

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, August 20, 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 August 20, 2018.

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

Chair Rosenberg 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 August 20, 2018, Planning Commission meeting. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

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

Special Order of Business. The Chair welcomed Willis Hunt to the Planning Commission.

9. Public Hearings.

a. 2018-026. A public hearing at the request of David Ostdiek on behalf of Prataria Ventures, LLC for Resolution No 2018-46, a Plan Modification #07.24.18 to Redevelopment Area No. XIV for Lot 1, Block 2 of North Park Commons Addition to the City of Hastings, Adams County, Nebraska, generally located east of Osborne Drive East and south of 33rd Street.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated this plan modification will allow for the construction of workforce housing to include 84 rental units consisting of 6 studios, 42 one-bedroom, 33 two-bedroom and 3 three-bedroom units contained in three 28-unit buildings. This modification will include site acquisition, infrastructure and other TIF-eligible expenditures. Staff supports a recommendation to approve this Plan Modification.

Randy Chick, 523 W. 1st St., representing the Community Redevelopment Authority. Mr. Chick reminded the commission that when a plan is developed for an area, it is a very general plan modification. The commission's job is to look at the Comprehensive Plan to see if the proposed

plan matches with the Comp Plan. That plan modification would then proceed to the City Council for their review and approval.

The Chair declared the public hearing closed.

Moved by Graves, seconded by Hamburger, to recommend approval to the City Council, Resolution 2018-46, a Plan Modification #07.24.18 to Redevelopment Area Number XIV for Lot 1, Block 2 of North Park Commons Addition to the City of Hastings, Adams County, Nebraska. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

b. 2018-027. A public hearing at the request of Jeff Halloran representing JTH Enterprises, LLC, for Resolution 2018-47, a Conditional Use Permit amendment to allow off-street parking spaces for outdoor vehicle storage.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated this development will integrate compatibility with existing land uses. The use does not have a negative impact for the area and the conditions imposed are necessary to ensure the maintenance of property values and safety, health, and comfort and repose of the residents. The use, subject to the itemized conditions, maintains compliance with the Comprehensive Plan and the purposes and intent of the zoning regulations. Staff supports a recommendation to approve this Conditional Use Permit amendment.

Jeff Halloran stated he was available if the Commission had questions.

The Chair declared the public hearing closed.

Moved by Rundle, seconded by Kully, to recommend approval to the City Council of Resolution 2018-47 for a Conditional Use Permit amendment to allow off-street parking spaces for outdoor vehicle storage. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

c. 2018-029. A public hearing at the request of the Development Services Department on Ordinance 4563, an amendment to Chapter 34-211 changing restrictions on the maximum height of principal structures in the C-3 Commercial Business district from 35 feet to 90 feet.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated this is a city-initiated text amendment to address current and potential height restriction issues in the C-3 Commercial Business district. Height restrictions can be addressed by a planned district or zoning code text amendment. Any change in building height allowances will still be restricted by Section 34-217 Airport Clear Zone, where applicable. The basic code was written in 1968, and the intensity of development in the C-3 district was significantly different. The 35' height requirement was a carryover from other districts. Currently there are two developments in C-3 that would surpass the 35' requirement. In order to

prevent construction delays, this item should be determined as soon as practical. Staff supports a recommendation to approve this zoning code text amendment.

The Chair declared the public hearing closed.

Moved by Hamburger, seconded by Kully, to recommend approval to the City Council Ordinance 4563, an amendment to Chapter 34-211 changing restrictions on the maximum height of principal structures in the C-3 Commercial Business district from 35 feet to 90 feet. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

d. 2018-034. A public hearing on the request of THOAR, LLC on Ordinance 4564, for an amendment to the zone designation of "CP-2 Commercial Business Planned District" for Lot 1, Lofts Subdivision, an Administrative Replat of Lots 1 through 7, Davis Addition, and Lots 4 and 5 of Block 27, Original Town of Hastings, all located in the City of Hastings, Adams County, Nebraska, commonly addressed as 713, 715, 717, 721, and 737 West 1st Street.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated the planned district amendment allows for building penetrations between addressed buildings. This will allow shared access to a rooftop deck, shared interior spaces, or adjacent business accesses. No building may exceed an opening or openings that exceed 25% of the shared wall space between buildings. This amendment is subject to retention of single ownership of all affected buildings. If ownership of any portion is conveyed to more than one owner, the building penetrations shall be permanently sealed and a 2-hour fire rated wall shall be reconstructed. Staff supports a recommendation for this planned district amendment.

