

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Monday, April 20, 2020 at 4:00 PM via teleconference. The meeting is open to the public electronically or telephonically and a copy of the agenda is available at the Development Services Department Office, 220 N. Hastings Avenue, Hastings, Nebraska and on the City's website, www.cityofhastings.org. Members of the public may view the meeting on the City's website, www.cityofhastings.org, and may speak during the Public Hearings by calling 402-462-3500.

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, April 17, 2020. The public is advised that a copy of today's agenda can be found at www.cityofhastings.org
6. Approval of Minutes
 - a. Meeting of March 16, 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. **2020-009.** Public hearing on a request for a Preliminary Development Plan, for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision, City of Hastings, Adams County, Nebraska.

Recommendation to approve the request for a Preliminary Development Plan, for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision, City of Hastings, Adams County, Nebraska.

Planning Commission Agenda

April 20, 2020

Page 2

- b. **2020-010.** Public hearing on a request for a Conditional Use Permit (CUP) for a Church Use at 408 North Minnesota Avenue, City of Hastings, Adams County, Nebraska.

Recommendation to approve Conditional Use Permit (CUP) for a Church Use at 408 North Minnesota Avenue, in the City of Hastings, Adams County, Nebraska

- c. **2020-012.** Public hearing to consider Plan Modification No. 2020-2 to Redevelopment Plan #1 for Lots 4 and 5, Block 26 in the Original Town of Hastings, Adams County, Nebraska, commonly addressed as 615 West 1st Street.

Motion to recommend the Plan Modification No. 2020-2 to Redevelopment Plan #1 for Lots 4 and 5, Block 26, Original Town of Hastings, Adams County, Nebraska, commonly addressed as 615 West 1st Street.

10. Subdivisions

- a. **2020-006.** Preliminary/Final plat for Keller Pointe Second Subdivision, a replat of Keller Pointe Subdivision-Revised.
- b. **2020-011.** Preliminary plat for Hastings Rural Fire Subdivision.

11. Reports

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

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, March 16, 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 March 16, 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, LaDaun Schoenhals, Alternate Willis Hunt, Marshall Gaines, Eric Arneson, Mac Rundle, Michelle Lewis and Gavin Raitt. Absent: Rakesh Srivastava, Lou Kully.

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

Moved by Rundle, seconded by Hunt, to adopt the current agenda for the Planning Commission Meeting. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully.

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 Hinton, seconded by Rundle, to approve the minutes of the February 17, 2020 Planning Commission meeting. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully. The motion carried.

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

Lisa Parnell-Rowe explained the plat of Keller Pointe Second 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 unplatted. The existing plat of Keller Point Subdivision had rezoned to what is now considered Lot 2 to R1-A. Lot 1 has been depicted in the Adams County GIS as R-1; but 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 clean up this administrative discrepancy. Staff recommends approval.

Moved by Hinton, seconded by Schoenhals, to recommend approval to the City Council Ordinance No. 4628 for 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. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully. The motion carried.

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.

Lisa Parnell-Rowe stated 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 3-215 P.D. 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. and would require recommendation to approve or disapprove from Planning Commission and then approved or disapproved by City Council. Staff recommends approval.

Moved by Hunt, seconded by Hinton, to recommend to the City Council approval of Ordinance No. 4630, a zoning text amendment to Section 34-215 P.D. Planned District regulations, (4) Planned commercial and industrial districts. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully. The motion carried.

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.

Lisa Parnell-Rowe stated under the current code all residents building an accessory structure for their residence must meet exterior design standards if the structure exceeds 145 sq. ft. 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. Landowners in agriculturally zoned areas 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. 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 865 sq. ft., and would only apply to lots larger than 10,000 sq. ft. and zoned R1-A and R1-S residential zones. Staff recommends approval.

Moved by Hunt, seconded by Schoenhals, to recommend approval to the City Council 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. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully. The motion carried.

10. Subdivisions

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

Lisa Parnell-Rowe stated this item is to consider recommendation to approve a Preliminary/Final plat for Keller Pointe Second Subdivision. Approval is an authorization to proceed with preparation of the final plat of record. Staff recommends approval

Moved by Hunt, seconded by Hinton, to recommend approval to the City Council the Preliminary/Final Plat for Keller Pointe Second Subdivision, in the City of Hastings, Adams County, Nebraska. Roll Call: Ayes: Hinton, Schoenhals, Hunt, Gaines, Arneson, Rundle, Lewis and Raitt. Nays: None. Absent: Srivastava, Kully. The motion carried.

11. Reports

a. Committee Reports

Ann Hinton reported on the Ad hoc Committee meeting. Items for discussion were the TIF project in Kenesaw, a new cell tower by Roseland, the Rural Fire Station plat, rezoning for Keller Point Second Subdivision and the new zoning code for the City.

Adjourn

Chairman

Department: Development Services

Staff Contact: Lisa Parnell-Rowe

Planning Commission Meeting Date: 4/20/2020

File No: 2020-009

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

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on a request for a Preliminary Development Plan, for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision, City of Hastings, Adams County, Nebraska.

Recommend approval of the request for a Preliminary Development Plan, for property zoned CP-0, Commercial Office within a Planned District Overlay, for Primus Companies Hastings Dental Office located on property described as Lot 3, Anderson Second Subdivision, City of Hastings, Adams County, Nebraska.

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

34-215 (6) (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 Zoning 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.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

This item is scheduled to be heard at the City Council meeting on May 11, 2020.

Department head comments:

The base district of C-O is characterized as inclusive of urban and suburban residential and professional office uses that are appropriate in areas undergoing transition, or in areas where commercial uses might be damaging to established residential neighborhoods. Staff feels a Dental Office is a personal professional service. Table 200-1 lists a Professional Services Office as P (Permitted) in the C-O District. This use is allowable in base district.

This lot has an additional overlay – it is in a planned district. The lot zone is CP-O (Section 34-215). The planned district overlay 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.” The use of Dental Office on this lot will be compatible to its surroundings. There are many other commercial uses along the perimeter of the highway and just off Osborne Drive. To the northeast of this lot is the Home Realty Office, which is also a personal professional service.

In a commercial or industrial zone that carries a planned overlay, “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”.

The development plan for Hastings Dental on Lot 3 of Anderson Second Subdivision incorporates very few deviations from the base C-O District requirements as allowable in the planned district overlay. The one that it does incorporate is the flexibility for buildings to be located closer to lot lines than otherwise permitted. Below is describes what would normally be required in the base C-O district zone and what the applicant is proposing in their site plan as well as that deviation:

- The west side yard setback is 32.5’, and is proposed to deviate by 9.2’, setting a 23.3’ side yard.
- The south rear yard setback is 27.8’, and is proposed to deviate by 10.4’, setting a 17.4’ rear yard.
- The east side yard setback is 32.5’ and is not anticipated to be encroached.
- The north front yard setback is 25’ and is not anticipated to be encroached.

Staff notes that the following C-O Base District requirements have otherwise been met: minimum lot size, lot coverage and building height.

The following is a summary of additional site plan requirements and the applicant’s proposal to meet these requirements. Staff feels the adaptations that have been made are done in genuine interest of surrounding and adjacent properties in order to, “preserve and maintain the character and integrity of adjacent lands”.

Lighting requirements: The parking lot, site access, and building egress paths will be lit with shielded fixtures on the southeast side of the site to limit exposure to the adjacent uses. The site lighting will be full cutoff and will meet requirements found in Section 34-305 of Hasting City code. The parking lot light poles will be 25' in height. It is important to note that the maximum height that is allowable in a commercial district is 37.5; however, the applicant has elected to utilize a much shorter light pole and place it on the farthest corner from adjacent residential in consideration of residents to the north.

Sidewalks: Sidewalks will be in front of the building for access from the parking lot and along N Shore Drive for continuation of future neighborhood sidewalks. Sidewalks are 6' and concrete. City engineers have reviewed and approved.

Parking: The overall site has included a parking lot with one singular ingress/egress to North Shore Drive. The parking lot consists of 15 stalls with 1 handicap stall that will comply with ADA requirements. Staff calculated the parking requirement would be met with 12 parking spaces per required automobile parking in table 308-1, which states if less than 60,000 SF the requirement is 3.3 per 1000 SF. This structure will be 3700 SF. The Dental office is planned to serve the Hastings community during normal business hours Monday - Friday 8am to 5pm. The office will be closed on holidays, and over lunch from 12pm to 1pm. This office will accommodate 12 patients and 8 staff members at full capacity. Therefore, Staff feels the additional spaces are justifiable to accommodate up to 20 people in this location at one time.

Buffer Requirement: There is a 30' buffer requirement that is to be met when a base C-O district is adjacent to residential. Again, in consideration of residents to the north, as well as to lend value to the character and integrity of this neighborhood, the applicant has incorporated dense tree screening around the north and west sides of the building. The adjacent property to the west is zoned R-1 and with the setback on the west side being 22.5' from this lot this screening should help to provide additional buffer between the two properties. Staff notes that this R-1-zoned lot to the west has not currently been built upon; but the applicant has taken these measures in the event that it is built out in future.

Open Space: This development is located next to a large lot to the south that is residential and City-owned. This area will likely remain open space as it's surrounded by runoff /drainage from Hasting Lake and is in a floodway. This area is shown in the Future Land Use map as a parks and recreation zoning.

Landscape: The landscape plan includes plant beds along the front elevation of the building, as well as along the proposed retaining wall and monument sign. There will also be a landscape bed along the west property line adjacent to the residential property to screen the uses. The plan will include a dense tree screening around the north and west sides of the building. Areas not marked for landscape beds will be sodded. The entire site will be irrigated to keep the plants thriving

throughout the season. City Parks and Recreation is currently reviewing the street trees adjacent to North Shore Drive as required in 34-305 (3)(a) to ensure the appropriate approved species are planted in this area of the lot and the applicant has stated he will leave this to City discretion. Staff is also reviewing this plan, which was received slightly later than the rest of the plans. Completing review and incorporating necessary changes to the landscape plan are a condition for final development plan approval.

Sign: A monument sign will be located near the entrance for easy visibility to the North Shore Drive. Dimensions are not included in Site Plan. Applicant has agreed to submit a Development Permit that will be approved once it has met the regulations as described in Zoning Code 34-309.02. Applicant has confirmed that the positioning of this sign does not violate sight triangle and will not hinder visibility for those entering or leaving this office.

Dumpster: A trash enclosure will be located at the south end of the parking lot allowing for easy access and lower visibility from the road. A retaining wall to the south and east will screen dumpster area, as required. This wall is intended to be segmented block and match the accents of the building.

Water and Sewer: Water and Sewer have been reviewed by City Utilities. Plan has been approved for both with two conditions 1) applicant must change the thickness on the 4" sewer service lines from SDR35 to SDR 26 and 2) applicant will need to put a stop box at the property line.

Design: The applicant has greatly considered the dental office architectural design to ensure that it be compatible with the character of the neighboring subdivision by using similar methods of construction. This includes wood framing, engineered wood siding, traditional roof materials and peaks, traditional window treatments, and stone accents on all sides of the building.

Recommendation:

Staff recommends approval of the preliminary development plan for Lot 3 Anderson Second Subdivision with the following conditions:

- 1) Applicant must change the thickness on the 4" sewer service lines from SDR35 to SDR 26.
- 2) Applicant will need to put a stop box at the property line.
- 3) Applicant must submit a Development Permit for monument sign that will meet the regulations described in Zoning Code 34-309.02.
- 4) Any necessary changes to the landscape plan must be incorporated by the applicant prior to final development plan approval.
- 5) Applicant must also submit a Development permit for building and the development must receive final approval in accordance with building code prior to construction.



Primus Companies
Hastings Office
xxxx x St.
Hastings, Nebraska 68902

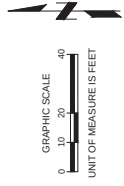


10/10/2024

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CHECKED BY: J. SMITH
FILE NAME: 10_00000000

EXISTING SITE CONDITIONS AND REMOVALS

C1.0



LEGEND	
---	PROPERTY LINE
---	EXISTING MAJOR CONTOUR
---	EXISTING MINOR CONTOUR
---	EXISTING OVERHEAD ELECTRIC
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING FENCE
---	EXISTING SANITARY
---	EXISTING WATER
---	EXISTING STORM
---	EXISTING TREE
---	REMOVE EXISTING PAVEMENT
---	SAW CUT FULL DEPTH

GENERAL NOTES:

- CONTRACTOR TO VERIFY ALL SITE CONDITIONS.
- ALL TRAFFIC CONTROL SHALL BE IN ACCORDANCE WITH THE CURRENT EDITION OF MUTCD.
- CONTRACTOR SHALL COORDINATE WITH THE UTILITY COMPANIES FOR ANY RELOCATION OF EXISTING UTILITIES.

DEMOLITION NOTES:

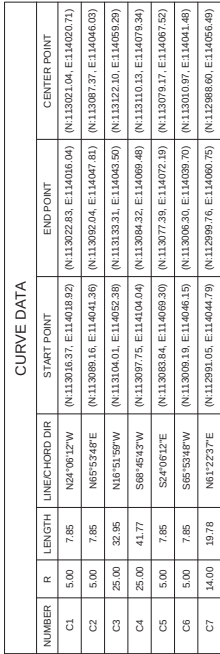
- PAVEMENT REMOVAL ALONG PAVEMENT THAT IS TO REMAIN SHALL BE SAW CUT FULL DEPTH. SAW CUTTING SHALL BE CONSIDERED SUBSIDIARY.
- CONTRACTOR IS RESPONSIBLE FOR LAWFUL REMOVAL & DISPOSAL OF ALL ITEMS.
- CONTRACTOR SHALL FIELD VERIFY EXISTING WATER AND SANITARY SERVICE LOCATIONS.

BENCHMARKS - NAVD 88		
POINT NAME	NORTHING	EASTING
BM-1	113061	114179
BM-2	113148	113988

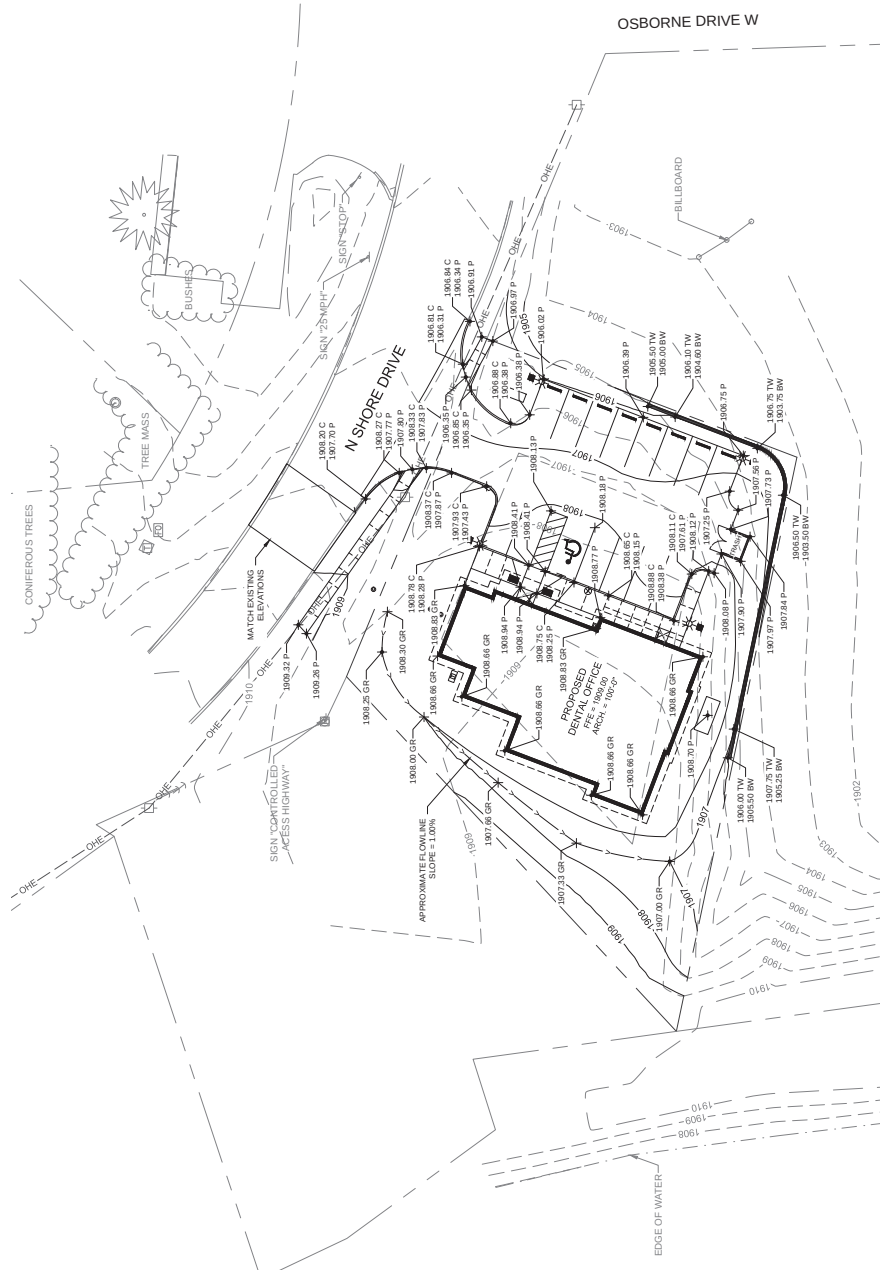
ADAMS COUNTY LOW DISTORTION PROJECTION
PROJECTION: LAMBERT CONFORMAL CONIC - 1 STANDARD PARALLEL
SCALE FACTOR: 1.0000974
CENTRAL MERIDIAN: 98°33'00"
STANDARD PARALLEL: 38°00'00"
FALSE NORTHING: 20,000 METERS (65,616.667 US FEET)
FALSE EASTING: 26,000 METERS (85,290.333 US FEET)

POINT NAME	NORTHING	EASTING	LONG DESCRIPTION
CP-4	113139.94	113862.95	1/2" REBAR NW CORNER LOT 3, ANDERSON SECOND SUB.
CP-5	113031.98	114095.10	3/4" SMOOTH IRON BAR NE CORNER LOT 3, ANDERSON SECOND SUB.
CP-9	112986.29	114657.75	5/8" REBAR WITH PLASTIC CAP SE CORNER LOT 3, ANDERSON SECOND SUB.
CP-11	113027.38	113862.01	5/8" REBAR SW CORNER LOT 3, ANDERSON SECOND SUB.





16. HANDICAP MARKINGS SHALL BE PER MUTCD STANDARDS.
17. CURB RAMPS TO COMPLY WITH NDOT STANDARD PLAN NO. 303, LATEST REVISION.
18. MODULAR BLOCK RETAINING WALL SHALL BE WATKINS CONCRETE BLOCK HIGHLAND STONE RETAINING WALL SYSTEM OR APPROVED EQUAL.

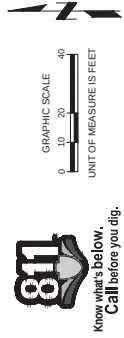


1. ALL MATERIALS, WORKMANSHIP AND CONSTRUCTION SHALL CONFORM TO THE PLANS AND SPECIFICATIONS.
2. ALL GRADING OPERATIONS SHALL FOLLOW RECOMMENDATIONS FOR BEST TECHNICAL PRACTICE.
3. THE PROPOSED COURTS REPRESENT TOP OF PAVEMENT. IN ORDER TO MAINTAIN THE PROPOSED GRADE, THE CONTRACTOR SHALL SURFACE THE PAVEMENT CROSS SECTION DEPTH AND SHALL ADJUST THE SURGRADE ELEVATION ACCORDINGLY PRIOR TO BEGINNING GRADE OPERATIONS.
4. ALL HERBACEOUS VEGETATION SHALL BE REMOVED WITHIN THE LIMITS OF THE GRADING. THE STRIPPINGS FROM THIS SITE SHALL BE COLLECTED AND REDISTRIBUTED AS TOPSOIL IN ALL LANDSCAPE AREAS.
5. THE CONTRACTOR SHALL DETERMINE THE APPROXIMATE EXISTING QUANTITIES FOR HIS OWN PURPOSES.
6. FOR PROPER COMPACTION OF FILL MATERIAL BUILDING PAD PREPARATION AND TAMPING SURFGRADE REQUIREMENTS. SEE GEOTECHNICAL REPORT.
7. OBSERVATION AND TESTING BY A QUALIFIED TESTING LAB OR GEOTECHNICAL ENGINEER SHALL BE REQUIRED FOR ALL FILL AREAS. DENSITY TEST REPORTS SHALL BE SUBMITTED TO THE ENGINEER AND OWNER.
8. CONTRACTOR SHALL ASSURE POSITIVE DRAINAGE AWAY FROM THE STRUCTURES FOR ALL NATURAL AND PAVED AREAS.
9. SLOPES SHALL BE UNIFORM TO AVOID PONDING.
10. CONTRACTOR SHALL GRADE LOW SPOTS TO DRAIN.
11. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY IF ANY GRADINGS WILL TAKE PLACE BEYOND THE PROPERTY LINE.
12. CONTRACTOR WILL BE RESPONSIBLE FOR SETTLEMENT DUE TO IMPROPER COMPACTION.

EARTHWORK QUANTITIES		
EXCAVATION	EMBANKMENT	NET EMBANKMENT
248 CY	368 CY	120 CY

* NO BALANCE FACTOR WAS USED IN CALCULATION OF EARTHWORK QUANTITIES

** PROPOSED PAVEMENT WAS NOT DEDUCTED AND IS INCLUDED IN EARTHWORK CALCULATIONS PROVIDED. CONTOURS ARE TO THE TOP OF PAVEMENT SURFACE.



