREBY APPROVED AS PROPOSED

SIGNED THIS _____ DAY OF _____, 2018.

_____
MAYOR

_____
CITY CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA
COUNTY OF ADAMS SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE IN THE ADAMS COUNTY COURTHOUSE IN HASTINGS, NEBRASKA.
DATE: _____ TIME: _____
INSTRUMENT NO. _____

_____
ADAMS COUNTY REGISTRAR OF DEEDS

CITY ENGINEER'S APPROVAL

THIS PLAT OF "***P&L SPADY SUBDIVISION***", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN PRESENTED TO AND REVIEWED BY ME AND IS HEREBY APPROVED AS PROPOSED.
SIGNED THIS _____ DAY OF _____, 2018.

_____
DAVID L WACKER, HASTINGS CITY ENGINEER

CITY TREASURER CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES OR SPECIAL ASSESSMENTS DELINQUENT ON THE PROPERTIES DESCRIBED IN THE LEGAL DESCRIPTION ON THE ACCOMPANYING PLAT AS OF
THIS _____ DAY OF _____, 2018.

_____
CITY OF HASTINGS TREASURER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF "***P&L SPADY SUBDIVISION***", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED AS PROPOSED
SIGNED THIS _____ DAY OF _____, 2018.

_____ _____
CHAIRMAN DIRECTOR

OLSSON ASSOCIATES
201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2018-1706

PAUL SPADY
HASTINGS NE

DWG: F:\2018\1501-2000\018-1706\40-Design\Survey\SRVY\Sheets\V_FPT_018-1706.dwg USER: jjimenez
DATE: Jul 10, 2018 4:46pm XREFS: City of Hastings-HU-UPDATED 10-24-16 V_TOPO_018-1706

CONTRACT FOR SERVICES
Hastings, Nebraska
Solar Regulations

This agreement between Hastings, Nebraska (City) and Marvin Planning Consultants (MPC) is hereby entered into this 29th day of June, 2018. This agreement shall consist of this document and such other drawings; conditions and stipulations as shall be mutually agreed to and attached hereto.

The purpose of this agreement is for the project entitled Hastings, Nebraska Solar Regulations. A scope of services to be performed under this agreement is contained in Section 1. Such work shall begin upon signing of this document and is estimated to be continuous until either party terminates said agreement.

SECTION 1 - Scope of Services

A. **MPC** shall provide the following services to the City:

1. Develop Solar Regulations for the City's current Zoning Regulations including:
   - Definitions
   - Allowable locations and the type of permit needed
   - Standards to be met by type of solar device
2. This fee does include attending the Planning Commission and City Council meeting.

MPC may combine reports listed above in order to facilitate review and comment. Additional services may be performed by MPC at the direction of the City and with modification to the contract amount in Section 2. Such services shall be mutually agreed to and attached to this document.

The standard of care for all professional services performed or furnished by MPC under this Agreement will be the care and skill ordinarily used by members of the MPC's profession practicing under similar conditions at the same time and in the same locality. MPC makes no warranties, expressed or implied, under this Agreement or otherwise, in connection with services provided.

All documents prepared or furnished by MPC pursuant to this Agreement are instruments of service developed exclusively for use of the City, and MPC shall retain an ownership and property interest therein. Other reuse of any such documents by City shall be at City's sole risk; and City agrees to indemnify, and hold MPC harmless from all claims, damages, and expenses including attorney's fees arising out of such reuse of documents by City or by others acting through City.

B. **City** shall provide the following:

1. A project manager as a direct liaison with MPC to provide instruction and direction on behalf of the City.
2. As needed, copies of all existing base maps owned by or in the possession of the City.
3. Copies of all studies and data in its possession or that it may obtain that are relevant to the performance of this contract.
4. Reasonable assistance in contacting residents and agencies, scheduling activities and distributing information about the project.
5. Arrange for safe access to and make all provisions for MPC and MPC's Consultants to enter upon public and private property as required for MPC to perform services under this Agreement.
6. Examine all alternate solutions, studies, reports, sketches, drawings, specifications, proposals and other documents presented by MPC (including obtaining advice of an attorney and other consultants as City deems appropriate with respect to such examination) and render in writing decisions pertaining thereto.

7. Give prompt written notice to MPC whenever City observes or otherwise becomes aware of any development that affects the scope or time of performance or furnishing of MPC services, or any defect or nonconformance in MPC's services or in the work of any Subconsultant.
8. Review by City Attorney of documents and regulations for conformity with existing local, state and federal law and regulations.
9. MPC shall be entitled to use and rely upon all such information and services provided by City or others in performing services under this Agreement.

