

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Monday, March 16, 2020 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 , March 13, 2020. 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 February 17, 2020
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. **2020-001.** Public hearing to consider a change of zoning for Keller Pointe Second Subdivision to the City of Hastings, Adams County, Nebraska from R-1, Urban Single Family Residential and R-1A, Single Family Large Lot Residential to R-1A, Single Family Large Lot Residential District.

Ordinance No. 4628 amending the Zoning District Map to rezone Keller Pointe Second subdivision from R-1, Urban Single Family Residential and R-1A Single Family Large Lot Residential to R-1A Single Family Large Lot Residential District
 - b. **2020-008.** Public hearing to consider a zoning text amendment to Section 34-215 P.D. Planned District regulations, (4) Planned commercial and industrial districts.

Recommendation to approve Ordinance No. 4630.

Planning Commission Agenda

March 16, 2020

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- c. **2020-005.** Public hearing to consider a zoning text amendment to Section 34-311 and Table 311-1: Residential Accessory Structures, regarding the exterior design requirements for accessory structures located in R1-A and R1-S zoning districts.

Recommendation to approve Ordinance No. 4629.

10. Subdivisions

- a. **2020-006.** Preliminary/Final plat for Keller Pointe Second Subdivision, a replat of Keller Pointe Subdivision.

11. Reports

- a. Committee Reports
- b. Chairman Comments
- c. Staff Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, February 17, 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, on February 17, 2020.

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

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

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

The Public Notice was read into the record. 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 Rundle, seconded by Srivastava to approve the minutes of the January 21, 2020 meeting with corrections. Roll Call: Ayes: Gaines, Raitt, Srivastava, Rundle, Hinton, Hunt. Nays: None. Absent: Arneson, Johnson, Kully, Jodi Graves, absent by resignation. The motion carried.

Chair Gaines thanked Jodi Graves, for her service on the Planning Commission.

Chair Gaines welcomed Lisa Parnell-Rowe as new Director of Development Services.

7. Special Order of Business

a. Election of Officers: Chair; First Vice-Chair; Second Vice-Chair

Moved by Rundle, seconded by Raitt, to nominate Marshall Gaines as Chair. Nomination approved by acclamation.

Moved by Gaines, seconded by Rundle, to nominate Ann Hinton as First Vice-Chair. Nomination approved by acclamation.

Moved by Gaines, seconded by Rundle, to nominate Gavin Raitt, as Second Vice-Chair. Nomination approved by acclamation.

9. Public Hearings.

a. 2020-002. Public hearing to consider a change of zoning for Trail Ridge Addition to the City of Hastings, Adams County, Nebraska from AP Agriculture Planned District to R-1 Urban Residential Single Family.

Lisa Parnell-Rowe stated Trail Ridge Addition is currently AP Agricultural Planned District. This addition has been platted, and the zoning was intended to allow flexibility in the development of

this area. The applicant is proposing a rezone to R-1 Urban Residential Single Family. Staff recommends approval of the rezone.

Moved by Hunt, seconded by Raitt, to recommend approval to the City Council a change of zoning for Trail Ridge Addition to the City of Hastings, Adams County, Nebraska from AP Agriculture Planned District to R-1 Urban Residential Single Family. Roll Call: Ayes: Gaines, Raitt, Srivastava, Rundle, Hinton, Hunt. Nays: None. Absent: Arneson, Johnson, Kully, Jodi Graves, absent by resignation. The motion carried.

b. 2020-003. Public hearing to consider recommendation for approval of the City of Hastings Engineering Department 2021-2026 One and Six Year Street Improvement Plan.

Dave Wacker gave his report on the One and Six Year Street Improvement Plan. Moved by Hunt, seconded by Srivastava, to recommend approval to the City Council the 2021-2026 One and Six Year Street Improvement Plan. Roll Call: Ayes: Roll Call: Ayes: Gaines, Raitt, Srivastava, Rundle, Hinton, Hunt. Nays: None. Absent: Arneson, Johnson, Kully, Jodi Graves, absent by resignation. The motion carried.

c. 2020-004. Public hearing to consider Plan Modification #2020-1 to Redevelopment Area Number 1 for the East one-third (1/3) of Lot Twenty (20) and the South 100 feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Twenty-two (22), and the North Twenty-five (25) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Twenty-two (22), Original Town of Hastings, Adams County, Nebraska.

Lisa Parnell-Rowe explained this project and that Tax Increment Financing is an integral part of the development plan and the project will result in renovating the historic building into a combination of commercial space and residential space, located at 712 W. 1st Street and 119 N. Hastings Avenue referred to as the Cameron Building.

Randy Chick, 520 W. 1st Street, Hastings, Nebraska, spoke on behalf of the Community Redevelopment Authority. He stated that this is an exciting project and is taking place in an area with a lot of additional activity. He explained the renovation of the parking lot directly west of this building. He asked for the Commission's support of the application.

Moved by Srivastava, seconded by Hunt, to recommend approval to the City Council Plan Modification #2020-1 to Redevelopment Area Number 1 for the East one-third (1/3) of Lot Twenty (20) and the South 100 feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Twenty-two (22), and the North Twenty-five (25) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Twenty-two (22), Original Town of Hastings, Adams County, Nebraska. Roll Call: Ayes: Gaines, Raitt, Srivastava, Rundle, Hinton, Hunt. Nays: None. Absent: Arneson, Johnson, Kully, Jodi Graves, absent by resignation. The motion carried.

10. Subdivisions

a. 2020-007. Consider a recommendation to approve a Preliminary/Final Plat for McWhirter Subdivision located in the Northeast Quarter of Section 10, Township 7 North, Range 9 West of the 6th P.M., within the 2-mile jurisdiction of the City of Hastings, Adams County, Nebraska

Lisa Parnell-Rowe explained the location of this single lot subdivision. She stated the development review team has reviewed this plat and the applicant has incorporated all suggestions and the requirement of the Hastings City Code Sections 38-202 and 38-203 have

been met and the plat may be approved. Staff is recommending a motion for approval with receipt and verification of title in a limited title report.

Moved by Hunt, seconded by Raitt, to recommend approval to the City Council, with receipt and verification of title in a Limited Title Report of a Preliminary/Final Plat for McWhirter Subdivision located in the Northeast Quarter of Section 10, Township 7 North, Range 9 West of the 6th P.M., within the 2-mile jurisdiction of the City of Hastings, Adams County, Nebraska.

Hinton stated she has reservations about approving the plat based on waiting for additional information.

City Attorney Schukei stated a couple options are available. First, this plat talks about Bohlke Land Company, however, it does not indicate what kind of an entity. That needs to be corrected on the plat. Second, a consent of a lienholder is indicated, but without the title search that is not known. The Commission has the ability to table and delay the item. Those items could be corrected before City Council.

Hunt asked if the Commission could approve the Subdivision based on those items, and if those items are not available to the Council, the Council can delay the item. Hunt suggested the plat be approved and that staff makes sure before the council approves it, they would have this information.

Chair Gaines concurred.

Jason Bohlke, 7465 N. Showboat Blvd., Hastings, Nebraska stated he would prefer the item not be tabled. The limited title report will be complete in the next few days.

City Attorney Schukei stated the limited title report is an item to be submitted at the time of application.

Roll Call: Ayes: Gaines, Raitt, Srivastava, Rundle, Hinton, Hunt. Nays: None. Absent: Arneson, Johnson, Kully, Jodi Graves, absent by resignation. The motion carried.

11. Reports.

c. Staff Reports.

i. 2020 Nebraska Planning Conference.

Lisa Parnell-Rowe commented on the Nebraska Planning Association conference March 4-6. She encouraged Commissioners to attend.

Moved by Rundle to adjourn.

Chairman

Department: Development Services
Staff Contact: Mark Evans, Lisa Parnell-Rowe
Planning Commission Meeting Date: 3/16/2020
File No: 2020-001
Prepared By: Mark Evans, Building Inspector

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to consider a change of zoning for Keller Pointe Second Subdivision to the City of Hastings, Adams County, Nebraska from R-1, Urban Single Family Residential and R-1A, Single Family Large Lot Residential to R-1A, Single Family Large Lot Residential District.

Names of People/Business affected by this action:

The property owners, 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

Motion

Suggested motion:

Motion to recommend a change of zoning for Keller Pointe Second Subdivision to the City of Hastings, Adams County, Nebraska from R-1, Urban Single Family Residential and R-1A, Single Family Large Lot Residential to R-1A, Single Family Large Lot Residential District.

Deadlines associated with action:

This item is scheduled to be heard at the April 13, 2020 regular meeting of City Council.

