

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, January 21, 2020

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, Hastings, Nebraska on January 21, 2020.

The meeting was called to order at 4:00 p.m. in Regular Session by Chairman Gaines with the following members present: Ann Hinton, Dave Johnson, Marshall Gaines, Gavin Raitt, Alternate Megan Arrington-Williams and Alternate Willis Hunt. Absent: Eric Arneson, Jodi Graves, Mac Rundle, Rakesh Srivastava, Lou Kully.

The Chair led the Commission in recital of the Pledge of Allegiance to the United States of America.

Moved by Hunt, seconded by Johnson, to adopt the current agenda for the Planning Commission Meeting. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

The Public Notice was read into the record. Pursuant to the 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 Johnson, seconded by Hinton, to approve the minutes of the November 18, 2019 meeting. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Abstain: Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

9. Public Hearings.

a. 2019-052. Public hearing regarding Ordinance No. 4619, a zoning text amendment to Section 34-201 "A Agricultural districts;" and Section 34-404 "Conditional Use Permits."

Recommendation to approve Ordinance No. 4619

Mark Evans stated this is a clarification within Chapter 34 Zoning. Under current code any Livestock Feed Operation is allowed by conditional use permit in an Agricultural District only. However, unlike all other conditional uses, city code does not provide specific conditions that must be met in order to approve a new Livestock Feed Operation. The proposed Ordinance provides required setback for residences adjacent to LFO's in 34-2013(d) and provides specific regulations for LFO's in 34-404(15). These regulations are consistent with existing regulations in Adams County, Hall County and Buffalo County.

Moved by Arrington-Williams, seconded by Hunt, to recommend approval to the City Council Ordinance No. 4619, a zoning text amendment to Section 34-201 "A Agricultural Districts" and Section 34-404 "Conditional Use Permits." Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

b. 2019-053. Public hearing regarding Ordinance No. 4620, a text amendment to Chapter 34 Zoning, adding "WPO Wellhead Protection Overlay" district.

Recommendation to approve Ordinance No. 4620

Mark Evans stated the intent of this district is to overlay any of the primary zoning districts located within the wellhead protection area designated in Section 32-616.01 of the Hastings City Code, and any future wellhead protection areas so designated by amendment of that section. This overlay district is further intended to provide consistency between designated wellhead protection areas within Adams County jurisdiction and those areas within the City of Hastings' jurisdiction.

In 2009, Section 32-616.01 of City Code was adopted to designate the wellhead protection area, but no zoning regulation addressing the designated tracts was created. This was a transitional time at the Development Services office, and it is unclear whether pursuit of a related Ordinance was under consideration, but did not proceed, or if it was abandoned. At the same time, Adams County created the Wellhead Protect Overlay district, which this Ordinance is based upon, for lands under their jurisdiction.

With the recent expansion of the 2-mile extraterritorial jurisdictional boundary and associated outreach efforts, the Adams County Planning and Zoning Commission requested the city consider creation of this overlay to provide consistency among jurisdictions.

Moved by Hunt, seconded by Raitt, to recommend approval to the City Council Ordinance No. 4620, a text amendment to Chapter 34 Zoning, adding the Wellhead Protection Overlay district. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

c. 2019-054. Public hearing regarding Ordinance No. 4621, a text amendment to Chapter 34 Zoning, adding "DSO Dark Sky Overlay" district.

Recommendation to approve Ordinance No. 4621

Mark Evans stated the intent of this district is to establish standards for outdoor lighting within a buffer area surrounding the Sachtleben Observatory of Hastings College located at 4725 South Wabash Avenue.

This overlay district aims to mitigate nighttime light pollution and light trespass while providing for safety, security and utility for present and future adjacent residents.

With the recent expansion of the 2-mile extraterritorial jurisdictional boundary and associated outreach efforts, the Adams County Planning and Zoning Commission requested the city consider creation of this overlay to provide consistency among jurisdictions.

Moved by Johnson, seconded by Hunt, to recommend approval to the City Council Ordinance No. 4621, a text amendment to Chapter 34 Zoning, adding "DSO Dark Sky Overlay" district. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

d. 2019-055. Public hearing regarding a change of zoning from "A Agricultural" to "R1-A Single-family large lot Residential" for Hoagland Second Subdivision within the 2-mile Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska.

Recommendation to approve Ordinance 4622, a change of zoning from A to R1-A for Hoagland Second Subdivision

Mark Evans stated this case is concurrent with the Hoagland Second Subdivision plat. Subdivision of the property into three 2.5 acre parcels prohibits the continued use of the Agricultural designation. Based on the intended property use, lot size, and infrastructure availability, two options are R1-A single-family large lot residential and R1-S Single family suburban acreage residential. The applicants prefer R1-A as it would protect the agricultural character of the lots and provide for limited agriculture as a restricted use.

