

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, January 19, 2021 at 4:00 PM in the City Building, 220 North Hastings Avenue.

AGENDA:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Motion to adopt the current agenda for the Planning Commission Meeting
5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, January 8, 2021. 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 available at the Development Services Department Office, 220 N. Hastings Avenue, Hastings, Nebraska and on the City's website, www.cityofhastings.org. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.
6. Approval of Minutes December 15, 2020 meeting
7. Special Order of Business
8. Unfinished Business
9. Public Hearings.
 - a. **2020-060.** Public hearing to consider adjusting the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.

Motion to recommend approval for an ordinance to adjust the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.
 - b. **2020-062.** Public hearing for a change of zoning for a parcel of record in part of the Southwest quarter of the southwest quarter of Section 21, of Township 7, Range 9 West of the 6th P.M., within the two-mile zoning jurisdiction of the City of Hastings, Adams County, Nebraska, from "A, Agricultural" to "R-1A, Single Family Large Lot Residential District", and to amend the Official Zoning District Map.

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map for a parcel of record in part of the Southwest quarter of the southwest quarter of Section 21, of Township 7, Range 9 West of the 6th P.M., within the two-mile zoning jurisdiction of the City of Hastings, Adams County, Nebraska, from "A, Agricultural" to "R-1A, Single Family Large Lot Residential District".

Planning Commission Agenda

January 19, 2021

Page 2

- c. **2020-053.** Public hearing for a change of zoning for Lots 1 and 2 of Buhr Addition from "A, Agricultural" and "R-1, Urban Single-Family Residential District" to "R-1A, Single Family Large Lot Residential District" and to amend the Official Zoning District Map.

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone Lots 1 and 2 of Buhr Addition from "A, Agricultural" and "R-1, Urban Single-Family Residential District" to "R-1A, Single Family Large Lot Residential District".

- d. **2020-054.** Public hearing to consider bringing a tract of land described as the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., in the City of Hastings, Adams County, Nebraska into the City as part of Buhr Addition final plat.

Motion to recommend approval of bringing into the corporate limits of the City a tract of land being part of the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., as part of Buhr Addition final plat.

10. Subdivisions

- a. **2020-058.** Final plat for Buhr Addition, a plat of two 2 separate tax lots into 2 platted lots for residential development.
- b. **2020-059.** Preliminary/Final plat for Kurt Perry Subdivision, a replat of Seifert/Perry Lot 2 into 2 lots and incorporation of a parcel of record within Lot 2 into Kurt Perry Subdivision Lot 2.

11. Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, December 15, 2020

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted VIA teleconference on December 15, 2020.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Gaines with the following members present: Marshall Gaines, Michelle Lewis, Mac Rundle, Rakesh Srivastava, Ann Hinton and LaDawn Schoenhals. Absent: Eric Arneson, Lou Kully, Gavin Raitt, Willis Hunt.

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

The Public Notice was read into the record. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting could be found at www.cityofhastings.org. The meeting was open to the public electronically and telephonically and a copy of the agenda for such meeting, kept continually current, is available for public inspection on the City's web site at www.cityofhastings.org.

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

10. Subdivisions

a. 2020-052. Preliminary plat for Buhr Addition, a plat of two 2 separate tax lots into 2 platted lots for residential development.

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

Moved by Hinton, seconded by Gaines, to adjourn.

Chairman

Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 1/19/2021
File No: 2020-060
Prepared By: Emilia Kienbaum, Administrative Assistant

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to consider adjusting the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.

Motion to recommend approval for an ordinance to adjust the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.

Names of People/Business affected by this action:

Property owners, Adams County zoning jurisdiction, Adams County, and the City of Hastings.

Why Planning Commission action is required:

Amendments to the zoning map, the text of Chapter 34 Zoning, or any part of the Comprehensive Plan may be made after a public hearing by the Planning Commission. Upon the final hearing of such application, the Commission shall approve or deny the same and a report of such action, together with a recommendation for final approval or denial, shall be made by the Commission to the City Council (34-801).

From N.R.S. 16-901: 1) ... the extraterritorial zoning jurisdiction of a city of the first class shall consist of the unincorporated area two miles beyond and adjacent to its corporate boundaries...(3) Any city of the first class may apply by ordinance any existing or future zoning regulations, property use regulations, building ordinances, electrical ordinances, plumbing ordinances, and ordinances authorized by section 16-240 within its extraterritorial zoning jurisdiction with the same force and effect as if such area were within the corporate limits of the city, except that no such ordinance shall be extended or applied so as to prohibit, prevent, or interfere with the conduct of existing farming, livestock operations, businesses, or industry. The fact that the extraterritorial zoning jurisdiction is located in a different county or counties than some or all portions of the municipality shall not be construed as affecting the powers of the city to apply such ordinances. (4)(a) A city of the first class shall provide written notice to the county board of the county in which the city's extraterritorial zoning jurisdiction is located when proposing to adopt or amend a zoning ordinance which affects the city's extraterritorial zoning jurisdiction within such county.

The written notice of the proposed change to the zoning ordinance shall be sent to the county board or its designee at least thirty days prior to the final decision by the city. The county board may submit comments or recommendations regarding the change in the zoning ordinance at the public hearings on the proposed change or directly to the city within thirty days after receiving such notice. The city may make its final decision (i) upon the expiration of the thirty days following the notice or (ii) when the county board submits comments or recommendations, if any, to the city prior to the expiration of the thirty days following the notice.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for an ordinance to adjust the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.

Deadlines associated with action:

This item is scheduled to be heard at the February 8, 2021 regular meeting of City Council. Releasing property within this area will allow the property owner to pursue subdivision with the County.

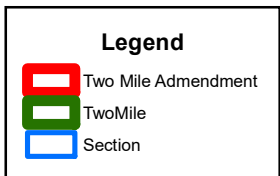
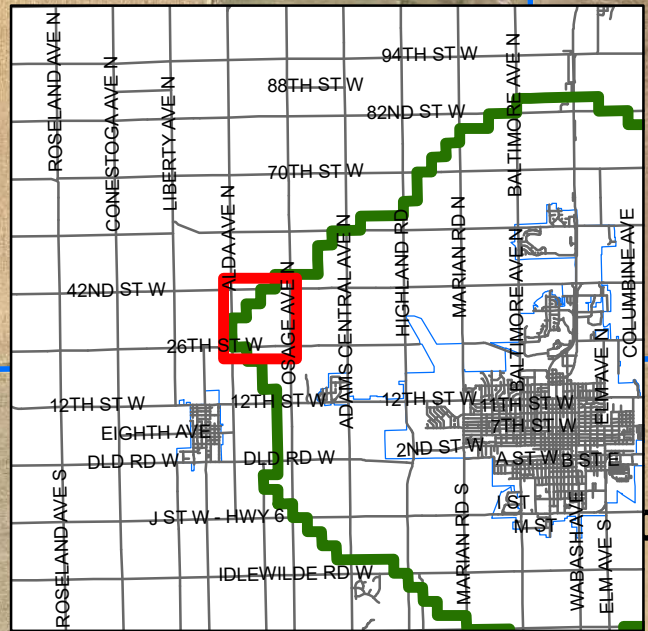
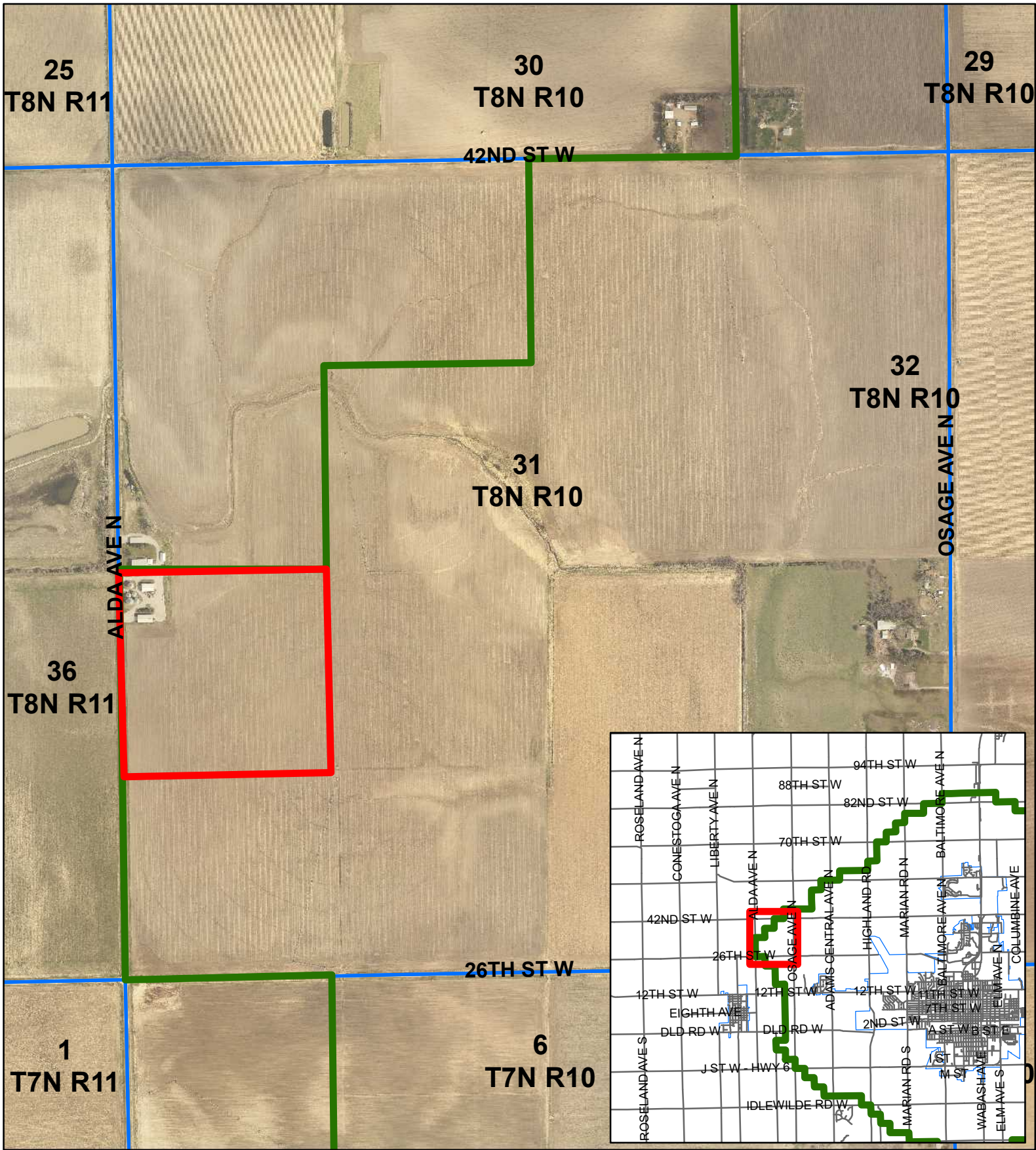
Department head comments:

Releasing property within this area will allow property owners Timothy & Jeanne Cook to pursue subdivision with the County. Currently, Mr. Cooks property straddles the Two Mile Jurisdiction line, making about a quarter of his land within the extra-territorial jurisdiction while the other three quarters remain outside this ETJ and in the County. Additionally, Mr. Cook desires to do a subdivision to incorporate an accessory structure and additional to the south into his land from the adjacent land owners, Vernon & Phillis Cook. This farm operation and land is best fit in the County where this primary use is most conducive. Also, this split in the structures found on this property was clearly an oversight in the 2019 adjustment of the Two Mile Jurisdiction boundary. The physical structures should remain on one side or the other without being split jurisdictionally. In fact, this Two Mile line divides County from ETJ across their largest structure.

Staff has reviewed proposed adjustment with City Administrator and City Attorney, as well as Utilities Coordinator and GIS Technician. This proposed adjustment was also discussed with County Zoning Administrator whom has advised the County Board of this matter. County is agreeable to this amendment in order to assist the property owners with their development goals solely under County jurisdiction.