SECTION 2 - Contract Sum and Payment

The City shall pay MPC a lump sum of $2,500.00 for the performance of the scope of services in Section 1.

The City shall be billed monthly for services performed. All Invoices not paid within 30 days will be increased at the rate of 1.0% per month from said day; except as stated below. In addition, MPC may, after giving seven days written notice to City, suspend services under this Agreement until MPC has been paid in full all amounts due for services, expenses, and other related charges.

Additional services as may be agreed to and as may be added to Section 1.A above shall be billed in accordance with the agreement or addendum authorizing such service.

SECTION 3 - General Considerations

A. Controlling Law

This Agreement is to be governed by the law of the State of Nebraska.

B. Successors and Assigns

Neither party shall assign, sublet, or transfer its rights, interests or obligations under this Agreement without the express written consent of the other party.

C. Unless expressly provided otherwise in this Agreement:

1. Nothing in this Agreement shall be construed to create, impose or give rise to any duty owed by MPC to any Contractor, Subcontractor, Supplier, other person or entity, or to any surety for or employee of any of them, or give any rights in or benefits under this Agreement to anyone other than City and MPC.
2. All duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit on City and MPC and not for the benefit of any other party.

D. Notices

Any notice required under this Agreement will be in writing, addressed to the appropriate party at the address which appears on the signature page to this Agreement and given personally, by registered or certified mail, return receipt requested, by facsimile, or by a nationally recognized overnight courier service. All notice shall be effective upon the date of receipt.

E. Severability and Waiver

Any provisions or part of the Agreement held to be void or unenforceable under any laws or regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon City and MPC, who agree that the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision. Non-enforcement of any provision by either party shall not constitute a waiver of that provision, nor shall it affect the enforceability of

that provision or of the remainder of this Agreement.

F. Termination of Contract

Either party may at any time, upon seven days prior written notice to the other party, terminate this Agreement. Upon such termination, City shall pay to MPC all amounts owing to MPC under this Agreement, for all work performed up to the effective date of termination.

Signed this 29th day of June, 2018.