Department head comments:

One additional action, plat of Keller Pointe Subdivision, is progressing concurrently with this case. The applicants wish to subdivide the existing Keller Pointe Subdivision by adding acres from the adjacent property to the north and platting the area into 2 separate lots. The new boundary for Lot 1 incorporates an area that was previously un-platted. The existing plat of Keller Pointe Subdivision had rezoned what is now considered Lot 2 to R1-A. Lot 1 has been depicted in the

Adams County GIS as R-1; but in the latest plat, dated December 20, 2004, showed this area as zoned Agriculture. Therefore, to maintain continuity and integrity of the zoning map, the rezone action will also serve to cleanup this administrative discrepancy.

Surrounding zoning is as follows:

North – A, Agricultural

Southeast of Baltimore Avenue – R-1, Urban Single Family Residential

Southwest of Baltimore Avenue – R-1A, Single-Family large lot Residential

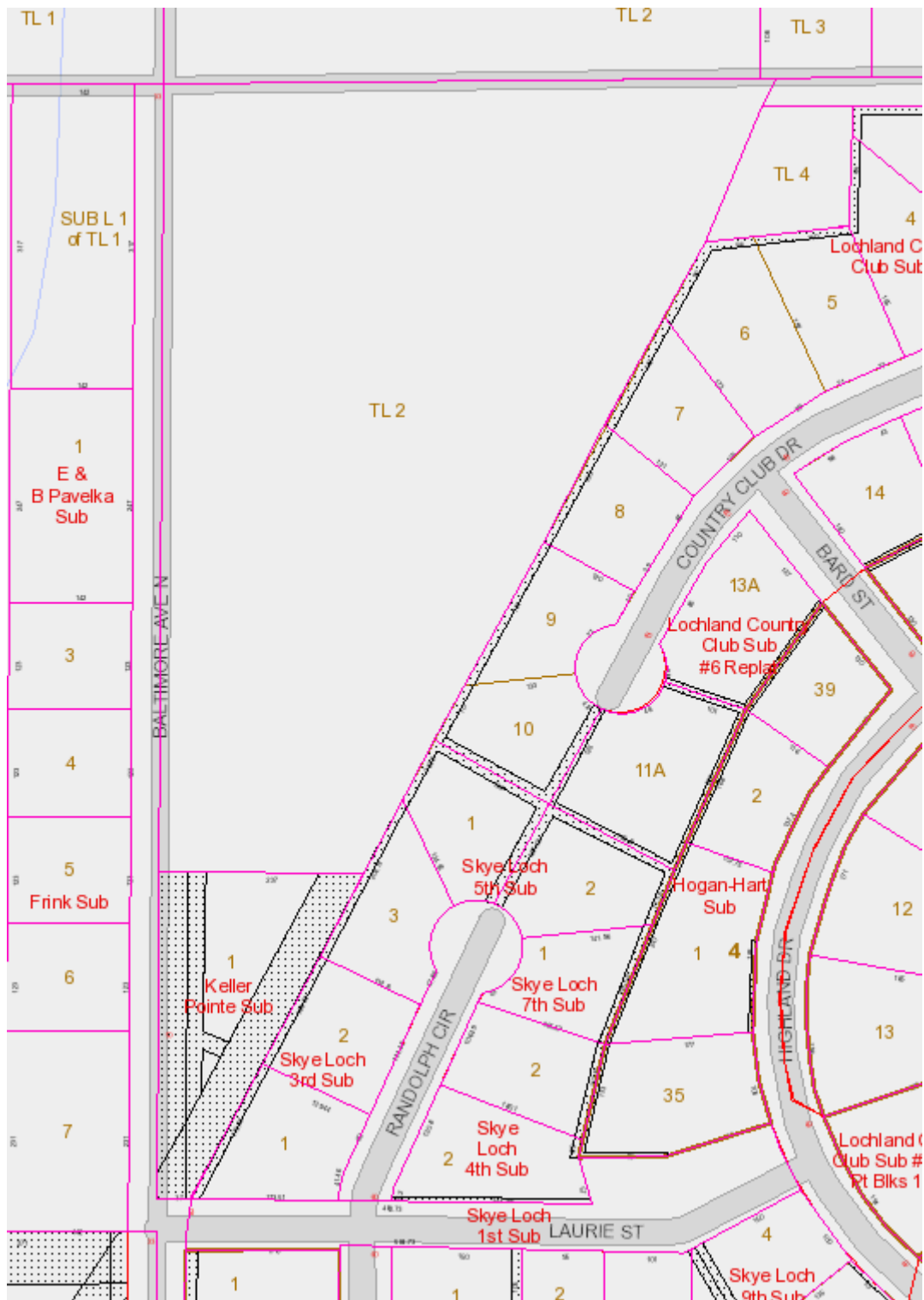
East - R-1, Urban Single Family Residential

West - A, Agricultural

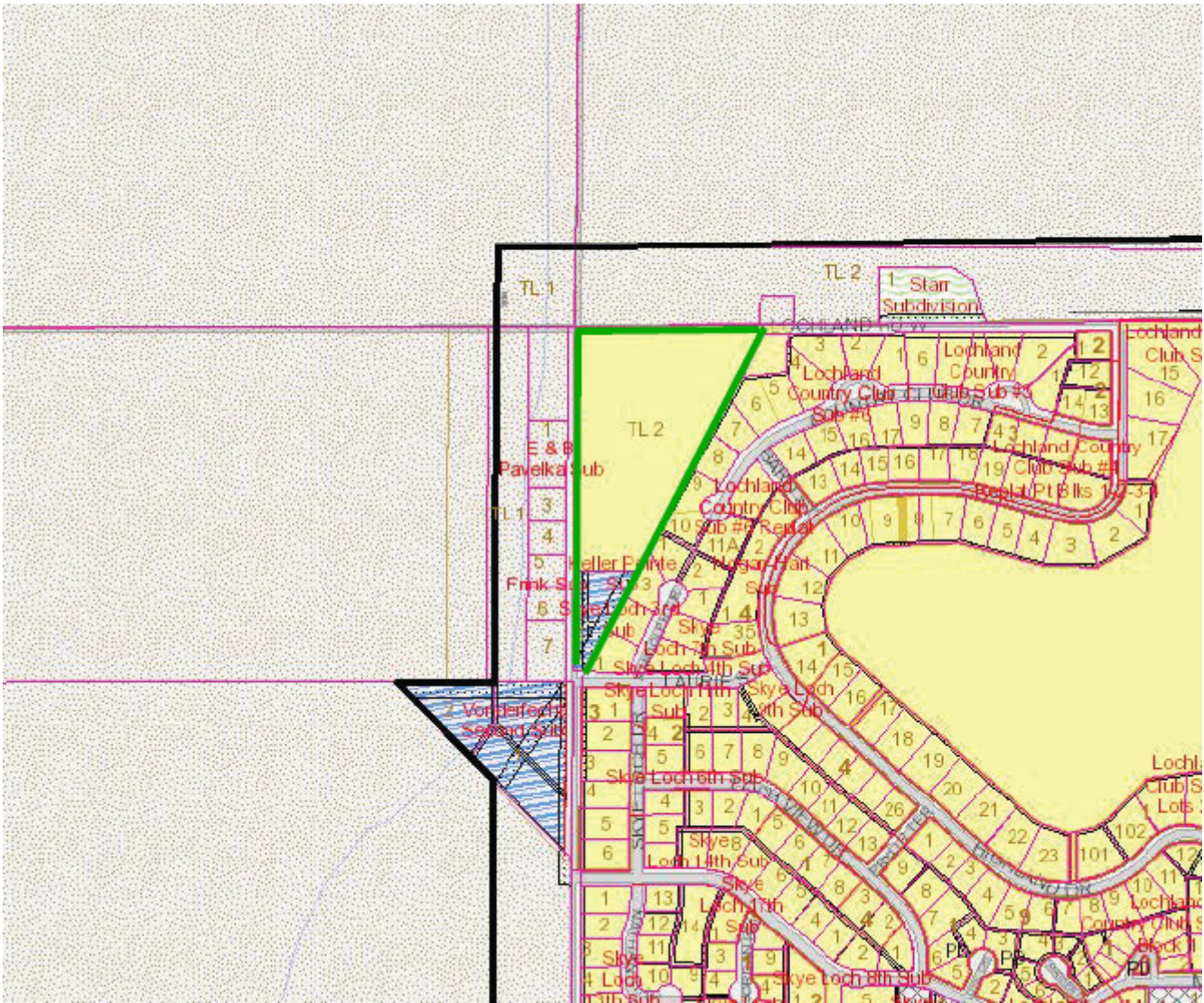
The future land use plan designation for the area is Suburban Residential. The rezone to R1-A is compatible to this future designation as it is intended for both urban and suburban single-family residential areas with low population densities and where larger lots are desirable.