- LEGEND**
- PROPOSED SANITARY
 - PROPOSED WATER
 - PROPOSED GAS

GENERAL UTILITY NOTES:

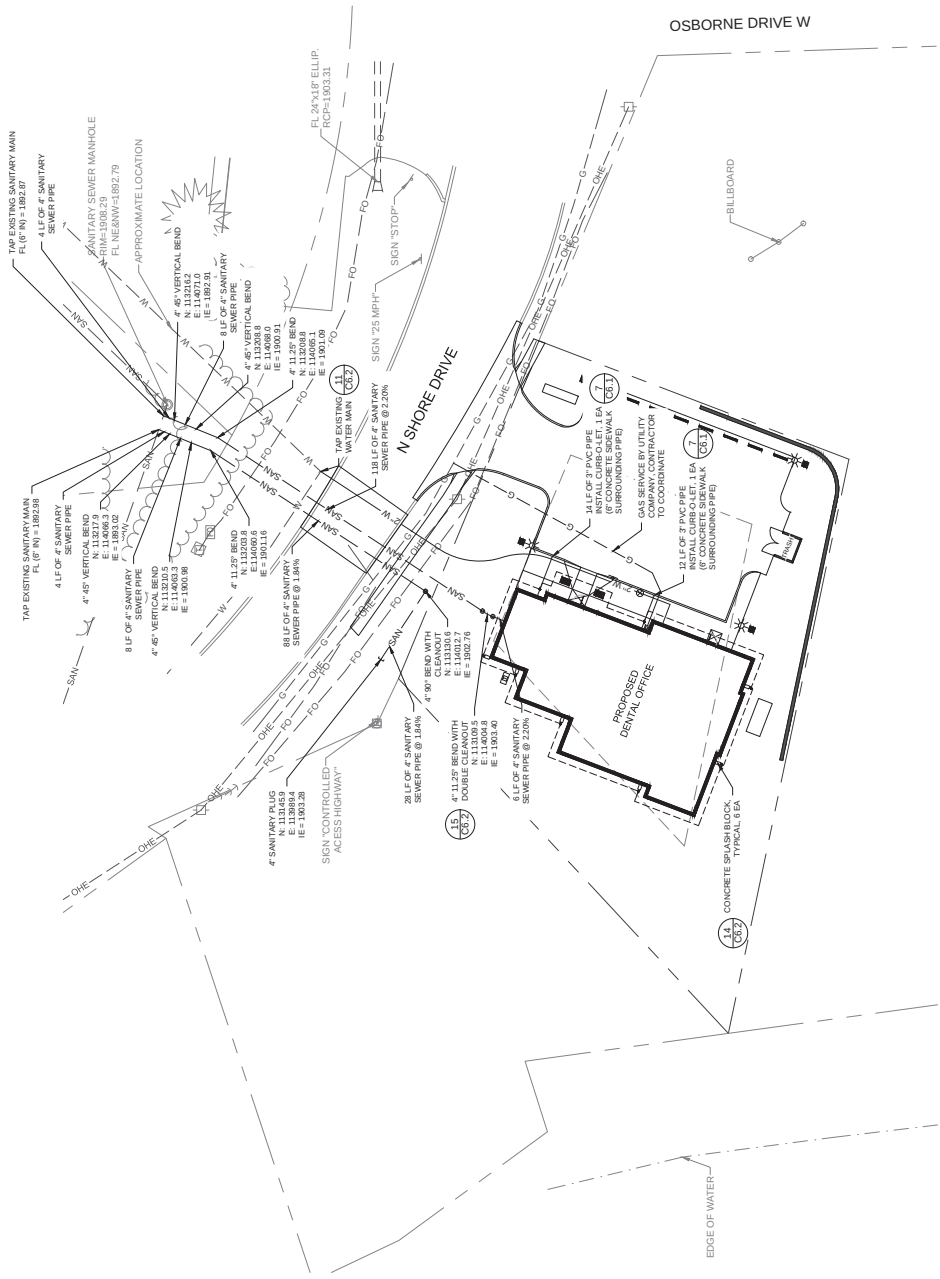
- ALL MATERIALS, WORKMANSHIP AND CONSTRUCTION SHALL CONFORM TO THE PLANS & SPECIFICATIONS.
- REFER TO MEP PLANS FOR CONNECTION AND CONTINUATION OF UTILITY SERVICES INTO BUILDING.
- CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANIES TO COORDINATE CONNECTIONS. ALL CONDUITS, CONCRETE PADS, PEDESTAL RELOCATIONS, ETC. SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OCCUR PRIOR TO UTILITY CONSTRUCTION AND UPON COMPLETION OF SITE GRADING.
- MAINTAIN A MINIMUM OF 1.5 FEET OF CLEARANCE BETWEEN ALL UTILITY CROSSINGS UNLESS OTHERWISE DIRECTED BY THE ENGINEER.
- SITE SHALL BE TO FINISHED GRADE PRIOR TO INSTALLATION OF SITE UTILITIES.
- THE CONTRACTOR SHALL MAINTAIN STRICT LATERAL CLEARANCE AS SHOWN ON THE PLANS FOR ALL UTILITY LINES.
- ALL TRENCHES SHALL BE BACKFILLED AND COMPACTED PER THE SPECIFICATIONS IN THE GEOTECHNICAL REPORT.
- THE CONTRACTOR SHALL RESTORE ANY DISTURBED AREA TO ITS PREVIOUS CONDITION.
- THE CONTRACTOR SHALL VERIFY ALL VERTICAL AND HORIZONTAL CROSSINGS OF ALL PROPOSED AND EXISTING UTILITIES PRIOR TO INSTALLATION OF CONDUIT. CONTACT THE ENGINEER WITH ANY CONFLICTS.
- ALL GAS SERVICES TO BE DESIGNED AND INSTALLED BY GAS COMPANY.
- ALL ELECTRIC SERVICES TO BE DESIGNED AND INSTALLED BY ELECTRIC COMPANY.

SANITARY SEWER NOTES:

- CONTRACTOR REQUIRED TO FIELD LOCATE SANITARY SEWER MAIN PRIOR TO CONSTRUCTION TO VERIFY LOCATION AND ELEVATION OF MAIN.
- REFER TO MEP PLANS FOR SANITARY SEWER TIE-INS WITH BUILDING.
- ALL FITTINGS & SERVICE PIPE SHALL BE PVC SDR 35 PER LOCAL CODES & REGULATIONS.
- ALL SANITARY SEWER CONSTRUCTION TO BE DONE UNDER A PLUMBERS PERMIT. AND SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.

WATER NOTES:

- REFER TO MEP PLANS FOR WATER SERVICE TIE-INS WITH BUILDING.
- ALL WATER MAIN CONSTRUCTION TO BE DONE UNDER A PLUMBERS PERMIT. AND SHALL COMPLY WITH ALL APPLICABLE BUILDING CODES. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
- ALL WATER METERS, PUMPS AND BACKFLOW PREVENTERS ARE LOCATED INSIDE THE BUILDING. REFER TO MEP PLANS FOR DESIGN AND LOCATIONS.
- WATER MAIN SHALL HAVE A 5' MINIMUM BURY DEPTH AS MEASURED FROM FINISHED GROUND TO TOP OF PIPE.
- ALL SERVICE LINE MATERIALS SHALL BE POLYETHYLENE PLASTIC (PE).
- WATER MAIN SHALL BE PVC, AWWA-C900.



181018100.dwg

DATE: 04/20/2018
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FILE NAME: 181018100.dwg

[illegible]

SCALE: 1/4" = 1'-0"

2 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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 | ☐ Short 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: Primus Companies Hating Dental Office

Project Address: _____ Within City Limit ☒ Yes ☐ No

Existing Zoning: CP-O Proposed Zoning / Use: CP-O (Dental Office)

Existing Comprehensive Plan Designation: Suburban Residential Gross Area: 0.47 acres

Legal Description: Lot 3 Anderson Second Subdivision Number of Lots: 1

APPLICANT INFORMATION

Applicant: Sean Daly Company: Sean Daly, LLC

Address: 2217 W 12th Street Tel: _____ Fax: _____

City: Hastings State: NE Zip: 68901 Email: sdaly@dalyfamilydentistry.com

Property Owner: Same as Above Company: Same as Above

Address: Same as Above Tel: _____ Fax: _____

City: Same as Above State: _____ Zip: _____ Email: _____

Key Contact: Paul Newman Company: Primus Companies

Address: 401 8th Avenue SE Tel: (319) 393-4831 Fax: _____

City: Cedar Rapids State: IA Zip: 52401 Email: paul@primus-companies.com

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

[Signature]
Property Owner Signature

3/27/2020
Date

[Signature]
Applicant Signature

03/27/2020
Date

DEPARTMENTAL USE ONLY

Fees: _____ Receipt No. _____

Accepted by Staff: _____ Case No. _____
Signature



April 13, 2020

Ms. Lisa R. Parnell-Rowe
Director of Development Services
220 North Hastings Ave
Hastings, NE 68901

RE: Planned Development Primus Companies,
Hastings Dental Office, Lot 3 Anderson Second Subdivision

Dear Ms. Parnell-Rowe or to Whom it may concern:

This proposed development consists of a 3,700 square feet dental office located on Lot 3 of Anderson Second Subdivision near the corner of North Shore Drive and Osborne Drive West in Hastings, NE. Lot 3 can be generally described as a 0.47 acre parcel of land that abuts the east side of Lake Hasting.

GENERAL INFORMATION

The Dental office is planned to serve the Hastings community during normal business hours Monday - Friday 8am to 5pm. The office will be closed on Holiday's, and over lunch 12pm to 1pm. This office will accommodate 12 patients and 8 staff members at full capacity. The intent of the dental office architectural design is to be compatible with the character of the neighboring subdivision by using similar methods of construction. This includes wood framing, engineered wood siding, traditional roof materials and peaks, traditional window treatments, and stone accents on all sides of the building.

SITE LAYOUT

The overall site consists of a dental office building with a parking lot , and one singular access drive to North Shore Drive. The parking lot consists of 15 stalls with 1 handicap stall to comply with ADA requirements. A trash enclosure will be located at the south end of the parking lot allowing for easy access and lower visibility from the road. A monument sign will be located near the entrance for easy visibility to the N Shore Drive. Sidewalks will be in front of the building for access from the parking lot and along N Shore Drive for continuation of future neighborhood sidewalks.

- The west side yard is 32.5', and is proposed to be encroached by 9.2', giving a 23.3' side yard.
- The south rear yard is 27.8', and is proposed to be encroached by 10.4', giving a 17.4' rear yard.
- The east side yard is 32.5' and is not anticipated to be encroached.
- The north front yard is 25' and is not anticipated to be encroached.

SITE GRADING AND STORMWATER

The overall grading of the site generally slopes from northwest to southeast, matching the existing conditions of the site. The proposed building and paving will drain into landscaped areas prior to leaving the site. The slopes on site have been reduced to accommodate the parking lot paving by a retaining wall on the east and south side of the parking lot. This wall is intended to be segmented block and match the accents of the building.

SITE UTILITIES

Site Electrical

The parking lot, site access, and building egress paths will be lit with shielded fixtures on the southeast side of the site to limit exposure to the adjacent uses. The site lighting will be full cutoff and will meet requirements found in Section 34-305 of Hasting City code. It is anticipated that parking lot light poles will be 25' in height.

Sanitary Sewer

The proposed sanitary sewer will be tapped into the existing sanitary main northeast of the site northeast of N Shore Drive. Sanitary sewer service will be 4" SDR 35 with bends and clean outs as needed.

Domestic Water

The proposed water service will tap the existing water main northeast of N Shore Drive. The water service lines will have a curb stop that is easily accessible and will meet city code regulation's for size and type.

LANDSCAPING & IRRIGATION

The landscape plan will include plant beds along the front elevation of the building as well as along the proposed retaining wall and monument sign. There will also be a landscape bed along the west property line adjacent to the residential property to screen the uses. The plan will include a dense tree screening around the north and west sides of the building building, the specific tree species can be modified as the city see's fit. Areas not marked for landscape beds will be sodded. The entire site will be irrigated to keep the plants thriving throughout the season.

CONSTRUCTION TIMELINE

The construction of this project is anticipated to be one phase, and a typical timeframe for the project is approximately 16 months. The construction phasing will consist of the site being graded and retaining wall installation per the elevations shown on the construction documents, then utilities and building footings will begin. Once footings are complete the building framing will begin while the parking lot and sidewalks are paved. Lastly, the landscaping will be installed per plan to complete the overall site. The project is planned to start on July 1st, 2020 with the plan to be open for operations on September 1st, 2021.

Sincerely,



Kyle Crouch, PE
Project Manager

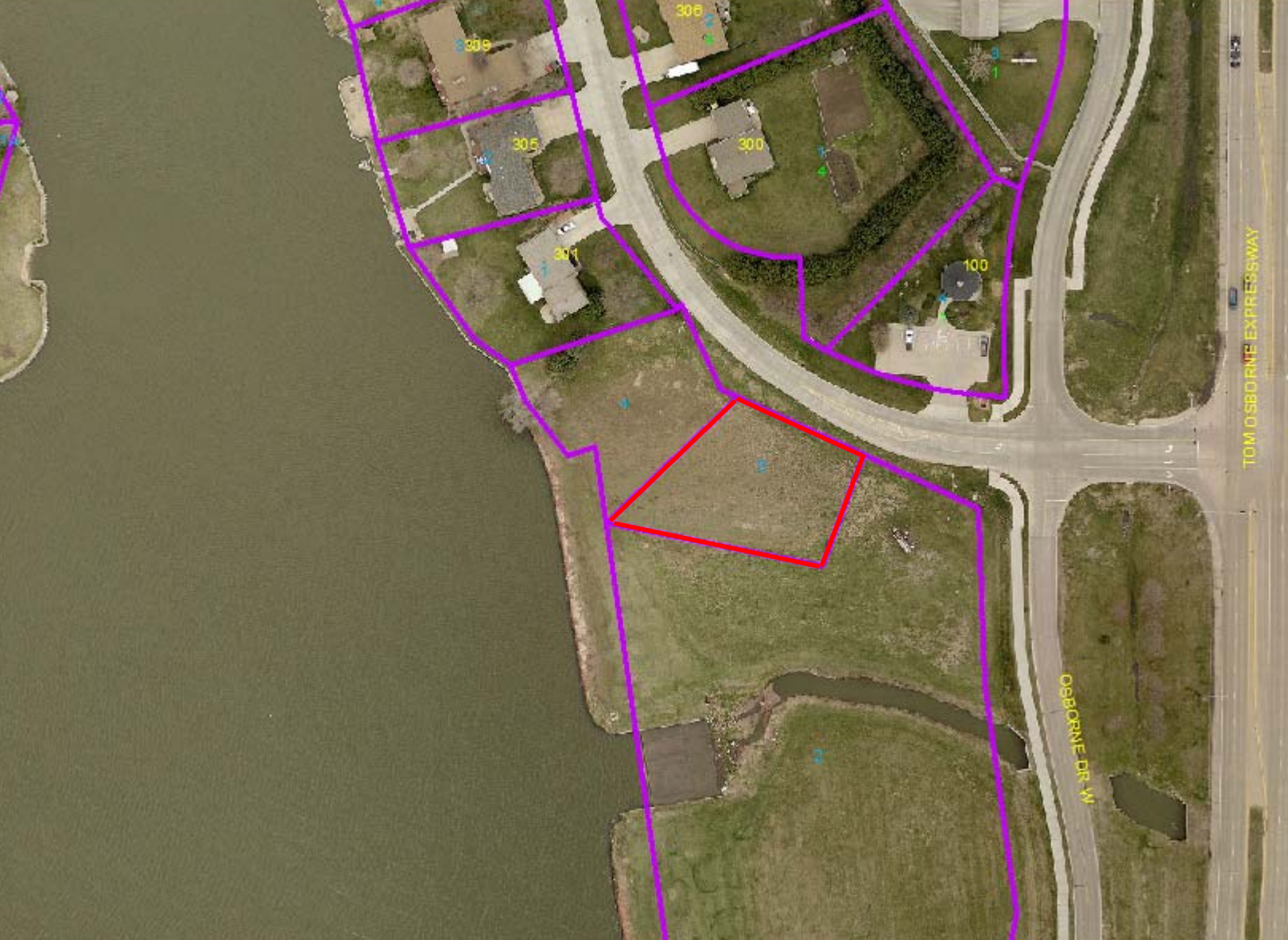
Property Development Mailing List



Addresses within 300 feet of property:

Parcel ID	Owner	Address	City, State, Zip	Zoning
010014988	William & Louan Woods	305 North Shore Dr.	Hasting, NE 68901	R-1
010015146	Dale & Sally Spilinek	301 North Shore Dr.	Hasting, NE 68901	R-1
010015147	Corey & Rebecca Anderson	1214 Hillcrest Dr.	Hasting, NE 68901	R-1
01001513	Brandon & Amanda Stalvey	306 North Shore Dr.	Hasting, NE 68901	R-1
010015133	Norman & Jeanne Sheets	300 North Shore Dr.	Hasting, NE 68901	R-1
010017054	Bruna Enterprises LLC	4740 W Prairie Lake Rd	Hasting, NE 68901	R-1
010015116	Hometown Bank	2815 Osborne Dr. West	Hasting, NE 68901	C-O