Recommendation:

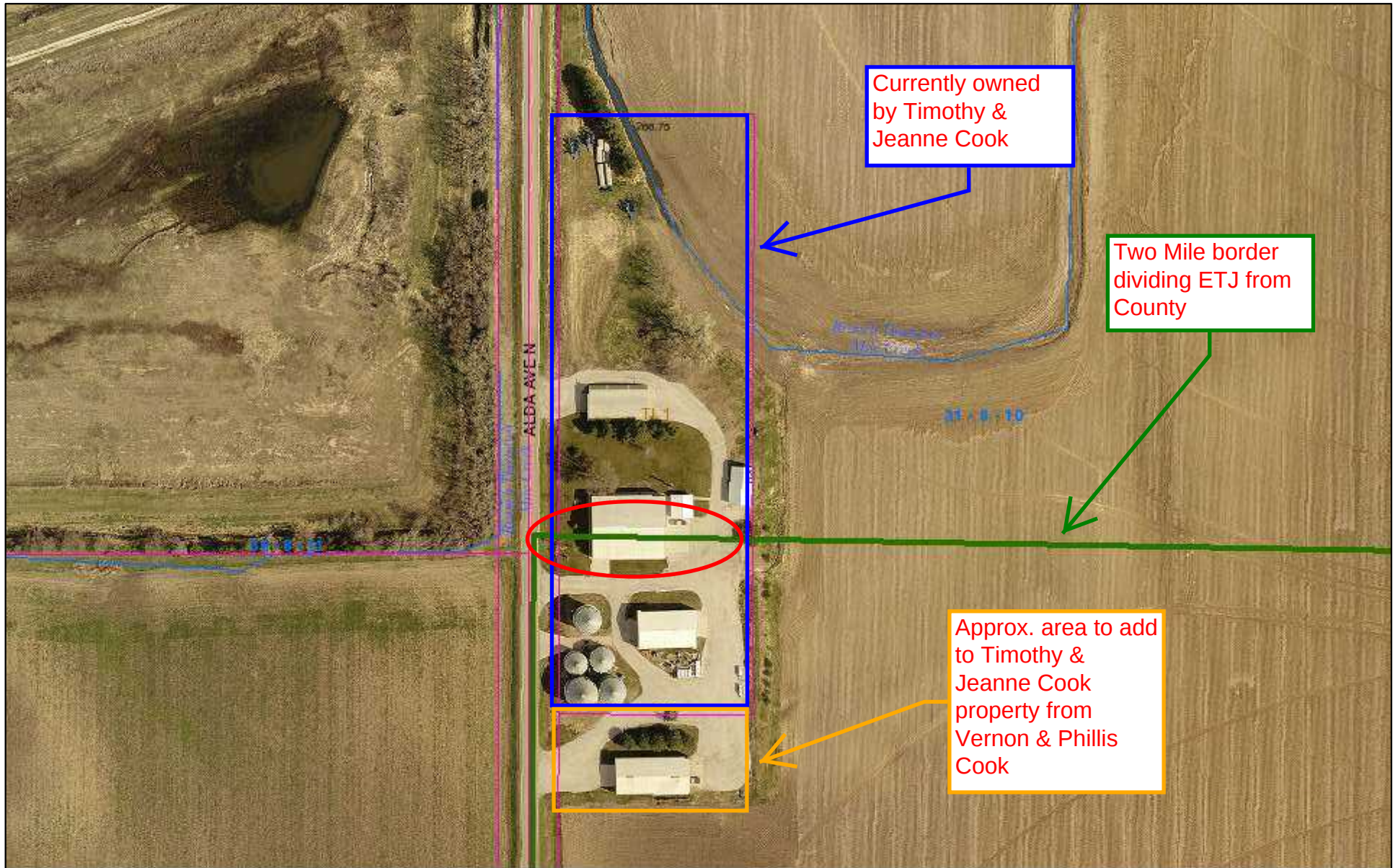
Staff recommends a motion to recommend approval for an ordinance to adjust the Two Mile Jurisdiction Amendment as approved in Ordinance No. 4602 to exclude the northwest quarter of the southwest quarter of Section 31, Township 8 North, Range 10 West of the 6th P.M., Adams County Nebraska thereby releasing property found within extra-territorial jurisdiction and amending the Official Two Mile Jurisdiction Map.



Two Mile Jurisdiction Amendment

The NW Quarter of the SW Quarter of Section 31,
Township 8 North, Range 10 West of the 6th P.M.,
Adams County, Nebraska

ArcGIS Web Map

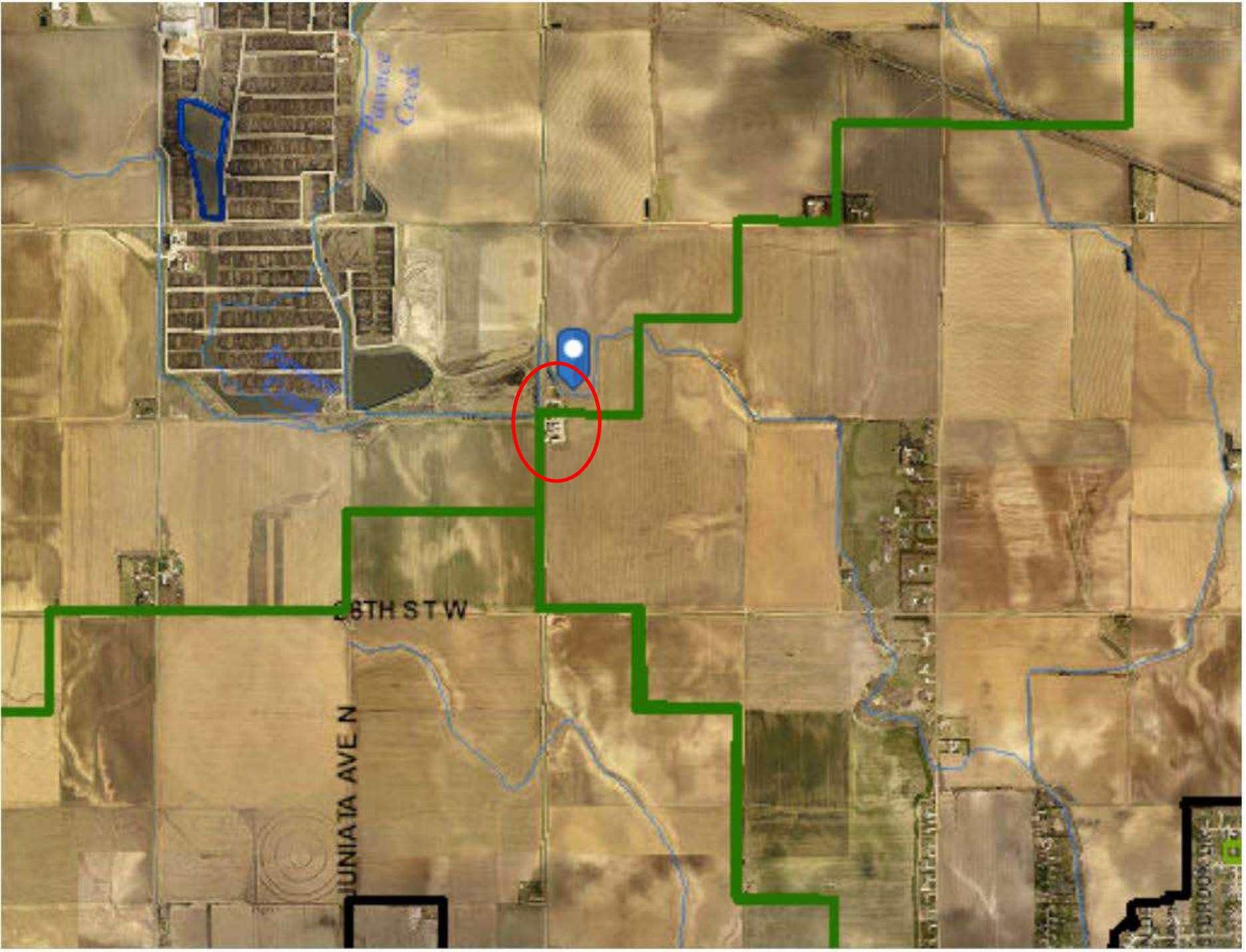


12/9/2020, 9:56:36 AM

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

1:3,000
0 0.0225 0.045 0.09 mi





Rainbow
Creek

26TH ST W

JUNIATA AVE N

STURGEON DR

Lisa Parnell-Rowe

From: Judy Mignery <jmignery@adamscounty.org>
Sent: Wednesday, December 30, 2020 2:00 PM
To: Lisa Parnell-Rowe
Subject: RE: Cook Survey (portion in ETJ and portion county only)

Lisa

I don't think you need to present. I will just inform the commission of the proposed change.

Thanks

Judy

From: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Sent: Wednesday, December 30, 2020 1:08 PM
To: Judy Mignery <jmignery@adamscounty.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

If you would like me to come present this I can, but I think so long as you advise the board we should be good. I will taking this to PC on 1/19/21 and then to City Council on 2/8/20.

Lisa R. Parnell-Rowe

Director of Development Services

220 North Hastings Avenue

Hastings, NE 68901

(402) 461-2368 Office

(402) 462-2304 Fax

LParnell-Rowe@cityofhastings.org

From: Judy Mignery <jmignery@adamscounty.org>
Sent: Monday, December 21, 2020 2:18 PM
To: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

Ok Lisa thank you, I will wait to hear from you on this. Have a Merry Christmas!!!

Judy

From: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Sent: Monday, December 21, 2020 2:16 PM
To: Judy Mignery <jmignery@adamscounty.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

Judy- As this area clearly is more agricultural in nature and the majority in County on the very edge of our ETJ we would like to amend the boundary in this area exclude the approximate 123' X 308' section including the shed he wants to add to his lot. Once we accomplish that then he can work with County to incorporate that area into his existing lot.

Thanks!

Lisa R. Parnell-Rowe

Director of Development Services
220 North Hastings Avenue
Hastings, NE 68901
(402) 461-2368 Office
(402) 462-2304 Fax
LParnell-Rowe@cityofhastings.org

From: Judy Mignery <jmignery@adamscounty.org>
Sent: Wednesday, December 16, 2020 9:42 AM
To: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

Thank you Lisa. Sorry I didn't look at it thoroughly to begin with. I just saw the City jurisdiction line and the building wanting to be added so I thought it was all City.
Judy

From: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Sent: Wednesday, December 16, 2020 9:35 AM
To: Judy Mignery <jmignery@adamscounty.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

Thanks Judy. Actually, I think your right after looking at the definition of the principal building in our code I think that so long as the main use of the primary building on this lot is for Agriculture that we are good there. I am also unclear on the jurisdictional piece here. I have a regular meeting on Wednesday morning at 10 with Dave and Clint. I will share any thoughts they give to me from that meeting later today.

I just wanted to call this one to your attention since it was mostly in the County as I wasn't sure if they had contacted you. Again, I don't have an application yet, but was just wanting to get your thoughts on the matter.

Thanks!

Lisa R. Parnell-Rowe

Director of Development Services
220 North Hastings Avenue
Hastings, NE 68901
(402) 461-2368 Office
(402) 462-2304 Fax
LParnell-Rowe@cityofhastings.org

From: Judy Mignery <jmignery@adamscounty.org>
Sent: Tuesday, December 15, 2020 2:55 PM
To: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Subject: RE: Cook Survey (portion in ETJ and portion county only)

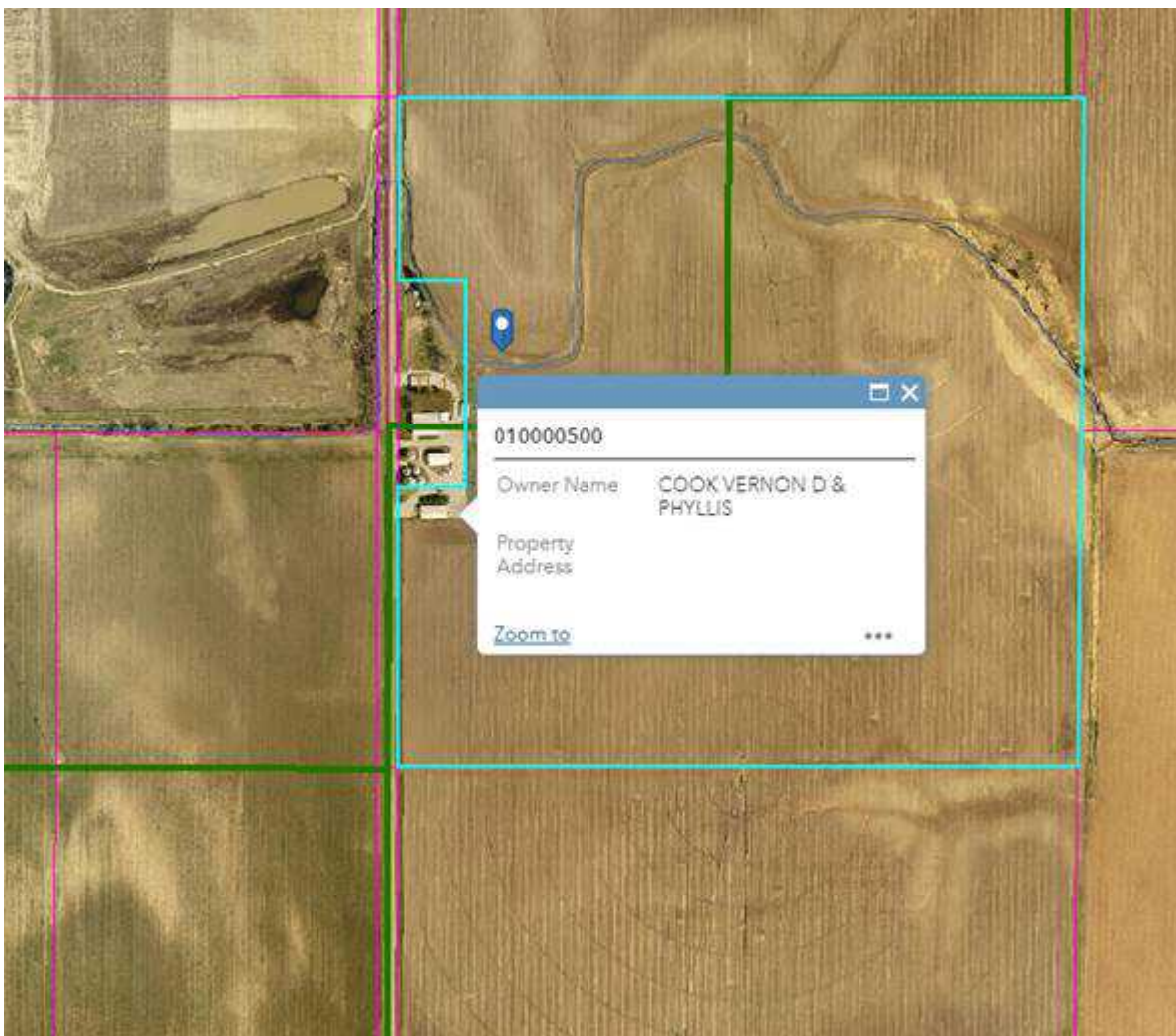
Sorry Lisa I didn't even notice to begin that a portion was in County jurisdiction. The Ag building would be the primary structure on Ag land, wouldn't it? I did send an email to Dave Ptak about whether if a majority of subdivision in another jurisdiction who governs it.