The Chair declared the public hearing closed.

Moved by Gaines, seconded by Graves, to recommend approval to the City Council, Ordinance 4564, for a Planned District zoning amendment for Lot 1, Lofts Subdivision to the City of Hastings, allowing building penetrations. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

e. 2018-035. A public hearing at the request of applicant Russ Dudrey, on behalf of the Church of Christ, on Resolution 2018-49 for a Conditional Use Permit amendment for the church to encroach into required building setbacks to add a front canopy and ADA ramp for the following tracts of land: Lots 1-5 and Lots 12-16 of Block 6, Parkhill Addition to the City of Hastings, Adams County, Nebraska, commonly addressed as 1131 North Laird Avenue.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated the item includes the construction of a canopy that would encroach into the front yard setback approximately 5.5 feet. The impact is minimal, no more than many ADA ramps constructed throughout the City. Staff supports a recommendation of approval for this amendment to the Conditional Use Permit.

Russ Dudrey, 2324 Home Street, Minister at Church of Christ. He explained the canopy project along with the handicap accessible ramp.

The Chair declared the public hearing closed.

Moved by Kully, seconded by Hamburger, to recommend approval to the City Council, Resolution 2018-49, a Conditional Use Permit amendment for the Church of Christ, subject to staff's conditions. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

f. 2018-028. A public hearing at the request of Jerry Bumgardner representing Crossroads Center, a Nebraska Non-profit Corporation on Resolution 2018-48, for a Conditional Use Permit amendment to update permit conditions and to allow subletting of a portion of the property.

The legal was read into the record.

The Chair declared the public hearing open.

Don Threewitt stated this application requests an amendment to update the conditional use permit conditions and to allow subletting a portion of the property. At present, the development does not integrate compatibility with existing land uses. The occupancy level, density, and lack of buffering at the Center's existing site exceeds standards set for all quasi-institutional uses, and these conditions have created concerns for neighboring landowners in the vicinity. There is an existing Crossroads facility in Kearney and with a possible location in Grand Island, this could possibly relieve some of the pressures of the Hastings Crossroads. There will be a change of an annual renewal of the permit to review existing conditions. The Center is also requesting subletting to a lessee that will directly assist with the Center's activities. Staff supports a recommendation to the City Council to approve Resolution 2018-48, a Conditional Use Permit amendment for Crossroads Center subject to staff's conditions.

Jerry Bumgardner 1821 W. 9th St., Executive Director of Crossroads. He stated he is here to answer any questions the Commission may have for him.

James Carson, 1303 Loch View Dr. Chairman of the Board at Crossroads. We have staff consisting of an Executive Director, Program Director, Staff Director, Catholic Social Services and Mosiac. We are trying to partner with other local nonprofits to see how they can make an impact on our facility. He explained the facility's goal of having their guests work the program towards independent living. Background checks are done. The Police Department has been cooperative in helping to remove guests that might not be willing to follow the program. The goal is to gain independence. There will be some guests that will not be successful at independence and there are different arrangements for different guests.

Michelle White, 639 S. Colorado Ave. Represents South Central Behavioral Services, Opportunity House and works closely with Crossroads. Has clients that may come from group homes or homeless. Crossroads does assessments for mental health or substance abuse and places them with South Central or Opportunity House for placement and programming.

Tom Shick, 1945 W. 10th St. Retired Director for Hastings Catholic Social Services and now working for them as a volunteer and works very closely with Crossroads Mission. The Voc Rehab groups in our community care for the homeless. If they do not follow Crossroads program, they end up at other locations looking for services.

Ed Fleharty, 1519 N. Denver. He lives within a block of this facility for 20+ years and finds no negative impact. He also feels an annual review is necessary and that a barrier on the north would be appropriate.

Joni Brewster, 1505 N. Hastings Ave. She lives across the street from Crossroads. She feels there is not enough staff at Crossroads. Guests at Crossroads make comments to passers-by. Curfew, parking and overnight staffing are issues. Her husband is a past client of Crossroads and believes Crossroads saved his life. She also stated there is no buffer between her home and the Mission.

Rachelle Lipker, 4310 W. 12th St. Moasic is for the developmentally challenged individuals. She feels someone needs to be the voice for those who do not have a voice.

A solid fence for buffering was discussed and the number of clients versus number of staff is unreasonable. Staff should be responsible for actions of clients.