309

305

301

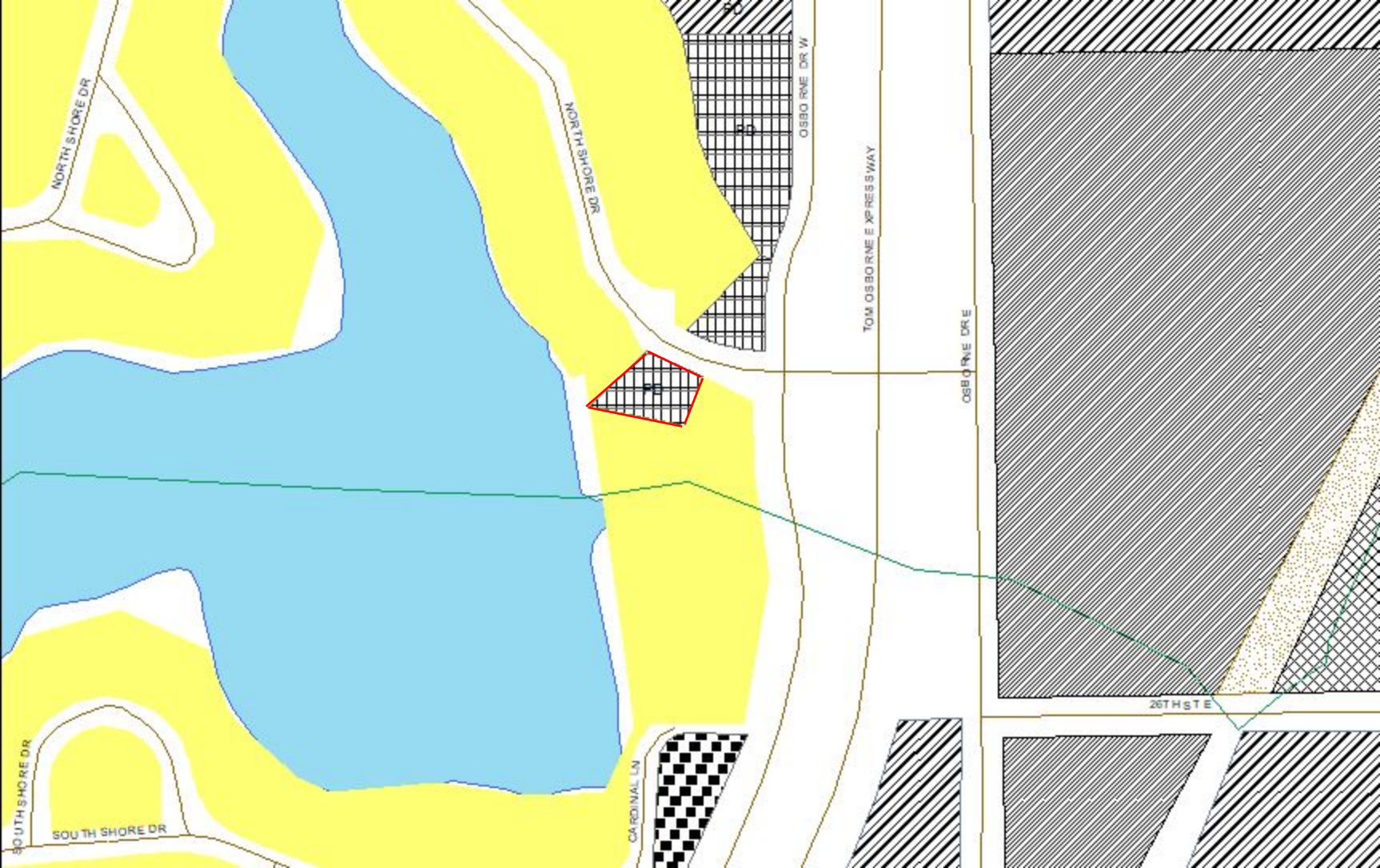
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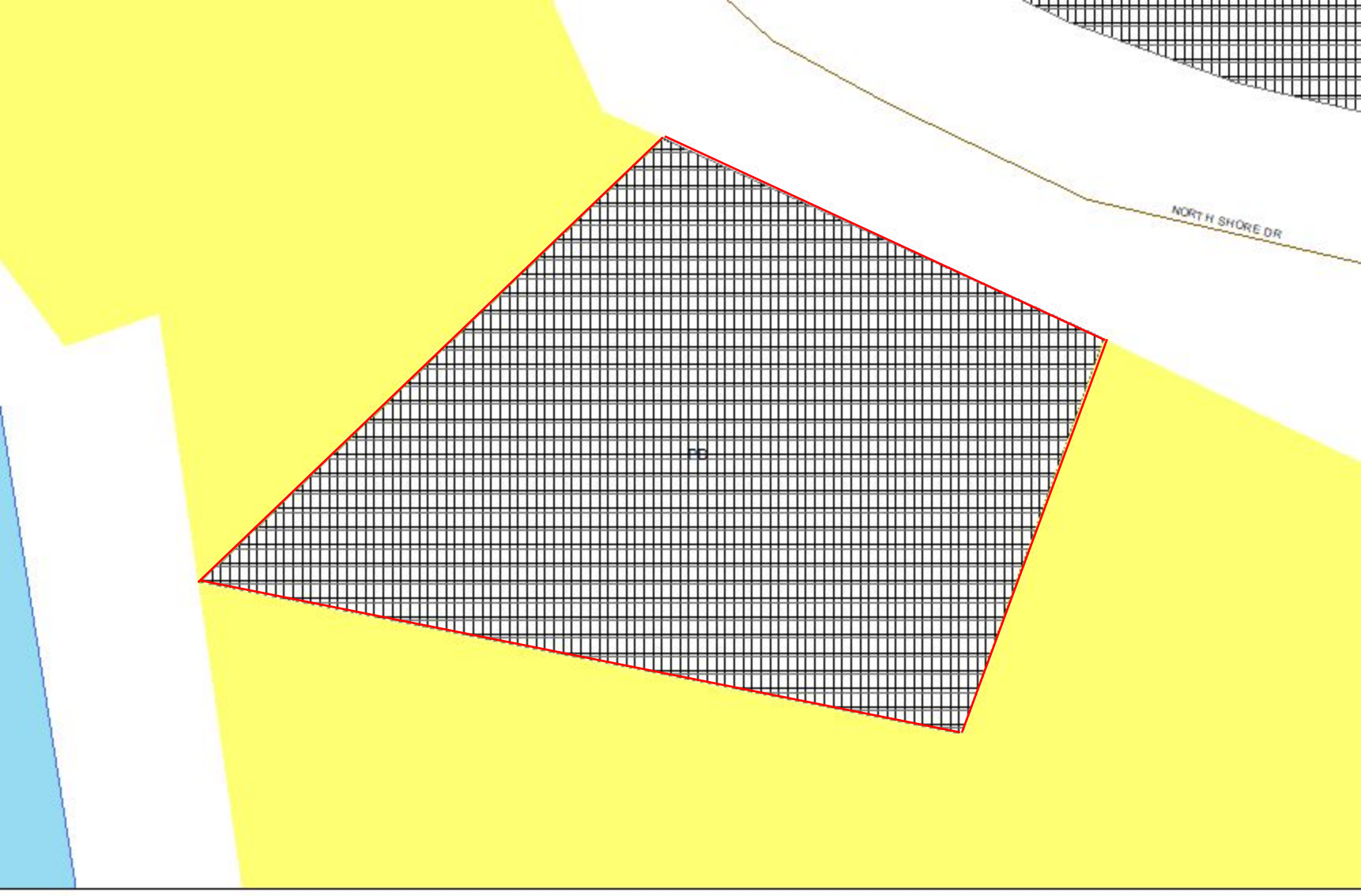
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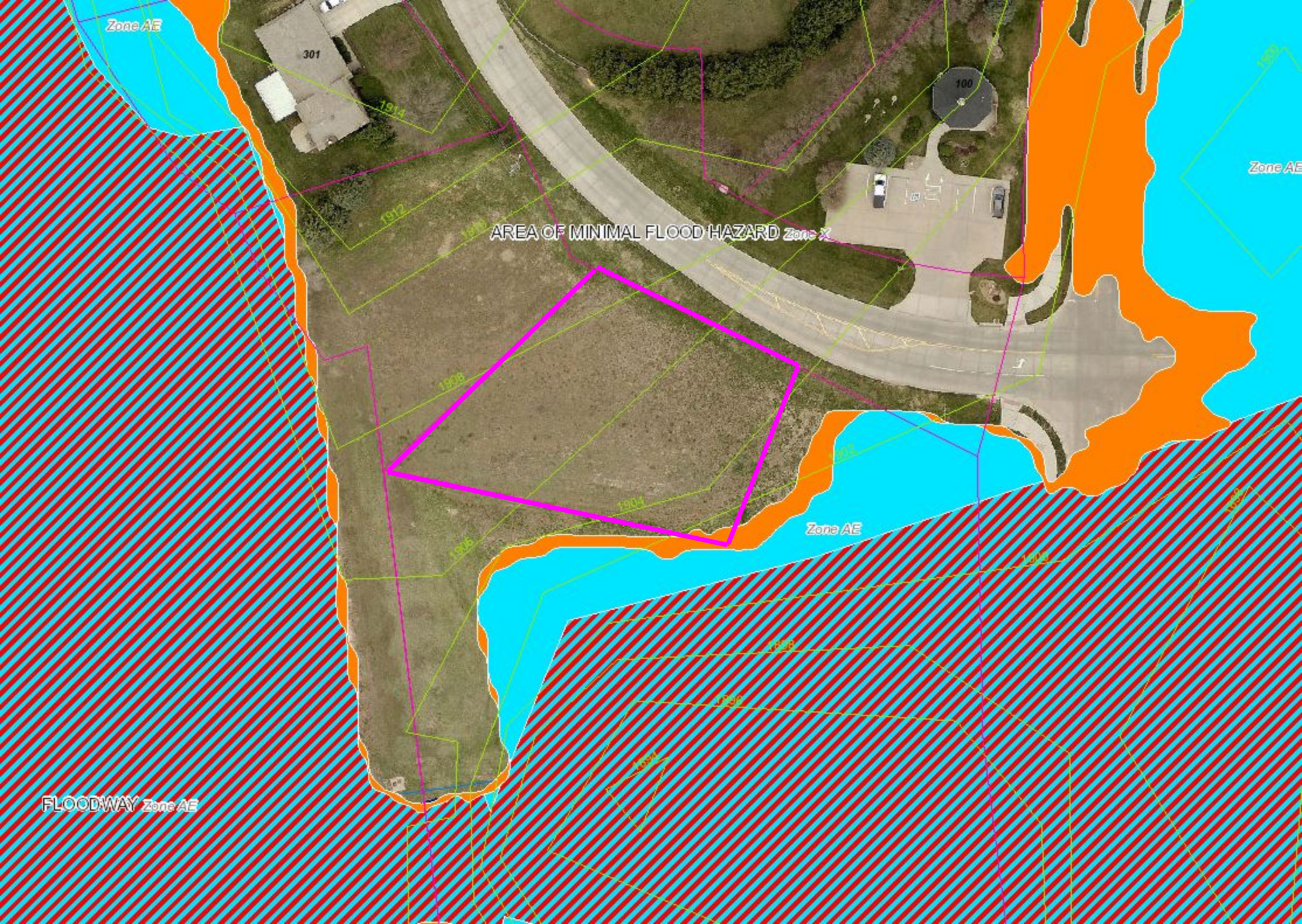
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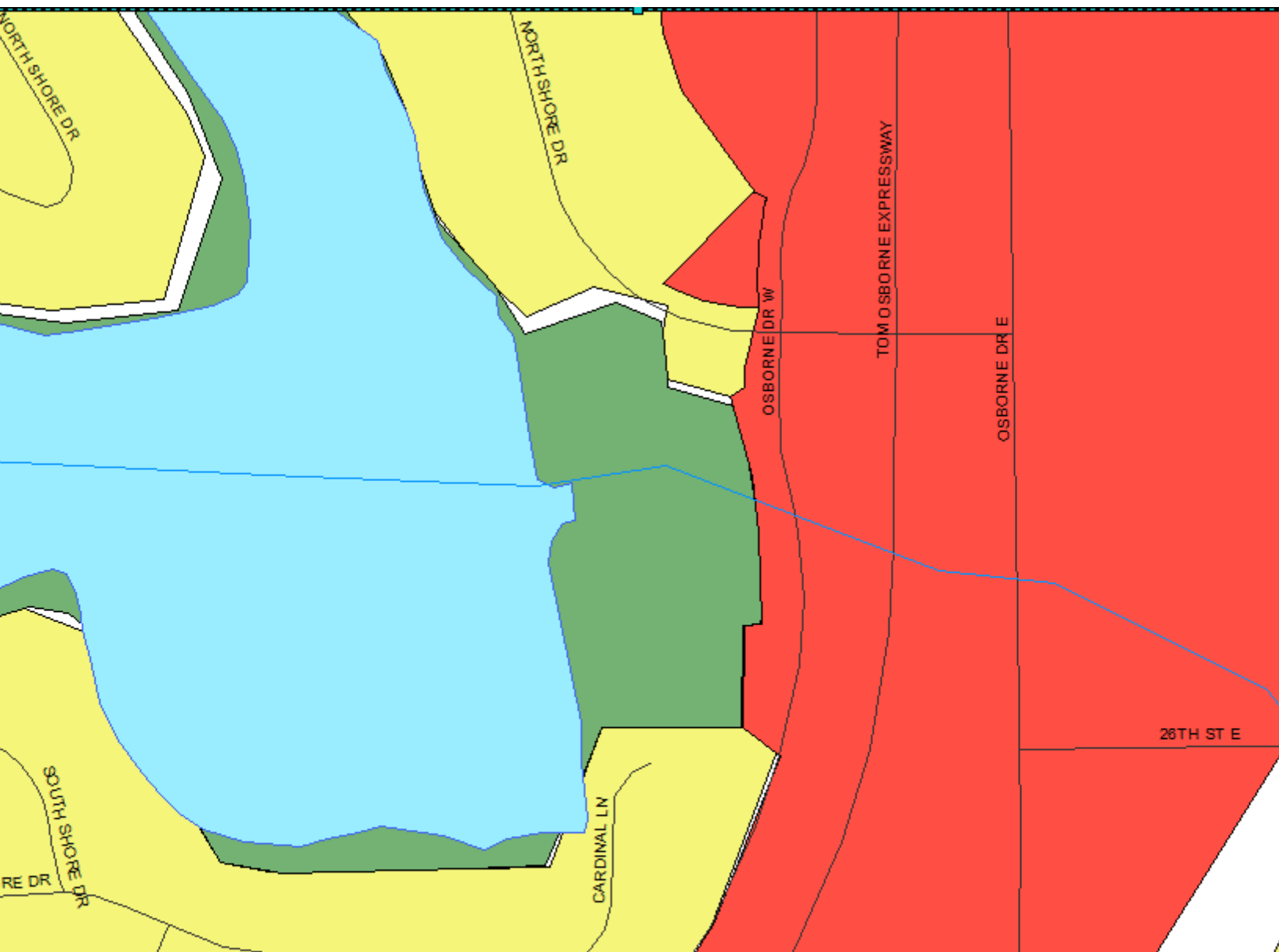
OSBORNE DR W

TOM O'SBORNE EXPRESSWAY









re Land Use

Hastings, Nebraska



0 200 400 Feet

Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential

- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial

- Public / Semi-Public
- Parks & Recreation
- Agriculture

Overlay Districts:

- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay

- Floodplains
- City Boundary
- ETJ Boundary

Department: Development Services

Staff Contact: Lisa Parnell-Rowe

Planning Commission Meeting Date: 4/20/2020

File No: 2020-010

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

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing on a request for a Conditional Use Permit for a Church Use at 408 North Minnesota Avenue, City of Hastings, Adams County, Nebraska.

Recommendation to approve Conditional Use Permit (CUP) for a Church Use at 408 North Minnesota Avenue, in the City of Hastings, Adams County, Nebraska

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Conditional uses may be approved by the Hastings City Council following a public hearing and receipt of a recommendation from the Planning Commission in accordance with the required findings set forth in Chapter 34-401 of City Code and the additional standards set forth in the permitted use. The Commission may recommend and the Council may impose any conditions that they deem reasonable and necessary to further the purposes and intent of the Code.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval of a Conditional Use Permit (CUP) for a Church Use at 408 North Minnesota Avenue, in the City of Hastings, Adams County, Nebraska, subject to following conditions:

- 1) Should the OASIS Church Inc. congregation grow to an occupancy level of 50, they must either relocate or resubmit a plan to expand their occupancy within this business center. This will require an amendment to this CUP and public hearings at both Planning Commission and City Council.
- 2) Once CUP approval is fully obtained it must be followed by submittal of a building permit for the interior remodel. The plans that will be submitted as part of that permit must be completed to scale of 1/4" to 1' and include greater attention to detail.

3) If applicant desires to use signage a development permit must be submitted and approved by the Development Services Department along with ownership authorization.

Deadlines associated with action:

This item is scheduled to be heard at the City Council meeting on May 11, 2020.

Department head comments:

1. The proposed development will integrate compatibility with existing land uses and with permitted uses that may be established within any area to be affected by the proposed development.

Surrounding land uses are:

North: C-3, Commercial business district covers the northern half of the plaza and then across 5th Street right-of-way there is C-O, Commercial office non-retail district further north to 7th Street;

South: Additional I-1 Light Industrial zoning and C-1, Local Business Districts then carry on further south;

East: C-1, Local Business Districts lines the East Street Frontage along East Side Boulevard and then folds into R-1 approximately 3 blocks east;

West: Directly to the west of this location there is also C-1, Local Business Districts which is only a pocket of concentration among a predominantly R-3, Multiple Family Residential District.

The location that has been selected by The OASIS Church Inc., is currently zoned I-1. This district is intended primarily for urban and suburban light industrial, manufacturing, processing, storage, wholesaling and distribution operations; but also permits commercial uses. The regulations are intended to allow efficient use of the land while, at the same time, making the district attractive and compatible for a variety of non-residential uses. Though this section of the Depot Plaza is zoned industrial, the feel of this plaza is on the whole more representative of a commercial center than industrial plaza. One understands this by simply reviewing the plaza's other tenants and their particular uses. In fact, the two businesses on either side of this applicant (State Farm Insurance and Adams County Chiropractic) are both best categorized as personal professional service providers that you would typically find in a Commercial zone. There are also hair salons, law offices, spa services and counseling services all housed within this plaza or adjacent to this applicant.

2. The use does not have a permanent negative impact that is substantially greater than the impact anticipated from development permitted in the base zone district.

Pedestrian and vehicular traffic circulation and safety. This area has optimal vehicular traffic circulation with local street frontage off of Minnesota Avenue which is a residential street, but also back an arterial street (East Side Boulevard) which is located directly south or behind this commercial plaza. Additionally, there are two large ingress/egress access points into and out of

this plaza. One is off of 5th Street on the north end of the complex and the other is off of Minnesota Avenue. As for Pedestrian access to this complex there are premier pedestrian capabilities due to the fact that the Pioneer Spirit Trail is directly behind this complex. In fact, many of the businesses in this complex have exits in the rear that lead directly to this trail.

Reasonable and economic extension of public utilities and facilities. As this is within City limits and already serviced by the City there is no extension of service required. Such services will be the tenant responsibility and then the owner.

Noise, fumes, dust or other environmental pollution. No noise, fumes and/or environmental pollution anticipated. There may be music during service times, but this should be limited only to Sunday mornings starting at 10 A.M. and Wednesday evenings at 6 PM. These times are not unreasonably out of normal times of day (i.e., late at night or early in the morning). In fact, most of the surrounding businesses in this complex should be closed these hours and unaffected by any such noise pollution. City code 18-113.01 (1) in fact allows excessive noise in connection with any activity coordinated for a church.

The maintenance of logical and efficient development patterns and land use mixtures. The development pattern of uses in this area has long ago been set with the development of this plaza which appears to have all along been known to house commercial professional personal services and retail. In fact, the northern portion of this complex is zoned C-3, Commercial business district. A good majority of the adjacent property is also commercial-zoned, yet there are areas in close proximity of high density residential and R-1 that will benefit from another community-oriented assembly.

The maintenance of property values in accordance with established and permitted land uses. If anything, having a church within walking distance of residential can be seen as a perk for a property owner to easily integrate into the community and may have more of a positive impact on property values than a negative impact in this area.

3. The conditions imposed are necessary to ensure the maintenance of property values and the safety, health, comfort, and repose of the residents.

Staff has conducted an initial occupancy estimate based on the draft floor plan, parking plan and site parking availability. Though the maximum occupancy of all spaces within this suite could reach 71, this is very unlikely once construction and alterations are complete. Final floor plans will be accomplished as part of the building permit. We have therefore estimated a maximum occupancy level where applicant should start to consider other options to be 50. We are recommending that a condition be placed on the applicant to either relocate or resubmit a plan to expand their occupancy within this business center when they reach a congregation level of 50. This would require an amendment to this CUP and public hearings at both Planning Commission and City Council. We are also recommending that once CUP approval is fully obtained it must be

followed by submittal of a building permit for the interior remodel. The plans that will be submitted as part of that permit must be completed to scale of 1/4" to 1' and include greater attention to detail. This is also a recommended condition to ensure that the interior remodel meets all building code standards and will be safe and comfortable for all that utilize the space. Additionally, we are asking the applicant to also submit a development permit for any signage that might be necessary in order to ensure that it meets all the requirements not only the safety measures but also to ensure from a design element that it will convey a positive message and image, therefore ensuring minimal impact on neighboring properties.

4. That the use, subject to conditions, maintains compliance with the Comprehensive Plan and the purpose and intent of the zoning regulations.

The Comprehensive Plan for this property is mixed use downtown, which is complementary to the fact that this area currently offers many local business storefronts, but also has both medium density multiple family and single family residential adjacent and in local proximity to this location. Based on the character and nature of this area Staff feels comfortable with the use of a church being brought into this area and feels that it will bring greater outreach opportunities and outlets for many in this area.

Recommendation:

Staff recommends approval with the following conditions:

- 1) Should the OASIS Church Inc. congregation grow to an occupancy level of 50, they must either relocate or resubmit a plan to expand their occupancy within this business center. This will require an amendment to this CUP and public hearings at both Planning Commission and City Council.
- 2) Once CUP approval is fully obtained it must be followed by submittal of a building permit for the interior remodel. The plans that will be submitted as part of that permit must be completed to scale of 1/4" to 1' and include greater attention to detail.
- 3) If applicant desires to use signage a development permit must be submitted and approved by the Development Services Department along with ownership authorization.



City of Hastings
Development Services Department
Zoning Development Approval (ZDA)
Conditional Use Permit Application

Date:

Please fill out the Pre-Qualification form first if you are unsure of what action needs to occur. Contact Development Services for minimum requirements at 402-461-2302. Incomplete applications will not be processed. All applications must be complete prior to submission. Deadline for Planning Commission Approval is the last Monday of each month or ZDA will be held until the next months session.

Property Address:	408 N Minnesota
Legal Description:	LTS 1-10 BLK 9 E VAC ALLEY EPT 4th ST E N 7' LTS 1-5 BLK 16
Current Zoning:	1 - 1 JOHN JONES ADD BLK 9
Proposed Use:	CHURCH; Civic Use Neighborhood Assembly Spiritual Welfare
Description of Proposed Use:	To use as a church and its ordinary functions. Preaching the Word, Holy Communion, Prayer.

Applicant:	CHAD CARREL / OASIS CHURCH	Company:	OASIS CHURCH
Address:	1001 N SAUNDERS	Telephone:	402-705-2035
City/State/Zip:	HASTINGS NE 68901	Email:	pschadcarrel@gmail.com
Property Owner:	Bonnaville Plaza Corp	Company:	
Address:	2750 Osborne Dr East	Telephone:	402 463-4000
City/State/Zip:	HASTINGS NE 68901	Email:	
Key Contact:	Diane Jones	Company:	
Address:	810 N Shore Dr	Telephone:	402 469-4777
City/State/Zip:	HASTINGS NE 68901	Email:	

If the Applicant is not the Owner, an Owner Verification Form must be filled out and sent to the Owner for authorization of the application. This form is also available at www.cityofhastings.org.

I hereby acknowledge that all information provided with this application is true to the best of my knowledge. You will be required to upload a copy of a Site Plan and a Detailed Narrative Statement (Refer to sections 34-402 through 34-404 of the Hastings City Code) for the proposed changes upon completion of this form.

Signature of Applicant:	Chad Carrel	Date:	3/27/20
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HDS Staff Comments:	
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HDS Staff Acceptance:		Date:	3/30/2020
HDS Application Number:		HDS Case #:	
Total Fee:	400 ⁰⁰		

PAID
CK 1817

**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 | ☐ Short 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: OASIS CHURCH

Project Address: 408 N Minnesota Within City Limit ☒ Yes ☐ No

Existing Zoning: 1-1 Proposed Zoning / Use: Civic Use Neighborhood Assembly Spiritual Welfare

Existing Comprehensive Plan Designation: _____ Gross Area: _____

Legal Description: LTS 1-10 BLK 9 & VAC ALLEY & PT 4th ST & N 7th ST Number of Lots: _____
JOHNSONS ADD BLK 9 1-5 BLK 16

APPLICANT INFORMATION

Applicant: CHAD CASSEL Company: OASIS CHURCH

Address: 1001 N Saunders Tel: 402 705-2035 Fax: _____

City: HASTINGS State: NE Zip: 68901 Email: pschadcasel@gmail.com

Property Owner: Bonnaville Plaza Corp. Company: _____

Address: 2950 Osborne Dr East Tel: 402 463-4000 Fax: _____

City: HASTINGS State: NE Zip: 68901 Email: _____

Key Contact: Diane Jones Company: _____

Address: 810 N Shore Dr Tel: 402 469-4199 Fax: _____

City: HASTINGS State: NE Zip: 68901 Email: _____

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

Diane L Jones 3-26-2020

Property Owner Signature

Date

Applicant Signature

Date

DEPARTMENTAL USE ONLY

Fees: _____

Receipt No. _____

Accepted by Staff: _____ Case No. _____

Signature

Owner's Authorization Letter

I/we hereby certify that I/we are the owner(s) of the property described herein. I/we am/are respectfully requesting processing and approval of the application(s) referenced herein. I/we hereby authorize the Applicant(s) listed on this application to act on my/our behalf during the processing and presentation of this request. The person(s) identified as Applicant shall be the principal contact with the City in processing this application.

Project OASIS CHURCH
Address/Location 408 N Minnesota
Legal Description LTS 1-10 BLK 9 & VAC ALLEY & PT 4th ST & ND' LTS 1-5 BLK 16
JOHNSONS ADD BLK 9

Applicant(s) Chad Land (OASIS CHURCH)

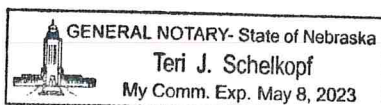
Diane L Jones
Owner Owner's Signature

Owner Owner's Signature

State of Nebraska)
) ss:
County of Adams)

The foregoing document was acknowledged before me this 27th day of March

2020, by Diane L Jones



Teri J Schelkopf
Notary Public

Oasis Church
Narrative
Depot Plaza
408 N Minnesota

Oasis Church is a nondenominational fellowship of fewer than twenty members. We are reaching out to the hurting, hungry and helpful in order to further the Gospel of Jesus Christ.

Oasis church had been a tenant of the Imperial Mall. The church was served an eviction notice by the Mall's attorney in March of 2019. Oasis was not given a reason for the eviction. In the following months, Imperial Mall was closed for business.

Since that time Oasis has been renting from the C3 Hotel and Convention Center. This has required our fellowship to "set up" and "tear down" seating, sound equipment and a book table every Sunday. We have been looking for a permanent meeting facility since our eviction from the Mall.

In recent weeks the C3 Hotel has closed the convention facility due to the covid-19 virus.

A permanent location will greatly assist our ministry goals. We will once again have a food pantry ministry and assist those who have been dislocated from their place of residence. This location is centrally located in Hastings which makes it a great fit for outreach to the community.

Pastor Cassel contacted Diane Jones (Bonnavilla Plaza) regarding the potential lease of #408 N. Minnesota at the Depot Plaza. Oasis Church signed a lease with Bonnavilla pending approval by the City of Hastings and the appropriate codes and zoning.