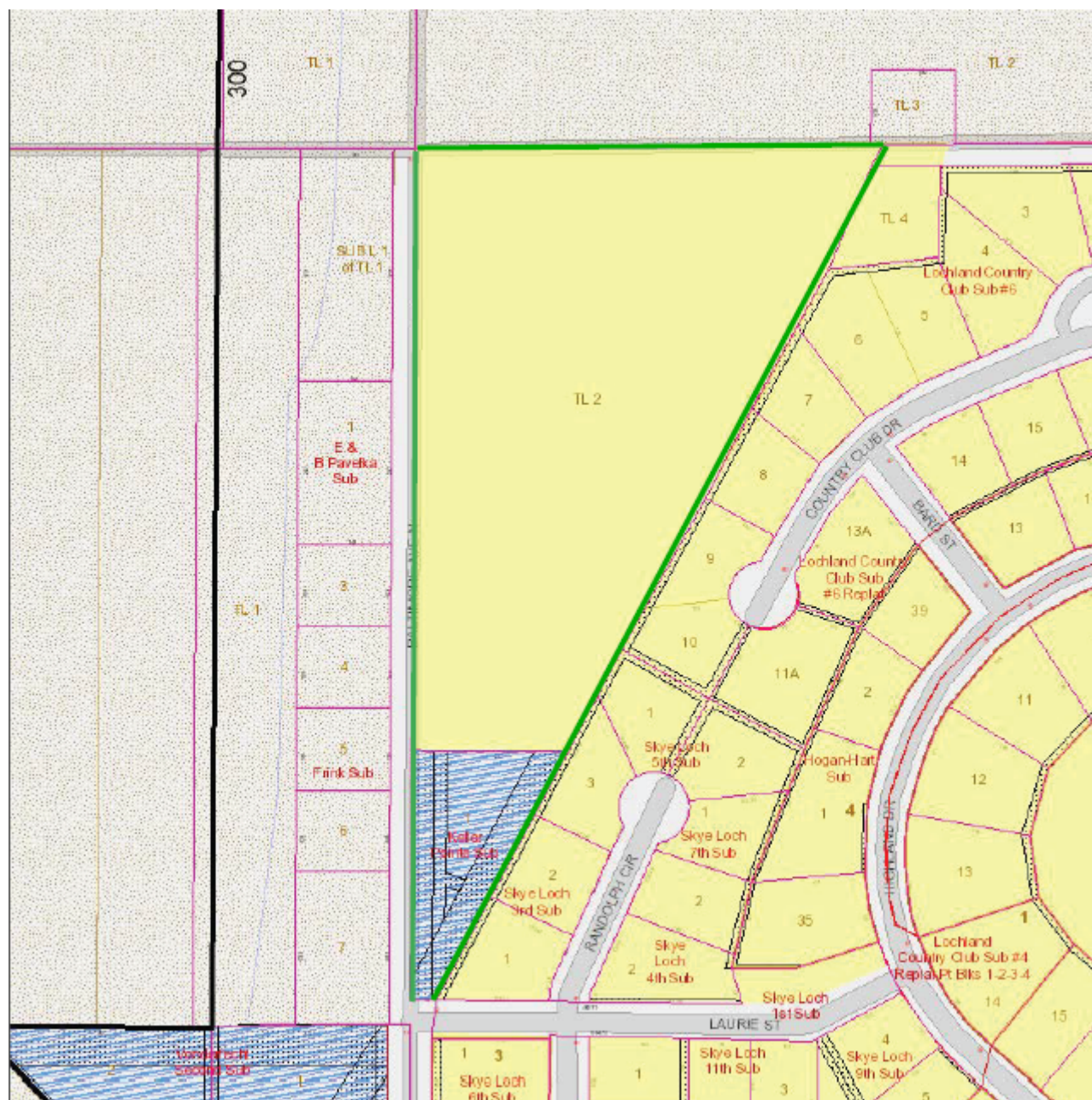
Recommendation:

Recommend motion to approve Ordinance #4628 and recommend approval of rezone for Keller Pointe Second Subdivision to the City of Hastings, Adams County, Nebraska from R-1, Urban Single Family Residential and R-1A, Single Family Large Lot Residential to R-1A, Single Family Large Lot Residential District.













DATE 1 / 13 / 2020

FILE NO.



PROJECT APPLICATION

City of Hastings – Development Services
220 N. Hastings Avenue, Hastings, NE 68901
Phone: (402) 461-2302; Fax: (402) 461-2304
www.cityofhastings.org

Please check the appropriate box below to indicate the type of application you are requesting. Contact Development Services for minimum requirements. Incomplete applications will not be processed. All applications must be completed by applicant prior to submission with all of the requested support materials by the last Monday of each month or they will be held until the next deadline to be processed.

- | | | |
|---|---|--|
| ☒ Preliminary Plat | ☒ Final Plat | ☐ Administrative Plat |
| ☐ Code Amendment | ☒ Zoning Change | ☐ Vacation (Plat / ROW / Easements) |
| ☐ Conditional Use Permit / Amendment | ☐ Planned District / Amendment | |
| ☐ Comprehensive Plan / Amendment | ☐ Annexation Petition / Addition to the City | |

PROJECT INFORMATION

Project Name: Keller Pointe Second Sub.
Project Address: 1385 W Lochland Rd Within City Limit ☒ Yes ☐ No
Existing Zoning: R-1A & R-1 Proposed Zoning / Use: R-1A
Existing Comprehensive Plan Designation: Suburban Residential Gross Area: 1.78
Legal Description: Keller Pointe Second Sub. Number of Lots: 1

APPLICANT INFORMATION

Applicant: Mark Keller Company: _____
Address: 1385 W Lochland Rd Tel: 402.463.2431 Fax: _____
City: Hastings State: NE Zip: 68901 Email: WRA 1982 @charter.net
Property Owner: SAME Company: _____
Address: _____ Tel: Cell 402 462-0137 Fax: _____
City: _____ State: _____ Zip: _____ Email: _____
Key Contact: _____ Company: _____
Address: _____ Tel: _____ Fax: _____
City: _____ State: _____ Zip: _____ Email: _____

I hereby acknowledge that all information provided with this application is true to the best of my knowledge.

Property Owner Signature

Date

Applicant Signature

Date

DEPARTMENTAL USE ONLY

Fees: Preliminary/Final Plat - \$500.00 - 1 Lot - \$40.00 Receipt No. _____
Accepted by Staff: Rezone - \$450.00 - Filing Fee - \$20.00 Case No. _____
Total Fees: \$1018.00 Signature _____

PAID

KELLER POINTE SECOND SUBDIVISION

REPLATTING KELLER POINTE SUBDIVISION AND A PART OF THE
NW 1/4 OF SEC. 25-T8N-R10W, OF THE 6TH P.M., IN THE CITY OF
HASTINGS, ADAMS COUNTY, NEBRASKA.

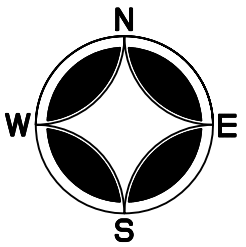
N. 1/4 CORNER
SEC. 25-T8N-R10W

NW CORNER SEC.
25-T8N-R10W

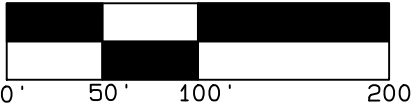
A-B N88°14'39"E 2653.27'M 2653.22'K

728.61'M-D-R PARKS 1980

LOCHLAND ROAD



ALL BEARINGS ARE ASSUMED
SCALE: 1"=100'



FLOODPLAIN INFORMATION:

NO PORTION OF THE PROPERTY
ON THIS SUBDIVISION PLAT IS LOCATED
WITHIN THE 100 YEAR FLOOD HAZARD
ZONE "A" AS DETERMINED BY THE
FEDERAL EMERGENCY MANAGEMENT
AGENCY AND FIRM MAP, COMMUNITY
PANEL NUMBER 31001C0070C,
EFFECTIVE 7/5/2018.

OWNERS' NAMES:

ESK FARMS, LLC
MARK L. AND JAMI A. KELLER
1385 W. LOCHLAND ROAD
HASTINGS, NE 68901

CURRENT ZONING IS R-1A AND R-1
PROPOSED ZONING: R-1A SINGLE
FAMILY LARGE LOT RESIDENTIAL

LEGAL DESCRIPTION:

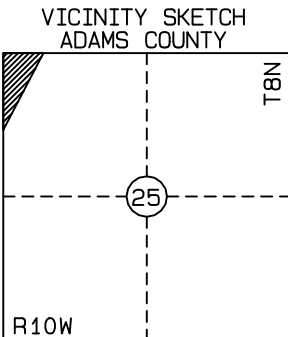
A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 25,
TOWNSHIP 8 NORTH, RANGE 10 WEST, OF THE 6TH P.M., IN THE CITY OF
HASTINGS, ADAMS COUNTY, NEBRASKA BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE
N88°14'39"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID
NORTHWEST 1/4 A DISTANCE OF 728.61 FEET, THENCE S27°21'07"W ON
THE WEST LINE OF TAX LOT 4 AND THE WEST LINE OF LOCHLAND
COUNTRY CLUB SUBDIVISION NUMBER 6 A DISTANCE OF 867.06 FEET
TO THE NORTHWEST CORNER OF LOT 1 OF SKYE LOCH 5TH SUBDIVISION,
THENCE S27°12'46"W ON THE WEST LINE OF SAID SKYE LOCH 5TH
SUBDIVISION AND ALSO BEING THE WEST LINE OF SKYE LOCH 3RD
SUBDIVISION A DISTANCE OF 177.60 FEET TO THE NORTHEAST CORNER
OF KELLER POINTE SUBDIVISION, THENCE S27°29'42"W ON SAID WEST
LINES AND ALSO BEING THE EAST LINE OF SAID KELLER POINTE
SUBDIVISION A DISTANCE OF 424.56 FEET TO THE SOUTHEAST CORNER
OF SAID KELLER POINTE SUBDIVISION, THENCE S89°16'04"W ON THE
SOUTH LINE OF SAID KELLER POINTE SUBDIVISION A DISTANCE OF 36.64
FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 THENCE
N00°42'58"W ON SAID WEST LINE A DISTANCE OF 1282.92 FEET TO THE
POINT OF BEGINNING, CONTAINING 11.28 ACRES MORE OR LESS, OF WHICH
1.49 ACRES IS BEING OCCUPIED AS PUBLIC ROAD RIGHT OF WAY.