City of Hastings, Nebraska

Joe Pedersen

Marvin Planning Consultants

Keith A. Marvin AICP, Principal

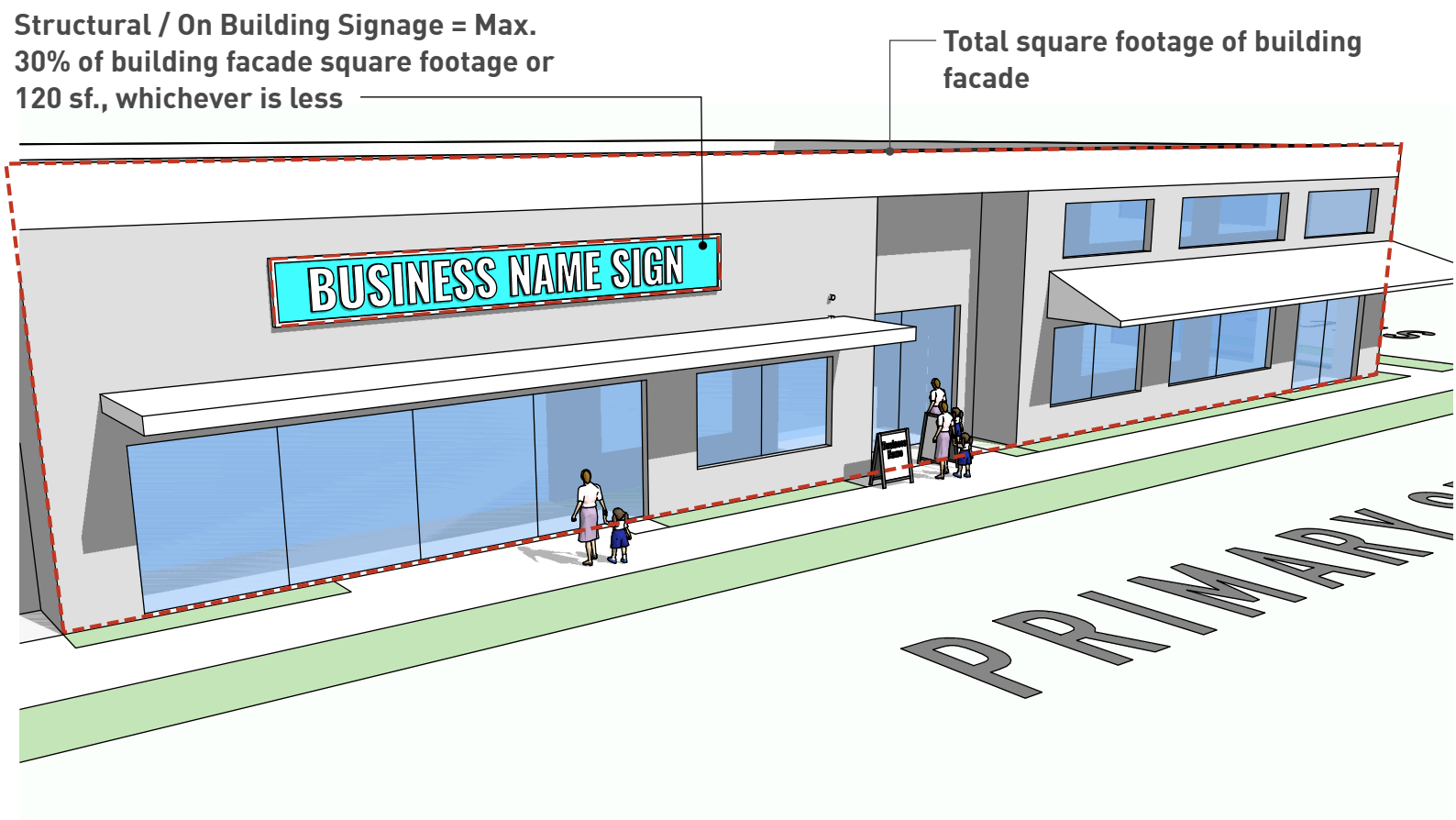
Attest

ORION PLANNING + DESIGN

Sign Code Update
General Scope and Budget

Hastings, Nebraska

Prepared + Submitted: June 11, 2018



PROJECT UNDERSTANDING

Orion understands the City of Hastings is interested in updating the current zoning code and specifically the sections of code related to signage. With the 2015 Supreme Court decision in Reed v. Gilbert, planning departments across the country have been tasked with updating their codes to eliminate language that regulates signs based on content. A rewrite of the City of Hastings' sign regulations would seek to align the current code with the legal precedent outlined in Reed v. Gilbert while also streamlining language and incorporating graphics and illustrations that better represent current best practice in coding. Our approach to code writing, regardless how big or small a task, is always to:

CLARIFY AND SIMPLIFY - New regulations should be written in Plain English to maximize the reader's ability to find what they need, understand what they find, and use what they find to meet their needs.

The Orion Planning + Design Team believes in writing regulations that:

- DO NOT use unnecessary jargon
- DO use simple words, phrases, and sentences whenever possible
- AVOID the use of confusing and ambiguous language or punctuation such as "and/or"
- DO use graphics to illustrate regulations for clarity
- ORGANIZE codes to be most useful to those who use them including incorporation of tables and charts
- AVOID duplication and conflicting language
- DO use interactive features that make navigating the code easier

REGULATE WHAT MATTERS - Regulations should clearly align with community goals today while allowing for changing goals in the future. Simply put, codes should implement community plans and policies.

PRESERVE AND PROTECT THE RIGHTS OF OWNERS AND RESIDENTS - Updated regulations need to recognize and incorporate clear and well-defined processes that uphold property rights. There should be a public purpose behind each regulation and process, and processes and requirements should make sense.

PREVENT CONFLICTS - Code updates, especially those that focus on a specific set of regulations like signage, need to be internally consistent and not create direct or un-reconcilable conflicts. Organization and consistency are the key to an effective code. While all conflict within regulations is impossible to eliminate, it is possible to have established methods for how to deal with conflicts when they arise.

PROVIDE OPTIONS AND CONTEXT - A core tension exists in each code between flexibility and predictability. Flexibility is necessary to allow the code to adapt to unique circumstances and to prevent the code from stifling creativity, ingenuity, and the ability to adapt to change. Predictability is needed to ensure the applicant has a reasonable understanding of risks, limitations, and expectations as well as to ensure adjacent property owners and the community that their interests can be reasonably safeguarded. We work with each community to establish the appropriate balance point between predictability and flexibility when writing or updating a code.