The surrounding zoning is agricultural and the future land use designation is agricultural. An R1-A zoning designation would be compatible with the surrounding zoning and the comprehensive plan.

Scott Snell, 819 N. Pine Avenue, Hastings, Nebraska, with the Real Estate Group of Hastings, was present and stated he is representing the seller, Kathy Hoagland, and Sherri Patterson is representing the buyer. Mr. Snell stated if this is recommended for approval, he would recuse himself at City Council because it would be a conflict of interest.

Moved by Hunt, seconded by Hinton, to recommend approval to the City Council Ordinance 4622, a change of zoning from A to R1-A for Hoagland Second Subdivision. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

e. 2019-056. Public hearing for a change in zoning for Lots 142 through 147 except the south 3 feet of Lot 144 of Railroad Addition to the City of Hastings; and Tax Lot 5, a part of the N2 of the SE4 of the NW4 of Section 13, Township 7 North, Range 10 West of the 6th P.M. in the City of Hastings more particularly described as: Commencing at the Southwest corner of Lot 145 in said Railroad Addition, according to the recorded plat thereof, thence South 100 feet, thence East 135 feet to the center line of the vacated alley, thence North along said center line of the vacated alley, a distance of 100 feet, thence West 135 feet to the point of commencement.

Recommendation of Ordinance 4623, a change of zoning from "R-1 Single family Residential" to "R-3 Multiple-family Residential" for Lots 142 through 147, except the south 3 feet of Lot 144; and Tax Lot 5 in the City of Hastings, Adams County, Nebraska.

Mark Evans stated in this case the applicant wishes to re-purpose the existing school property for a child care facility use. Existing land designation is urban residential, and existing adjacent zoning is R-1 single-family residential.

The property originally housed St. Michael's School, and the most recent use was as a senior activity center. Given the institutional history of the property, and its location within an R-1 district, the R-3 zone district provides an array of appropriate uses. This zone change would allow for the proposed child care facility use as well as provide for multi-family housing by-right if the property were to further redevelop in the future. Allowed uses in the R-3 district would be compatible with the neighborhood and the existing subject property and improvements.

Kyla Habrock, 303 W. 5th St., Juniata, Nebraska, stated she and her husband want to transition this space into a day care facility. They want to provide the best use of high quality facilities to both increase the number of daycare spaces available, as well as partnering with a reputable daycare provider that will enhance the safety and well-being and development for children and their families in the community.

Chair Gaines stated Kyle presented this proposal at Big Idea Hastings. He stated it will be very different and unique.

Moved by Arrington-Williams, seconded by Raitt, to recommend approval to the City Council Ordinance 4623, a change of zoning from "R-1 Single family Residential" to "R-3 Multiple-family Residential" for Lots 142 through 147, except the south 3 feet of Lot 144; and Tax Lot 5 in the City of Hastings, Adams County, Nebraska. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

10. Subdivisions

a. 2019-057. Recommendation to approve Hoagland Second Subdivision, located in the Northwest Quarter of Section 4, Township 7 North, Range 10 West of the 6th P.M., within the 2-mile jurisdiction of the City of Hastings, Adams County, Nebraska.

The applicant intends to subdivide three lots from the existing single lot rural residential property presumably for resale and development. The lot is currently zoned agricultural, and a zone change to R1-A single-family large lot residential is presented concurrently.

The case was presented to the Adams County Planning and Zoning Commission on December 2, and received no comments. The development review team has reviewed the plat and the applicant has made all suggested revisions. Staff believes the submission meets the criteria outlined in City Code Section 38-202 and 38-203.

Moved by Hunt, seconded by Johnson, to recommend approval to the City Council Hoagland Second Subdivision, located in the Northwest Quarter of Section 4, Township 7 North, Range 10 West of the 6th

P.M., within the 2-mile jurisdiction of the City of Hastings, Adams County, Nebraska. Roll Call: Ayes: Hinton, Johnson, Gaines, Raitt, Hunt, Arrington-Williams. Nays: None. Absent: Arneson, Graves, Rundle, Srivastava, Kully. The motion carried.

11. Reports

Mark Evans reported on the Hastings Universal Mobility Study Final Report. Olsson and Associates prepared the report. The report identifies challenges that prevented individuals and groups with disabilities from participating in community life here in Hastings. The deficiencies were prioritized to meet the mobility needs of the community. An inventory was taken of the existing sidewalks and pedestrians' facilities in the city. They mapped that data that identified deficiencies that the City can improve. Olsson did walk all of the sidewalks, had an open house and developed this report and the recommendations to include focusing on improving mobility within ¼ mile of community facilities such as public offices, library, parks, schools, and retail such as grocery stores. The highest concentration of these facilities is in the downtown area. A secondary focus area would include schools, parks and connecting neighborhoods to those areas. The idea is to get this into the new Comprehensive Plan with policy and regulations.

Adjourn

Chairman