

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, January 19, 2021

Pursuant to due call and notice thereof, a Regular Meeting of the Hastings Planning Commission was conducted via video conference on January 19, 2021, as allowed by the executive order issued from Governor Ricketts on November 25, 2020.

The meeting was called to order at 4:05 p.m. in Regular Session by Chair Gaines with the following members present: Michelle Lewis, Mac Rundle, Marshall Gaines, Lou Kully, LaDaun Schoenhals, Ann Hinton. Absent: Eric Arneson, Gavin Raitt, Rakesh Srivastava, Willis Hunt.

Moved by Rundle, seconded by Hinton, to adopt current agenda for January 19, 2021 Regular Meeting. Roll Call: Ayes: Lewis, Rundle, Gaines, Kully, Schoenhals, Hinton. Nays: None. Absent: Arneson, Raitt, Srivastava, Hunt. The motion carried.

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 can be found on the City of Hastings' website, cityofhastings.org.

Moved by Hinton, seconded by Schoenhals, to approve the minutes of the December 15, 2020 meeting. Roll Call: Ayes: Lewis, Rundle, Gaines, Kully, Schoenhals, Hinton. Nays: None. Absent: Arneson, Raitt, Srivastava, Hunt. The motion carried.

9. Public Hearing.

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.

Lisa Parnell-Rowe discussed the agenda item.

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 land 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 recommends approval.

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

a. **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.**

Lisa Parnell-Rowe discussed the agenda item.

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. Staff recommends approval.

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

b. **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.**

Lisa Parnell-Rowe discussed the agenda item.

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.

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

c. **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.

Lisa Parnell-Rowe discussed the agenda item.

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.

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

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.

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. Staff recommends approval.

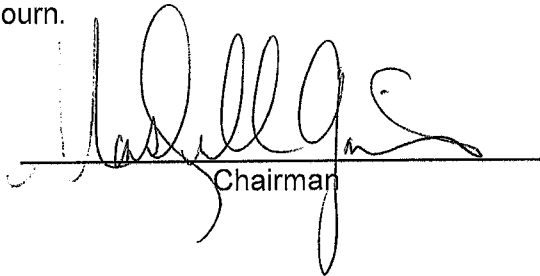
Moved by Kully, seconded by Lewis, to recommend approval to the Mayor and City Council the final plat for Buhr Addition. Roll Call: Ayes: Lewis, Rundle, Gaines, Kully, Schoenhals, Hinton. Nays: None. Absent: Arneson, Raitt, Srivastava, Hunt. The motion carried.

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.

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. Staff recommends approval.

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

Moved by Rundle, seconded by Schoenhals to adjourn.



Chairman