PROPOSED SCOPE

The following outlines our general approach to this project, recognizing that the sign regulations are just one component of the overall zoning code that may require evaluation and update. The final scope may be adjusted based on conversations with City of Hastings Planning Staff and confirmation of timeline and budget.

TASK 1: KICK-OFF MEETING

- Meet with City staff to review project objectives, schedule, and coordination. Meeting will be conducted remotely via WebEx or conference call.
- Obtain electronic copies of all current regulations as well as any background material including relevant plans and recent updates providing the foundation for revisions to the code, recent sign-related applications, relavent public hearing records and Board of Adjustment cases involving interpretations, variances and other decisions that bear on the application of current sign code.
- Establish communication protocols between the Orion Team and City.

TASK 2: EVALUATION OF THE CURRENT CODE

- Complete a detailed review of the current zoning code for content-related references in conflict with the recent legal decisions, focusing specifically on Article 34-309. A high-level but comprehensive review of the zoning code will also be conducted at this time, to identify other articles that cross-reference sign regulations and ensure consistency throughout.

TASK 3: DRAFT NEW LANGUAGE FOR ARTICLE 34-309

- Using best practices and our practical tips for code writing as guides, the Orion Team will draft new sign code language for Article 34-309.

TASK 4: INTERNAL DRAFT REVIEW

- The Team will present the draft content for Article 34-309 to Hastings staff for review. New language may be drafted by section or prepared as a comprehensive rewrite of the article 34-309 for review and editing by staff, depending on preference.