SURVEYOR'S CERTIFICATE:

I, HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS
MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE
AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND
THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR
UNDER THE LAWS OF THE STATE OF NEBRASKA.
COMPLETED ON FEBRUARY 25TH, 2020.

JOSHUA E. GRUMMERT | LS-783

- LEGEND :
- M-MEASURED DISTANCE
 - K-T. KRUEGER 2012
 - R-R. PARKS 2004
 - G-GOVERNMENT DISTANCE
 - P-PLATTED DISTANCE
 - D-DEED DISTANCE
 - FOUND 1/2" REBAR
WITH LS-287 CAP UNLESS
NOTED OTHERWISE
 - SET 1/2" X 24" REBAR
WITH BLUE LS-783 CAP
UNLESS NOTED OTHERWISE



GRUMMERT PROFESSIONAL SERVICES, LLC
2837 WEST HIGHWAY 6, SUITE 206, HASTINGS, NE 68901
PHONE 402-879-5701 EMAIL jmgrummert@yahoo.com
WEBSITE www.grummertsurveying.com
GPS PROJECT # 095-2019 SHEET 1 OF 3

OWNERS CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT ESK FARMS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, AND JAMI A. KELLER AND MARK L. KELLER (WIFE AND HUSBAND), BEING THE OWNER(S) OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "KELLER POINTE SECOND SUBDIVISION", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT SAID SURVEYING, SUBDIVIDING, PLATTING AND DESIGNATION WAS DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AND WISHES OF THE UNDERSIGNED OWNERS. BE IT FURTHER KNOWN, THAT SAID OWNERS DO HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS.

SIGNED THIS _____ DAY OF _____, 2020.

ESK FARMS, LLC.

_____ JAMI A. KELLER _____ PRINTED NAME _____ MANAGING MEMBER _____ TITLE

_____ SIGNATURE

SIGNED THIS _____ DAY OF _____, 2020.

_____ JAMI A. KELLER

_____ MARK L. KELLER

WAIVER:

APPLICANTS HEREBY WAIVES ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS AND ALLEYS TO CONFORM TO SAID GRADES AS ESTABLISHED.

SIGNED THIS _____ DAY OF _____, 2020.

ESK FARMS, LLC

_____ JAMI A. KELLER _____ (TITLE) _____ MANAGING MEMBER
PRINTED NAME

_____ SIGNATURE

_____ JAMI A. KELLER

_____ MARK L. KELLER

ACKNOWLEDGEMENT

STATE OF NEBRASKA }
COUNTY OF ADAMS } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY
OF _____, 2020, BY _____ MARK L. KELLER AND JAMI A. KELLER (HUSBAND AND WIFE)
WHERE JAMI A.KELLER IS ALSO THE _____ MANAGING MEMBER _____ ESK FARMS, LLC, MY COMMISSION
EXPIRES THE _____ DAY OF _____, _____.

_____ NOTARY (SEAL)

CONSENT OF LIENHOLDER

I, _____ (PRINT NAME), _____ (TITLE) OF WELLS FARGO BANK, N.A.
BEING A LIENHOLDER OF THE DESCRIBED TRACT OF LAND, HEREBY APPROVE AND AGREE TO THE PLATTING
OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
ON THIS _____ DAY OF _____ 2020, ON BEHALF OF SAID WELLS FARGO BANK, N.A.

(SIGNATURE)

(PRINTED NAME AND TITLE)

ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2020
BY _____ (PRINT NAME)
_____ (TITLE) OF WELLS FARGO BANK, N.A.
MY COMMISSION EXPIRES THE _____ DAY OF _____, _____.

_____ NOTARY (SEAL)

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION WITHIN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
IS HEREBY _____, DATED THIS _____ DAY OF _____, _____.

MAYOR CITY CLERK

CITY ENGINEER'S APPROVAL

I, THE UNDERSIGNED, DO HEREBY _____ THIS PLAT OF KELLER POINTE
SECOND SUBDIVISION, A SUBDIVISION WITHIN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

CITY ENGINEER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION WITHIN 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 _____ AS PROPOSED

DATED THIS _____ DAY OF _____, _____.

CHAIRMAN DIRECTOR

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR
DELINQUENT UPON THE PROPERTY IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF

THIS _____ DAY OF _____, _____.

ADAMS COUNTY TREASURER

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE
DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT.

CITY OF HASTINGS TREASURER

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 OF ADAMS COUNTY, NEBRASKA

DATE: _____ TIME: _____

INSTRUMENT NO.: _____

REGISTER OF DEEDS

CORNER TIES:

NW CORNER SEC. 25-T8N-R10W
FOUND MAG SPIKE IN ASPHALT
NW 45.80' FD. PK-NAIL & DISK IN P.P.
SE 52.12' FD. NAIL IN T-PED POST
NE 51.20' FD. MAG NAIL IN P.P.

WEST 1/4 CORNER SEC. 25-T8N-R10W	NORTH 1/4 CORNER SEC. 25-T8N-R10W
FOUND MAG NAIL IN ASPHALT	FOUND MAG NAIL IN ASPHALT
E. 32.70' FD. 1/2" PIPE	N. 33.01' FD. 1/2" PIPE
W. 32.93' FD. 3/4" PIPE	NE 55.13' FD. NAIL X IN P.P.
SW 50.01' FD. 5/8" REBAR	SW 50.48' NE COR BRICK PILLAR

ORDINANCE NO. 4628

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF THE CITY OF HASTINGS, NEBRASKA TO REZONE CERTAIN PROPERTY FROM “R-1, URBAN SINGLE FAMILY RESIDENTIAL DISTRICT” AND “R1-A URBAN SINGLE-FAMILY LARGE LOT RESIDENTIAL” TO ALL “R-1A URBAN SINGLE-FAMILY LARGE LOT RESIDENTIAL DISTRICT”; TO REPEAL ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF HASTINGS, NEBRASKA:

SECTION 1. That the property legally described as follows:

Keller Pointe Second Subdivision in the City of Hastings, Adams County, Nebraska,

currently zoned “R-1 Urban Single Family Residential and “R-1A, Urban Single-Family Large Lot Residential District” be and the same is hereby rezoned, in its entirety, to “R-1, Urban Single-Family Large Lot Residential District”.

SECTION 2. That the City Engineer is hereby directed to cause the official zoning district map of the City of Hastings, Nebraska to be changed in accordance with the foregoing provisions.

SECTION 3. That any ordinance passed and approved prior to the passage, approval and publication or posting of this ordinance, and in conflict with its provisions, is hereby repealed.

SECTION 4. This ordinance shall take effect and be in full force from and after its passage, approval and pamphlet form.

PASSED AND APPROVED by the Mayor and City Council of the City of Hastings, Nebraska, this ____ day of _____, 2020.

Mayor

ATTEST:

City Clerk

(S E A L)

APPROVED TO FORM:

City Attorney

Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 3/16/2020
File No: 2020-008
Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

a. Public hearing to consider a zoning text amendment to Section 34-215 P.D. Planned District regulations, (4) Planned commercial and industrial districts.

Recommendation to approve Ordinance No. 4630.

Names of People/Business affected by this action:

People owning land in a planned district with a commercial or industrial development, people of Hastings and the City.

Why Planning Commission action is required:

Amendments to the zoning map, the text of Chapter 34 Zoning, or any part of the Comprehensive Plan may be made after a public hearing by the Planning Commission. Upon the final hearing of such application, 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).

Type of action requested:

Ordinance
Motion

Suggested motion:

Motion to recommend approval of Ordinance No. 4630, a zoning text amendment to Section 34-215 P.D. Planned District regulations, (4) Planned commercial and industrial districts.