Thanks
Judy

From: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Sent: Friday, December 11, 2020 1:17 PM
To: Judy Mignery <jmignery@adamscounty.org>
Subject: FW: Cook Survey (portion in ETJ and portion county only)
Importance: High

Judy- Mr. Krueger has approached me about this one. Tim Cook wants to add the structure south of his small tax lot to his lot. Welcome your thoughts on this... part of his tax lot is in the two-mile but the other part is all county. By sounds of the structures it doesn't seee to comply to city code as there is no primary structure. I do not have an application or anything, just this email.

Lisa R. Parnell-Rowe
Director of Development Services
220 North Hastings Avenue
Hastings, NE 68901
(402) 461-2368 Office
(402) 462-2304 Fax
LParnell-Rowe@cityofhastings.org



From: krueger.ls448@charter.net <krueger.ls448@charter.net>
Sent: Wednesday, December 9, 2020 10:20 AM
To: Lisa Parnell-Rowe <LParnell-Rowe@cityofhastings.org>
Subject: Cook Survey

Good morning Lisa,

I called yesterday about the Tim Cook survey. As you can see on the aerial, a building is south of the described property and Tim would like it to be included with his property. What do you think is the best way to handle this? Does it need to be a subdivision and does it make a difference if a dwelling is not on the property. I noticed the 100-year flood plain follows the creek and is a part Tim Cook's property, but the buildings appear to be above the flood hazard area. Any issues with the flood plain being a part of the property? Please let me know your thoughts on this. Thanks.

Thomas L. Krueger, LS
KRUEGER LAND SURVEYING
2837 West Highway 6
Hastings, NE 68901
krueger.ls448@charter.net
402-984-2176

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Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 1/19/2021
File No: 2020-062
Prepared By: Emilia Kienbaum, Administrative Assistant

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for a parcel of record in part of the Southwest quarter of the southwest quarter of Section 21, of Township 7, Range 9 West of the 6th P.M., within the two-mile zoning jurisdiction of the City of Hastings, Adams County, Nebraska, from “A, Agricultural” to “R-1A, Single Family Large Lot Residential District”, and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

The applicant, prospective buyers, the people of Hastings, the County and the City.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map for a parcel of record in part of the Southwest quarter of the southwest quarter of Section 21, of Township 7, Range 9 West of the 6th P.M., within the two-mile zoning jurisdiction of the City of Hastings, Adams County, Nebraska, from “A, Agricultural” to “R-1A, Single Family Large Lot Residential District”.

Deadlines associated with action:

Kurt Perry Subdivision Final Plat approval is in concurrent review with this rezone.

Department head comments:

Surrounding zoning is as follows:

North – A Agricultural and R-1A Single Family Large Lot Residential

South – A Agricultural

East – A Agricultural

West – A Agricultural

The Comprehensive Plan and Future Land Use map show this area slatted for the A, Agricultural District. It is not uncommon to see residential single-family large lot zoning on the outskirts of cities due to the larger lot sizes—a minimum of 20,000 square feet. R-1A, Single Family Large Lot Residential is the most compatible residential zone to place to next to 5-acre minimum agriculturally-zoned parcels and lots. There are several large lot single-family residential R-1A subdivisions directly to the north and also to the southwest of this area. As our Comprehensive Plan and Future Land Use Map age we have seen the two-mile extra-territorial jurisdiction (ETJ) extended out and many growth signs in the southeast ETJ of the City of Hastings.

Recommendation:

Staff recommends motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map for a parcel of record in part of the Southwest quarter of the southwest quarter of Section 21, of Township 7, Range 9 West of the 6th P.M., within the two-mile zoning jurisdiction of the City of Hastings, Adams County, Nebraska, from “A, Agricultural” to “R-1A, Single Family Large Lot Residential District”.



City of Hastings
Development Services Department
Zoning Development Approval (ZDA)
Zoning Change/Amendment Application

Date: 12/31/2020

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.

☒ Zoning Change (Rezone) ☐ Comprehensive Plan Amendment ☐ Zoning Text Amendment

Property Address:	2325 S SHOWBOAT BOULEVARD
Within City Limits:	☐ Yes ☒ No
Current Zoning:	A
Proposed Zoning:	R-1A
Proposed Use:	RESIDENTIAL

Reason for Request:
TO CONFORM WITH ADJACENT ZONING FOR KURT PERRY SUBDIVISION

Applicant:	KURT PERRY	Company:	
Address:	2325 S SHOWBOAT BLVD	Telephone:	402-469-6377
City/State/Zip:	HASTINGS, NE	Email:	perryk_2325@hotmail.com
Property Owner:	KURT PERRY	Company:	
Address:	2325 S. SHOWBOAT BLVD	Telephone:	402-469-6377
City/State/Zip:	HASTINGS, NE	Email:	perryk_2325@hotmail.com
Key Contact:	KURT PERRY	Company:	
Address:	2325 S. SHOWBOAT BLVD	Telephone:	402-469-6377
City/State/Zip:	HASTINGS, NE	Email:	perryk_2325@hotmail.com

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.

Signature of Applicant:	 eSigned via SeamlessDocs.com Key: d8e95505a2a1ddb080836342200924653	Date:	12/31/2020
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HDS Staff Comments:
This was anticipated as part of preliminary/final plat. Staff was expecting and will accept past deadline for January....customer has paid fees.

HDS Staff Acceptance:	 eSigned via SeamlessDocs.com Key: 7a556852627151589c061640c77523e	Date:	12/31/2020
HDS Application Number:		HDS Case #:	REZ2020-062
Total Fee:			

Pending

Processing

Processed



CITY OF HASTINGS
DEVELOPMENT SERVICE
*2302

Check 68837913 was mailed to CITY OF HASTINGS for receipt by Dec 14, 2020.
Money was withdrawn from your *0021 account on Dec 14, 2020.

Pay From *0021

Amount \$1,002.00

CHECK

PROCESSED

Dec 14
(Estimated)