The considered use of space #408 is as follows: Regular Sunday morning worship services with the potential of adding Sunday evening services. The church also has a weekly Bible Study held on Wednesday evenings beginning at 6:00 p.m. The church may also hold Friday and Saturday evening services three to four times per year.

Our interior remodeling plans will revolve around the renovation of restrooms. Once determination is reached regarding compliance of restrooms to code, the floor plan will have a lobby, sanctuary, small meeting room and storage closet.

State Farm Insurance and Adams County Chiropractic have both concluded there will not be a conflict of interest with Oasis Church regarding parking. Their business hours are not during Oasis Church service times.

Thank you for your consideration

A handwritten signature in cursive script, appearing to read "Pastor Chad".

Pastor Chad Cassel, President Oasis Church

enclosures: Map
Floor plan
Parking
Adresses



430 Lighthouse Counseling
 426 Bella Donna Spa
 418 Kristin's Spa
 416 Future's Family Services
 410 State Farm Insurance

408 Oasis Church
 406 Adams Co Chiropractic
 404 Meraki Salon
 400 Quirk Lane & Cattle
 322 Alexander Law Office

401 Ros Maria Wellness
 100 Mexican Store

Oasis Church
Parking Narrative
Depot Plaza
408 N Minnesota

The Depot Plaza provides 43 off street parking stalls which includes four handicap accessible stalls.

Oasis Church (#408) has three stalls (including one handicap) adjacent to its storefront. Directly across the parking lot to the west of the storefront are four more parking stalls. Oasis Church will primarily use parking stalls on Sunday morning at 10:00 a.m. and Wednesday evening at 6:00 p.m. Neighboring businesses are closed during these times.

Please find the enclosed statements from Adams County Chiropractic and Laura Schneider (State Farm Insurance). Both businesses have expressed that they do not have any concerns regarding parking.

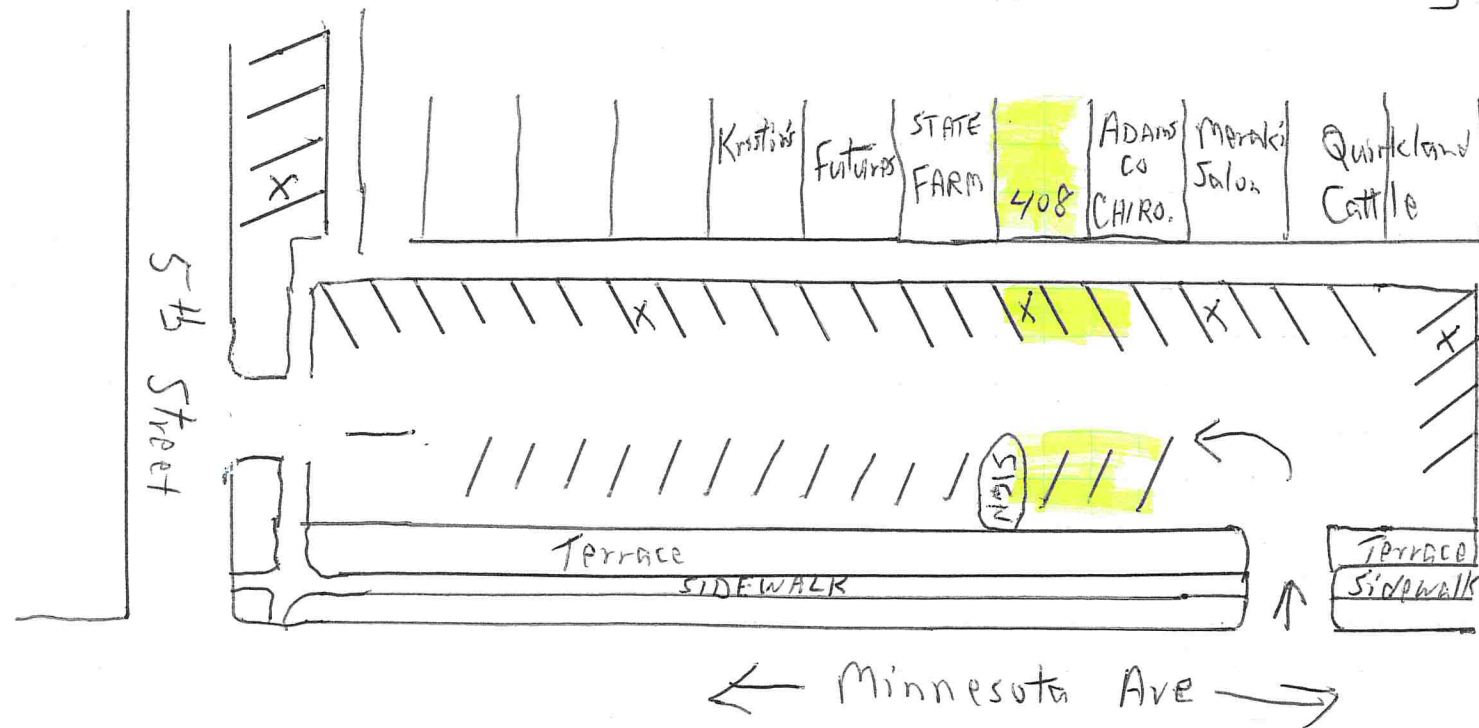
Thank you

A handwritten signature in cursive script that reads "Pastor Chad".

Pastor Chad Cassel / Oasis Church

enclosures: Adams County Chiropractic
State Farm Insurance (Laura Schneider)

Depot Plaza Parking



X = handicap parking

$\frac{1}{4}'' = 15'$

43 Total stalls
including 4 handicap

Laura Schneider

Auto-Life-Health-Home and Business

E-mail: Laura@lauraschneideragency.com

410 N Minnesota Ave

Hastings, NE 68901

Office: 402-463-5408 Fax: 402-463-6347

March 26, 2020

To Whom this may concern:

I have no issues with the church operating next door to me. My understanding is they will be operating at hours my office would not be open and therefore parking would not be impacted.

Sincerely,



Laura Schneider, agent

State Farm Insurance and Financial Services

ADAMS COUNTY CHIROPRACTIC CLINIC, PC
JOHN A CERVENY, D.C.
406 N. MINNESOTA AVE
HASTINGS, NE 68901
Phone (402)463-5111

March 27, 2020

RE: Oasis Church

To Whom It May Concern:

I do not have any concerns at this time with Oasis Church and parking in the Depot Plaza lot as long as it is not during my normal business hours where parking spots might be taken up or excessive sound would not be produced during those times. That would be M-F 8-5. It sounds like they will not be active during that time so if that is the case, I am ok with it.

If you have any further questions, please contact us at 402-463-5111.

Sincerely,

 
John A. Cerveny, DC

Oasis Church
1001 N Saunders
Hastings, NE 68901

Depot Plaza Project
408 N Minnesota

Lisa Parnell-Rowe,

Please find two drawings of possible floor plans for 408 N Minnesota.

Both restrooms in the drawings are already exiting.

Floor plan "A" is a plan which would require our having two restrooms.

Floor plan "B" is a plan which would require our having one unisex restroom. In this case, one restroom would be removed to allow for more sanctuary space.

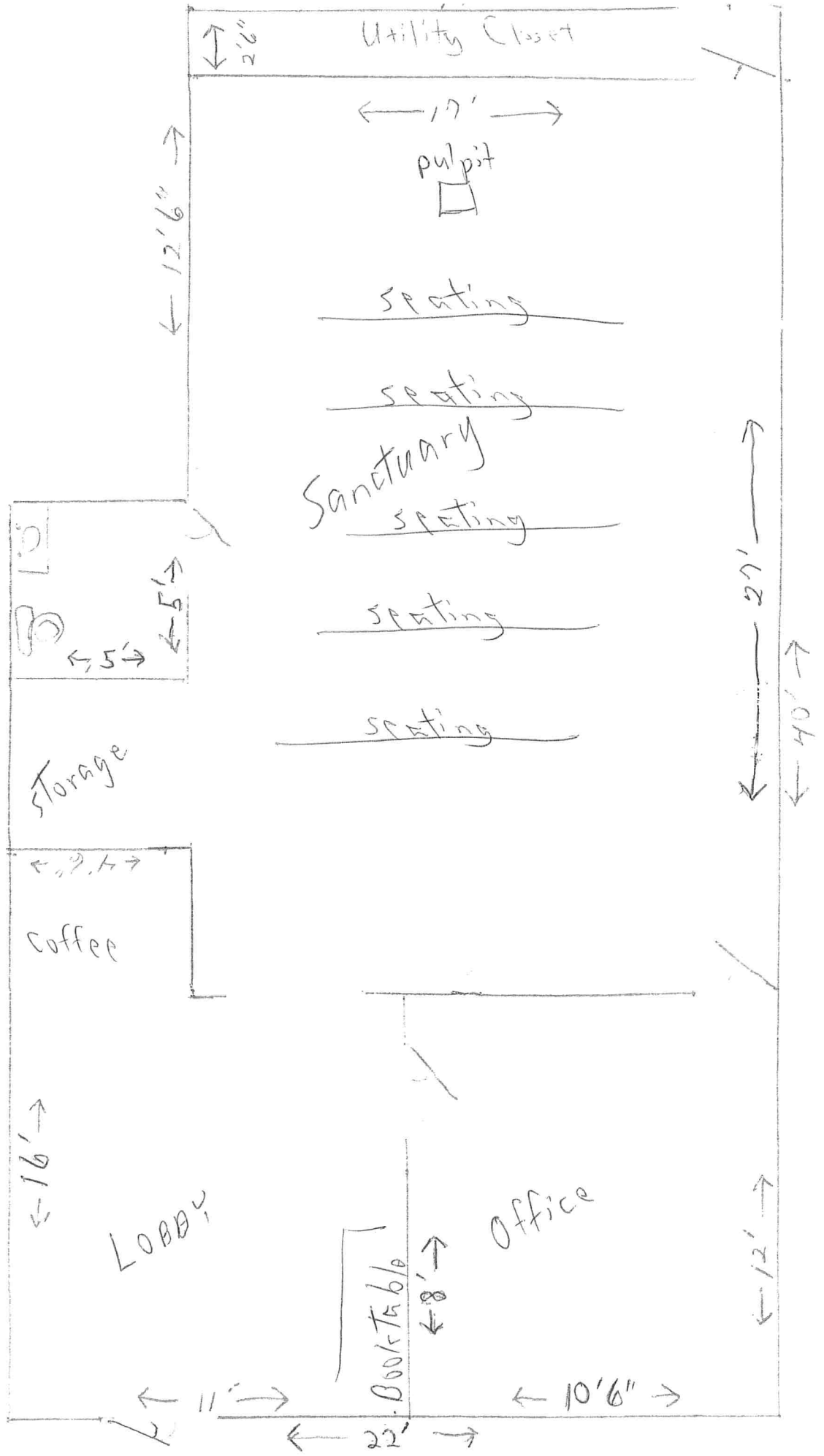
Thanks for your time.

Have a great Easter weekend!

Pastor Chad

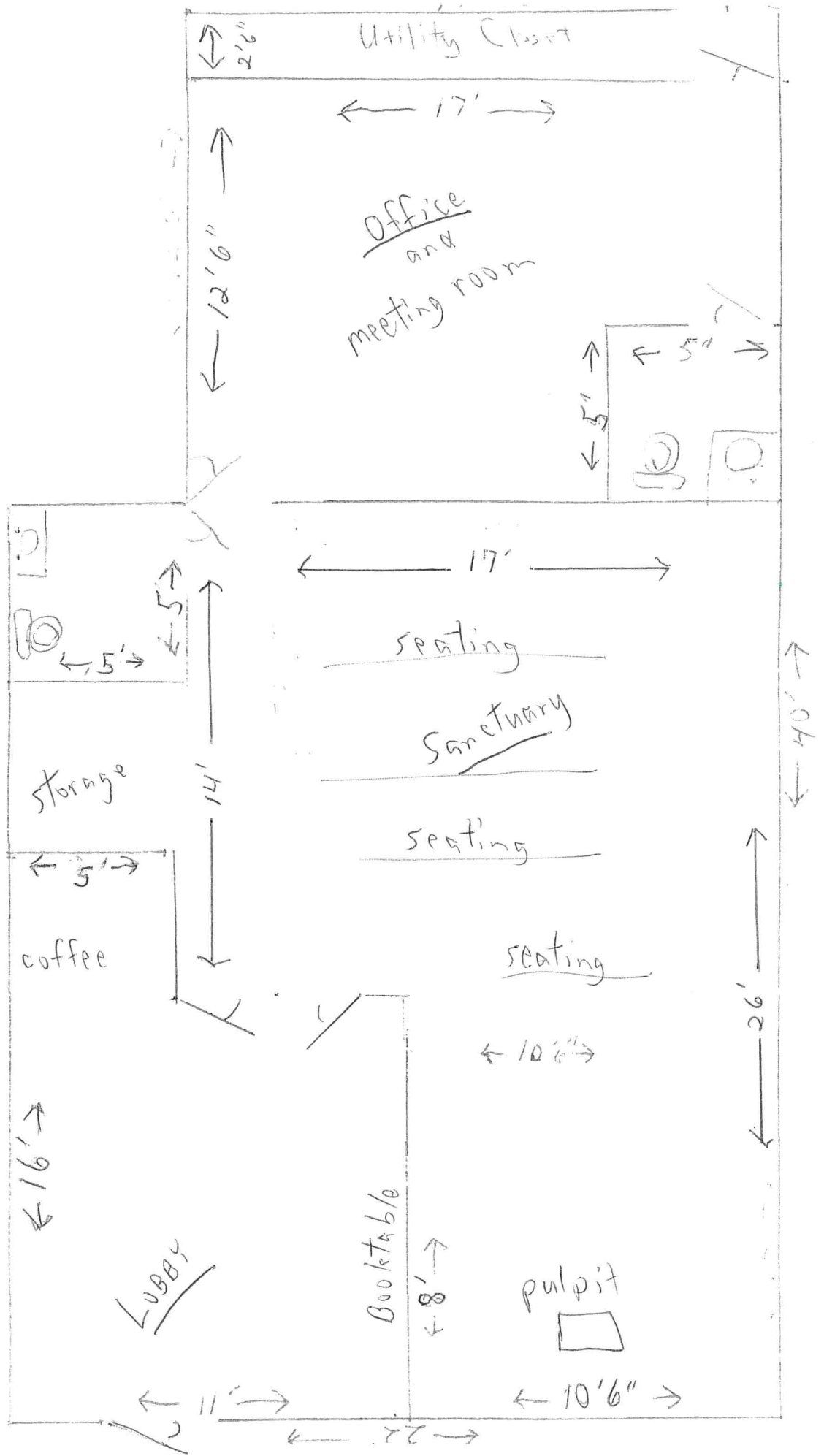
"B"

← N



"A"

← N



COLORADO AVENUE

MINNESOTA AVE N

4TH ST

~~3RD ST~~

Palmer's Ad
5TH S

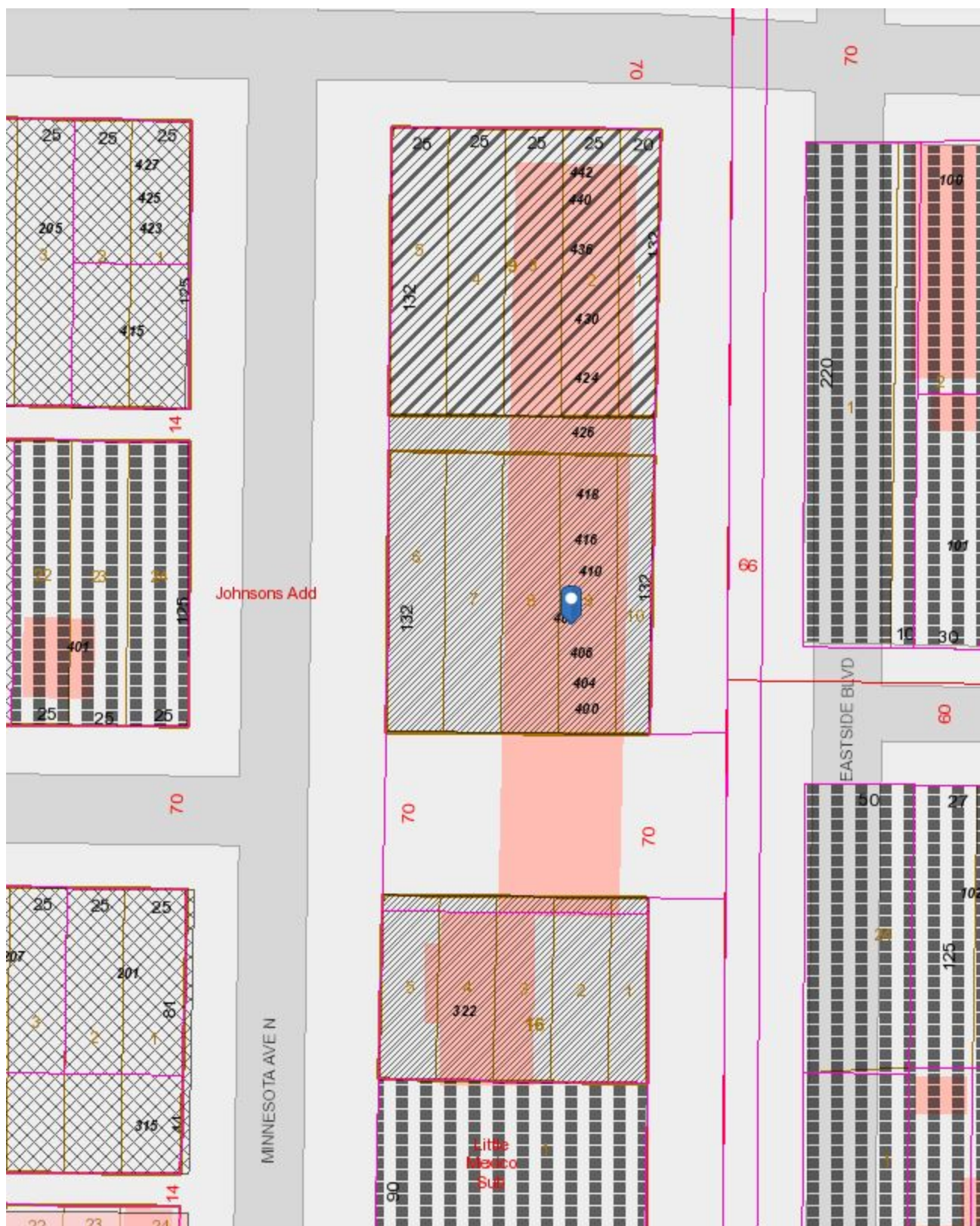
Addendum and Sub

Belonger

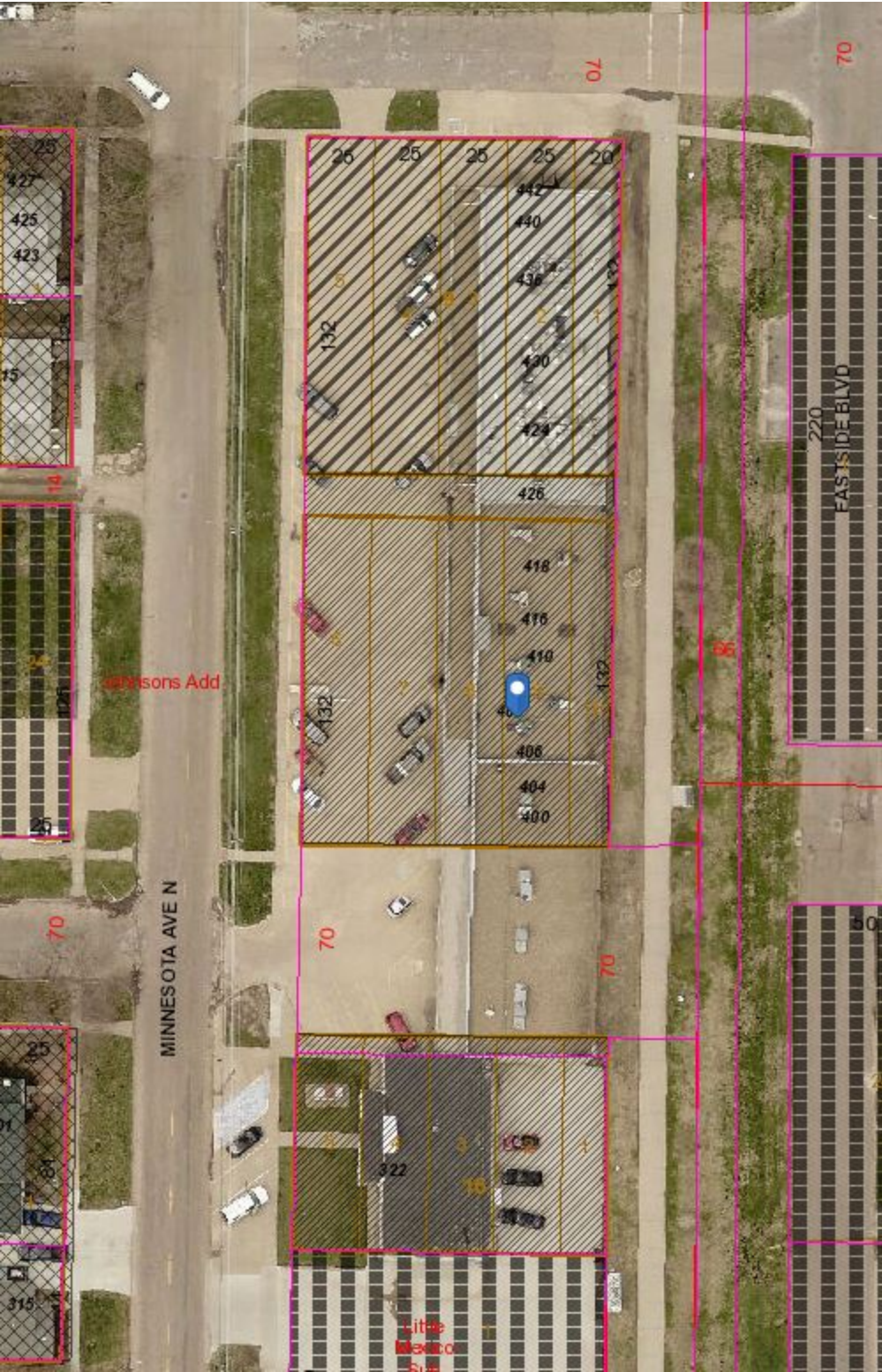
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Mexico Sub