Deadlines associated with action:

This case is scheduled to be heard at the April 13, 2020 regular meeting of city council.

Department head comments:

This item will administratively clean-up critical language that appears to have been included in the description of allowable deviations for the residential zone in Section 34-215 P.D. Planned District regulations, (3) Planned residential districts, but was not included in the guidance for less

restrictive zones found in 34-215 P.D. Planned District regulations, (4) Planned commercial and industrial districts. Staff feels this was inadvertently left off and that any planned commercial and industrial districts should at least provide for these same deviations and flexibility as is found with the more restrictive residential zones.

The proposed Ordinance would allow an applicant for a Development Plan to construct on platted tracts that are smaller than minimum lot size requirements, where adjacent open space is provided; allow for buildings to be grouped in clusters or courts; and allow for buildings to be located closer to lot lines if the buildings are architecturally suitable in relation to adjoining buildings and property. These regulations are consistent with existing regulations already present in the more restrictive residential zones of this same section. The Development Plan would still need to be submitted in accordance with the application procedure as laid out in 34-215 P.D. Planned District regulations, (6) Application Procedure and would require a recommendation to approve or disapprove from Planning Commission and then be approved or disapproved by City Council.

Recommendation:

Recommend motion to approve Ordinance 4630.

34-215. P.D. Planned district regulations.

(1) Intent. This district is intended to provide maximum flexibility in the development of property and at the same time to preserve and maintain the character and integrity of adjacent lands. It is an alternative to the base district standards where a plan for development equally or better meets the intent of the district or districts uses, better addresses site specific conditions including transitions to adjacent areas, and better service the public purpose than would otherwise occur under base standards.

(2) Each of the residential, commercial or industrial districts (R-1 to I-2 inclusive) shall have a separate and distinct counterpart, known, and herein referred to as: planned residential, planned commercial or planned industrial district. A planned district shall be for the purpose of permitting and regulating the uses permitted in the equivalent district, except as provided herein, and further, provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards and open spaces subsequent to a recommendation from the Planning Commission and the approval of the plan by the City Council. The intent is to allow development of tracts of land to their fullest extent, and at the same time observe the general intent and spirit of these regulations. It is anticipated that by presenting a plan for a specific improvement or use, a rezoning request could be recommended, whereas the request would appear too liberal if all permitted uses under such zoning were allowed.

(3) Planned residential districts. Planned residential districts may be permitted as follows:

Planned District Equivalent District

RP-1 R-1

RP-2 R-2

RP-3 R-3

In general the height and bulk of buildings, the amount of light, air and open space, the dwelling unit density, the parking and loading requirements should be equal to those in the equivalent district. The uses permitted shall be the same as in the equivalent district; provided that the applicant, when applying for this zoning classification, may voluntarily limit the plan as to buildings, improvements and the use thereof.

Variations and departures from normal practice may be permitted. Each building need not face on a public street, and more than one building may be located on a lot. Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements where other adjacent permanent open space is provided. Buildings may be grouped in clusters or around courts and may be served by private drives in lieu of public streets. Buildings may be located closer to lot lines than otherwise permitted, provided such buildings are architecturally suitable for such a relationship to adjoining buildings and property. Any building or portion thereof may be owned in condominium under applicable state laws governing the same.

(4) Planned commercial and industrial districts. Planned commercial and industrial districts may be permitted as follows:

Planned District Equivalent District

CP-O C-O

CP-1 C-1

CP-2 C-2

CP-3 C-3

IP-1 I-1

IP-2 I-2

In general, the height and bulk of buildings, setbacks, the amount of light, air and open space, the parking and loading requirements shall be equal to those in the equivalent district; except, that off-street parking and setback requirements in District CP-2 shall be the same as in C-3. The uses permitted and the performance standards shall be the same as in the equivalent district; provided, that the applicant, when applying for this zoning classification, may voluntarily limit the plan as to buildings, improvements and the use thereof.

This district may be used to provide for and encourage the grouping of business or residential buildings into centers in keeping with modern concepts of office center, service center, shopping centers and industrial park design. Buildings may be constructed on platted tracts which are smaller than the minimum lot size requirements where other adjacent permanent open space is provided. Buildings may be grouped in clusters or around courts. Buildings may be located closer to lot lines than otherwise permitted, provided such buildings are architecturally suitable for such a relationship to adjoining buildings and property. The further intent and purpose, shall be to reduce the need for strips of commercial development along thoroughfares and to encourage centers and clusters offering the equivalent in goods and services.

(5) Procedure for rezoning property to a planned district. A tract of land may be zoned to a District R P-1 through IP-2 inclusive, only upon application by the owner or his agent, and only upon approval of a preliminary development

plan for the tract. The proponents of a planned development shall prepare and submit to the Planning Commission, a preliminary development plan.

(6) Application procedure.

(a) Applications for a planned district shall be submitted to the Development Services Department Office at least fifteen (15) days prior to the next regularly scheduled monthly meeting of the Planning Commission. The application shall be submitted on forms provided by the Department and shall be accompanied by a non-refundable fee in an amount set forth in the Hastings City Council Resolution of fees.

At a minimum, the application shall include, but not be limited to the following:

(i) A narrative statement describing the proposed development, indicating the phases of construction, projected construction starting and completion dates and any other relevant information concerning the development.

(ii) The boundaries of the tract to be developed, and the area adjacent for a distance of not less than three hundred (300) feet, indicating the zoning classification of said property and the approximate location of buildings.

(iii) The existing topography of the tract.

(iv) A site plan drawn to a scale of fifty (50) feet to the inch or larger indicating the proposed location and arrangement of buildings, structures, parking areas, existing and proposed streets, drives and other public ways, public property, drainage, screening, landscaping and other features of the proposed development.

(v) Sufficient dimensions to indicate the relationship between buildings, streets, drives and property lines.

(vi) Preliminary elevations and plan drawings of proposed buildings.

(vii) In the case of rezoning applications for purposes of construction centers having an ultimate floor area of sixty thousand (60,000) square feet or more, a market analysis of the City trade area, prepared by competent and experienced analysts, may be required in support of the application. Such analysis shall show plainly and accurately the role that the proposed center will play in the City's retail economy.

The Planning Commission or the Hastings City Council request additional information they deem appropriate to review the application, preliminary or final development plans.

(b) The Planning Commission shall advertise and hold a public hearing on the application and plan, as provided in Section 34-801(2) for any changes, amendments or appeals. The Commission shall recommend approval or denial of the plan and report. At the conclusion of the public hearing, the plan and supporting data shall be sent on to the City Council for action.

(c) After final approval of the preliminary development plan and rezoning of the land by the City Council, the applicant shall prepare final plans for the development. All conditions and revisions to the preliminary plan shall be incorporated into the final plan.

(d) The final plans shall be submitted to the Development Services Department and approved as to compliance with the City Council-approved preliminary plan prior to the issuance of a building permit. No building construction regrading or excavation work is to take place on the site until after the final plans have been approved.

(e) If the Development Services Department disapproves the final plans, the Department's action may be appealed to the Planning Commission, which shall hold a public hearing upon said appeal as provided in subsection (b) above.

(7) Amendments. All requests for amendments to any approved plan shall be reviewed by the Planning Commission and approved by the City Council, if found to be consistent with the purposes of this Section; provided however, the Planning Director is hereby authorized to approve minor incidental exterior site changes in keeping with the character and intent of the approved planned district development plans. Such administrative approval shall be limited to the following:

(a) Parking lot and landscaping improvements including striping and redesignation of required parking areas.

(b) Within residential, commercial and industrial planned districts, the Planning Director may approve minor revisions to an approved plan including exterior facade changes, building area increases, fences, decks, signs and

similar building and site appurtenances providing the character and intent of the original plan approval is preserved and maintained.

An appeal from the Planning Director's denial of a requested minor change may be taken to the Planning Commission. The procedure for such appeals shall be the same as provided for amendments under Section 34-801(2) of this chapter.

(8) The City Engineer and Development Services Director are hereby authorized to administratively approve interior building changes or remodeling within buildings in approved planned districts. Such approval shall be limited to the following:

(a) Interior changes or remodeling within buildings located within approved planned district developments to the extent such changes do not affect any changes in the exterior building dimensions approved by the City Council.

(b) Interior changes intended to accommodate a use not included in the planned district regulations for the property shall not be allowed under this Section until first approved by the Hastings City Council under the provisions of this section.

(Ord. No. 3122-6/89, 3585-6/97, 3895-3/2003 and 4233-11/2009)

Department: Development Services

Staff Contact:

Planning Commission Meeting Date: 3/16/2020

File No: 2020-005

Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to consider a zoning text amendment to Section 34-311 and Table 311-1: Residential Accessory Structures, regarding the exterior design requirements for accessory structures located in R1-A and R1-S zoning districts.

Recommendation to approve Ordinance No. 4629.

Names of People/Business affected by this action:

Citizens in R1-A and R1-S zoning districts that plan to build accessory structures.