Memo KURT PERRY SUBDIVISION

Confirmation R0HND-Y8DCY

McCord Sub

446

2265

1

127.00

127.00

447

Sellert/Perry
Sub #2

2

125.00

230.45

2325 Sub Lot 2
of TL 2

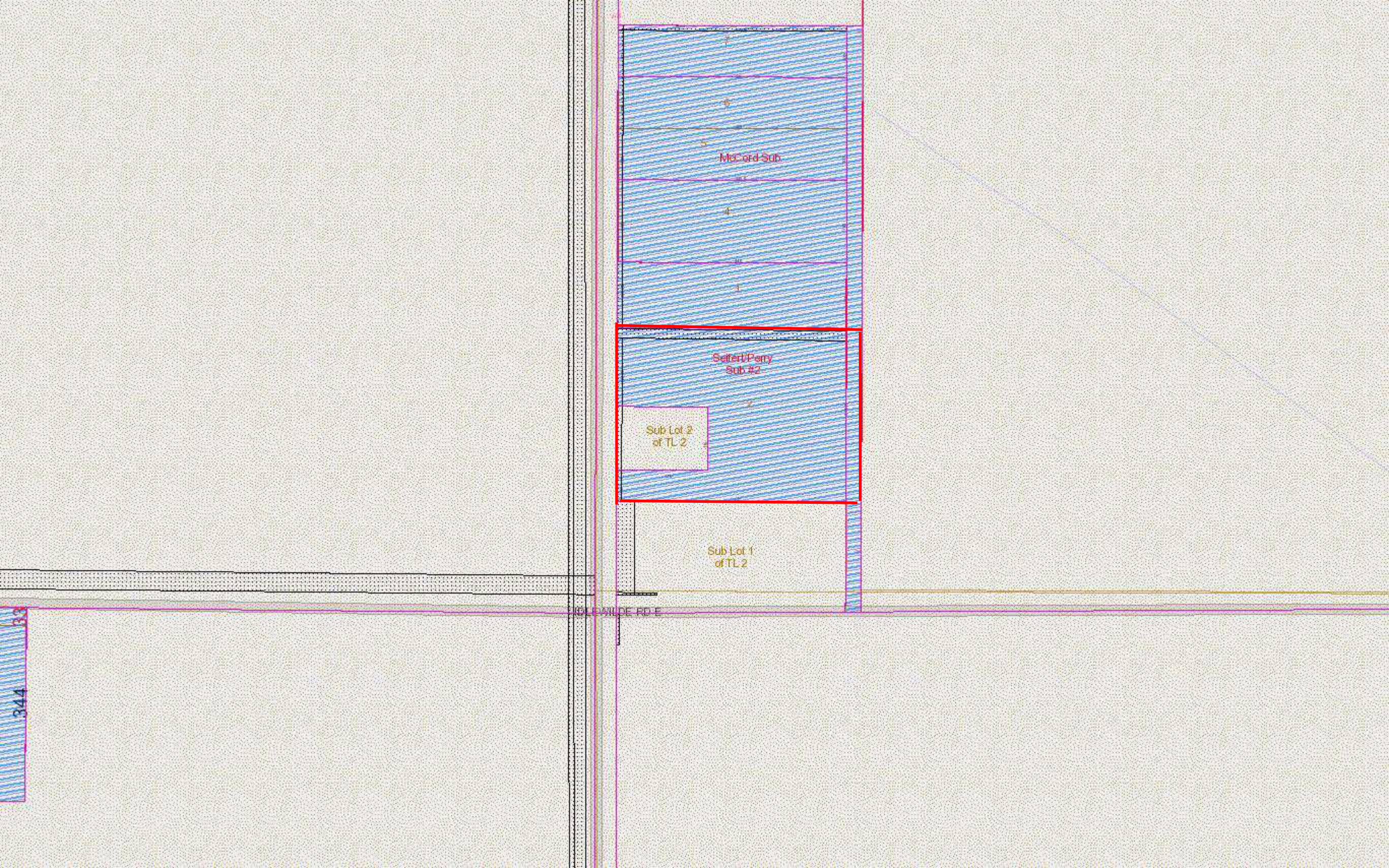
115

175

160

447

Sub Lot 1
of TL 2



McCord Sub

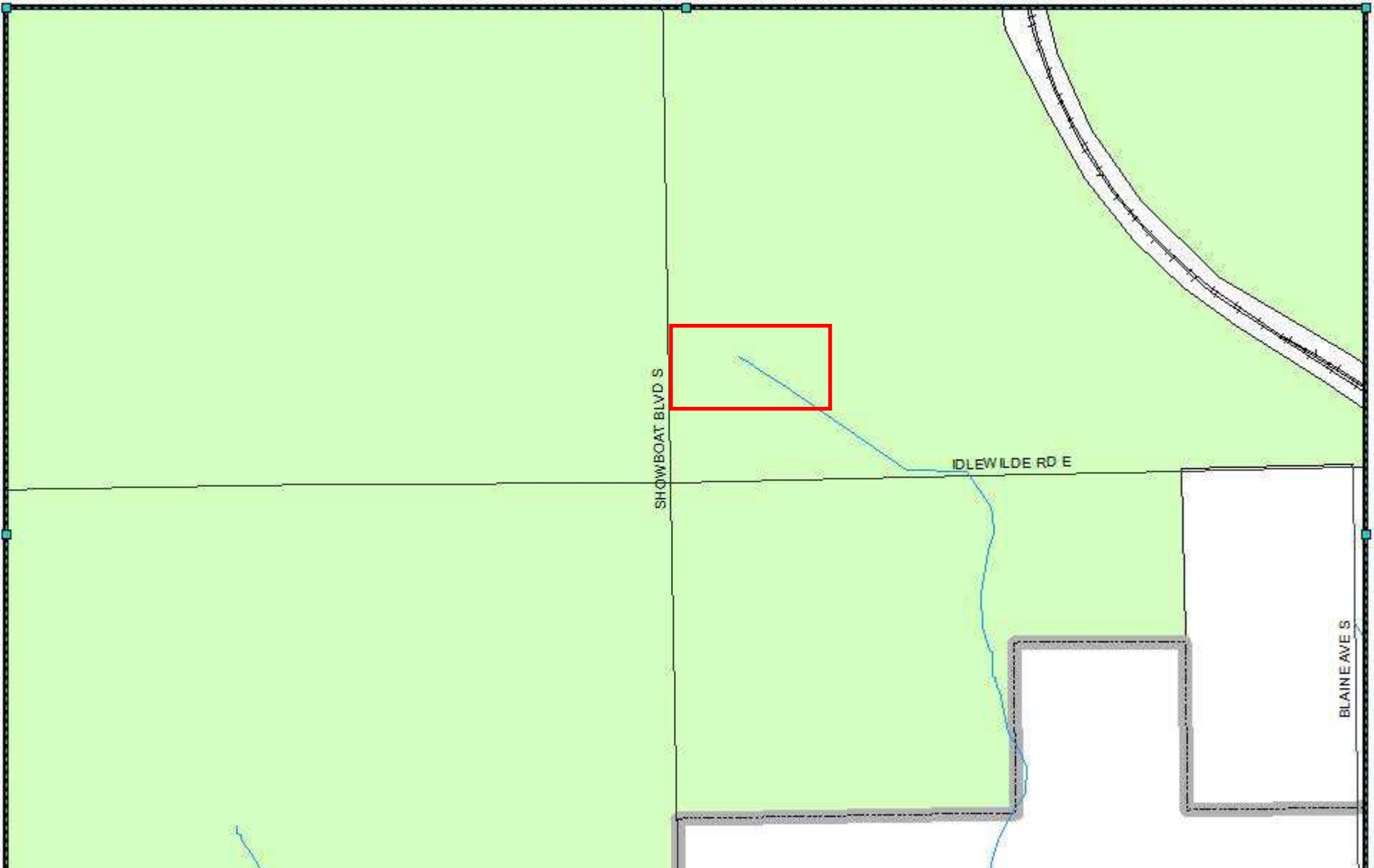
Sater/Perry
Sub #2

Sub Lot 2
of TL 2

Sub Lot 1
of TL 2

WILDE RD E

344
33



Future Land Use

City of Hastings, Nebraska

0 400 800 1,600 Feet



Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential

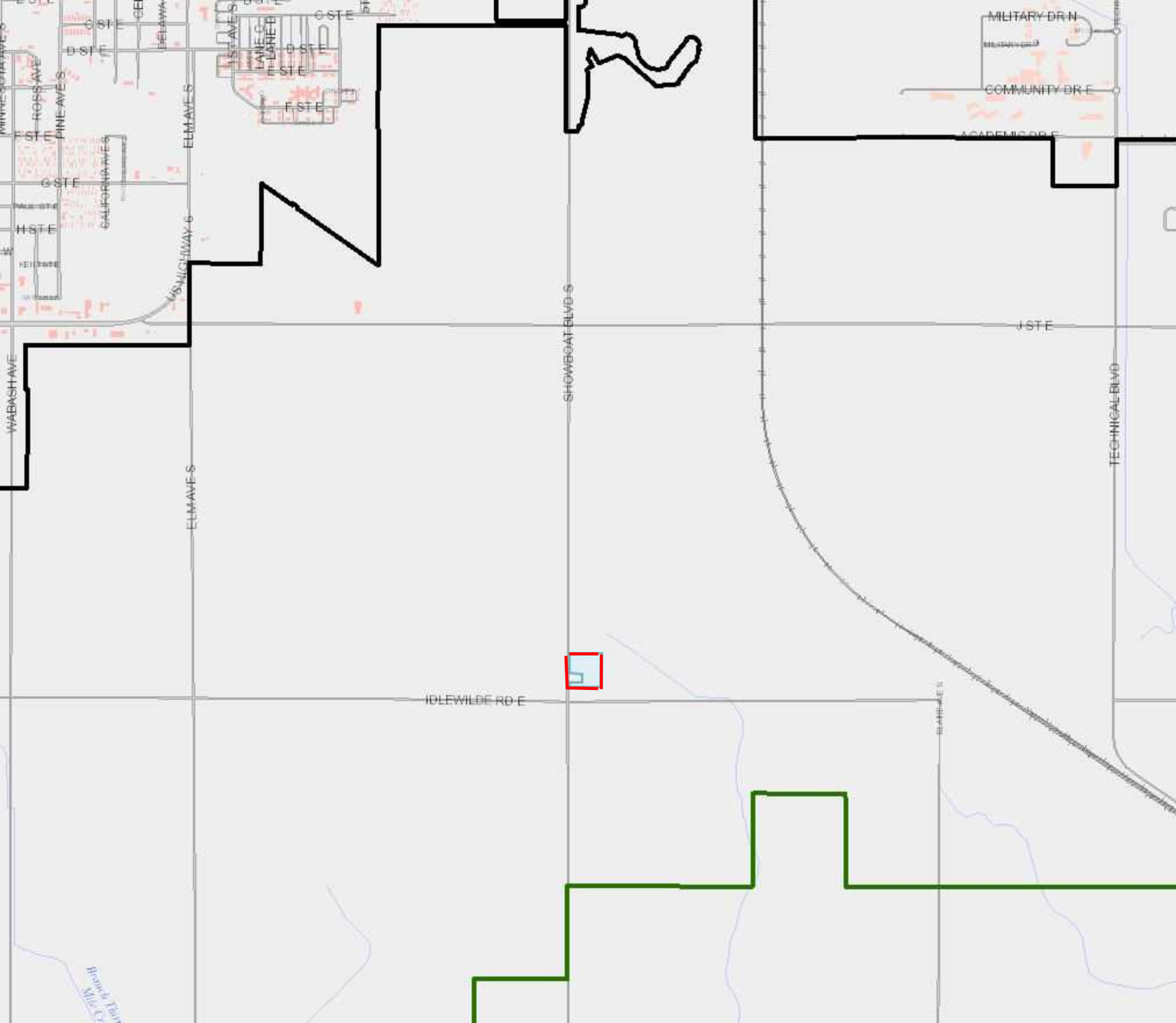
- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial

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

Overlay Districts:

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

- Floodplain
- City Boundary
- ETJ Boundary



Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 1/19/2021
File No: 2020-053
Prepared By: Emilia Kienbaum, Administrative Assistant

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for Lots 1 and 2 of Buhr Addition from “A, Agricultural” and “R-1, Urban Single-Family Residential District” to “R-1A, Single Family Large Lot Residential District” and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone Lots 1 and 2 of Buhr Addition from “A, Agricultural” and “R-1, Urban Single-Family Residential District” to “R-1A, Single Family Large Lot Residential District”

Deadlines associated with action:

Buhr Addition Final Plat approval is in concurrent review with this rezone. A separate item is also in concurrent review to recommend approval for an ordinance to bring this addition into the City a part of the Final Plat.

Department head comments:

Surrounding zoning is as follows:

North – A Agricultural and R-1 Urban Single Family Residential

South – A Agricultural and R-1 Urban Single Family Residential

East – A Agricultural

West – R-1A, Single Family Large Lot Residential

The comprehensive plan and future land use map does show this area slatted for future Suburban Residential. The proposed zoning of R-1A, Single Family Large Lot Residential District is an ideal zone considering it allows for lower population densities with larger lots sizes—a minimum of 20,000 square feet. Only the future Suburban Residential zone can accommodate lots up to 20,000 square feet.

Recommendation:

Staff recommends motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone Lots 1 and 2 of Buhr Addition from “A, Agricultural” and “R-1, Urban Single-Family Residential District” to “R-1A, Single Family Large Lot Residential District”.



City of Hastings
Development Services Department
Zoning Development Approval (ZDA)
Zoning Change/Amendment Application

Date: 12/28/2020

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.

☒ Zoning Change (Rezone) ☐ Comprehensive Plan Amendment ☐ Zoning Text Amendment

Property Address:	2100 N. 2nd Ave, Hastings, NE 68901
Within City Limits:	☒ Yes ☐ No
Current Zoning:	A & R1
Proposed Zoning:	R1-A
Proposed Use:	Residential
Reason for Request:	Would like to subdivide off 2 acres for daughter.

Applicant:	Debora Buhr	Company:	
Address:	2100 N. 2nd Ave	Telephone:	402-984-6103
City/State/Zip:	Hastings, NE 68901	Email:	deb.buhr@yahoo.com
Property Owner:	Debora and Ronald Buhr	Company:	
Address:	2100 N. 2nd Ave	Telephone:	402-984-6103
City/State/Zip:	Kenesaw, NE 68956	Email:	deb.buhr@yahoo.com
Key Contact:	Josh Grummert	Company:	Grummert Professional Services
Address:	PO Box 37	Telephone:	402-879-5701
City/State/Zip:	Kenesaw, NE 68956	Email:	jmgrummert@yhoo.com

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.

Signature of Applicant:	 eSigned via SeamlessDocs.com Key: d8e95505a2a1ddb8e80836342200924653	Date:	12/28/2020
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HDS Staff Comments:			
HDS Staff Acceptance:		Date:	
HDS Application Number:		HDS Case #:	
Total Fee:			

Edwards Sub

1

2

TL 1

TL 2



TL 13

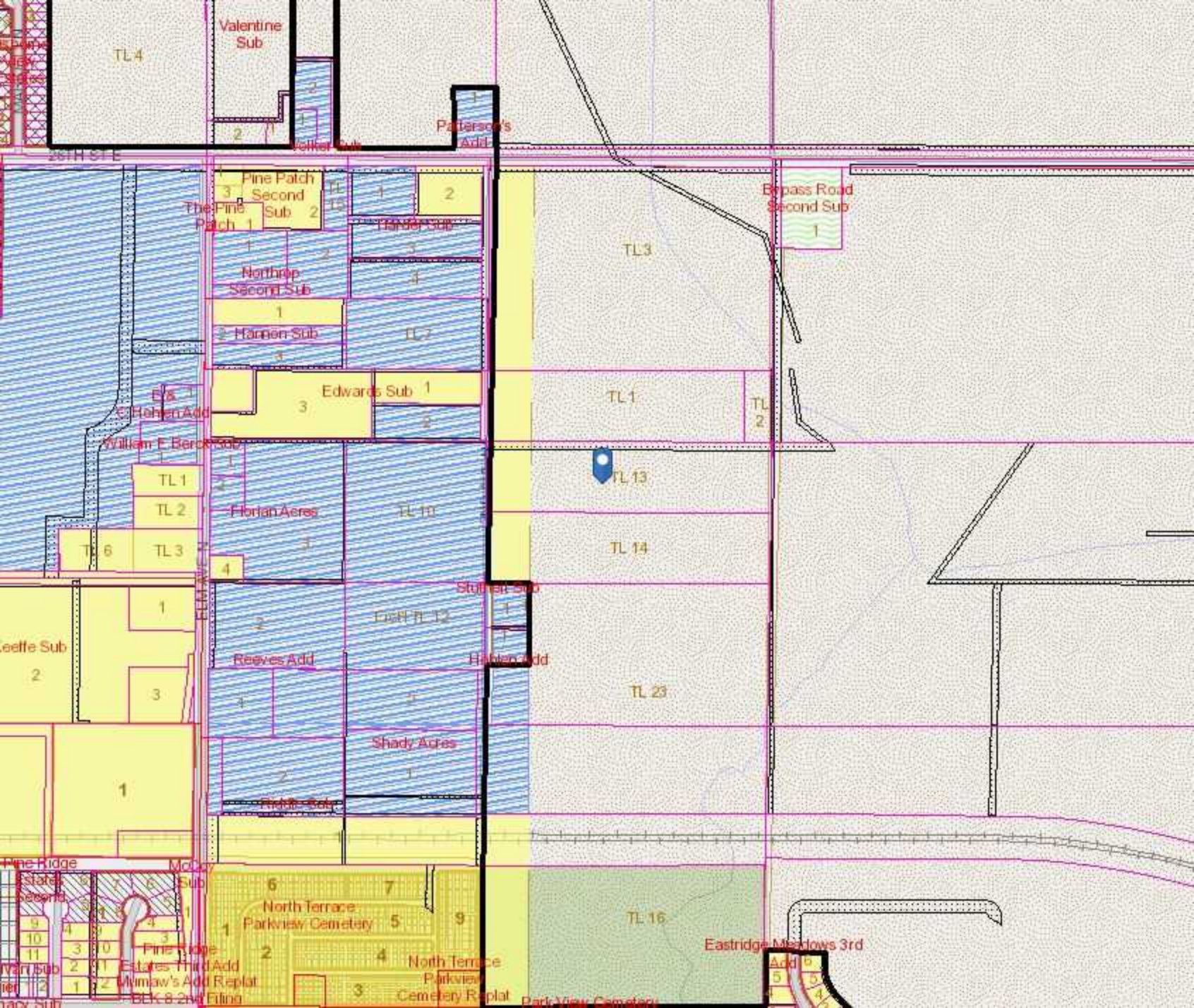
TL 10

TL 14

Stuheit Sub

Part TL 12

TL 20



2ND AVE. N

Future Land Use

City of Hastings, Nebraska

0 100 200 400 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

- Proportion
- City Boundary
- ETJ Boundary

Department: Development Services

Staff Contact: Lisa Parnell-Rowe

Planning Commission Meeting Date: 1/19/2021

File No: 2020-054

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

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to consider bringing a tract of land described as the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., in the City of Hastings, Adams County, Nebraska into the City as part of Buhr Addition final plat.

Motion to recommend approval of bringing into the corporate limits of the City a tract of land being part of the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., as part of Buhr Addition final plat.

Names of People/Business affected by this action:

The applicant, prospective buyer, the City of Hastings and Adams County.

Why Planning Commission action is required:

All additions laid out contiguous or adjacent to the corporate limits of a city of the first class, city of the second class, or village may be included within the corporate limits and become a part of such municipality for all purposes whatsoever if approved by the city council or village board of trustees under this subsection. The addition may become part of the municipality at such time as the addition is approved by the city council or village board of trustees if (a) after giving notice of the time and place of the hearing as provided in section 19-904, the planning commission and the city council or village board of trustees both hold public hearings on the inclusion of the addition within the corporate limits and (b) the city council or village board of trustees votes to approve the inclusion of the addition within the corporate boundaries of the municipality in a separate vote from the vote approving the addition. Such hearings shall be separate from the public hearings held regarding approval of the addition. (N.R.S. 19-916).

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval of bringing into the corporate limits of the City a tract of land being part of the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the

west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., as part of Buhr Addition final plat.

Deadlines associated with action:

This case will be presented for final approval, along with rezone and final plat approval, at the regular City Council meeting on February 8, 2021.