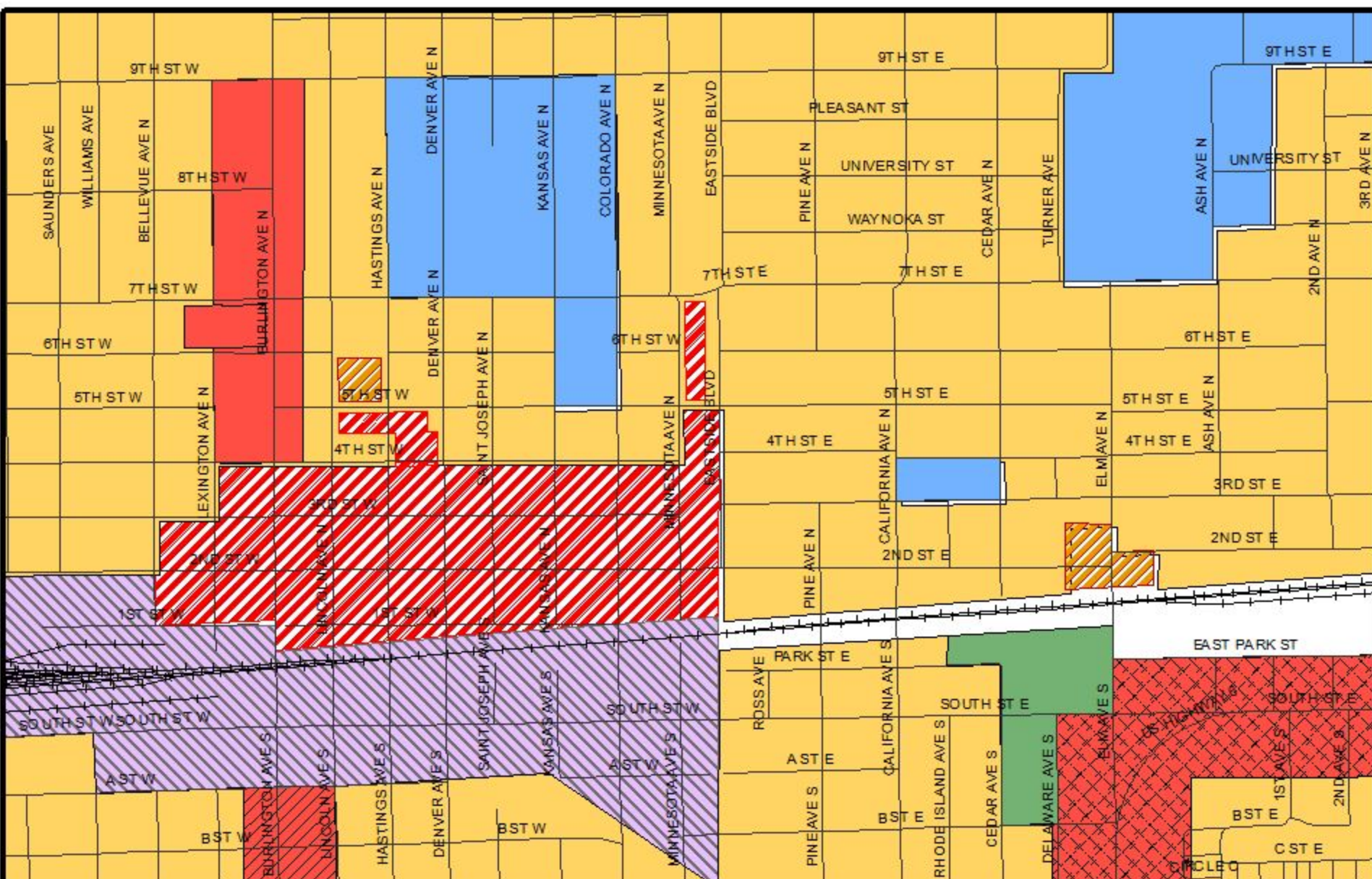
James Sub of
James AddHabitat
Third Sub

TCID₅₀









Future Land Use

City of Hastings, Nebraska



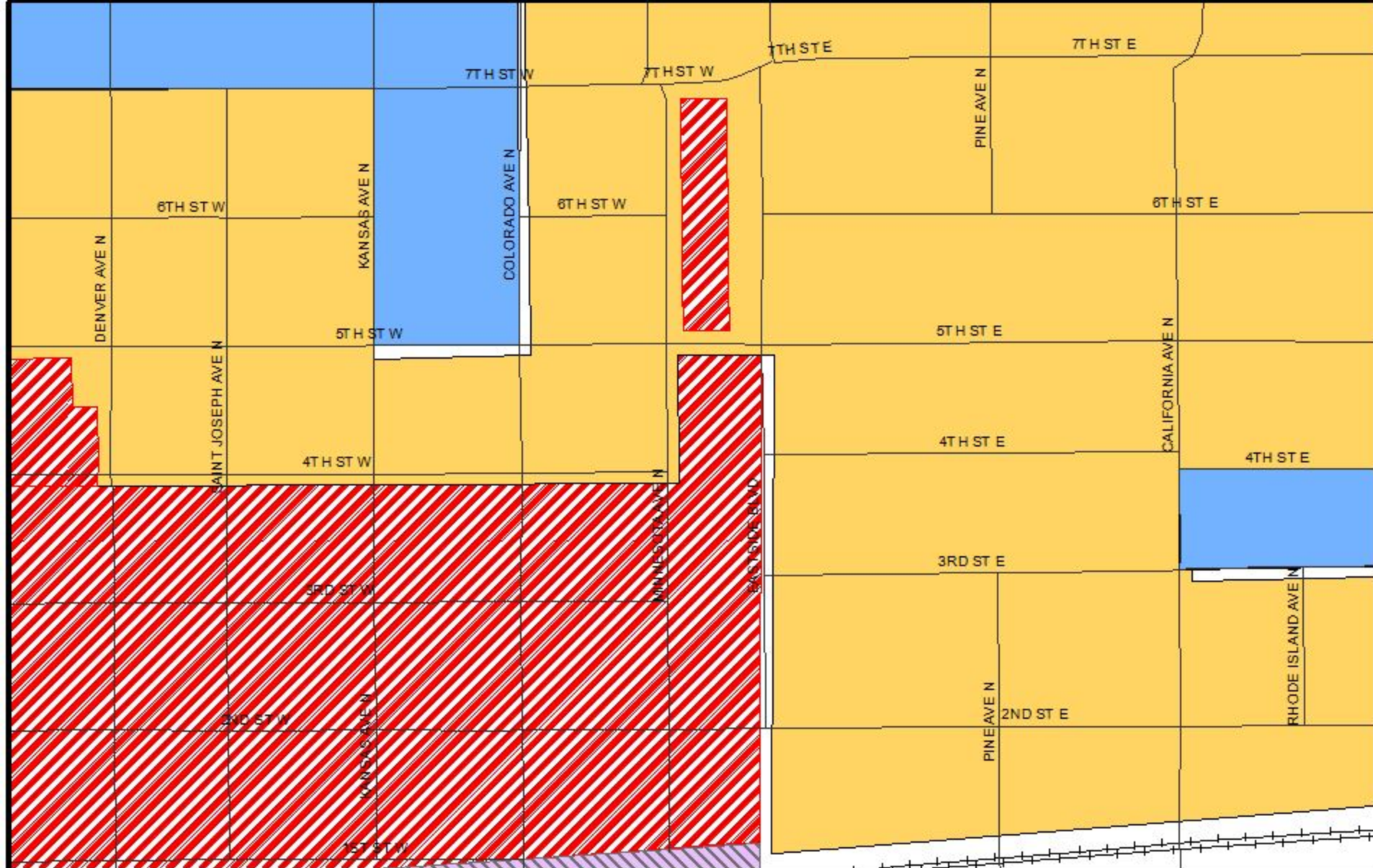
0 320 640 1,280 Feet

Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential
- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial
- Public / Semi-Public
- Parks & Recreation
- Agriculture

Overlay Districts:

- South Burlington Overlay
- Floodplain
- Highway 6 Overlay
- Urban Industrial Overlay
- City Boundary
- ETJ Boundary



Future Land Use

City of Hastings, Nebraska



0 140 280 560 Feet

Land Use:

- | | | | |
|---|----------------------|---|--------------------------|
|  | Rural Residential |  | Mixed-Use - Neighborhood |
|  | Suburban Residential |  | Mixed-Use - Community |
|  | Urban Residential |  | Mixed-Use Downtown |
| | |  | Commercial/Retail |
| | |  | Employment/Industrial |

- | | |
|---|----------------------|
|  | Public / Semi-Public |
|  | Parks & Recreation |
|  | Agriculture |

Overlay Districts:

- | | | | |
|---|--------------------------|---|---------------|
|  | South Burlington Overlay |  | Floodplain |
|  | Highway 6 Overlay |  | City Boundary |
|  | Urban Industrial Overlay |  | ETJ Boundary |

Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 4/20/2020
File No: 2020-012
Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to consider Plan Modification No. 2020-2 to Redevelopment Plan #1 for Lots 4 and 5, Block 26 in the Original Town of Hastings, Adams County, Nebraska, commonly addressed as 615 West 1st Street.

Motion to recommend the Plan Modification No. 2020-2 to Redevelopment Plan #1 for Lots 4 and 5, Block 26, Original Town of Hastings, Adams County, Nebraska, commonly addressed as 615 West 1st Street.

Names of People/Business affected by this action:

The applicant, the people of Hastings, the Community Redevelopment Authority, and the City.

Why Planning Commission action is required:

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

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

This case will be presented for final approval at the May 11, 2020 regular City Council meeting.

Department head comments:

ABBC Restorations, LLC intends to purchase and renovate the property at 615 West 1st Street. The intent is to convert into commercial and residential condominium uses.

The applicant intends to utilize Tax Increment Financing (TIF) to aid in site acquisition, preparation, interior demolition, structural rehabilitation, facade enhancements, architectural, engineering, and planning costs, capitalized interest, legal fees, public parking, and other eligible public improvements in accordance with the Redevelopment Plan.

Total project costs estimated to be \$433,000.00. The anticipated project valuation upon completion is anticipated at \$385,530.00.

Future Land Use for this area is mixed use which is compatible with the applicant's intent to convert the property into both commercial and residential condominium uses. This project will lend value not only by renovating a historic building but also by incorporating further diversity in uses for both commercial and residential interested citizens.

Plan Modification 2020-2, attached, details further information.

Recommendation:

Recommend approval

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

PROJECT INFORMATION

Project Name: Plan Modification No. 2020-2 to Redevelopment Area #1

Project Address: 615 W. 1st Within City Limit ☒ Yes ☐ No

Existing Zoning: C-2 Commercial Proposed Zoning / Use: C-2 Commercial

Existing Comprehensive Plan Designation: Mixed Use Downtown Gross Area: 2,374 sq ft

Legal Description: Lots Four (4) and Five (5), Block Twenty-Six (26), Original Town, now City of Hastings, Adams County, Nebraska, according to the recorded plat thereof. Number of Lots: Two

APPLICANT INFORMATION

Applicant: Randal Chick Company: Community Redevelopment Authority

Address: 301 S. Burlington Tel: (402) 461-8415 Fax: _____

City: Hastings State: NE Zip: 68901 Email: bidcra@gmail.com

Property Owner: Community Redevelopment Authority Company: Same

Address: 301 S. Burlington Tel: (402) 461-8415 Fax: _____

City: Hastings State: NE Zip: 68901 Email: bidcra@gmail.com

Key Contact: Randal Chick Company: Community Redevelopment Authority

Address: 301 S. Burlington Tel: (402) 461-8415 Fax: _____

City: Hastings State: NE Zip: 68901 Email: bidcra@gmail.com

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: _____

Receipt No. _____

Accepted by Staff: _____
Signature

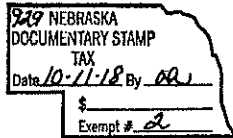
Case No. _____

NUM PGS 1
DOC TAX _____ CK# _____
FEES 10.00 PD 10.00 CK# 10527 (PT)
CHG _____ ACCT# _____
RET FEES: _____ CASH _____
P & M FUND 2.50 GEN FUND 7.50
REC'D Eligible - Prairie Fire
RETURN Community Redevelopment
*see address below



20183504

ADAMS COUNTY, NE
FILED
INST. NO. 20183504
Date 10-11-18 Time 9:02 AM
Annie M. Hinton
REGISTER OF DEEDS



NUM Original Town Hastings
RD. COMP x RD
COMPARE ✓ KQ
CADAS 8-15 RD COMP RD
OK KQ KQ

* Return to: CRA, 301 S. Burlington Ave, Hastings NE 68901

WARRANTY DEED

CUSTOM ENTERPRISES, L.L.C., a Nebraska Limited Liability Company, GRANTOR, in consideration of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, convey to COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY OF HASTINGS, NEBRASKA, a Nebraska Limited Liability Company, GRANTEE, the following described real estate (as defined in Neb. Rev. Stat. Section 76-201):

Lots Four (4) and Five (5), Block Twenty-Six (26),
Original Town, now City of Hastings, Adams County,
Nebraska, according to the recorded plat thereof.

GRANTOR covenants (jointly and severally, if more than one) with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances except easements and restrictions of record;
- (2) has legal power and lawful authority to convey the same;
- (3) warrants and will defend title to the real estate against the lawful claims of all persons.

Dated: October 10th, 2018.

CUSTOM ENTERPRISES, L.L.C.

Robert Beirow
ROBERT BEIROW, MEMBER

STATE OF NEBRASKA)
)SS:
COUNTY OF ADAMS)

The foregoing warranty deed was acknowledged before me on October 10th, 2018 by Robert Beirow, Member of Custom Enterprises, L.L.C.



My commission expires: 6-24-19

Laurie L. Hawes
Notary Public

REDEVELOPMENT PLAN #1
PLAN MODIFICATION NO. 2020-2
(ABBC Restorations Redevelopment Project)

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

Executive Summary:

Project Description

The project consists of the purchase and redevelopment of the two-story property located at 615 W. 1st a.k.a. Lots Four (4) and Five (5), Block Twenty-Six (26), Original Town, now City of Hastings, Adams County, Nebraska, according to the recorded plat thereof. The property will be acquired and renovated for commercial and residential uses, including fire/life safety improvements and building rehabilitation and remodeling.

The use of Tax Increment Financing to aid in rehabilitation expenses associated with redevelopment of both the main floor and second level of the property into a mixed use building containing one residential apartment on the 2nd level and up to two main floor commercial spaces. The use of Tax Increment Financing is an integral part of the development plan and necessary to make this project affordable. The project will result in renovating this historic building into a combination of commercial space and residential space. The addition of the residential unit is consistent with the 2013 Downtown Revitalization Plan and the 2016 Hastings Housing Study priorities to add an additional 84 housing units downtown by 2021. This project would not be possible without the use of TIF.

ABBC Restorations, LLC will purchase the property and currently the building is vacant. The Community Redevelopment Authority owns the property and is in process of renovating the façade utilizing \$75,000 of CDBG DTR Funding. The developer is in the process of finalizing development plans and will provide evidence that they have secured adequate debt financing and equity to cover the costs associated with the remodeling and rehabilitation of this building prior to the execution of a Redevelopment Contract. The Hastings Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated over the 15 year period beginning January 1, 2021 towards the allowable costs and associated financing for rehabilitation.

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

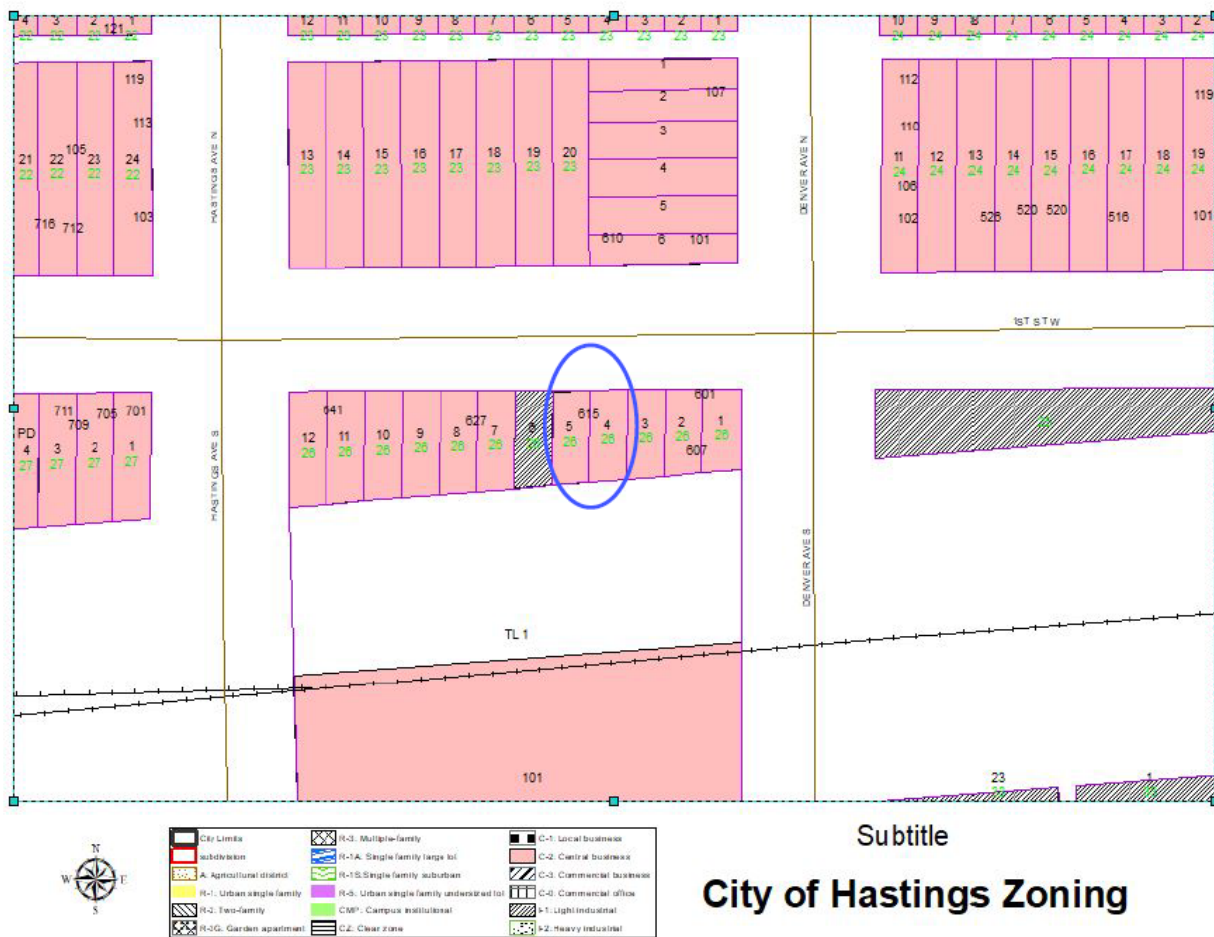
Property Description (the "Redevelopment Project Area")

615 W. 1st Street in Hastings, Nebraska

Legal Description: Lots Four (4) and Five (5), Block Twenty-Six (26), Original Town, now City of Hastings, Adams County, Nebraska, according to the recorded plat thereof

ABBC Restorations, LLC will utilize Tax Increment Financing to aid in site acquisition, site preparation, interior demolition, rehabilitation of the structure, façade enhancements, architectural, engineering and planning costs, capitalized interest, and legal fees, public parking and any other eligible public improvements essential for public uses in accordance with the Redevelopment Plan.

Map of Existing Land Use and Proposed Redevelopment Site



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

The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the construction of one residential apartment and up to two main floor commercial spaces as permitted in the C-2 Commercial Zoning District. The tax increment will be captured for the tax years 2021 through 2035 inclusive. Provided, however, if there is no increase in valuation for the 2021 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.

Project costs for the acquisition, façade, renovation of the second floor to include one apartment and renovation of the main floor to include up to two commercial spaces are estimated to be \$433,000. The anticipated project valuation when completed is \$455,000 and the developer projects an incremental valuation increase of approximately \$385,530.

Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective

date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, Said taxes shall be divided as follows:

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

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

Redevelopment Plan Amendment Complies with the Act:

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

- 1. The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on March 23, 1987 (Resolution No. 1069). In September of 2017 a blight and substandard study was completed and the area was re-declared blighted and substandard by action of the Hastings City Council on November 13, 2017. (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**
- 2. Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a) and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to preserve a historic building for residential and commercial uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on April 20, 2020 to approve Plan Modification No. 2020-2 to Redevelopment Plan I confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

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

a. Land Acquisition:

The Redevelopment Plan for Area I provides for real property acquisition and this plan amendment does not prohibit such acquisition. The Community Redevelopment Authority is the current owner of the building on which the Project will be constructed and the developer plans to acquire the property.