Why Planning Commission action is required:

Amendments to the zoning map, the text of Chapter 34 Zoning, or any part of the Comprehensive Plan may be made after a public hearing by the Planning Commission. Upon the final hearing of such application, 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).

Type of action requested:

Ordinance

Motion

Suggested motion:

Motion to recommend approval of Ordinance No. 4629, a zoning text amendment to Hastings City Code section 34-311 and Table 311-1: Residential Accessory Structures, regarding the exterior design requirements for accessory structures located in R1-A and R1-S zoning districts.

Deadlines associated with action:

This case is scheduled to be heard at the April 13, 2020 regular meeting of city council.

Department head comments:

Under current code all residents selecting or building an accessory structure for their residence must meet exterior design standards if the structure exceeds 145 S.F. The appearance of such

structures is to be architecturally harmonious with the principal structure, matching the materials, design, style and color of the principal structure. For larger lots with greater distance from adjacent properties and street ROW this has been arguable a disparate point, particularly where the land owners reside adjacent to agriculturally-zoned areas where property owners are exempt from this guidance. The perception is that this part of our code is inconsistently applied on larger lots and this creates contention among the public. Staff feels the specific design requirement for matching materials to the primary residence is too stringent for larger lot owners where appearance impacts on surrounding properties are less of a concern. Building code still places requirements on these property owners to ensure that these structures are durable enough to withstand high winds and other environmental impacts that might justify dictating materials. Staff would like to eliminate this particular design requirement to loosen the requirement for lots where visual consistencies in materials would be less of a concern by adjacent property owners. This code change would only be relevant to those structures exceeding 864 S.F. and in accordance with this bracket of Table 311-1 this would only apply to lots larger than 10,000 S.F. Based on minimum lot size requirements in our residential districts, this would only be applicable to R1-A (minimum lot size of 20,000 S.F.) and R1-S (minimum lot size of 1.5 acres) residential zones.

Recommendation:

Recommend motion to approve Ordinance 4629.

34-311. Accessory uses and structures.

(1) In General. Within the schedule of district regulations certain buildings and structures may be erected and land may be used for purposes which are clearly incidental to, and customarily and commonly associated with the main permitted use of the premises. Such accessory buildings and uses shall be so constructed, maintained and conducted as to not produce noise, vibration, concussion, dust, dirt, fly ash, odor, noxious gases, heat, glare, magnetic or other type of radiation, electrical interference or any other deleterious effect which is injurious, damaging, unhealthful or disturbing to adjacent property, the users thereof, or the users of the subject property. Such uses shall be on the premises of the main use.

(2) Accessory Uses of Principal Buildings. Any accessory use may be conducted in the principal building, provided it is constructed as an integral part of the main building and meets all regulations affecting the main building; except,

(a) No more than one (1) garage or carport space shall be permitted for each two thousand (2000) square feet of lot coverage. For the purposes of this section, a garage or carport space shall be considered to have an area not exceeding two hundred eighty-eight (288) square feet.

All portions of the main building, including those used for accessory uses shall be subject to the standards and lot coverage requirements for the district.

(3) Accessory Uses of Accessory Structures - Residential.

(a) Residential zoned and developed property shall be permitted detached accessory buildings, limited to the following:

- (i) Garage.
- (ii) Tool shed.
- (iii) Hobby shop.
- (iv) Greenhouse.
- (v) Children's playhouse or similar structures.

(b) Detached accessory buildings shall be permitted according to the planning and design standards in Table 311-1.

TABLE 311-1: RESIDENTIAL ACCESSORY STRUCTURES*			
Size	Quantity	Setbacks	Design Standards
144 s.f. or less	No limits but no more than 10% of lot area	10' from principal structure; 10' from other structures (lots more than 50' width); 6' from other structures (lots 50' width or less); 3' from side or rear property line; Behind the constructed front building line or principal building	None
145 s.f. to 864 s.f.	1 per lot; except that a second detached structure may be constructed provided that the aggregate area of the two accessory structures does not exceed the lesser of 864 sq. ft., or the footprint area of the principal structure. On lots greater than 10,000 sq. ft. in area, one structure with an area not exceeding 864 sq. ft. is permitted for each 10,000 sq. ft. of lot area. Such structures shall count against the limit for structures greater than 864 sq. ft. permitted in this table. No garage shall exceed the size of the principal structure on the lot on which it is located.	10' from principal structure; 10' from other structures (lots more than 50' width); 6' from other structures (lots 50' width or less); 3' from side or rear property line; 1' if abuts an alley Same permitted front setback line as principal buildings	The exterior design and appearance shall be architecturally harmonious with the principal structure, matching the materials, design, style and color of the principal structure.

More than 864 s.f.	Maximum area of 10% of lot area. Limit of 1 per 10,000 sq. ft. of lot area. Not permitted on lots with area less than 10,000 sq. ft. <u>(Note: only residential zones R-1A & R-1S have minimum lot requirements that exceed 10,000 s.f.)</u>	10' from principal structure; 10' from other structures; 5' from side or rear lot lines; On corner lots, the accessory structure shall not be located closer to the front lot line than the principal structure. The street-side side-yard shall be the same as required for principal structure in the zoning district in which the property is located.	The exterior design and appearance shall be architecturally harmonious with the principal structure, matching the materials, design, style and color of the principal structure. <u>An accessory structure in,</u> except that the Agricultural District, and any agriculturally used land in the 2-mile extraterritorial zoning jurisdiction, shall be exempt from this
* Accessory building footprints contribute to the overall lot coverage limits applicable in the zoning district, and the quantity and sizes may be limited beyond the above limitations by the overall lot coverage requirements on individual lots. Accessory buildings on corner lots shall meet the applicable street-side side-yard setback that applies to the principal structure in the district in which it is located.			

(4) Specified Accessory Uses. The following are hereby found to be accessory uses so long as they do not conflict with the general requirements for accessory uses, as set forth in subparagraph (1) above:

(a) In all Districts except CMP, C-O, C-1, C-2, C-3, I-1 and I-2: caregiver quarters.

(b) In all Districts: temporary real estate sales office, located on the property being sold, and limited to the period of sale.

(c) As to multiple family dwellings: recreation areas, including tenant use swimming pools and minor recreation buildings, tenant trash collection centers, power generators, vending machines for tenant use and other similar uses.

(d) District R-3 and I-2: food service and vending machines for tenants only, private garages for motor vehicles, apartment for maintenance personnel, low level exterior lighting, radio, television or microwave antennae not exceeding sixty (60) feet in height, flag poles, cooling towers and other similar uses.

(e) Districts I-1 and I-2: security and screen fencing, radio and microwave towers to heights as set out in this chapter, gate house, loading equipment, dwellings incidental to industrial activities, and other similar uses.

(f) As to motels: a restaurant, banquet room, liquor, notions and magazine counters, vending machines, beauty and barber shops, clubs, flower and gifts shops, provided all are within the main building and designed to service primarily the occupants and patrons of the motor hotel.

(g) As to hospitals: residential quarters for staff and employees, nursing or convalescent quarters, storage and utility buildings, food and prescription service, and vending machines, laundry and other similar services for hospital personnel and patients.

(h) As to utility buildings: outside storage of materials and equipment, provided all outside storage is screened from view from off the premises.

(i) As to single family residences: private swimming pools, gardens, pets lawfully kept under the code, television and radio receiving antennae not exceeding sixty (60) feet in height, signs as permitted in this Chapter, parking areas, tool sheds not exceeding one hundred (100) square feet, play equipment, storage of one (1) tenant owned boat, camping trailer or pickup camper, the overnight parking of a truck of one ton rating or less, and other similar uses. Any accessory use, other than a residential building or garage, which exceeds ten (10) feet in height shall be located a distance inside the property line at least equal to one third its height.

(5) No private drive or walk shall be permitted across property zoned R-1 to C-0 inclusive, for the purpose of providing access between parcels located in districts zoned C-1 to I-2 inclusive.

(6) Permitted temporary accessory uses.

(a) Portable storage units. No portable storage unit shall be placed on a residential property without first submitting an application for a permit to the Development Services Department;

(b) The application shall include:

(i) The name, address, and telephone numbers(s) of the owner or manager of the property on or at which the temporary storage unit is to be placed;

(ii) The name, address and telephone number of the individual or company which owns the temporary storage unit;

(iii) A plot plan showing the distance between the proposed location of the unit and the street, driveway or parking area, the dwelling and other structures.

(iv) Such other information as the City may require to determine full compliance with this and other applicable ordinances of the City;

(v) Application fee per approved fee schedule.

(c) Portable storage units are permitted subject to the following limitations and standards:

(i) Permitted on properties with existing detached single family and attached single family dwellings.

(ii) Permitted on the driveway and rear yard of a property. The placement of the portable storage unit shall be setback 5' from the rear property line.

(iii) The portable storage unit shall be no greater than 9' in width, 9' in height, and 16' in length.