Department head comments:

As part of the final plat, lots 1 & 2 of Buhr Addition are recommended to be brought into the City by plat. This addition is contiguous in that it shares and touches the border to the City limits. This adjacent location allows City to incorporate this area by way of plat in accordance with Nebraska State Statute 19-916 (3) which states, *“All additions laid out contiguous or adjacent to the corporate limits of a city of the first class, city of the second class, or village may be included within the corporate limits and become a part of such municipality for all purposes whatsoever if approved by the city council or village board of trustees under this subsection.”*

Utilities has provided applicant with both inside and outside of City limits pricing for tying into City water and sewer. The costs for in City rates for these utilities are of greater benefit to applicant. Additionally, Staff views pulling this property into the City as the start of necessary administrative clean up to some City residential rezoning that inadvertently crept over the City limits into the extra-territorial jurisdiction. This small strip starts south of 26th street to the north and ends just south of the Buhr property where 14th Street runs parallel but does not intersect. It is ideal to pull property into City limits at the time of rezone when rezoning occurs to contiguous property that is further developing and extending City infrastructure due to the fact that the City and County zoning districts might vary and our City infrastructure is in place. Current zoning for this tract of land is both A, *Agricultural* and R-1, *Single Family Residential* and Buhr Addition is also being considered for a rezone to larger lot single family residential zoning. As such, adding this to City as part of plat and in conjunction with the rezone is highly recommended by Staff.

The plat and its inclusive addition to City was reviewed by the development review team and the applicant has made all suggested revisions. Requirements of Hastings City Code Sections 38-202 & 38-203 have been met.

Recommendation:

Staff recommends a motion to recommend approval of bringing into the corporate limits of the City a tract of land being part of the north 1/2 of the north 1/2 of the southeast 1/4 of the northwest 1/4, excepting the west 33 feet thereof, and the east 132 feet of the south 330 feet of the northeast 1/4 of said northwest 1/4, all in section 5, township 7 north, range 9 west, of the 6th p.m., as part of Buhr Addition final plat.



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: _____

Project Address: _____ Within City Limit ☐ Yes ☐ No

Existing Zoning: _____ Proposed Zoning / Use: _____

Existing Comprehensive Plan Designation: _____ Gross Area: _____

Legal Description: _____ Number of Lots: _____

APPLICANT INFORMATION

Applicant: _____ Company: _____

Address: _____ Tel: _____ Fax: _____

City: _____ State: _____ Zip: _____ Email: _____

Property Owner: _____ Company: _____

Address: _____ Tel: _____ 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: _____

Receipt No. _____

Accepted by Staff: _____

Case No. _____

Signature

TL 3

11 55

TL 1

2150

TL 2

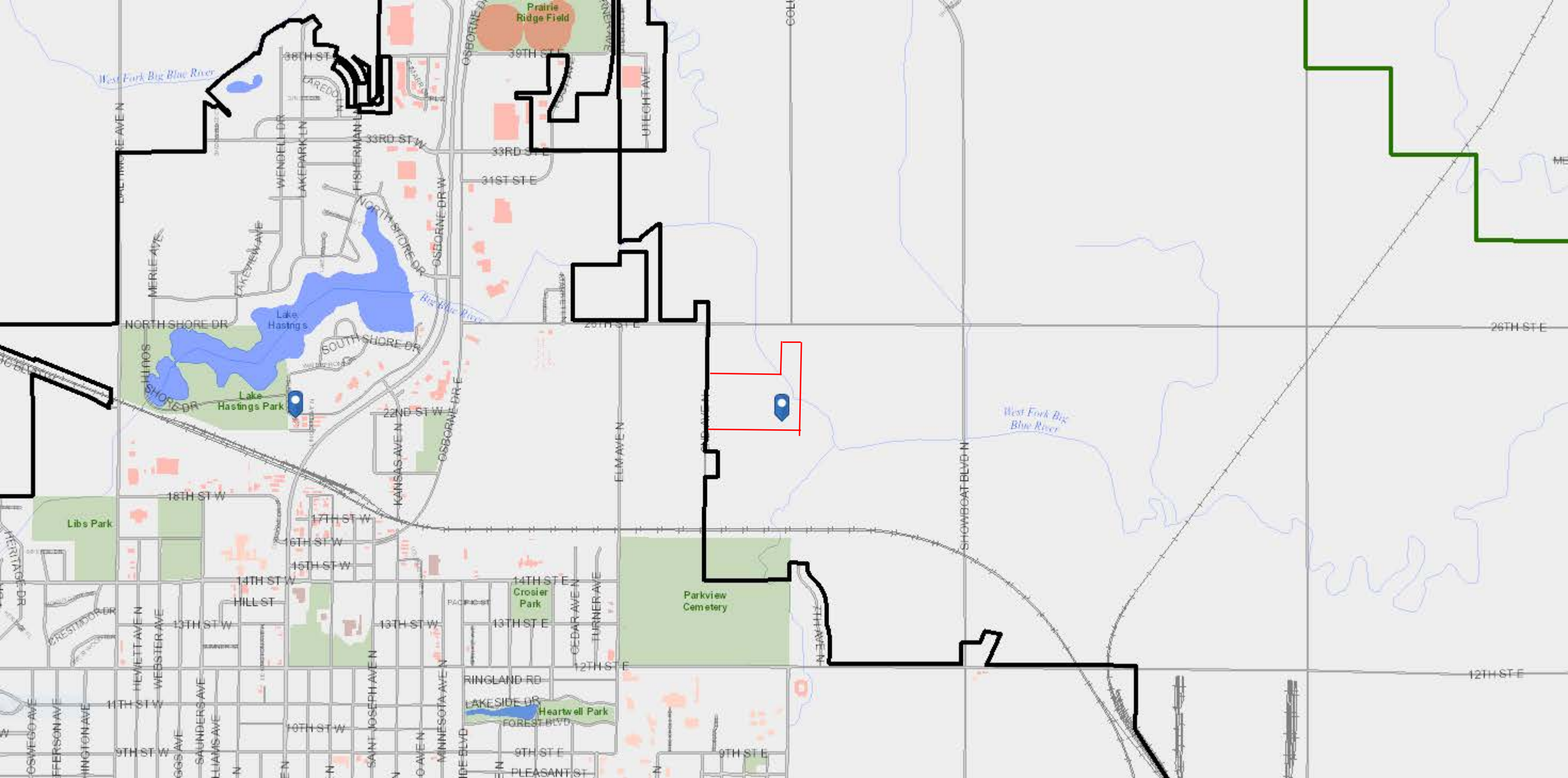
11 55

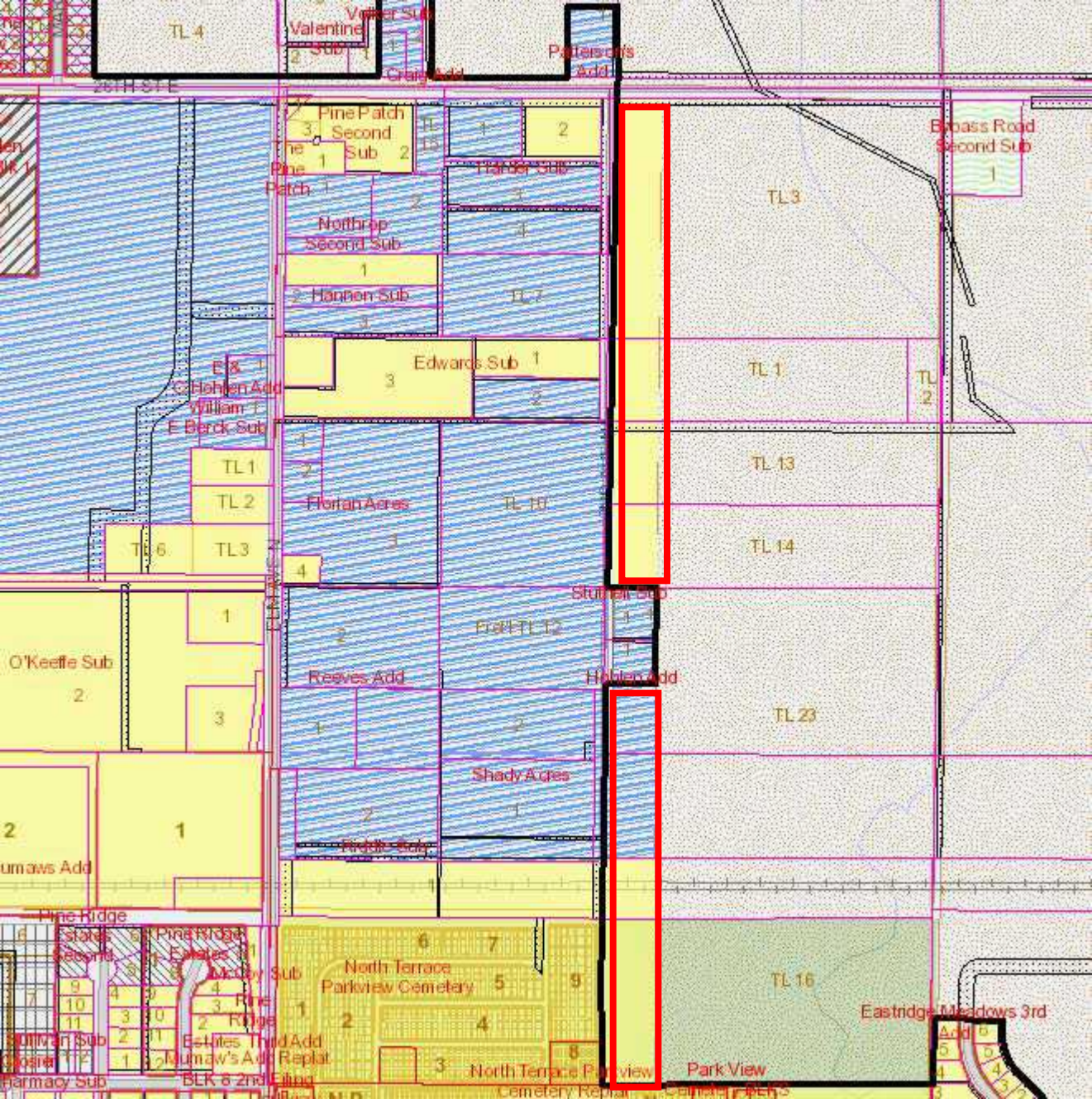
TL 13

2100



2ND AVE N





Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 1/19/2021
File No: 2020-058
Prepared By: Emilia Kienbaum, Administrative Assistant

AGENDA ITEM SUMMARY SHEET

Description of Item:

Final plat for Buhr Addition, a plat of two 2 separate tax lots into 2 platted lots for residential development.

Names of People/Business affected by this action:

The applicant, the citizens of the City of Hastings and the County.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 states that city council shall not take final action on subdivision development matters without the recommendation of the Planning Commission.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval of Final plat for Buhr Addition.

Deadlines associated with action:

This final plat, addition to City by plat and rezone case actions will be up for approval at City Council to be held on February 8, 2021. The applicant will then need to apply for relevant building permits for placing single family home on Lot 2.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this final plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in both 38-202 and 38-203. This subdivision is a plat of existing tax lots 2 & 13, owned by Ronald and Deborah Buhr. This land is being platted into 2 separate lots. Lot 1 will remain the property of the landowners and Lot 2 will be sold to their daughter and eventually a single-family home will be placed on it. Applicant has been advised of all infrastructure requirements and costs to tie into sewer and water and has agreed to these requirements. All related drainage requirements have been reviewed and approved by Civil Engineer. Applicant has agreed to and applied for rezone and addition to City by plat.

Recommendation:

Staff recommends motion to recommend approval of Final plat for Buhr Addition.



City of Hastings
Development Services Department
Zoning Development Approval (ZDA)
Final Plat Application

Date: 12/28/2020

Name of Plat:

Buhr Addition

Inside City Limits Y ☒ N ☐

Owner:

Ronald and Deborah Buhr

2100 N. 2nd Ave

Hastings, NE 68901

Phone Number:

4029846103

E-mail:

deb.buhr@yahoo.com

Surveyor:

Josh Grummert

PO Box 37

Kenesaw, NE 68956

Phone Number:

4028795701

E-mail:

jmgrummert@yahoo.com

Notes or Comments:

Applicant's Signature:

Joshua E Grummert

12/28/2020

DSD Staff Use

Administrative Plat:

Y ☐ N ☐

Staff Comments:

When we split out the preliminary & final from anticipated combo based on title report showing a lien there was a \$100.00 difference. This was paid on 12.28.20 and a separate application submitted for the final, as required. -LRPR

Number of Lots:

Mylar Size:

Fee:

Gross Area:

Number of Pages:

Case Number:

Staff Signature:

City of Hastings
220 N. Hastings Avenue
Hastings NE 68901

Payee: JAMIE BAILEY

Date: 11/20/2020 Time: 1:21 PM

Receipt Number: DS1 / 90613

Clerk: TERI

ITEM	REFERENCE	AMOUNT
ZONE PREL FINAL PLAT		
Zoning Fees		500.00
ZONE REZONE		
Zoning Fees		450.00
ZONE 2 LOTS @ \$40		
Zoning Fees		80.00
DEEDS FILING FEE		
Recording Fees		28.00
Total:		1,058.00
assor	#6205	1,058.00
Change:		0.00

**CITY OF HASTINGS DEV
SVCS**

220 NO HASTINGS AVE
HASTINGS, NE 68901
4024612310

Cashier: Bill M.

Transaction 002051

Total

\$100.00

CREDIT CARD SALE
VISA 9039

\$100.00

MANUALLY ENTERED

I agree to pay the above amount
per the cardholder and/or
merchant agreement

28-Dec-2020 8:51:40A
\$100.00 | Method: KEYED
VISA XXXXXXXXXXXX9039
MANUALLY ENTERED
Reference ID: 036300501978
Auth ID: 04214G
MID: *****0992
AthNtwkNm: VISA

Online: [https://clover.com/p/
PNVYD0JPFZK74](https://clover.com/p/PNVYD0JPFZK74)



PNVYD0JPFZK74
Merchant Copy

Payment PNVYD0JPFZK74

Clover Privacy Policy
<https://clover.com/privacy>

KNOW ALL MEN BY THESE PRESENTS, THAT RONALD A. BUHR AND DEBORAH A. BUHR (HUSBAND AND WIFE) BEING THE OWNERS OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREIN, HAVE CAUSED THE SAID LAND TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "BUHR ADDITION" TO BE ADDED TO THE CITY OF HASTINGS, NEBRASKA, BEING THE SOUTHWEST CORNER OF THE SECTION 5, TOWNSHIP 7 NORTH, RANGE 9 WEST OF THE 6TH, P.M., ADAMS COUNTY, NEBRASKA, AND THAT SAID SURVEYING, SUBDIVIDING, PLATTING AND DESIGNATION WAS DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE ORDINANCES OF THE CITY OF HASTINGS, NEBRASKA, AND THE SAID OWNERS DO HEREBY DEDICATE ANY STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS.