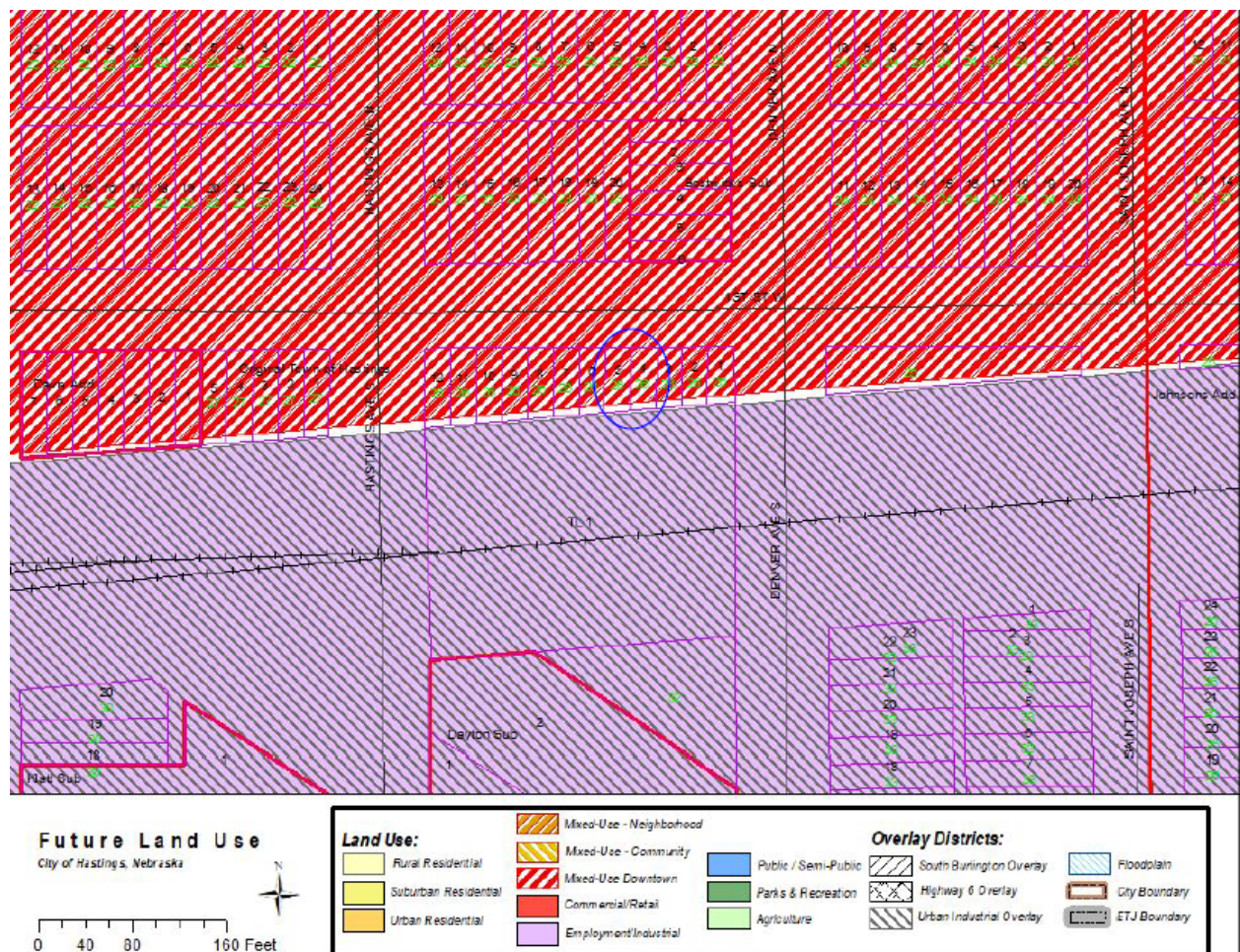
b. Demolition and Removal of Structures:

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

c. Future Land Use Plan

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for Downtown Commercial development; this includes housing and commercial uses within the same structure. This property is owned by the Community Redevelopment Authority. (§18-2103(b) and §18-2111) The attached map also is an accurate site plan of the area after redevelopment. (§18-2111(5))

Future Land Use Map



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

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

e. Site Coverage and intensity of Use

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

f. Additional Public Facilities or Utilities

Sewer, water, gas and electric are available to support this development. The developer may be required to extend a water line capable of providing sufficient water for a sprinkler system required to convert this building into a mixed use building.

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

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

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

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

The developer plans to purchase the property and acquisition is part of the request for tax increment financing. The CRA has been asked to provide \$90,000 in TIF funding to this project to offset the cost of TIF eligible expenditures. The CRA has identified the following TIF eligible expenses for the developers proposed improvements;

- a) site acquisition - \$160,000
- b) demolition - \$26,500
- c) structure rehabilitation costs - \$171,500
- d) capitalized interest on TIF borrowing - \$2,500

The total TIF eligible expenses for this project are \$360,500. The property will be transferred to redevelopers by the Authority and the developer will provide and secure all necessary financing.

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

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the sum of \$50,000 from the proceeds of the TIF and providing a \$25,000 zero percent interest loan to the developer. The CRA will issue additional debt in the form of a second bond issuance in the amount of \$40,000 for acquisition to benefit the ABBC Restorations, LLC Redevelopment Project. The \$90,000 proceeds from TIF after the interest is paid will result in approximately \$119,829 of direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2021 through December 2035.

3. Statement of feasible method of relocating displaced families.

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

7. Section 18-2113 of the Act requires:

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

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

8. Time Frame for Development

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

9. Justification of Project

This is a historic building in downtown Hastings that will be preserved with this project. The addition of a new 2nd story upper level residential unit is consistent with goals of the May, 2016 Hastings Housing Study to build 84 residential units in downtown Hastings by 2021. The main floor will be used for commercial tenant space. The renovation of this building will help to prevent the reoccurrence of blight and substandard conditions in the area.

10. Cost Benefit Analysis

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

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

Project Sources and Uses.

Approximately \$119,829 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority will be required to complete the project. This investment by the Authority and the City will leverage \$268,000 in private sector financing; a private investment of \$1.24

for every public/TIF dollar of investment.

USE OF FUNDS		SOURCE OF FUNDS		
Description	TIF Funds	Other Grants	Equity or Loan funds	Totals
Site Acquisition	\$ 40,000		\$ 120,000	\$ 160,000
Demolition	\$ 26,500	\$ -	\$ -	\$ 26,500
Rehabilitation	\$ 23,500		\$ 148,000	\$ 171,500
Façade renovation	\$ -	\$ 75,000	\$ -	\$ 75,000
TOTALS	\$ 90,000	\$ 75,000	\$ 268,000	\$ 433,000

Tax Revenue. The property has a January 1, 2019, valuation of approximately \$69,470. Based on the 2019 levy of .02237489 this would result in real property taxes of approximately \$1,554.40 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by \$385,530 upon full completion, as a result of the building redevelopment. This development will result in an additional estimated tax increase of over \$8,626 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 2019 assessed value:	\$69,470
Estimated value after completion	\$455,000
Increment value	\$385,530
Annual TIF generated (estimated)	\$8,626
TIF bond issue	\$50,000
TIF (2 nd bond issue)	\$40,000

Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:

A large financial gap exists on this project after conventional financing is utilized. A combination of owner equity, TIF and other incentives are needed to make the project feasible. The developer is contributing owner equity/bank financing of \$268,000 and TIF and façade grant funding are intended to fill the remaining gap, making this project feasible. The project is asking for \$90,000 in a TIF loan amortized over 15 years. Without the availability of TIF funding for the project, it would not be feasible for the developer to proceed with this redevelopment. Please see the tables below which shows rate of returns from -2.4% to .35% without TIF funding which is an unacceptable return on investment in today's market.

Proforma Operating Statement w/o TIF					
			<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Rent Revenue			\$ 27,600	\$ 31,200	\$ 32,400
Expenses			\$ (8,000)	\$ (13,090)	\$ (15,320)
NOI Without TIF			\$ 19,600	\$ 18,110	\$ 17,080
Debt Service			\$ (19,270)	\$ (19,270)	\$ (19,270)
Cash Flow Without TIF			\$ 330	\$ (1,160)	\$ (2,190)
Cash on cash return wo/TIF			0.35%	-0.12%	-0.24%
Equity Investment			\$ 93,000	\$ 93,000	\$ 93,000

Proforma with TIF

Proforma Operating Statement with TIF					
			<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Rent Revenue			\$ 27,600	\$ 31,200	\$ 32,400
Expenses			\$ (8,000)	\$ (13,090)	\$ (15,230)
NOI Without TIF			\$ 19,600	\$ 18,110	\$ 17,170
Debt Service			\$ (12,726)	\$ (12,726)	\$ (12,726)
Cash Flow Without TIF			\$ 6,874	\$ 5,384	\$ 4,444
Rate of return with TIF			7.39%	5.79%	4.78%
Equity Investment			\$ 93,000	\$ 93,000	\$ 93,000

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

The redevelopment project area currently has a valuation of \$69,470. The proposed redevelopment will create additional valuation of \$385,530. No tax shifts are anticipated from the project. The project creates new valuation from the rehabilitation of all levels of an historic building which will support taxing entities long after the project is paid off.

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

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. Fire and police protection are available and should not be negatively impacted by this development. The addition of life safety elements to this building including rated separations and proper exits actually reduce the chances of negative impacts to the fire department.

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

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment area but will create new opportunities to lease unique and renovated commercial space. The project will also provide an additional residence in the downtown area consistent with the planned development in Downtown Hastings.

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

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

(e) Impacts on student populations of school districts within the City or Village:

This development will have a minimal impact on the Hastings area school systems as it will likely not result in any increased attendance and the local school systems would be able to absorb any students from this additional development without adding to school facilities or staffing.

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

This project is consistent with the goals of the City Council, the Business Improvement District and the Community Redevelopment Authority to create additional housing units in downtown Hastings. The project will create additional jobs and downtown residents which will benefit local businesses.

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

This project is consistent with the goals of the City's Comprehensive Plan, and the Hastings Housing Study of 2016.

Time Frame for Development

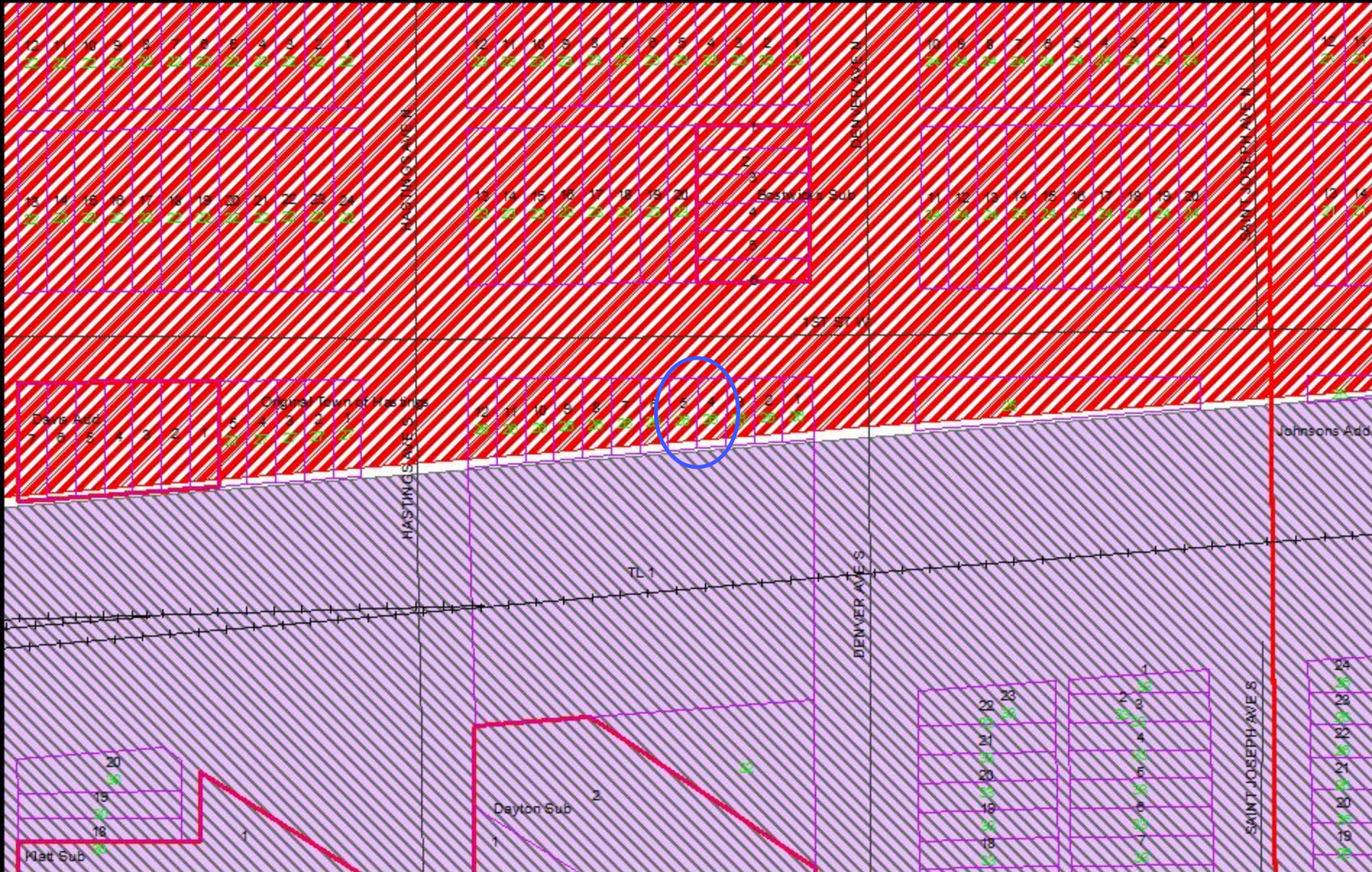
Development of this project is anticipated to be completed between May of 2020 and April of 2021. The base tax year should be calculated on the value of the property as of January 2020. Excess valuation should be available for this project for 15 years beginning in 2021 with taxes due in 2022. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount not to exceed \$90,000 the projected amount of increment based upon the anticipated value of the project and current tax rate. Based on the estimates of the expenses of the rehabilitation the developer will spend at least \$90,000 on TIF eligible activities in excess of other grants given. The CRA intends to issue additional debt in the form of a second bond issuance in the amount of \$40,000 for acquisition and other public improvements to indirectly benefit the ABBC Restorations, LLC Redevelopment Project.



City Limits	R-3. Multiple-family	C-1. Local business
Subdivision	R-1A. Single family large lot	C-2. Central business
A. Agricultural district	R-1S. Single family suburban	C-3. Commercial business
R-1. Urban single family	R-3. Urban single family undersized lot	C-4. Commercial office
R-2. Two-family	CMP. Campus institutional	I-1. Light industrial
R-3G. Garden apartment	CZ. Clear zone	I-2. Heavy industrial

Subtitle

City of Hastings Zoning



Department: Development Services
Staff Contact: Mark Evans, Lisa Parnell-Rowe
Planning Commission Meeting Date: 4/20/2020
File No: 2020-006
Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Consider a recommendation to approve a Preliminary/Final plat for Keller Pointe Second Subdivision-revised, 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:

Motion

Suggested motion:

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

Deadlines associated with action:

This item has been rescheduled for consideration at the May 11, 2020 regular meeting of City Council.

Department head comments:

The Development Department and Plat Track review teams had reviewed this plat and the applicant's surveyor had incorporated all suggestions to include a 10' Utility Easement that had been recommended if needed for future underground electric by Utilities Coordinating Engineer, Ron Sekora on February 19, 2020. This comment was sent with a third round of review comments that were requested on February 20, 2020 to be responded to by the surveyor. At this that easement was incorporated into a revised plat without hesitation in response to the review team comments. Then on March 16, 2020, Keller Second Pointe Plat was heard by Planning Commission and approved 7-0. The applicants and/or surveyor was not present for this meeting, and (in fact) this was noted by Commissioner Willis during the discussion for approval. Shortly after that meeting, on March 18, 2020, Mr. Sekora received a phone call from our applicant, Mr. Mark Keller, inquiring into the 10' easement that had been added. Mr. Keller questioned the necessity of this added 10' utility easement and, after discussing the matter further with the Hastings Utilities Department the applicant agreed that they would be willing to forgo this easement with the understanding that in the future power would then need to be fed from the front of any lots in that area. The feed of power for future lots from the existing overhead power line will be fed by going down any pole to a meter pedestal and then it will be the responsibility of the home owner's electrician to take it to the house at their expense. Doing this way would also necessitate a one-time charge of \$350.00 (current fee) for either a single or double meter pedestal. As such, the easement was removed at Mr. Kellers request. See attached email from Mr. Sekora summarizing his discussion with the applicant. As for the rationale as to why this easement was not questioned during the Plat tracker review, the surveyor has told Staff that this was his error in understanding how easements and the review process work. He did not understand that any recommended easements could be discussed with the City and had the impression that the applicants were required to comply with this requirement. Staff has explained that the plat track review process has been put into place to coordinate reviews of plats and discuss the requirements and future needs as we grow.

Staff, development department and the Plat Track Review teams have all re-looked the latest plat with this easement removed and agreement has been reached to approve. Requirements of Hastings City Code Sections 38-202 and 38-203 have been met, and the plat may be re-approved.

Recommendation:

Staff supports a recommendation to approve this plat once again with this easement removed but with the condition that any future development for lots on this subdivision will be fed from the front of any future lots.

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

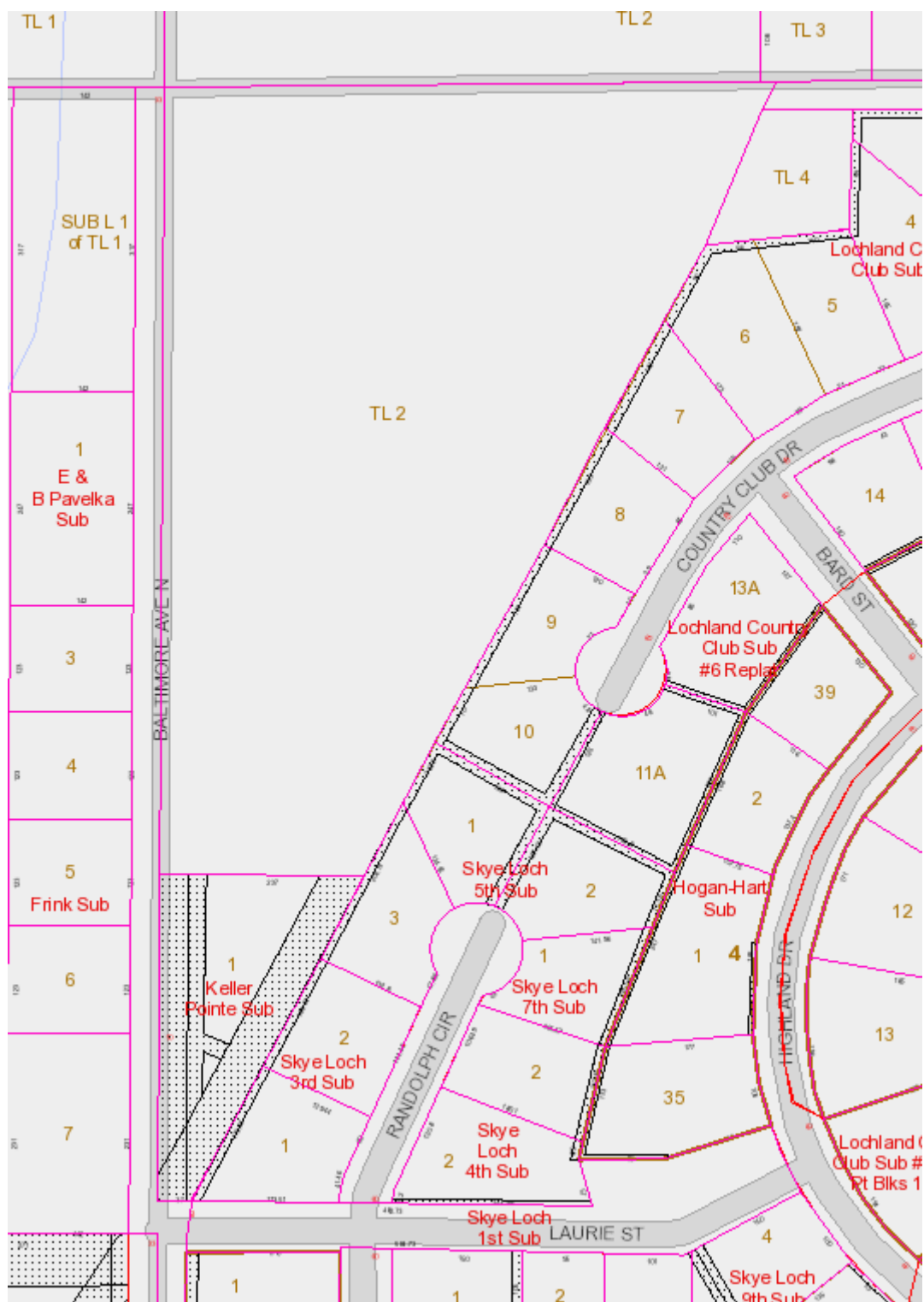
DEPARTMENTAL USE ONLY

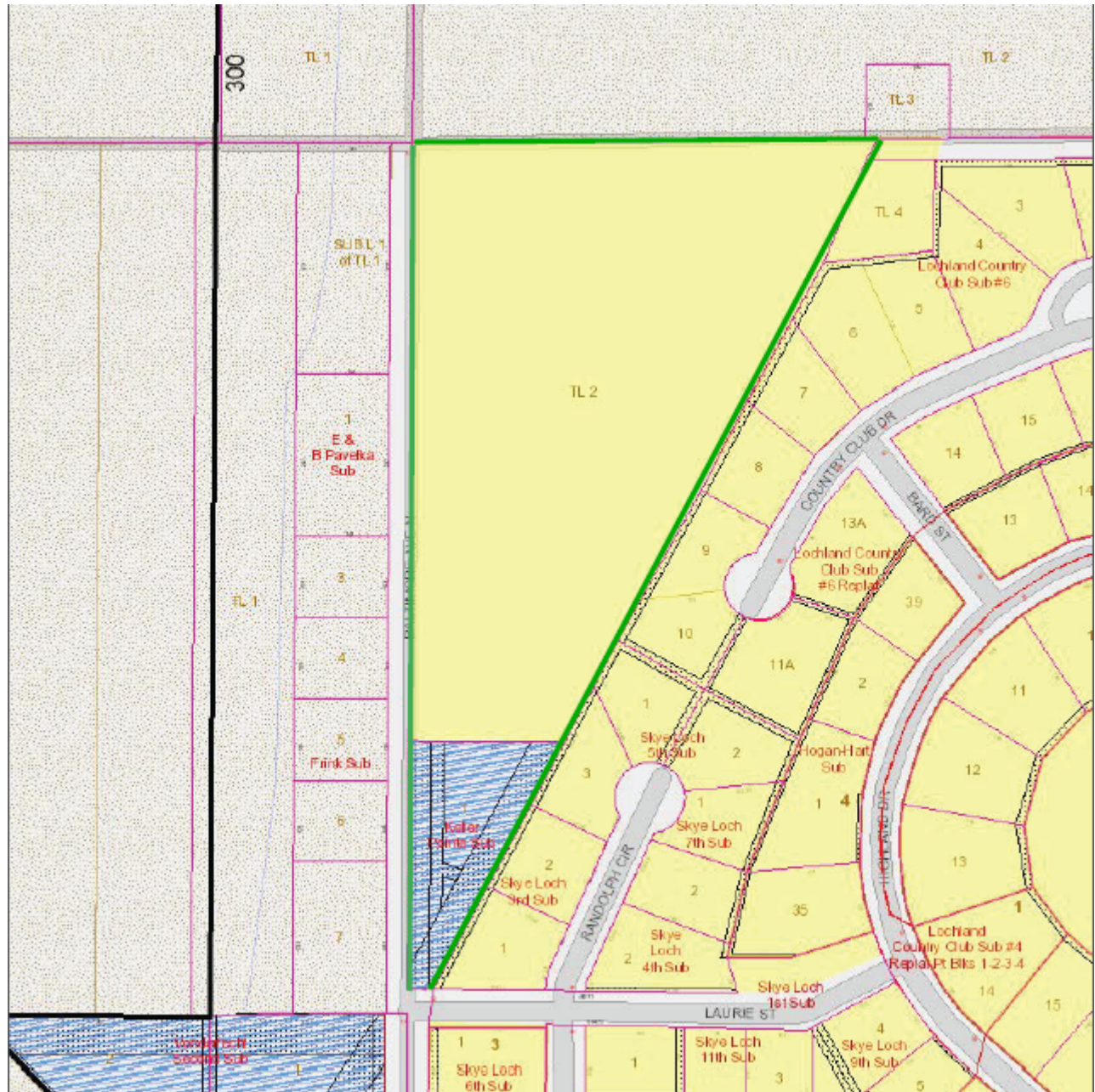
Fees: Preliminary/Final Plat - \$500.00 - 1 Lot - \$40.00 Receipt No. _____