(iv) The portable storage unit may be placed on a property for a period of 14 calendar days. At the end of the 14-day period, the applicant may request a maximum of 2 extensions with 7 days each from the Development Services Department.

(v) Only 1 permit shall be issued for each dwelling at any one time. No more than 2 permits shall be granted for the same property within a 12-month period.

(vi) The portable storage unit shall be locked and secured at all times when the loading and unloading is not in progress.

(vii) Storage of hazardous material within temporary storage units is prohibited.

(viii) Signs affixed to the storage unit identifying the owner/provider of the storage unit are the only form of sign allowed. The total number of signs allowed on a storage unit shall be limited to 2, and no more than 1 on any side. Each sign shall be limited to a maximum of 18 square feet in area. Storage units with the signs pre-printed on the structure shall be excluded from the maximum size requirement.

(ix) All portable storage containers must display an identification card not to exceed one square foot in area which is clearly visible from the right-of-way which includes the permit number, date of its placement on the property, date that removal will be required, and a local or toll-free telephone number of the company providing the portable storage unit.

(x) Any portable storage unit not removed at the end of the permitted period may be removed by the City of Hastings. The cost of such removal and administration of its removal shall be the property owner's responsibility.

(7) The determination of the eligibility of a proposed use as an accessory use shall be made by the Development Services Director. An appeal can be made from his decision, as set out in Section 34-706(A). (Ord. No. 2255, Chapter 1, 3109-1/89, 3335-8/93, 4233-11/2009, 4256-5/2010, 4304-9/2011, 4418-12/2014, 4445-7/2015, 4495-11/2016)

Department: Development Services
Staff Contact: Mark Evans, Lisa Parnell-Rowe
Planning Commission Meeting Date: 3/16/2020
File No: 2020-006
Prepared By: Mark Evans, Building Inspector

AGENDA ITEM SUMMARY SHEET

Description of Item:

Consider a recommendation to approve a Preliminary/Final plat for Keller Pointe Second Subdivision, in the City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

The applicants, the people of Hastings and the City.

Why Planning Commission action is required:

Approval of the preliminary plat by the City Council does not constitute acceptance of the subdivision, but is merely an authorization to proceed with preparation of the final plat of record. No grading of streets, or construction shall be done on the subdivision before the final plat is approved by the Planning Commission and by the City Council, except by special permission of the City Council. (Hastings City Code Section 38-202).

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:

Suggested motion:

Motion to recommend approval of a Preliminary/Final Plat for Keller Pointe Second Subdivision, in the City of Hastings, Adams County, Nebraska.

Deadlines associated with action:

This item is scheduled for consideration at the April 13, 2020 regular meeting of City Council.

Department head comments:

The Development Department and Plat Track review teams have reviewed this plat and the

applicant has incorporated all suggestions. 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.

DATE 1 / 13 / 2020

FILE NO.



PROJECT APPLICATION

City of Hastings – Development Services
 220 N. Hastings Avenue, Hastings, NE 68901
 Phone: (402) 461-2302; Fax: (402) 461-2304
 www.cityofhastings.org

Please check the appropriate box below to indicate the type of application you are requesting. Contact Development Services for minimum requirements. Incomplete applications will not be processed. All applications must be completed by applicant prior to submission with all of the requested support materials by the last Monday of each month or they will be held until the next deadline to be processed.

- | | | |
|---|---|--|
| ☒ Preliminary Plat | ☒ Final Plat | ☐ Administrative Plat |
| ☐ Code Amendment | ☒ Zoning Change | ☐ Vacation (Plat / ROW / Easements) |
| ☐ Conditional Use Permit / Amendment | ☐ Planned District / Amendment | |
| ☐ Comprehensive Plan / Amendment | ☐ Annexation Petition / Addition to the City | |

PROJECT INFORMATION

Project Name: Keller Pointe Second Sub.
 Project Address: 1385 W Lockland Rd Within City Limit ☒ Yes ☐ No
 Existing Zoning: R-1A & R-1 Proposed Zoning / Use: R-1A
 Existing Comprehensive Plan Designation: Suburban Residential Gross Area: 1.78
 Legal Description: Keller Pointe Second Sub. Number of Lots: 1

APPLICANT INFORMATION

Applicant: Mark Keller Company: _____
 Address: 1385 W Lockland Rd Tel: 402.463.2431 Fax: _____
 City: Hastings State: NE Zip: 68901 Email: WRA 1982 @charter.net
 Property Owner: SAME Company: _____
 Address: _____ Tel: Cell 402 462-0137 Fax: _____
 City: _____ State: _____ Zip: _____ Email: _____
 Key Contact: _____ Company: _____
 Address: _____ Tel: _____ Fax: _____
 City: _____ State: _____ Zip: _____ Email: _____

I hereby acknowledge that all information provided with this application is true to the best of my knowledge.

Property Owner Signature

Date

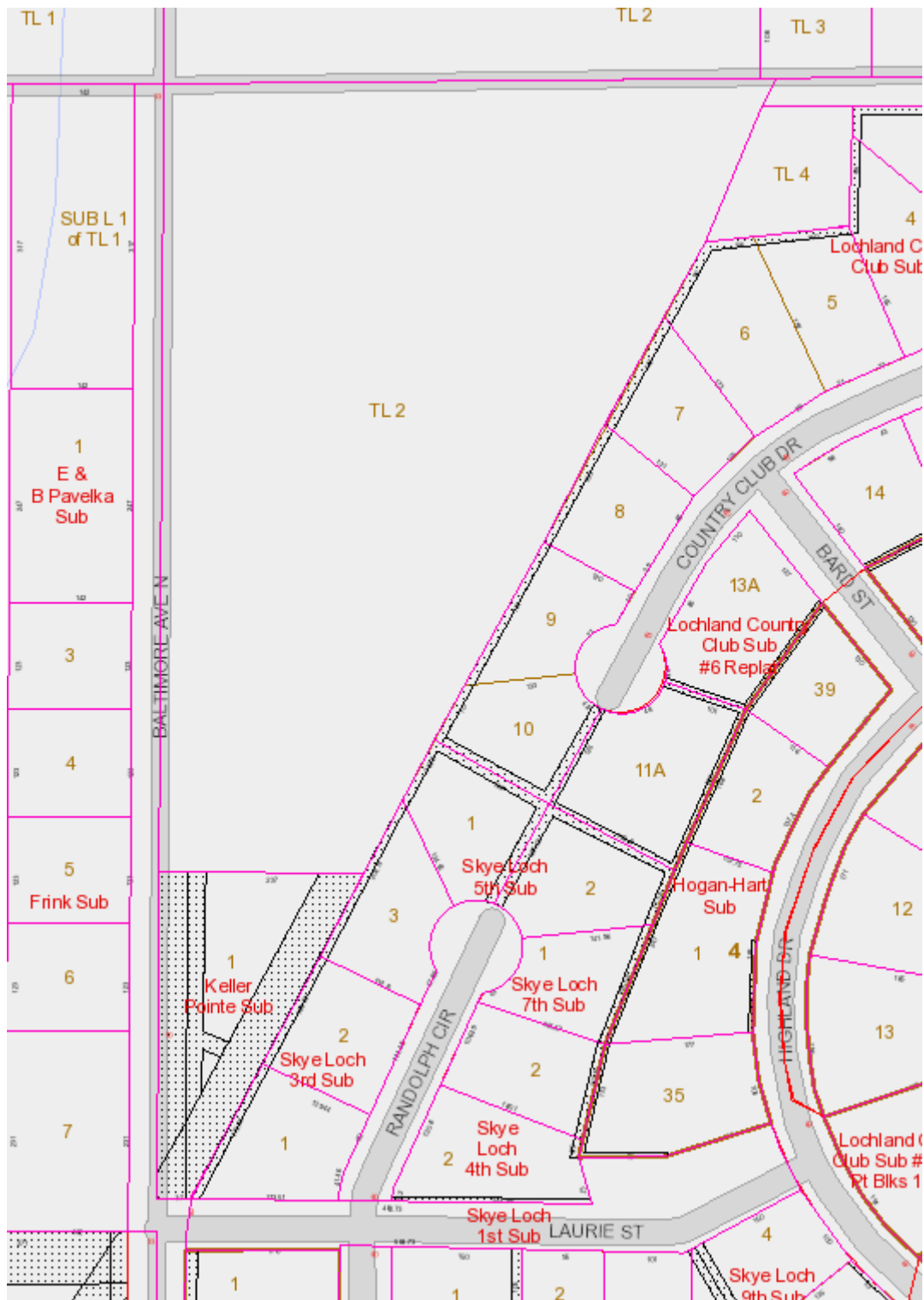
Applicant Signature

Date

DEPARTMENTAL USE ONLY

Fees: Preliminary/Final Plat - \$500.00 - 1 Lot - \$40.00 Receipt No. _____
 Accepted by Staff: Rezone - \$450.00 - Filing Fee - \$20.00 Case No. _____
 Total Fees: \$1018.00 Signature _____

PAID



KELLER POINTE SECOND SUBDIVISION

REPLATTING KELLER POINTE SUBDIVISION AND A PART OF THE NW 1/4 OF SEC. 25-T8N-R10W, OF THE 6TH P.M., IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

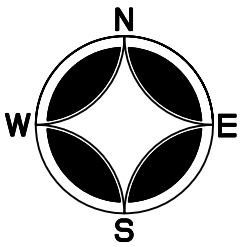
N. 1/4 CORNER SEC. 25-T8N-R10W

NW CORNER SEC. 25-T8N-R10W

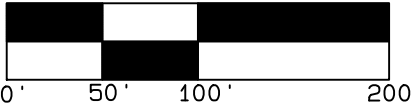
A-B N88°14'39"E 2653.27'M 2653.22'K

728.61'M-D-R PARKS 1980

LOCHLAND ROAD



ALL BEARINGS ARE ASSUMED SCALE: 1"=100'



FLOODPLAIN INFORMATION:

NO PORTION OF THE PROPERTY ON THIS SUBDIVISION PLAT IS LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE "A" AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND FIRM MAP, COMMUNITY PANEL NUMBER 31001C0070C, EFFECTIVE 7/5/2018.