RONALD A. BUHR

STATE OF NEBRASKA }
COUNTY OF ADAMS } SS

MY COMMISSION EXPIRES THE _____ DAY OF _____, _____

NOTARY (SEAL)

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 _____, 20____

RONALD A. BUHR _____ DEBORAH A. BUHR _____

I, _____ (PRINT NAME), _____ (TITLE) OF MORTGAGE RESEARCH CENTER, L.L.C. dba
VETERANS UNITED HOME LOANS, LENDER AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

BEING A LIENHOLDER OF THE DESCRIBED TRACT OF LAND, HEREBY APPROVE AND AGREE TO THE
PLATTING OF BUHR ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA
ON THIS _____ DAY OF _____, 2021, ON BEHALF OF SAID MORTGAGE RESEARCH CENTER, L.L.C. dba
VETERANS UNITED HOME LOANS, LENDER AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

_____(SIGNATURE)

_____(PRINTED NAME AND TITLE)

STATE OF _____ }
COUNTY OF _____ } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____

BY _____ (PRINT NAME)
 _____ (TITLE) OF MORTGAGE RESEARCH CENTER, L.L.C. dba
 VETERANS UNITED HOME LOANS, LENDER AND MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC.

NOTARY _____ (SEAL)

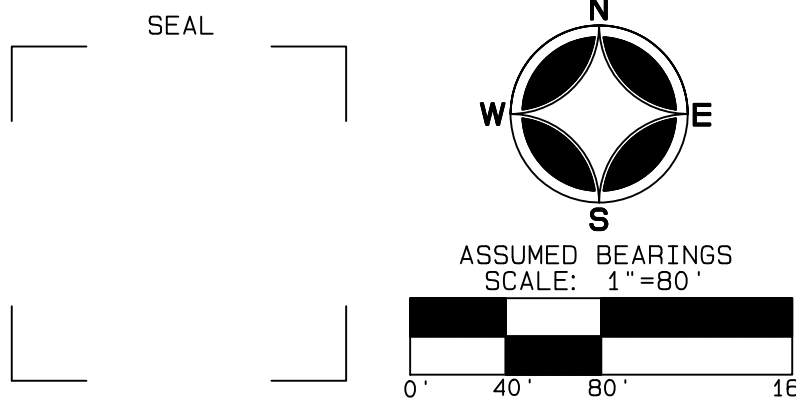
THE NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, EXCEPTING THE WEST 33 FEET THEREOF, AND THE EAST 132 FEET OF THE SOUTH 330 FEET OF THE NORTHEAST 1/4 OF SAID NORTHWEST 1/4, ALL IN SECTION 5, TOWNSHIP 7 NORTH, RANGE 5 WEST, THE 6TH N. IN THE CITY OF ADAMS COUNTY, NEBRASKA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTH 1/2 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4, OF SAID SECTION 5, THENCE S89°42'08"E (ASSUMED BEARING) ON THE NORTH LINE OF SAID MAIN LANE A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING, AN ALTERNATE DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING; AND ALSO BEING THE EAST RIGHT OF WAY LINE OF NORTH SECOND AVENUE, THENCE CONTINUING S89°42'08"E ON SAID NORTH LINE A DISTANCE OF 1156.07 FEET, THENCE N00°32'19"E A DISTANCE OF 330.00 FEET, THENCE S89°42'08"E A DISTANCE OF 132.00 FEET, THENCE N00°32'19"E A DISTANCE OF 330.00 FEET, THENCE S89°42'08"E A DISTANCE OF 132.00 FEET, THENCE N00°32'19"E A DISTANCE OF 330.00 FEET, THENCE S89°42'08"E A DISTANCE OF 132.00 FEET, THENCE N00°32'19"E TO THE SOUTH LINE OF SAID NORTH 1/2 OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, THENCE N89°42'57"W ON SAID SOUTH LINE A DISTANCE OF 1288.67 FEET TO THE SAID EAST RIGHT OF WAY LINE OF NORTH SECOND AVENUE, THENCE N00°38'30"E ON SAID EAST RIGHT OF WAY LINE A DISTANCE OF 331.19 FEET TO THE POINT OF BEGINNING, CONTAINING 10.79 ACRES MORE OR LESS.

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.
FIELD WORK COMPLETED ON JANUARY 13TH, 2021.

SIGNED ON JANUARY _____, 2021

JOSHUA E. GRUMMERT | LS-783



FINAL PLAT

GRUMMERT PROFESSIONAL SERVICES, LLC

2837 W. HWY 6, STE # 206, HASTINGS, NE 68901

jmgrummert@yahoo.com, www.grummertsurveying.com

402-879-5701

GPS PROJECT NO. 094-2020

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

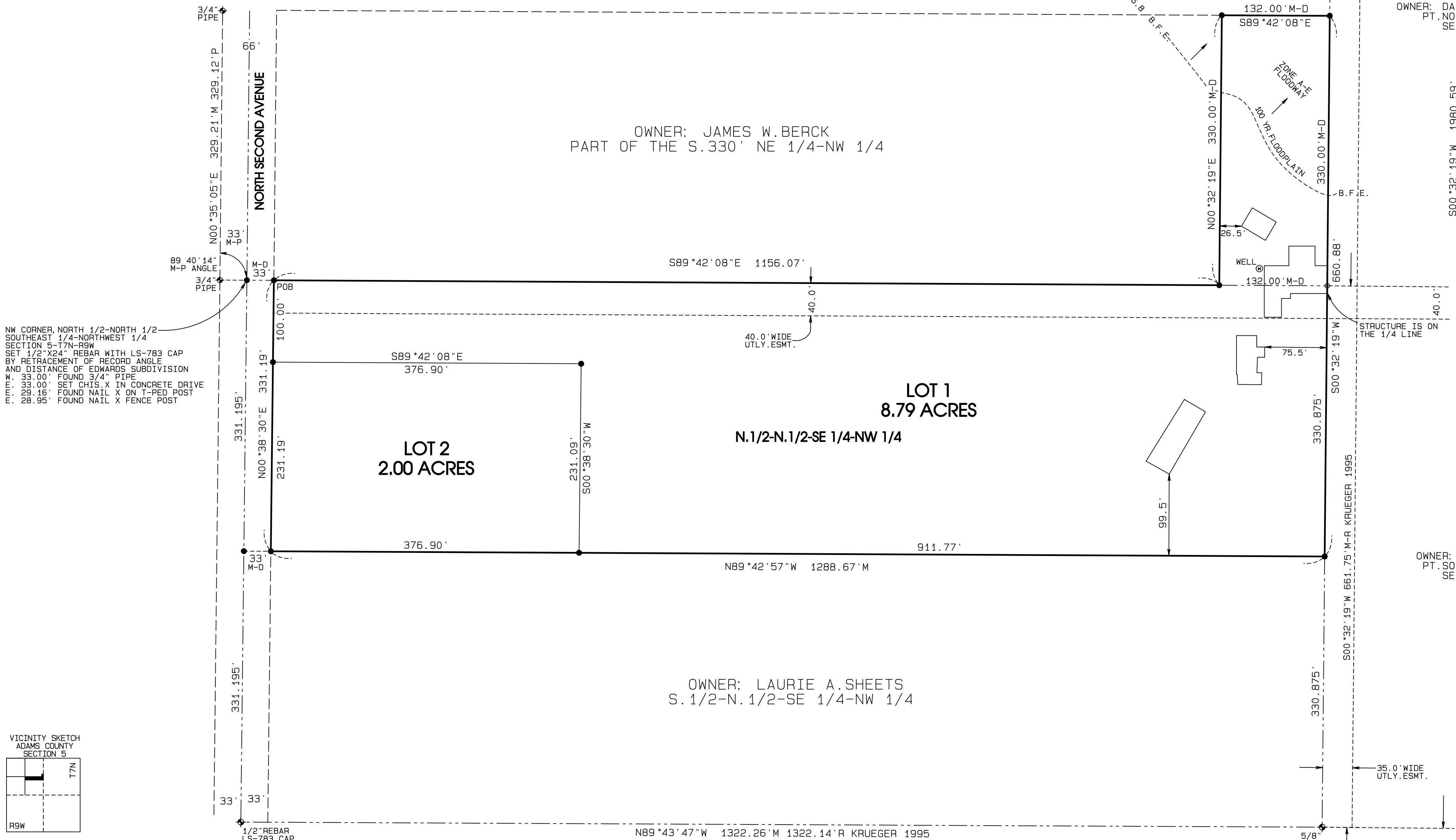
I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE
DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT.

CITY OF HASTINGS TREASURER

THIS PLAT OF BUHR ADDITION, AN ADDITION TO THE CITY OF HASTINGS, ADAMS COUNTY.

NEBRASKA, IS HEREBY _____, DATED THIS _____ DAY OF _____, _____

MAYOR _____ CITY CLERK _____



LEGEND :

- M-MEASURED DISTANCE
- R-RECORD DISTANCE
- G-GOVERNMENT DISTANCE
- P-PLATTED DISTANCE
- D-DEED DISTANCE
- FOUND CORNER
- CALCULATED POINT
- SET 1/2" X 24" REBAR WITH BLUE LS-783 CAP UNLESS NOTED OTHERWISE

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

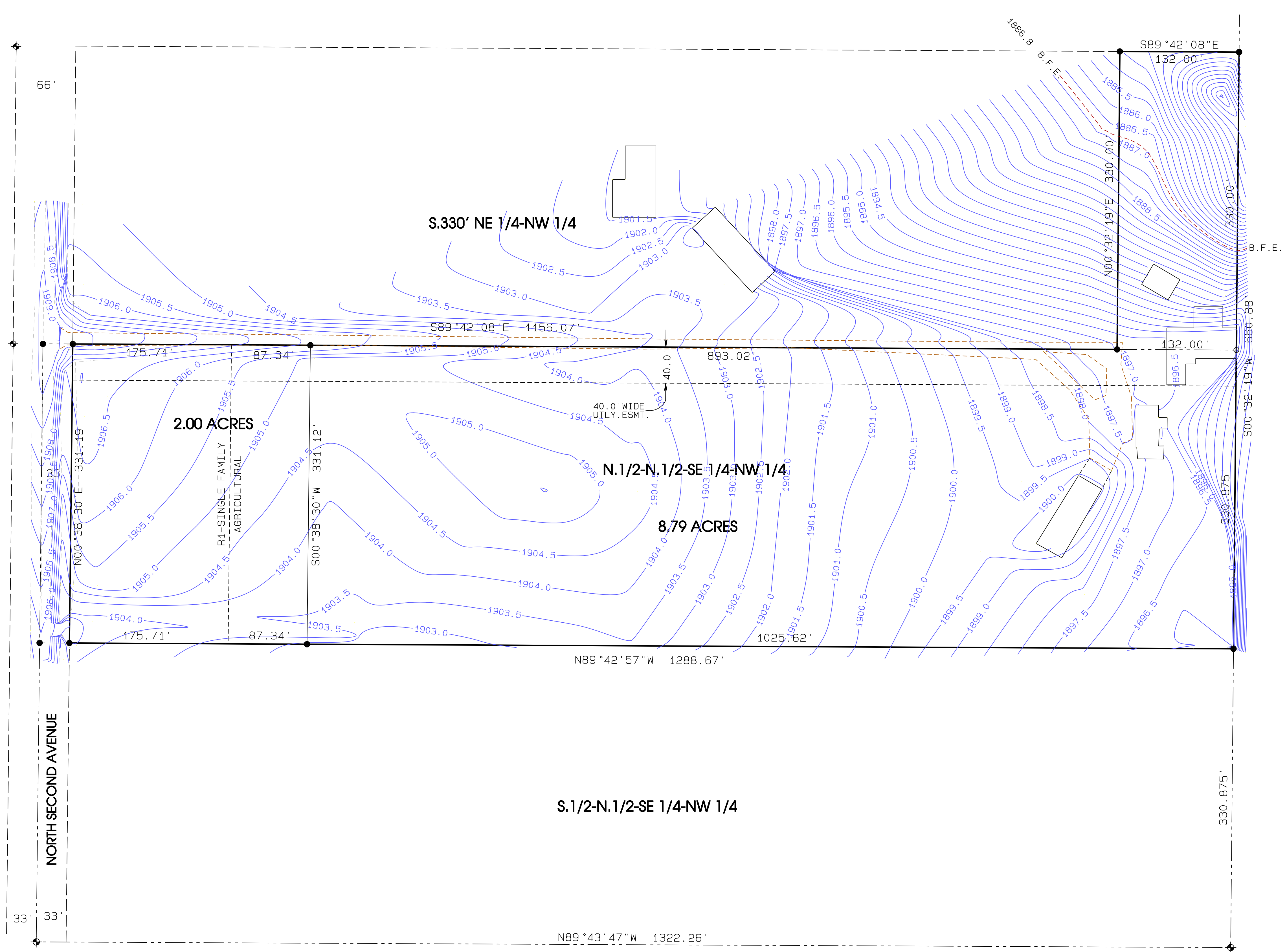
FUTURE ZONING:
R1-A-FAMILY LARGE LOT RESIDENTIAL DISTRICT

FLOOD PLAIN NOTE:

A PORTION OF LOT 4 OF THE PROPERTY SHOWN ON THIS FINAL PLAT IS LOCATED WITHIN THE 100 YEAR FLOOD HAZARD ZONE "A-E" ACCORDING TO THE FLOOD HAZARD BOUNDARY MAPS AS PROVIDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMINISTRATION, COMMUNITY PANEL NO.31001C0176CC EFFECTIVE ON JULY 5TH, 2018.