Daniel Buller, 922 N. St. Joseph. He is a program manager and oversees the program of each individual. Their needs are evaluated and addressed. Homeless shelters, in general, attract a certain clientele. A person lingering in the area sometimes are not clients of the Mission. Sometimes it is someone from the center. The state has shut down several centers across the state and so Crossroads reaches out to different programs to serve their clients and connect people with area services. The center wants to help persons make it to their next level. A fence along the north side would allow them to be closer to the street or neighbors. They are allowed to be on the east and west sides. Curfew is enforced. There is a bed check at 9:30. If they are not employed and not present, a discussion is had the next morning. Three staff are on call 24/7. One person is on staff at night. Crossroads clients are accountable to each other.

The need for the Crossroads Mission is important and necessary for the Community, however, the issues need to be addressed. Mr. Buller concurred with the Commission's concerns. Neighbor visits were done and they will continue, curb appeal was addressed, and Crossroads wants to be a good neighbor. Mosiac will be a positive impact for the community and Crossroads. They will have their own entrance and space.

Mr. Hunt asked for a representative from Mosiac to speak to the commission.

Jeff Kingsley, 1011 Starwood Ave., Grand Island, NE. Community Relations Officer for Hastings, York, Grand Island, Kearney, Holdrege and is not connected with Axtell. Crossroads is a cross-section of clients. The demand for the service is so huge. Crossroads has taken everyone, but a burden on their staff. Their support has not kept up with their demand. Mosiac will pay Crossroads rent, however, it will be a Monday through Friday 8:00 to 4:00 operation. Most clients live in host homes, and will provide more opportunities, working in the Thrift Store and more volunteer opportunities.

Don Threewitt stated there is extensive issues with overnight staffing. As far as the fencing, you want to make sure that it is noted and addressed. Some buffering on the north side needs to be discussed between staff, Crossroads and the neighborhood. A meeting will be held between the parties prior to the City Council.

Moved by Kully, seconded by Hamburger, to recommend approval to the City Council, Resolution 2018-48, for a Conditional Use Permit amendment for Crossroads Center, subject to the staff's conditions. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Graves, Rundle, Hunt. Nays: None. Absent: Srivastava, Johnson, Alternate Arrington-Williams. The motion carried.

Mac Rundle and Jodi Graves were excused from the meeting.

10. Subdivisions

a. 2018-032. A preliminary/final plat for J and P Subdivision, an 8.77 acre subdivision located in the Southwest Quarter (SW4) of Section 16, Township 7 North, Range 10 West within the two-mile Extraterritorial Jurisdiction (ETJ) boundary of the City of Hastings, Adams County, Nebraska.

Don Threewitt stated this plat is enacted to facilitate a land exchange between Adams Central Public Schools and James and Patti Deveny. Staff supports a recommendation to the City Council to approve J & P Subdivision.

Moved by Kully, seconded by Gaines, to recommend approval to the City Council the Preliminary/Final Plat for J & P Subdivision. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Hunt. Nays: None. Absent: Srivastava, Johnson, Graves, Rundle, Alternate Arrington-Williams. The motion carried.

b. 2018-033. A preliminary plat for Wildcat Acres Subdivision, a 43.95 acre subdivision located in a portion of the Southwest Quarter (SW 1/4) of Section 22, Township 7 North, Range 10 West of the 6th P.M., Adams County, Nebraska being within the two-mile Extraterritorial Jurisdiction (ETJ) of the City of Hastings, Adams County, Nebraska, generally located north of Idlewilde Road and east of South Southern Hills Drive.

Don Threewitt stated this is a preliminary plat for Wildcat Acres Subdivision in the City's two-mile jurisdiction. Staff supports a recommendation to the City Council to approve the preliminary plat for Wildcat Acres Subdivision.

Moved by Hamburger, seconded by Hunt, to recommend approval to the City Council the Preliminary Plat for Wildcat Acres Subdivision. Roll Call: Ayes: Rosenberg, Gaines, Hamburger, Kully, Raitt, Hunt. Nays: None. Absent: Srivastava, Johnson, Graves, Rundle, Alternate Arrington-Williams. The motion carried.

11. Reports

a. Committee Reports

The Ad Hoc Committee met on August 15. Discussion was held on the solar regulations

12. Chairman Comments

c. Staff Reports.

Staff has met with the Consultant who is rewriting the sign code and there is a weekly video conference. A preliminary chart is also attached. The West Hastings Visioning report is also attached. The draft solar regulations have been submitted, and consultants are writing a second draft based on staff's comments.

Adjourn


Chairman