OWNERS' NAMES:

ESK FARMS, LLC
MARK L. AND JAMI A. KELLER
1385 W. LOCHLAND ROAD
HASTINGS, NE 68901

CURRENT ZONING IS R-1A AND R-1
PROPOSED ZONING: R-1A SINGLE
FAMILY LARGE LOT RESIDENTIAL

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST, OF THE 6TH P.M., IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 25, THENCE N88°14'39"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID NORTHWEST 1/4 A DISTANCE OF 728.61 FEET, THENCE S27°21'07"W ON THE WEST LINE OF TAX LOT 4 AND THE WEST LINE OF LOCHLAND COUNTRY CLUB SUBDIVISION NUMBER 6 A DISTANCE OF 867.06 FEET TO THE NORTHWEST CORNER OF LOT 1 OF SKYE LOCH 5TH SUBDIVISION, THENCE S27°12'46"W ON THE WEST LINE OF SAID SKYE LOCH 5TH SUBDIVISION AND ALSO BEING THE WEST LINE OF SKYE LOCH 3RD SUBDIVISION A DISTANCE OF 177.60 FEET TO THE NORTHEAST CORNER OF KELLER POINTE SUBDIVISION, THENCE S27°29'42"W ON SAID WEST LINES AND ALSO BEING THE EAST LINE OF SAID KELLER POINTE SUBDIVISION A DISTANCE OF 424.56 FEET TO THE SOUTHEAST CORNER OF SAID KELLER POINTE SUBDIVISION, THENCE S89°16'04"W ON THE SOUTH LINE OF SAID KELLER POINTE SUBDIVISION A DISTANCE OF 36.64 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 THENCE N00°42'58"W ON SAID WEST LINE A DISTANCE OF 1282.92 FEET TO THE POINT OF BEGINNING, CONTAINING 11.28 ACRES MORE OR LESS, OF WHICH 1.49 ACRES IS BEING OCCUPIED AS PUBLIC ROAD RIGHT OF WAY.

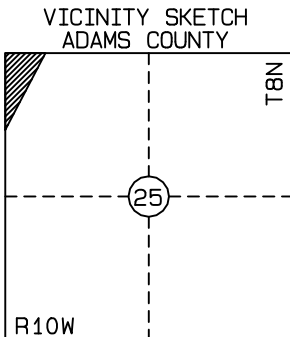
SURVEYOR'S CERTIFICATE:

I, HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE, AND THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA. COMPLETED ON FEBRUARY 25TH, 2020.

JOSHUA E. GRUMMERT | LS-783

LEGEND :
M-MEASURED DISTANCE
K-T. KRUEGER 2012
R-R. PARKS 2004
G-GOVERNMENT DISTANCE
P-PLATTED DISTANCE
D-DEED DISTANCE

● FOUND 1/2" REBAR WITH LS-287 CAP UNLESS NOTED OTHERWISE
● SET 1/2" X 24" REBAR WITH BLUE LS-783 CAP UNLESS NOTED OTHERWISE



GRUMMERT PROFESSIONAL SERVICES, LLC
2837 WEST HIGHWAY 6, SUITE 206, HASTINGS, NE 68901
PHONE 402-879-5701 EMAIL jmgrummert@yahoo.com
WEBSITE www.grummertsurveying.com

GPS PROJECT # 095-2019 SHEET 1 OF 3

OWNERS CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT ESK FARMS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, AND JAMI A. KELLER AND MARK L. KELLER (WIFE AND HUSBAND), BEING THE OWNER(S) OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "KELLER POINTE SECOND SUBDIVISION", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT SAID SURVEYING, SUBDIVIDING, PLATTING AND DESIGNATION WAS DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AND WISHES OF THE UNDERSIGNED OWNERS. BE IT FURTHER KNOWN, THAT SAID OWNERS DO HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS.

SIGNED THIS _____ DAY OF _____, 2020.

ESK FARMS, LLC.

_____ JAMI A. KELLER _____ PRINTED NAME _____ MANAGING MEMBER _____ TITLE

_____ SIGNATURE

SIGNED THIS _____ DAY OF _____, 2020.

_____ JAMI A. KELLER

_____ MARK L. KELLER

WAIVER:

APPLICANTS HEREBY WAIVES ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS AND ALLEYS TO CONFORM TO SAID GRADES AS ESTABLISHED.

SIGNED THIS _____ DAY OF _____, 2020.

ESK FARMS, LLC

_____ JAMI A. KELLER _____ (TITLE) _____ MANAGING MEMBER
PRINTED NAME

_____ SIGNATURE

_____ JAMI A. KELLER

_____ MARK L. KELLER

ACKNOWLEDGEMENT

STATE OF NEBRASKA }
COUNTY OF ADAMS } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY
OF _____, 2020, BY _____ MARK L. KELLER AND JAMI A. KELLER (HUSBAND AND WIFE)
WHERE JAMI A.KELLER IS ALSO THE _____ MANAGING MEMBER _____ ESK FARMS, LLC, MY COMMISSION
EXPIRES THE _____ DAY OF _____, _____.

_____ NOTARY (SEAL)

CONSENT OF LIENHOLDER

I, _____ (PRINT NAME), _____ (TITLE) OF WELLS FARGO BANK, N.A.
BEING A LIENHOLDER OF THE DESCRIBED TRACT OF LAND, HEREBY APPROVE AND AGREE TO THE PLATTING
OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
ON THIS _____ DAY OF _____ 2020, ON BEHALF OF SAID WELLS FARGO BANK, N.A.

(SIGNATURE)

(PRINTED NAME AND TITLE)

ACKNOWLEDGEMENT

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2020
BY _____ (PRINT NAME)
_____ (TITLE) OF WELLS FARGO BANK, N.A.
MY COMMISSION EXPIRES THE _____ DAY OF _____, _____.

_____ NOTARY (SEAL)

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION WITHIN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
IS HEREBY _____, DATED THIS _____ DAY OF _____, _____.

MAYOR CITY CLERK

CITY ENGINEER'S APPROVAL

I, THE UNDERSIGNED, DO HEREBY _____ THIS PLAT OF KELLER POINTE
SECOND SUBDIVISION, A SUBDIVISION WITHIN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

CITY ENGINEER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF KELLER POINTE SECOND SUBDIVISION, A SUBDIVISION WITHIN 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 _____ AS PROPOSED

DATED THIS _____ DAY OF _____, _____.

CHAIRMAN DIRECTOR

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR
DELINQUENT UPON THE PROPERTY IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF

THIS _____ DAY OF _____, _____.

ADAMS COUNTY TREASURER

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE
DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT.

CITY OF HASTINGS TREASURER

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 OF ADAMS COUNTY, NEBRASKA

DATE: _____ TIME: _____

INSTRUMENT NO.: _____

REGISTER OF DEEDS

CORNER TIES:

NW CORNER SEC. 25-T8N-R10W
FOUND MAG SPIKE IN ASPHALT
NW 45.80' FD. PK-NAIL & DISK IN P.P.
SE 52.12' FD. NAIL IN T-PED POST
NE 51.20' FD. MAG NAIL IN P.P.

WEST 1/4 CORNER SEC. 25-T8N-R10W
FOUND MAG NAIL IN ASPHALT
E. 32.70' FD. 1/2" PIPE
W. 32.93' FD. 3/4" PIPE
SW 50.01' FD. 5/8" REBAR

NORTH 1/4 CORNER SEC. 25-T8N-R10W
FOUND MAG NAIL IN ASPHALT
N. 33.01' FD. 1/2" PIPE
NE 55.13' FD. NAIL X IN P.P.
SW 50.48' NE COR BRICK PILLAR