SETBACKS:

FRONT YARD-35'
SIDE YARD-10' OR 10% OF THE YARD WIDTH
REAR YARD-20% OF THE YARD DEPTH NO MORE THAN 30

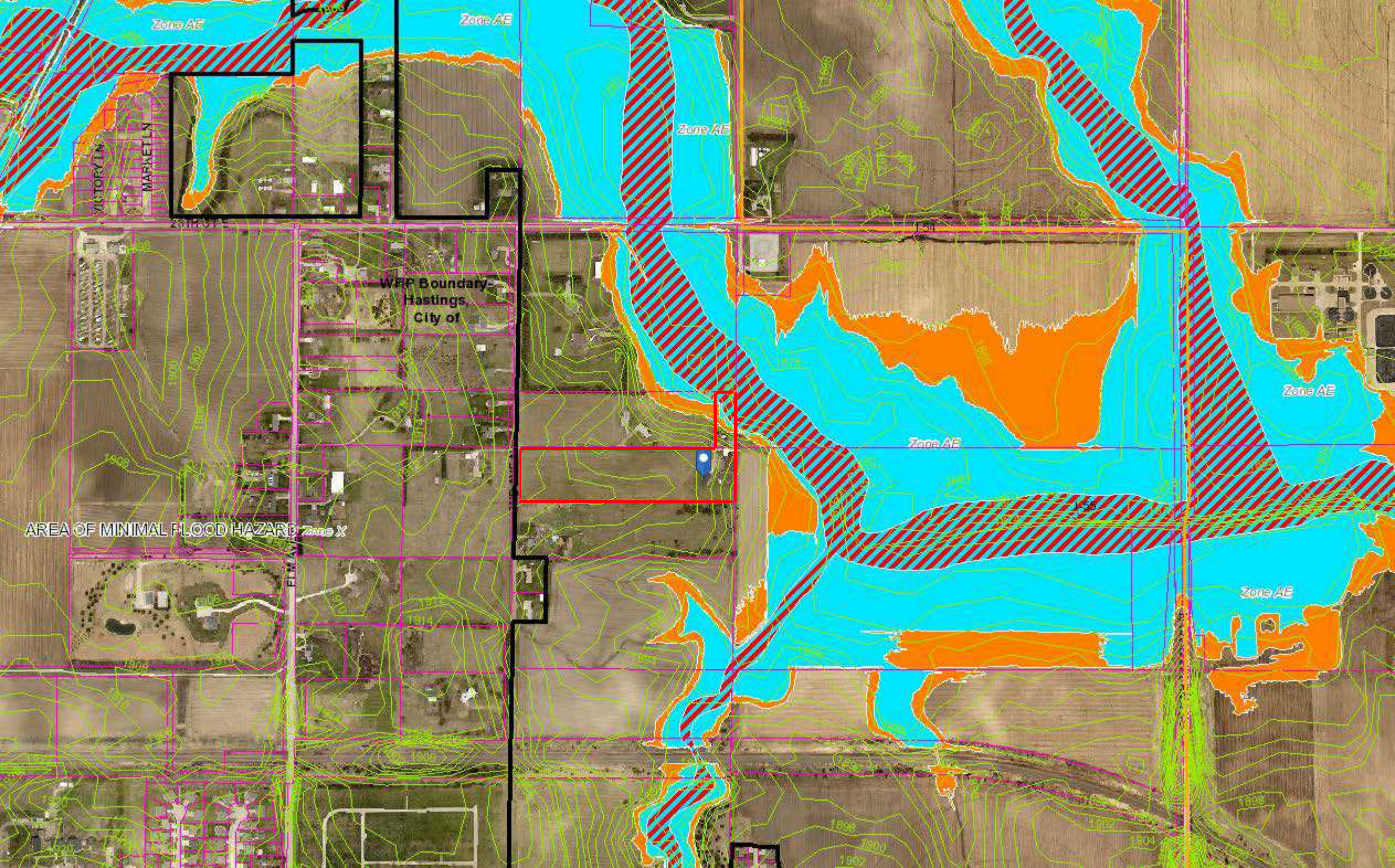




Zone AE

AREA OF MINIMAL FLOOD HAZARD Zone X

FLOOD



Department: Development Services
Staff Contact: Lisa Parnell-Rowe
Planning Commission Meeting Date: 1/19/2021
File No: 2020-059
Prepared By: Emilia Kienbaum, Administrative Assistant

AGENDA ITEM SUMMARY SHEET

Description of Item:

Preliminary/Final plat for Kurt Perry Subdivision, a replat of Seifert/Perry Lot 2 into 2 lots and incorporation of a parcel of record within Lot 2 into Kurt Perry Subdivision Lot 2.

Names of People/Business affected by this action:

The applicant, City, County and the citizens of the City of Hastings and the County.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 states that city council shall not take final action on subdivision development matters without the recommendation of the Planning Commission.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval of Preliminary/Final plat for Kurt Perry Subdivision.

Deadlines associated with action:

This preliminary/final subdivision and rezone case actions will be up for approval at City Council to be held on February 8, 2021. The applicant will then need to apply for relevant building permits for placing accessory structure on Lot 2.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this preliminary/final subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in both 38-202 and 38-203. This is a replat of Seifert/Perry Lot 2 into 2 lots and it also incorporates a parcel of record within Lot 2 into the entirety of Kurt Perry Subdivision Lot 2. Our applicant, Mr. Kurt Perry has stated that Lot 1 (to the north) will be maintained as pasture land for now, but may be sold in the future. Lot 2 incorporates a separate parcel of record, noted on the plat as tax lot of a subplot. This is where the existing primary structure; single-family home is located. This tax lot is now incorporated into the surrounding land shown on Lot 2 in order to also place an accessory structure on this lot over the tax parcels previous boundary. All related drainage requirements have been reviewed and approved by Civil Engineer. Applicant has agreed to and applied for rezone.

Recommendation:

Staff recommends motion to recommend approval of Preliminary/Final plat for Kurt Perry Subdivision.



2020 FINAL PLAT – SUBMITTAL REQUIREMENTS

CHECK LIST

City of Hastings

Chapter 38-203 of the Zoning Code

38-203 (1): Intent. Final plat procedures are intended to create an accurate public record for the sale of lots, to guarantee construction of all public improvements according to the standards in the subdivision regulations, and to ensure that all lots are buildable lots according to the appropriate zoning prior to recording.

The Final Plat and application shall include the following information (please check completed boxes). This completed form **MUST** be submitted with the General Application.

Applicant	City	Submittal Requirement
☒	☒	Complete Application. A completed application for Final plat review using forms supplied by the Planning Department.
☐	☐	Application Fee. See fee sheet available in City Planning or on City website under Planning/Fee Schedule. Nee to confirm correct amount received,
☐	☒	Warranty Deed or Title Policy. A report of title given by an abstractor or attorney licensed to do business in the State of Nebraska certified to the date of the original consideration of the final plat by the Hastings City Council, specifying the names and addresses of all persons or entities owning or having any interest in the real estate included in the proposed plat, as shown in the records at the Adams County Courthouse. For the purposes of this subsection, the term "owner" shall include any ownership interest arising by virtue of a deed, lease, contract, lien, mortgage, deed of trust, court order, or other similar instrument, or arising by operation of law.
☒	☒	Reference Chapter 34, Zoning. The Commission shall not recommend the platting of a residential subdivision or an individual lot with a front foot width and square foot land area less than the requirements of Chapter 34, Zoning Ordinance.
☒	☒	Chapter 38, Subdivision (make sure it meets definition): Division of lot, tract, parcel or acreage into two (2) or more sites, or other divisions...except land shall not be considered a subdivision when the smallest parcel of land created is more than 10 acres in area or was previously subdivided.
☐	☒	Plans: Five (5) prints of the plat shall be submitted to the office of the Commission at least fifteen (15) working days before the meeting at which approval is asked. All plats are required to be on mylar, not velum when submitted. <u>NOTE:</u> If applicant can provide pdf to print to Permit Technician via email or thumb drive then only two copies will be necessary (one [1] 11X17 & one [1] 24" x 36" copy folded).
☒	☒	All figures and letters shown shall be plain, distinct, and of sufficient size to be easily read, and shall be of sufficient density to make a lasting and permanent record.
☒	☐	When more than one sheet is used, a key map, showing the entire subdivision at smaller scale with block numbers and street names, shall be shown on one of the sheets, or on a separate sheet of the same size.

☒	☒	Drawn at a scale no smaller than one hundred (100) feet to the inch, unless otherwise specified. <u>NOTE</u>: Prefer projected in accordance with Nebraska State Plan NAD 88 coordinate system.
Pre-application Meeting Must be Scheduled (timeslots reserved Wednesdays 9:30 – 10:30 A.M.) (Please call 402-461-2368 to schedule).		
☐	☒	Meeting has been scheduled. 
Final Plat. The Final Plat shall contain the following information and applicant shall provide this information at Pre-application Meeting:		
☒	☒	a) Proposed subdivision name and names of adjacent subdivisions, and the legal description.
☒	☒	b) The names of streets (to conform wherever possible to existing street names), and the numbers of lots and blocks, in accordance with a systematic arrangement. <u>NOTE</u> : All public streets should state they are dedicated.
☒	☐	c) An accurate boundary survey of the property with bearings and distances referenced to section or fractional section corner, and showing (in dotted lines) the lines of immediately adjacent streets and alleys with their width and names. 
☒	☒	d) Location of lots, streets, sidewalks, public highways, alleys, parks, trails and other features, with accurate dimensions in feet and decimals of feet, with the length and radii of all curves, and with all other information necessary to duplicate the plat on the ground.
☒	☒	e) Location and dimension of utility or other easements (new & existing).
☒	☒	f) Certification by a registered land surveyor to the effect that the plan represents a survey made by him, and that all the necessary boundary survey monuments are correctly shown thereon.
☒	☒	g) All plats when being submitted to the Planning Department shall bear the signatures of the individuals listed in the Warranty Deed or Title Report (submittal requirement). Said plats shall also bear the signatures of the Adams County Treasurer and the Hastings City Treasurer. The applicant shall at the time the plat is submitted advance to the Planning Department, the funds necessary to file the plat with the Adams County Register of Deeds.
☒	☒	h) Dedication of all streets, public highways, alleys, parks and other land intended for public use, signed by the owner, and by all other parties who have a mortgage or lien interest in the property, together with any restrictions or protective covenants which are to apply to lots, it being noted that restrictions or protective covenants exceeding zoning or subdividing standards are for the benefit of the subdivision and home owners. Compliance is therefore a responsibility of the subdivision ownership.
☒	☒	i) A waiver of claim by the applicant 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 the grades as established.
☒	☒	j) North arrow, scale and date
☒	☒	k) The location of building lines on front and side streets (not required for pre-application meeting but must be on final approved plat)

Final Steps. Any plat approved by the Hastings City Council shall be delivered to the Planning Director at the time of approval. The Planning Director shall there upon file the plat with the Adams County Register of Deeds, within five (5) business days of receipt / approval.

APPLICANT SIGNATURE:

Kurt Perry

DATE:

PLANNING DIRECTOR SIGNATURE:

DATE:

NOTE: Due to the intent of the preliminary plat being an "authorization to proceed with preparation of the final plat" and not approval to proceed with construction, Staff will not process the preliminary and final plats concurrently.



City of Hastings
Development Services Department
Zoning Development Approval (ZDA)
Final Plat Application

Date:

Name of Plat:

KURT PERRY SUBDIVISION

Inside City Limits

Y ☐

N ☒

Owner:

KURT PERRY

2325 S. SHOWBOAT BLVD

HASTINGS, NE

Phone Number:

4024696377

E-mail:

perryk_2325@hotmail.com

Surveyor:

THOMAS L. KRUEGER

2837 WEST HIGHWAY 6, #204

HASTINGS, NE 68901

Phone Number:

4029842176

E-mail:

krueger.ls448@charter.net

Notes or Comments:

Applicant's Signature:

Kurt Perry

DSD Staff Use

Administrative Plat:

Y ☐

N ☐

Staff Comments:

Preliminary & Final can be combined. -LRPR

Number of Lots:

Mylar Size:

Fee:

Gross Area:

Number of Pages:

Case Number:

Staff Signature:

Pending

Processing

Processed



CITY OF HASTINGS
DEVELOPMENT SERVICE
*2302

Check 68837913 was mailed to CITY OF HASTINGS for receipt by Dec 14, 2020.
Money was withdrawn from your *0021 account on Dec 14, 2020.