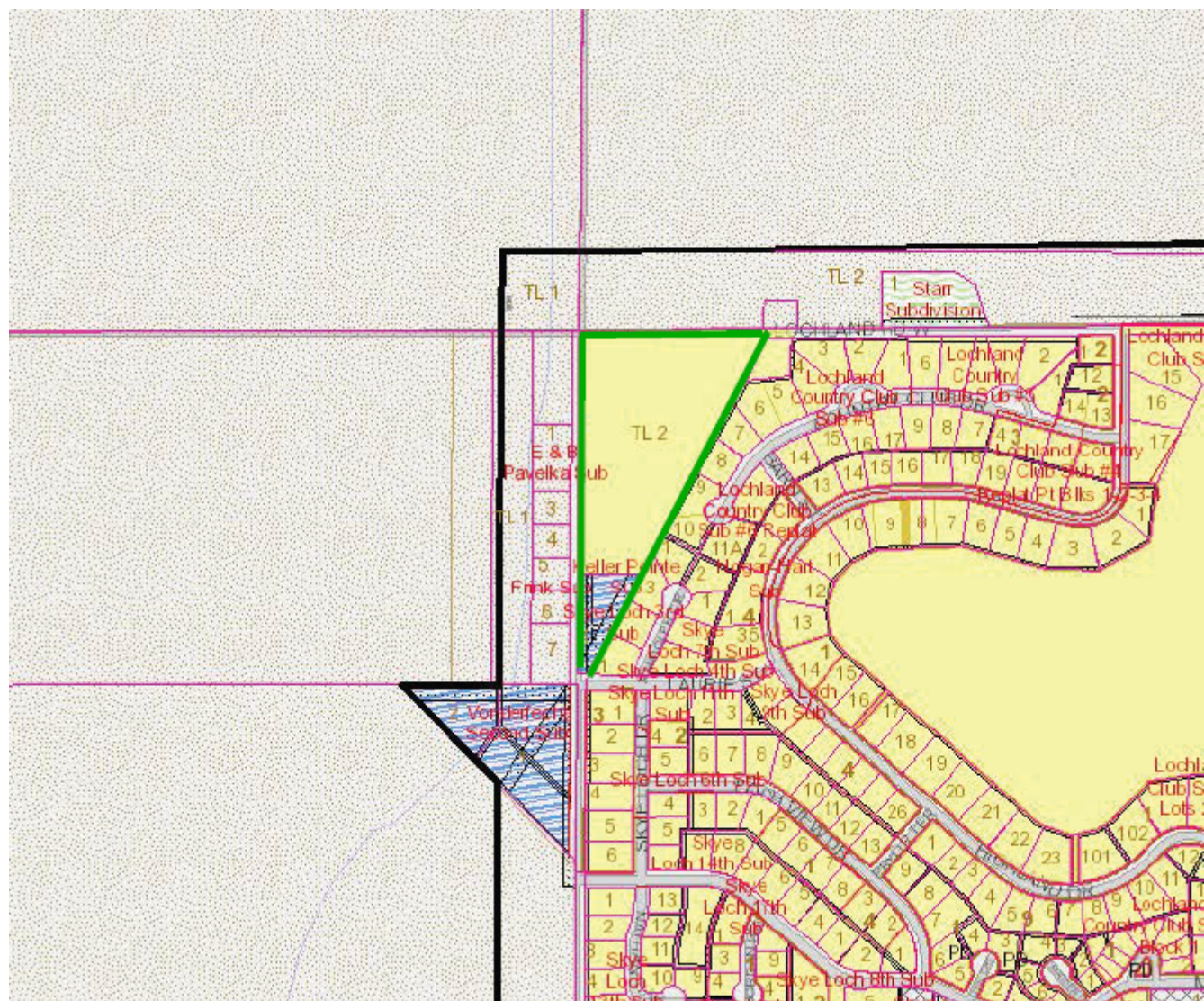
Accepted by Staff: Rezone - \$450.00 - Filing Fee - \$20.00 Case No. _____

Total Fees - \$1018.00 Signature _____

PAID











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

SHEET 3 OF 3

KELLER POINTE SECOND SUBDIVISION

Lisa Parnell-Rowe

From: Ron Sekora
Sent: Thursday, March 19, 2020 3:05 PM
To: Lisa Parnell-Rowe
Cc: Teri Schelkopf; Mark Evans; Keith Leonhardt; Tyler Waite; Scott Struss
Subject: Keller Pointe Second Sub

Lisa,

I just spoke with Mark Keller and he would like us to remove the 10' easement on the south side and east side of Lot 2 on the new subdivision plat. He said go ahead and run it through Planning and Zoning again.

He said if the property is subdivided again it will be a maximum of 4 additional lots and that they could be fed from the front with power. HU is okay with this.

He would like us to run the water and sewer from the south side of lot 2 all the way to the corner at our expense so that if and when the property is subdivided they would just pay the current Out of District Fee at the time of construction. He just wants to get this done now and have it out of the way.

I forgot to ask him when he planned to build on lot 2. I would think we would need to put it in the budget for next year with all of our expenses we have this year. What do you think.

Keith. He also said he would like to get that settled on the sewer he paid for when he built on the south lot where the house is currently located. This is the piece of sewer that fronts along Baltimore Ave for 180.77' I told him we met with the attorney, and Kevin Johnson on December 19, 2018 and my notes show that we would pay him the current Out of District Fee for the frontage along Baltimore and then if anyone connects to that main at a later date the money is ours.

He said go ahead and get that done so I will see what it takes to get the 180.77' of frontage x \$33.50 = 6,055.80 paid to him. I assume we will need him to sign off on an agreement letter so that we have record of paying him for the frontage on that lot 1 of Keller Pointe Sub addressed as 5404 N. Baltimore.

Ron Sekora

Coordinating Engineer

HASTINGS UTILITIES

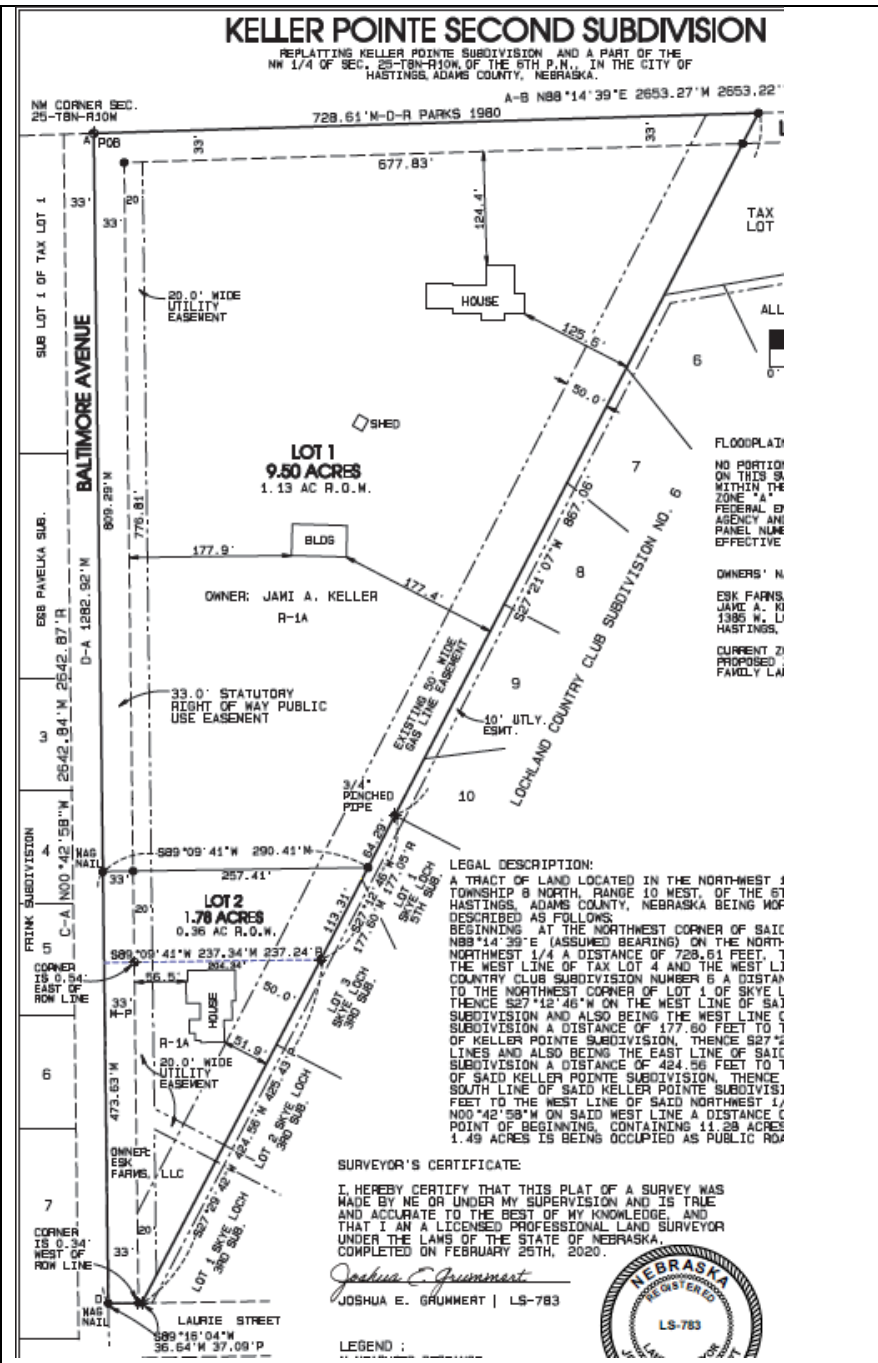
1228 N. Denver Ave.

Hastings, Nebraska 68902-0289

P: 402-462-3653 F: 402-462-3666 C: 402-831-2002

rsekora@hastingsutilities.com

REVISÉD PLAT (EASEMENT REMOVED)



Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 4/20/2020
File No: 2020-011
Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Preliminary Plat of Hastings Rural Fire Subdivision. Plat property into 2 lots. Area was previously unplatted. Plat of Lot 1 with existing structure and Lot 2 where new Hastings Rural Fire building will be placed.

Names of People/Business affected by this action:

The applicant, 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 (3)).

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

Type of action requested:

Motion

Suggested motion:

Rezone and final plat processes will occur after preliminary plat approval is obtained from City Council. Building plans are in concurrent review at this time with preliminary plat.

Deadlines associated with action:

This item is scheduled for consideration at the May 11, 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 preliminary recommendations. The flag lot configuration of this development meets the requirement prescribed for flagpole when located within the two-mile extraterritorial jurisdiction of no more than 400 feet in length and the flag lot requirements (exclusive of flagpole) must meet all lot width, front and rear yard setbacks in accordance with definition. Building location and lines are added as part of final plat criteria and will be reviewed at that time as condition for final. Grading & landscape plans were provided along with building plans and are in concurrent review. Topography plan was noted to be in draft form by Engineer but not yet received. Final approval of these plans are conditions of approval for final plat. All requirements of Hastings City Code Sections 38-202 have been met, and the preliminary plat may be approved.

Recommendation:

Staff recommends approval with the following conditions for final plat: 1) Building location and lines must be added as part of final plat and must meet all lot width, front and rear yard setbacks (exclusive of flagpole) as defined and required of a flag lot. 2) Approval of Grading, landscape and topography plans must be accomplished with final plat. 3) Rezone must be accomplished with final plat.

MEMORANDUM OF UNDERSTANDING

THIS Memorandum of Understanding made and entered into this 23rd day of March, 2020, by and between the City of Hastings, Nebraska, a Municipal Corporation, hereinafter referred to as "CITY", and Hastings Rural Fire & Rescue District, created pursuant to Nebraska Statutes, hereinafter referred to as "FIRE", WITNESSETH:

WHEREAS, FIRE is in the process of acquiring from Adams County, Nebraska, the following described real property, to wit:

A tract of land located in the South Half ($S^{1/2}$) of the Northwest Quarter ($NW^{1/4}$) of Section 25, Township 7 North, Range 10 West of the 6th P.M., in Adams County, Nebraska, described as follows:
Beginning at the Southwest corner of said Northwest Quarter and running thence East on the Southern line of the Northwest Quarter a distance of 66.5 feet to the point of beginning; thence Easterly along said Southern line of said Northwest Quarter a distance of 565.5 feet; thence at right angles North, a distance of 370 feet; thence at right angles West, a distance of 354.5 feet; thence at right angles South a distance of 181.9 feet; thence at right angles West a distance of 208.77 feet; thence at right angles South 188.1 feet to the point of beginning.

WHEREAS, FIRE is desirous of building a fire station to house its equipment on the above described property; and

WHEREAS, a subdivision of the property needs to be accomplished and an application for such subdivision was applied for on February 25, 2020; and

WHEREAS, the final approval of the required subdivision is anticipated to come before the Hastings City Council on July 13, 2020; and

WHEREAS, the subdivision must be completed before a building permit can lawfully be issued for the building FIRE desires to build; and

WHEREAS, FIRE is desirous of commencing construction of its building on the above described real property prior to the final approval of the pending subdivision; and

WHEREAS, Hastings City Code Section 38-202(3) provides that no grading or construction shall be done before the final approval of the subdivision except by special permission by the City Council; and

WHEREAS, FIRE provided Development Services an undated letter, a copy of which is attached hereto, on March 13, 2020 seeking permission to commence prior to subdivision approval and building permit issuance; and

WHEREAS, FIRE states that it has all needed permissions from Adams County to seek the subdivision referred to herein and to engage in the construction activities that it desires without owning the property described herein.

NOW, THEREFORE, in consideration of the foregoing recitals and the terms and

conditions hereinafter set forth, it is the understanding of the parties as follows:

1. FIRE shall be allowed to proceed with the construction of a fire station on the above described real property without approval for the subdivision and the issuance of a building permit; provided said construction is done in accordance with the plans which have been furnished to CITY's Development Services Department; and further provided said construction shall be solely at FIRE's own risk subject to the pending application for subdivision approval and building permit issuance. FIRE further agrees that no construction beyond that requested in the attached letter shall be undertaken.

2. FIRE agrees and understands that as of the date hereof, the CITY may not legally issue a building permit for a fire station on the above described real property.

3. FIRE further agrees and understands that it is proceeding with the construction of the fire station at its own risk, and that upon final approval of the pending application for a subdivision it is required to file all documents necessary to obtain a building permit from CITY. If the subdivision is not approved and the building permit is not issued by August 20, 2020 FIRE agrees to remove all material, footings, foundation and utilities from the site at its expense no later than September 30, 2020.

4. FIRE agrees to hold CITY harmless from any and all costs and liability sustained by FIRE in proceeding with its construction of the fire station prior to the final approval of the application for a subdivision and the issuance of a building permit.

5. This Memorandum of Understanding shall run with the land and be binding upon the heirs, successors, personal representatives and assigns of the respective parties hereto.

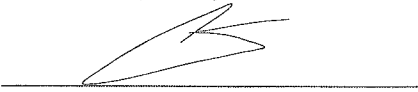
6. This Memorandum of Understanding shall be recorded, at the expense of FIRE in the office of the Adams County Register of Deeds.

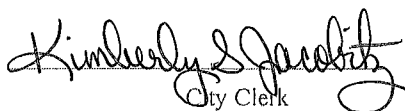
IN WITNESS WHEREOF, the parties hereto have executed the foregoing Memorandum of Understanding the day and year first above written.

CITY OF HASTINGS, NEBRASKA,

A Municipal Corporation

ATTEST:


Mayor


City Clerk

(SEAL)



Approved as to form:


City Attorney

HASTINGS RURAL FIRE & RESCUE DISTRICT

By 

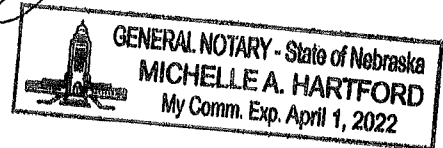
STATE OF NEBRASKA)
) ss
COUNTY OF ADAMS)

Russel Smith

Before me, a Notary Public, duly qualified in and for said county and state, personally appeared ~~Corey Stutte and Kimberly S. Jacobitz, City Clerk~~, known to me to be the identical persons who executed the foregoing Memorandum of Understanding and acknowledged the execution thereof to be their voluntary act and deed on behalf of the City of Hastings, Nebraska, a Municipal Corporation.

Witness my hand and notarial seal this 13 ^{April} day of ~~March~~, 2020.

Michelle A. Hartford
Notary Public

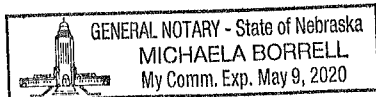


STATE OF NEBRASKA)
) ss
COUNTY OF ADAMS)

COREY STUTTE and KIMBERLY S. JACOBITZ

Before me, a Notary Public, duly qualified in and for said county and state, personally appeared ~~Russel Smith, President of Hastings Rural Fire & Rescue District~~, known to me to be the identical persons who executed the foregoing Memorandum of Understanding and acknowledged the execution thereof to be his voluntary act and deed.

Witness my hand and notarial seal this 14TH ^{APRIL} day of ~~March~~, 2020.



Michaela Borrell
Notary Public

HASTINGS RURAL FIRE SUBDIVISION PRELIMINARY PLAT

A TRACT OF LAND LOCATED IN THE NW 1/4 OF SECTION 25-T7N-R10W
OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING WITHIN THE
TWO MILE E.T.J. OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.



CURRENT ZONING:
R-1 URBAN SINGLE FAMILY
RESIDENTIAL DISTRICT AND
A-AGRICULTURAL DISTRICT

PROPOSED ZONING:
R-1S SINGLE FAMILY SUBURBAN
ACREAGE RESIDENTIAL DISTRICT

CURRENT OWNER:
ADAMS COUNTY

DEED INS.NO. 20183857

ALL BEARINGS ARE ASSUMED
SCALE: 1"=70'



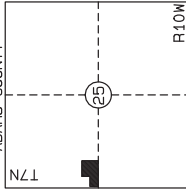
FLOODPLAIN INFORMATION:

NO PORTION OF THE PROPERTY LEGALLY DESCRIBED ON THE
PLAT HEREON FALLS WITHIN THE CONFINES OF THE SPECIAL
FLOOD HAZARD AREAS AS DETERMINED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY AND FIRM MAP.
COMMUNITY PANEL NO.31001C0175C, EFFECTIVE 7/5/2018.

GPS PROJECT # 018-2020

SHEET 1 OF 3

VICINITY SKETCH
ADAMS COUNTY



LEGEND :

- M-MEASURED DISTANCE
- R-RECORD DISTANCE
- G-GOVERNMENT DISTANCE
- P-PLATTED DISTANCE
- D-DEED DISTANCE

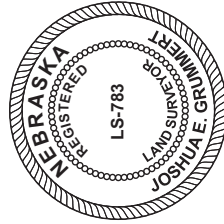
FOUND CORNER

O CALCULATED POINT

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

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 17TH, 2020.



JOSHUA E. GRUMMETT | LS-783

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

NORTHWEST CORNER SEC. 25-T7N-R10W
FOUND 2" ALUMINUM CAP ASPHALT
NW 60.91' FD. MAG-NAIL & LS-485 DISK IN P.P.
SE 127.99' FD. MAG-NAIL & LS-485 DISK IN P.P.
E. 523.78' FD. MAG-NAIL & LS-485 DISK IN P.P.
E. 54.0' CENTERLINE OF HIGHWAY 281

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 7 NORTH,
RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST 1/4 (WEST 1/4 CORNER) OF SAID
SECTION 25, THENCE N89°52'33"E (ASSUMED BEARING) ON THE SOUTH LINE OF SAID NORTHWEST 1/4 A
DISTANCE OF 66.50 FEET TO THE POINT OF BEGINNING AND ALSO BEING THE EAST RIGHT OF WAY LINE
OF HIGHWAY 281, THENCE CONTINUING N89°52'33"E A DISTANCE OF 565.50 FEET, THENCE
N00°00'26"E A DISTANCE OF 369.96 FEET, THENCE S89°52'33"W A DISTANCE OF 354.50 FEET, THENCE
S00°04'48"E A DISTANCE OF 181.63 FEET, THENCE S89°49'43"W A DISTANCE OF 209.18 FEET TO THE
SAID EAST RIGHT OF WAY LINE OF HIGHWAY 281, THENCE S00°38'48"W ON SAID EAST RIGHT OF WAY
LINE A DISTANCE OF 188.17 FEET TO THE POINT OF BEGINNING, CONTAINING 3.92 ACRES MORE OR LESS.

INS# 20170111

1/2" PIPE 2' DEEP
PLACED 1/2" REBAR
WITH LS-783 CAP ABOVE

S89°52'33"W

199.00'

1/2" PIPE
1.2' DEEP

HIGHWAY 281 /
BALTIMORE AVE.

INS# 20154527

BLDG.

BLDG.

BLDG.

BLDG.

BLDG.

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BLDG.

BLDG.

OWNERS CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT ADAMS COUNTY, BEING THE OWNER 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 "HASTINGS RURAL FIRE SUBDIVISION," A SUBDIVISION WITHIN THE 2 MILE JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, LOCATED IN THE NORTHWEST 1/4 OF SECTION 25, TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE SIXTH P.M., 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 OWNER DOES HEREBY DEDICATE THE INGRESS/EGRESS ACCESS EASEMENT SHOWN ON THE PLAT TO THE PUBLIC AND THE UTILITY EASEMENT SHOWN ON THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SIGNED THIS _____ DAY OF _____, 2020.
ADAMS COUNTY

PRINTED NAME _____ (TITLE) _____
PRINTED NAME _____ (TITLE) _____

SIGNATURE _____
SIGNATURE _____

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.
ADAMS COUNTY

PRINTED NAME _____ (TITLE) _____
PRINTED NAME _____ (TITLE) _____

SIGNATURE _____
SIGNATURE _____

ACKNOWLEDGEMENT

STATE OF NEBRASKA }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY

OF _____, 2020, BY _____ (TITLE) _____
OF ADAMS COUNTY.