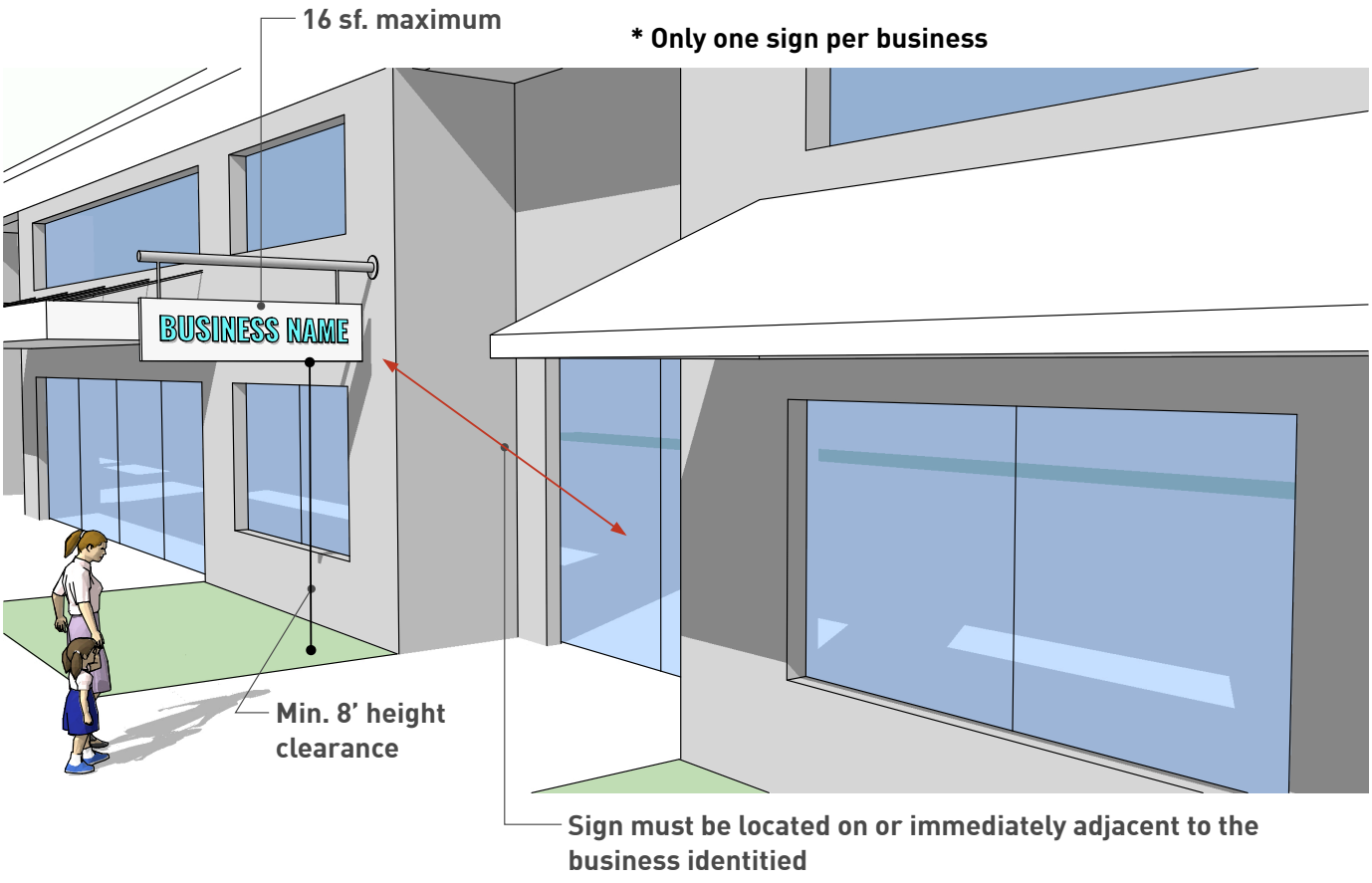
TASK 5: FINAL DRAFT OF ARTICLE 34-309

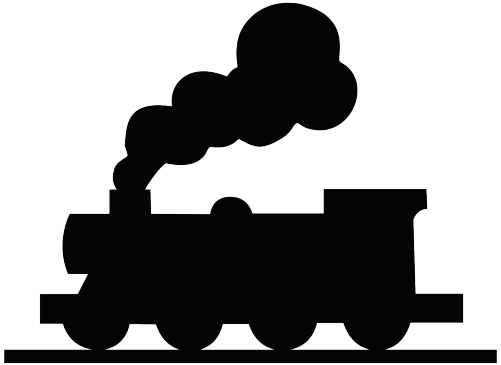
- The Orion Team will work with Hastings staff to incorporate suggested edits to the draft content, in preparation of the final sign code rewrite to be considered for formal adoption. Precedent imagery will be selected and incorporated in the final draft document to illustrate design concepts as necessary. While we understand Hastings staff will take on the responsibility of presenting drafts to the Planning Commission and City Council, the Orion Team can provide support remotely through the adoption process as necessary.
- Immediately following adoption of the revised sign code, the City will receive a digital copy of the final document, including graphics and illustrations. This final version will incorporate any changes made during the public hearing process.

TIMELINE & BUDGET

We understand the budget for the sign code rewrite is limited and the desired turnaround time for the update of the sign code is quick. The following budget is based on the scope outlined above, as well as our extensive experience writing and updating codes in communities nationwide. We estimate a complete review and update of Article 34-309 could occur within 6-8 weeks, depending on the timing of project start-up (and not including the adoption process). We don't anticipate significant expenses since there will be no travel costs incurred as part of the sign code rewrite, but if expenses were to arise they would be charged at cost in addition to the budget below. Should a significant change in scope occur, the budget would similarly require modification and approval by the City and the Orion Team.

TASK	COST
Task 1: Kick-off Meeting With Staff (via WebEx or conference call)	$300
Task 2: Evaluation of Current Code	$600
Task 3: Rewrite of Article 34-309	$2,400
Task 4: Internal Draft Review	$900
Task 5: Final Draft of Article 34-309	$800
	Total: $5,000





Railroad Quiet Zones Open House

Hastings Public Library, Meeting Room.
July 18, 2018 4:30-6:30 PM

Who is involved?
What can be done?
Where can we do it?
When will it happen?
How can I have a voice?

The people of Hastings voted to expend tax dollars to develop quieter and safer railroad crossings. Mayor Corey Stutte and the Hastings City Council appointed a Railroad Quiet Zone Committe to address these issues. We ask YOU to join us to listen and learn the issues, and voice the concerns that should be addressed.

We want to hear YOUR ideas about what this area can become!

12th Street West/Mall Area Future Visioning Meetings

Kick-Off Meeting July 25, 6 PM
The Lark, 809 W. 2nd St.
(Cash Bar/Refreshments Available)

Hourly Listening Sessions July 26, 7:30 AM-11:30 AM
Chamber Development Center, 301 S. Burlington Ave.

Wrap-Up and Next Steps July 26, 5:30 PM
Hastings Airport Terminal Building, 3300 W 12th St.

The Study Area includes: Hastings Municipal Airport, Imperial Mall, Imperial Theatre, Village Inn, and several undeveloped and underdeveloped properties.

More Info at: Facebook.com/PlanHastings or call 402.461.2368