Pay From *0021

Amount \$1,002.00

CHECK

PROCESSED

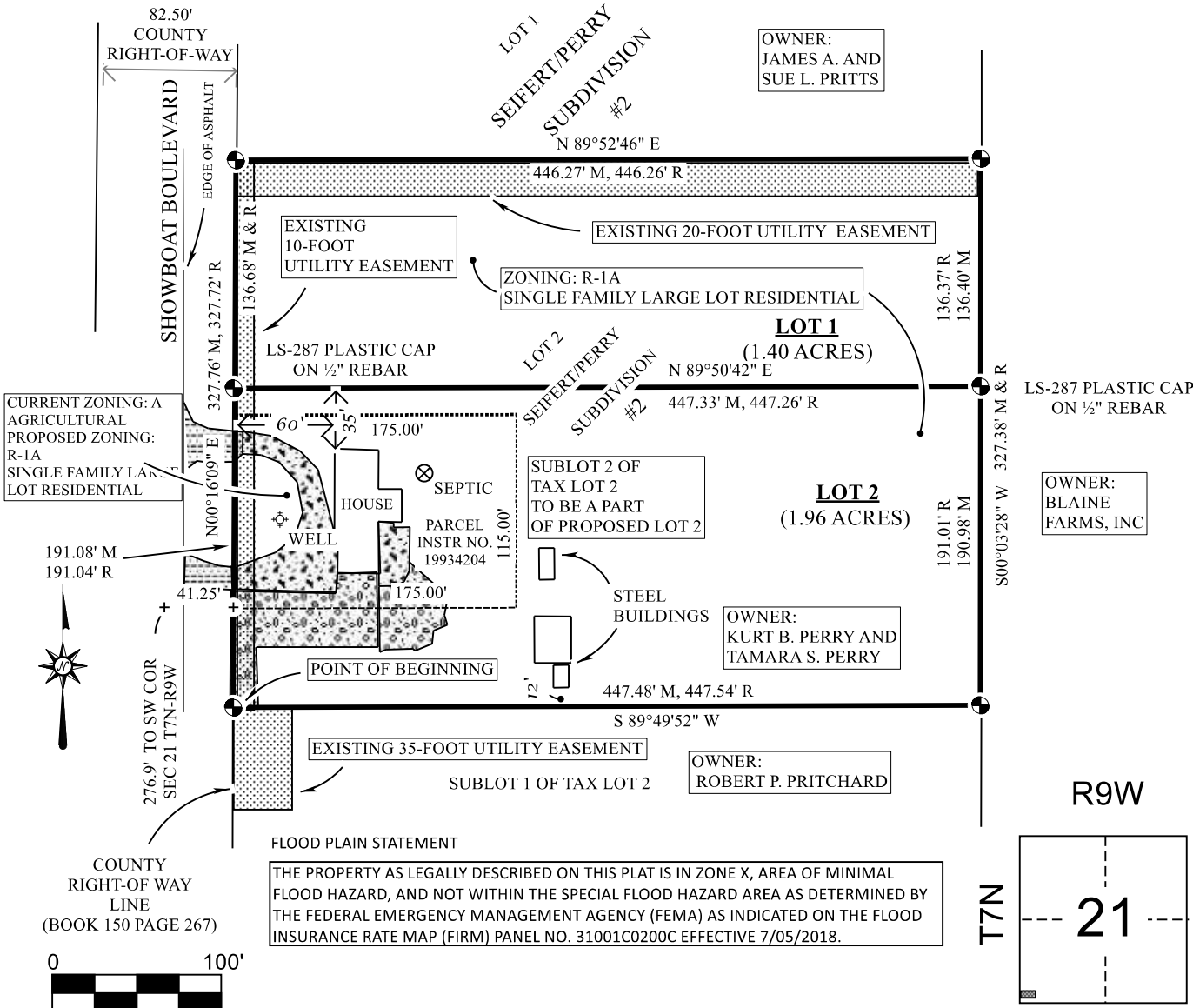
Dec 14
(Estimated)

Memo KURT PERRY SUBDIVISION

Confirmation R0HND-Y8DCY

KURT PERRY SUBDIVISION

LOT 2 OF SEIFERT/PERRY SUBDIVISION #2 AND
A PARCEL OF LAND AS RECORDED IN INSTRUMENT NUMBER 19934204,
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 9 WEST
OF THE 6TH P.M., WITHIN THE TWO-MILE ZONING JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA



LEGAL DESCRIPTION

LOT 2 OF SEIFERT/PERRY SUBDIVISION #2 AND A PARCEL OF LAND AS RECORDED IN INSTRUMENT NO. 19934204, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 9 WEST OF THE 6TH P.M., WITHIN THE TWO-MILE ZONING JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 OF SAID SEIFERT PERRY SUBDIVISION #2, THIS BEING THE POINT OF BEGINNING; THENCE N00°16'09"E (ASSUMED BEARING) ON THE WEST LINE OF SAID LOT 2 AND THE WEST LINE OF SAID PARCEL, A DISTANCE OF 327.76 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N89°52'46"E, ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 446.27 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE S00°03'28"W, ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 327.38 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE S89°49'52"W, ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 447.48 FEET TO THE POINT OF BEGINNING CONTAINING 3.36 ACRES, MORE OR LESS.

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON A ½" REBAR
●	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE
---	BOUNDARY OF PARCEL (INSTR NO 19934204) (TO BE REMOVED)
⊕	WELL
⊗	SEPTIC
+	CALCULATED CORNER - NOT MONUMENTED

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 DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

THOMAS L. KRUEGER | LS-448

PRELIMINARY/FINAL PLAT

FILE NAME KURT PERRY SUBDIVISION, CITY OF HASTINGS		
SCALE 100 Ft/In	DATE 01-06-2021	DRAWN BY T. KRUEGER
JOB KLS-20140	FIELD WORK TK	SHEET 1 OF 3

KRUEGER LAND SURVEYING

2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

KURT PERRY SUBDIVISION

LOT 2 OF SEIFERT/PERRY SUBDIVISION #2 AND
A PARCEL OF LAND AS RECORDED IN INSTRUMENT NUMBER 19934204,
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 9 WEST
OF THE 6TH P.M., WITHIN THE TWO-MILE ZONING JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT KURT B. PERRY AND TAMARA S. PERRY, HUSBAND AND WIFE, THE OWNER(S) OF
RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAS CAUSED THE SAME TO
BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "KURT PERRY 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 OWNER.

SIGNED THIS DAY OF , 2021

BY: _____
KURT B. PERRY

BY: _____
TAMARA S. PERRY

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) ss
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE DAY OF , 2021 BY KURT
B. PERRY AND TAMARA S. PERRY.

MY COMMISSION EXPIRES THE DAY OF , 20____

(SEAL)

NOTARY

WAIVER FOR STREET GRADES

THE APPLICANTS HEREBY WAIVE 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
ESTABLISHED.

BY: _____
KURT B. PERRY

BY: _____
TAMARA S. PERRY

CITY ENGINEER'S APPROVAL

THIS PLAT OF "KURT PERRY SUBDIVISION" WITHIN THE TWO-MILE ZONING JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY,
NEBRASKA HAS BEEN RECEIVED AND REVIEWED BY ME AND IS IN COMPLIANCE WITH THE PROVISIONS OF ORDINANCE #2882 OF THE
CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA. PROVIDING FOR THE APPROVAL OF SUBDIVISIONS AND PLATS BY THE CITY ENGINEER
UNDER CERTAIN CIRCUMSTANCES
APPROVED THIS DAY OF , 2021

CITY ENGINEER

CONSENT OF LIEN HOLDER

I _____ (PRINT NAME) _____ (TITLE) OF WELL FARGO BANK, N.A., BENEFICIARY,
BEING A LIEN HOLDER OF THE DESCRIBED TRACT OF LAND HEREBY APPROVE AND AGREE TO THE PLATTING OF KURT PERRY SUBDIVISION IN
THE CITY OF HASTINGS, ADAMS COUNTY NEBRASKA ON THE DAY OF , 20____, ON BEHALF OF SAID
LEINHOLDER.

(SIGNATURE)

(PRINT NAME AND TITLE)

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME KURT PERRY SUBDIVISION, CITY OF HASTINGS		
SCALE 100 Ft/in	DATE 01-06-2021	DRAWN BY T. KRUEGER
JOB KLS-20140	FIELD WORK TK	SHEET 2 OF 3

KURT PERRY SUBDIVISION

LOT 2 OF SEIFERT/PERRY SUBDIVISION #2 AND
A PARCEL OF LAND AS RECORDED IN INSTRUMENT NUMBER 19934204,
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 7 NORTH, RANGE 9 WEST
OF THE 6TH P.M., WITHIN THE TWO-MILE ZONING JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF THE _____ DAY OF _____, 2021.

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

HASTINGS PLANNING COMMISSION

THIS PLAT OF "KURT PERRY SUBDIVISION" HAS BEEN SUBMITTED TO AND REVIEWED BY THE HASTINGS PLANNING AND ZONING COMMISSION AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, NEBRASKA, WITH THE RECOMMENDATION THAT SAID PLAT BE _____ AS PROPOSED. SIGNED THIS _____ DAY OF _____, 2021.

CHAIRMAN

DIRECTOR OF PLANNING

CITY OF HASTINGS MAYOR AND CITY COUNTY COUNCIL APPROVAL

THIS PLAT OF "KURT PERRY SUBDIVISION" HAS BEEN _____ BY MOTION DULY PASSED THIS _____ DAY OF _____, 2021.

MAYOR

CITY CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
)
COUNTY OF ADAMS)

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

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME KURT PERRY SUBDIVISION, CITY OF HASTINGS		
SCALE 100 Ft/in	DATE 01-06-2021	DRAWN BY T. KRUEGER
JOB KLS-20140	FIELD WORK TK	SHEET 3 OF 3

Lisa Parnell-Rowe

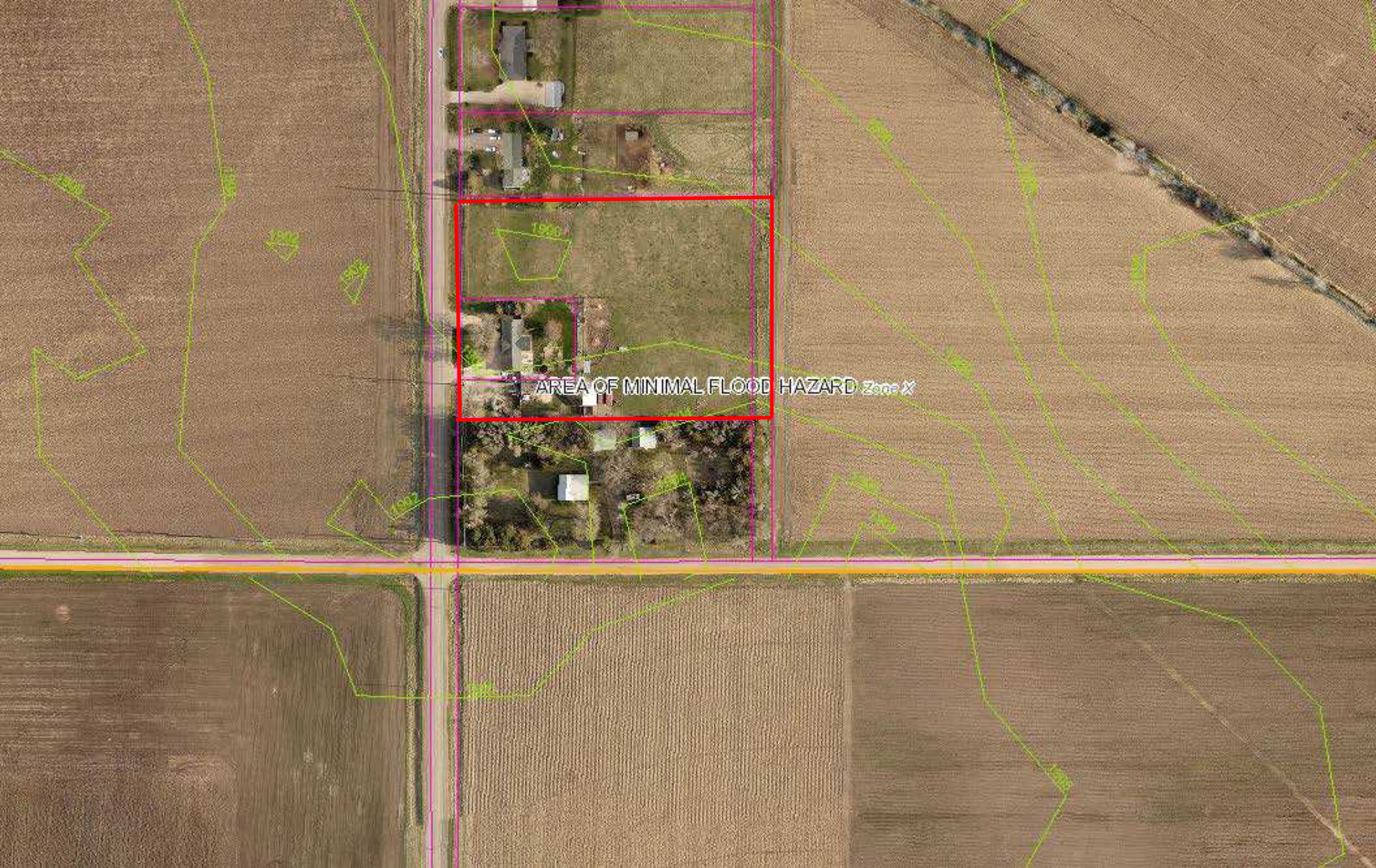
From: kurt perry <perryk_2325@hotmail.com>
Sent: Wednesday, November 4, 2020 7:11 PM
To: Lisa Parnell-Rowe
Subject: Replat

Lisa,
Tom Krueger told I needed to get a hold of you concerning the replat of ground at 2325 S Showboat. Lot 1 the ground to the north we intend to keep using as pasture. I wanted this separate in case we should decide to sell the lot at some point in the future. Lot 2 is the house and the ground surrounding it. If you any questions please call me at +14024696377.

Thanks

Kurt Perry

Sent from my iPhone



AREA OF MINIMAL FLOOD HAZARD Zone X

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