AND BY _____ (TITLE) _____
OF ADAMS COUNTY
MY COMMISSION EXPIRES THE _____ DAY OF _____.

(SEAL) _____
NOTARY _____

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF HASTINGS RURAL FIRE SUBDIVISION, A SUBDIVISION WITHIN THE TWO MILE JURISDICTION OF 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 HASTINGS RURAL FIRE SUBDIVISION,
A SUBDIVISION WITHIN THE TWO MILE JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

CITY ENGINEER _____

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 _____

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF HASTINGS RURAL FIRE SUBDIVISION, A SUBDIVISION WITHIN THE TWO MILE JURISDICTION OF 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 _____

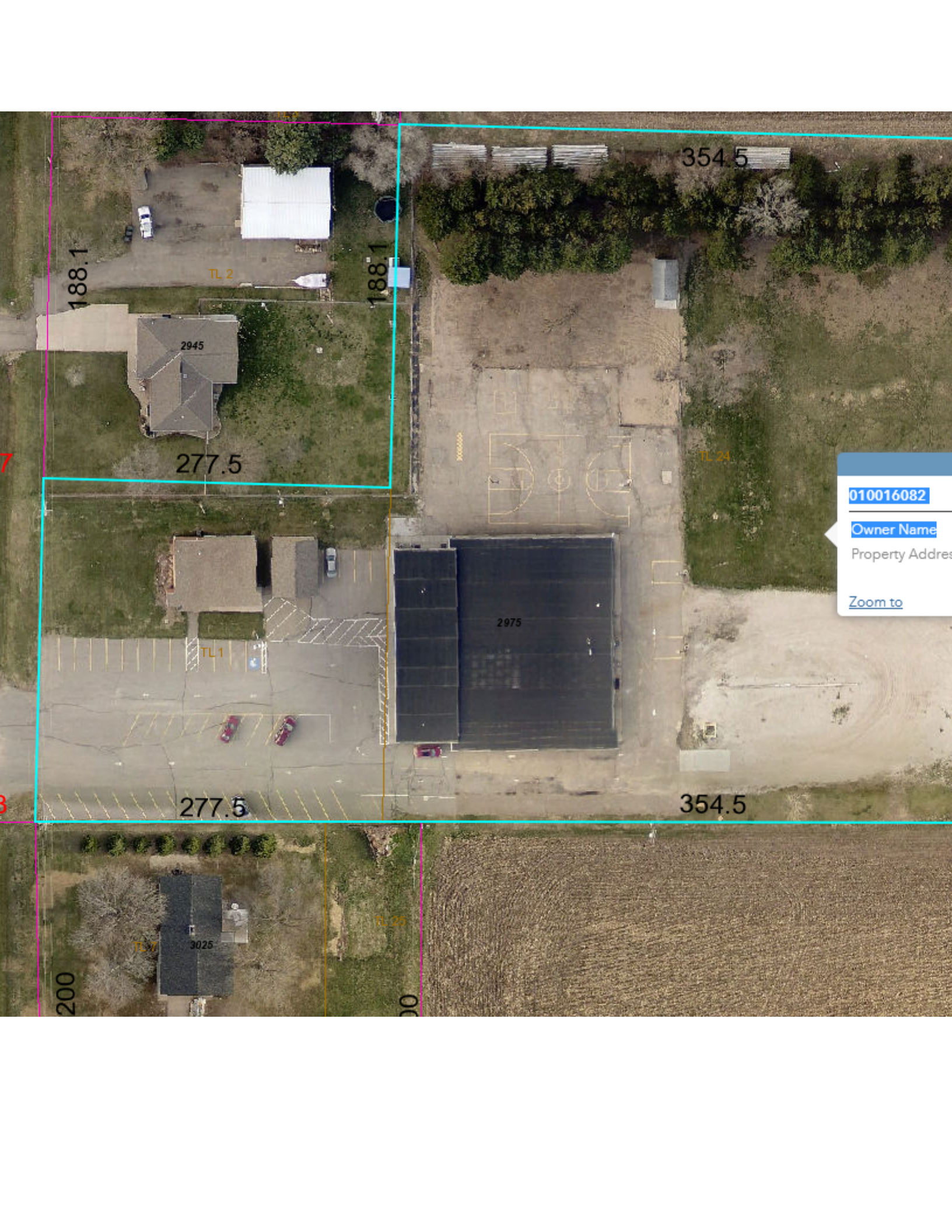
REGISTER OF DEEDS CERTIFICATE

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 _____



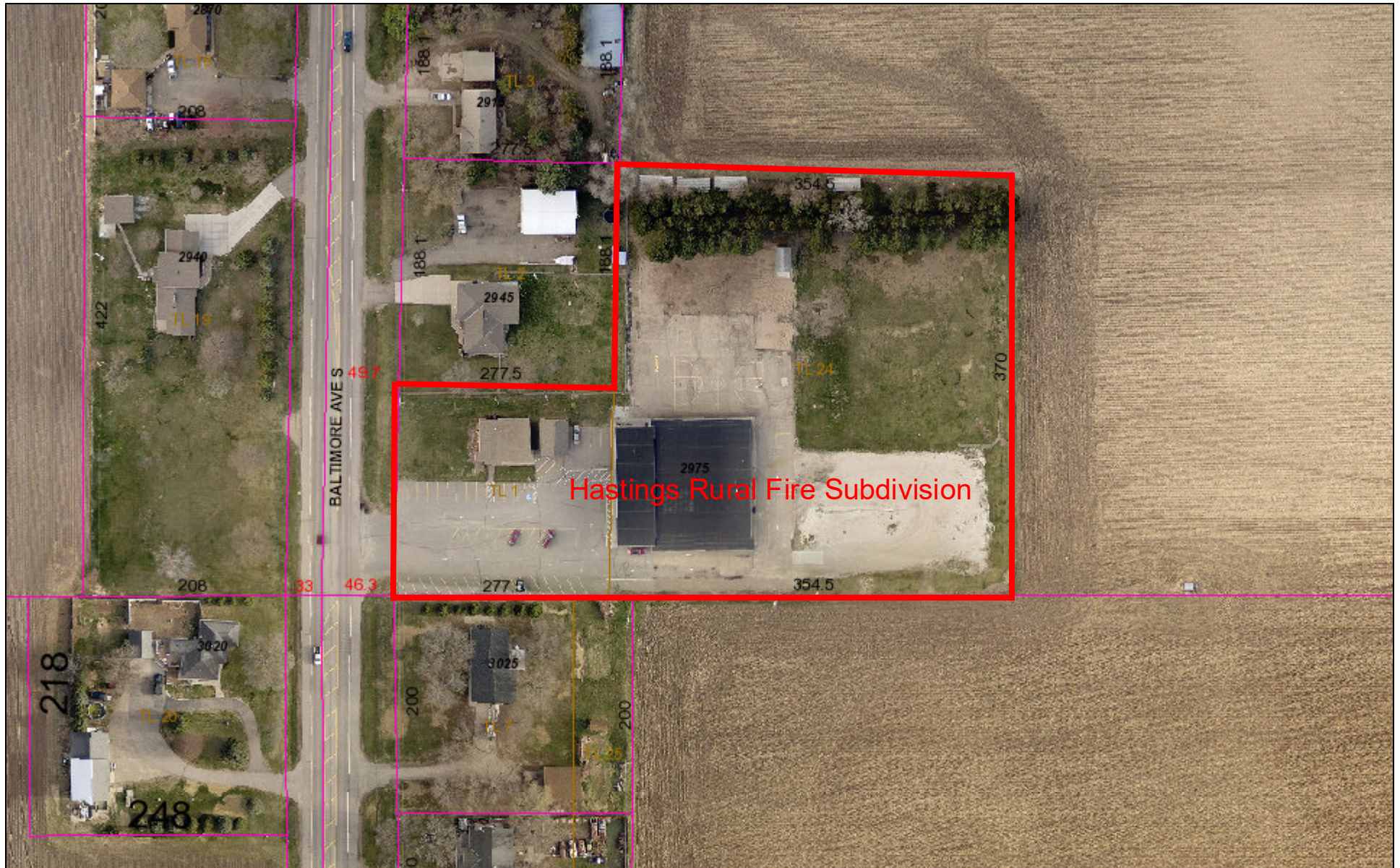
010016082

Owner Name

Property Address

[Zoom to](#)

Hastings Rural Fire Sub Aerial



4/15/2020, 1:35:24 PM

- | | | | | |
|--|---------|--|--------------|-----------|
| | Limits | | Subdivisions | Addresses |
| | OneMile | | Easements | |
| | TwoMile | | LOTS | |
| | Parcels | | BLOCKS | |

1:2,000
0 0.015 0.03 0.06 mi



Hastings Rural Fire Sub Aerial



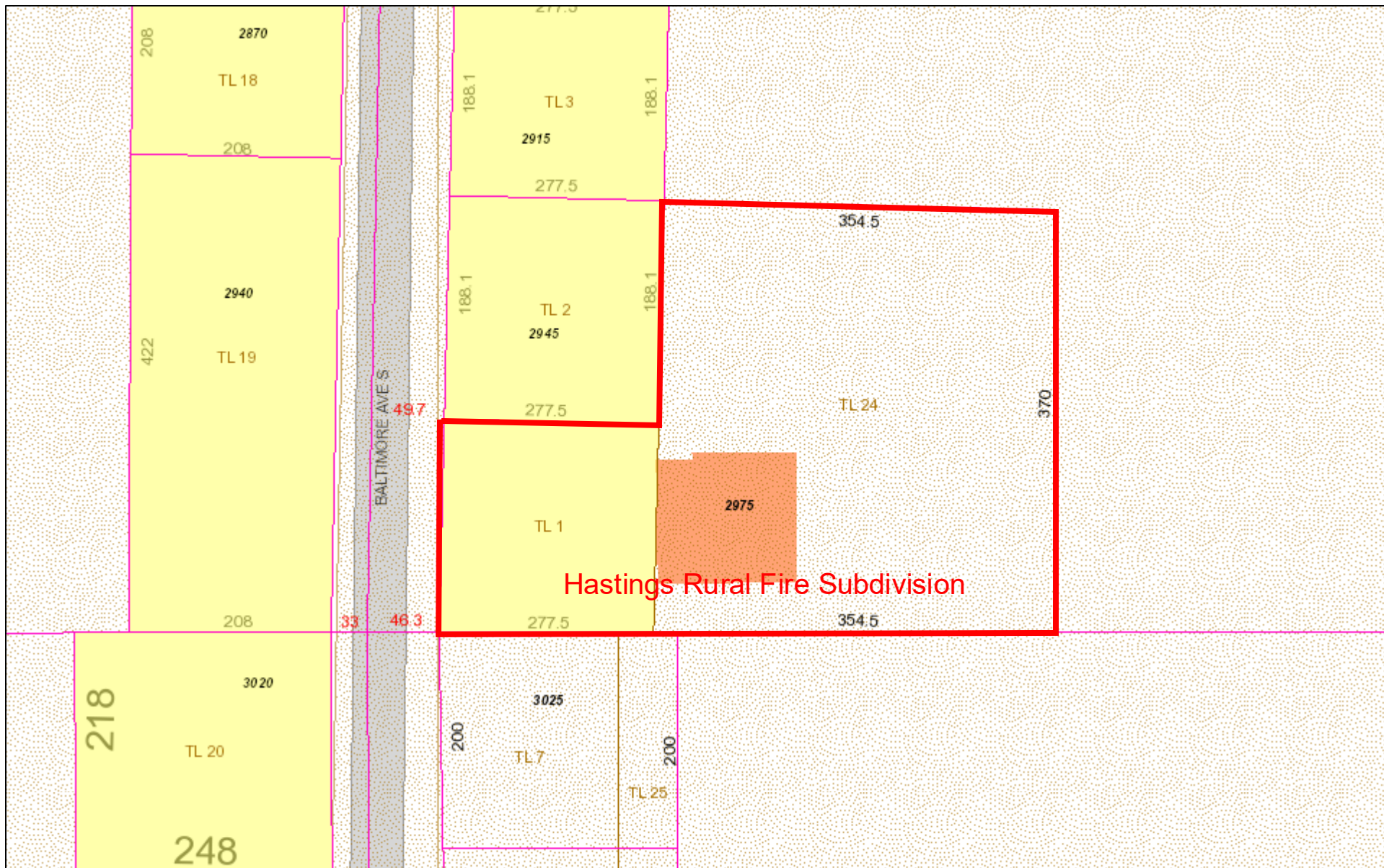
4/15/2020, 1:37:42 PM

-  Limits
-  OneMile
-  TwoMile

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Hastings Rural Fire Zoning



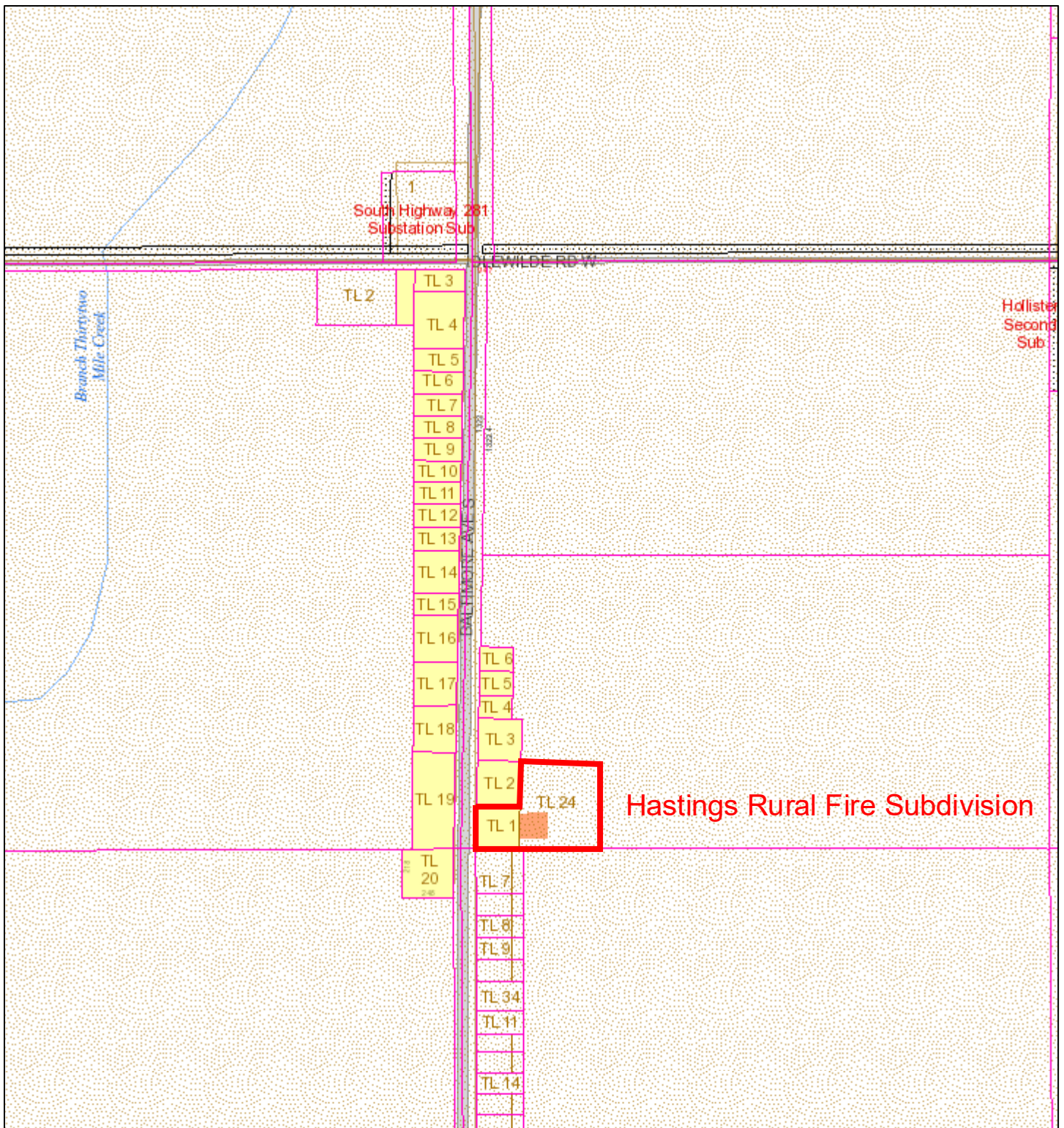
4/15/2020, 1:41:28 PM

- | | | | | | | | |
|---------|---------------|-----|-----|-----|------|------|-----------|
| Limits | Subdivisions | AG | C-3 | I-1 | R-1A | R-3G | BLOCKS |
| OneMile | Easements | C-0 | CMP | I-2 | R-1S | R-5 | Addresses |
| TwoMile | Zoning | C-1 | CZ | MU | R-2 | TA | |
| Parcels | A | C-2 | FS | R-1 | R-3 | LOTS | |

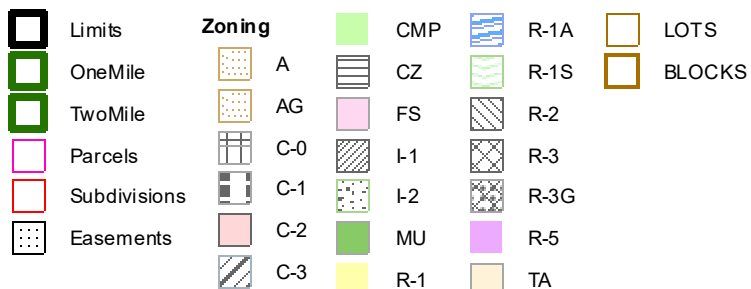
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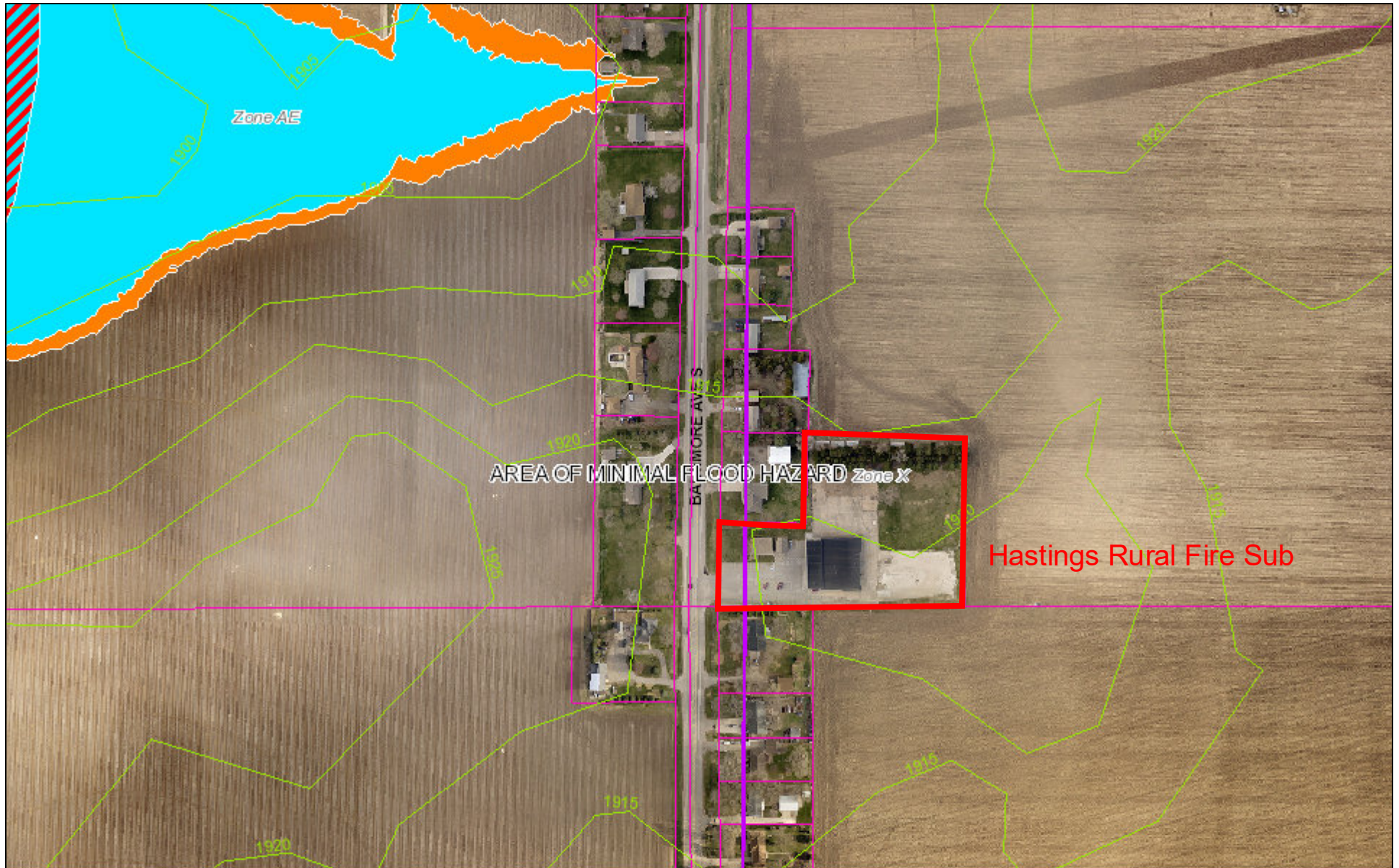
Hastings Rural Fire Zoning



4/15/2020, 1:40:13 PM



Hastings Rural Fire Sub Flood Map



4/15/2020, 1:44:53 PM

- | | | |
|-------------------------------------|-------------------------------|---|
| Limits | Monitoring Well | Special Floodway |
| OneMile | Parcels | Area of Undetermined Flood Hazard |
| TwoMile | Flood Hazard Zones | 0.2% Annual Chance Flood Hazard |
| Institutional Control Area Boundary | 1% Annual Chance Flood Hazard | Future Conditions 1% Annual Chance Flood Hazard |
| Wellhead Protection Boundary | Regulatory Floodway | Area with Reduced Risk Due to Levee |

1:5,000
0 0.0375 0.075 0.15 mi



