

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Monday, March 20, 2017 at 4:00 PM in the City Building, 220 North Hastings Avenue, City Council Chambers, Hastings, Nebraska.

AGENDA:

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Motion to adopt the current agenda for the Planning Commission Meeting
5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, March 17, 2017. Pursuant to the Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.
6. Approval of Minutes
 - a. Meeting of February 20, 2017.
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. **2017-5.** Request of Good Samaritan Society-Hastings Village, to vacate a portion of B Street, between 2nd Ave. and 5th Ave.
 - b. **2017-6.** Request of Joan Shaw for a conditional use permit for a bed and breakfast at 751 N. Lincoln Ave.
 - c. **2017-7.** Request of John Volkmer to re-zone the property at 1265 S. Marian Road from I-1 Light Industrial to C-3 Commercial Business.
10. Subdivisions
11. Reports
 - a. Committee Reports
 - b. Chairman Comments

Planning Commission Agenda

March 20, 2017

Page 2

c. Staff Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, February 20, 2017

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, City Council Chambers, Hastings, Nebraska, on February 20, 2017.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Napier with the following members present: Marshall Gaines, Jodi Graves, Gavin Raitt, Keith Napier, Dave Johnson, and Rakesh Srivastava. Absent: Chuck Rosenberg, Dale Hamburger, Lou Kully.

Chair Napier led the group in recital of the Pledge of Allegiance.

Moved by Marshall Gaines, seconded by Dave Johnson, to adopt the current agenda for the Planning Commission meeting. Roll Call: Ayes: Marshall Gaines, Jodi Graves, Gavin Raitt, Keith Napier, and Dave Johnson. Nays: None. The motion carried.

The Chair read the Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, February 17, 2017. Pursuant to the Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting, is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

7. Special Order of Business
a. Election of Officers

Moved by Johnson, seconded by Graves to accept the following nominations for officers.

Chair – Marshall Gaines nominated Keith Napier
Vice-Chair – Dave Johnson nominated Chuck Rosenberg
Member at Large – Gaines nominated Dave Johnson

Nominations accepted by acclamation.

Moved by Dave Johnson, seconded by Jodi Graves, to approve the Minutes of the January 23, 2017, meeting. Roll Call: Ayes: : Marshall Gaines, Jodi Graves, Gavin Raitt, Keith Napier, and Dave Johnson. Nays: None. The motion carried.

9.a. Public Hearings.
2017-004. One and Six Year Street Improvement Plan

The legal was read into the record.

The Chair declared the public hearing open.

Steve Kostner, Street Superintendent, stated the testimony he was about to give in this matter is the truth, and nothing but the truth. Steve Kostner gave an overview of the One and Six Year Street Improvement Plan.

The Chair asked for a Motion to approve application #2017.004.

Moved by Dave Johnson, seconded by Jodi Graves. Roll Call: Ayes: Marshall Gaines, Jodi Graves, Gavin Raitt, Keith Napier, and Dave Johnson. Nays: None. The motion carried.

11. Reports

a. Committee Reports

The Chair stated the Ad Hoc Committee did meet.

The meeting adjourned at 4:19 p.m.

Chairman

Department: Development Services
Staff Contact: Mark Evans
Planning Commission Meeting Date: 03/20/2017
File No: 2017-5
Prepared By: Mark Evans, Building Inspector

AGENDA ITEM SUMMARY SHEET

Description of Item:

Request of Good Samaritan Society-Hastings Village, to vacate East "B" Street (60 feet wide) from the East Right-of-Way line (extended) of South 2nd Avenue East to the West Right-of-Way line (extended) of South 5th Avenue in Berlins Addition, City of Hastings, Adams County, Nebraska, said vacated street to be retained by the City and with a utility easement and a drainage easement.

Names of People/Business affected by this action:

The City of Hastings, the Public, Good Samaritan Village, Bonnavilla Plaza Corporation and East Side Diesel Service Inc.

Why Planning Commission action is required:

Vacation of Right-of-Way requires a public hearing before the Planning Commission.

Type of action requested:

Suggested motion:

Deadlines associated with action:

None.

Department head comments:

This request is to vacate B Street between 2nd Avenue and 5th Avenue. B Street is located on the North edge of the Good Samaritan Village campus. It is currently an asphalt paved section that is in poor condition. This section of B Street currently serves the northern part of the campus. GSV is building a number of three-plexes south of B Street. However, GSV would like to limit the traffic along B Street since it is somewhat of a 'cut-through' route between the Nebraskan Trailer Park and Highway 6. GSV feels this presents a security issue as well as a safety issue, since the new three-plexes will have garages that are directly served by B Street, and located only a few feet from the current B Street paving

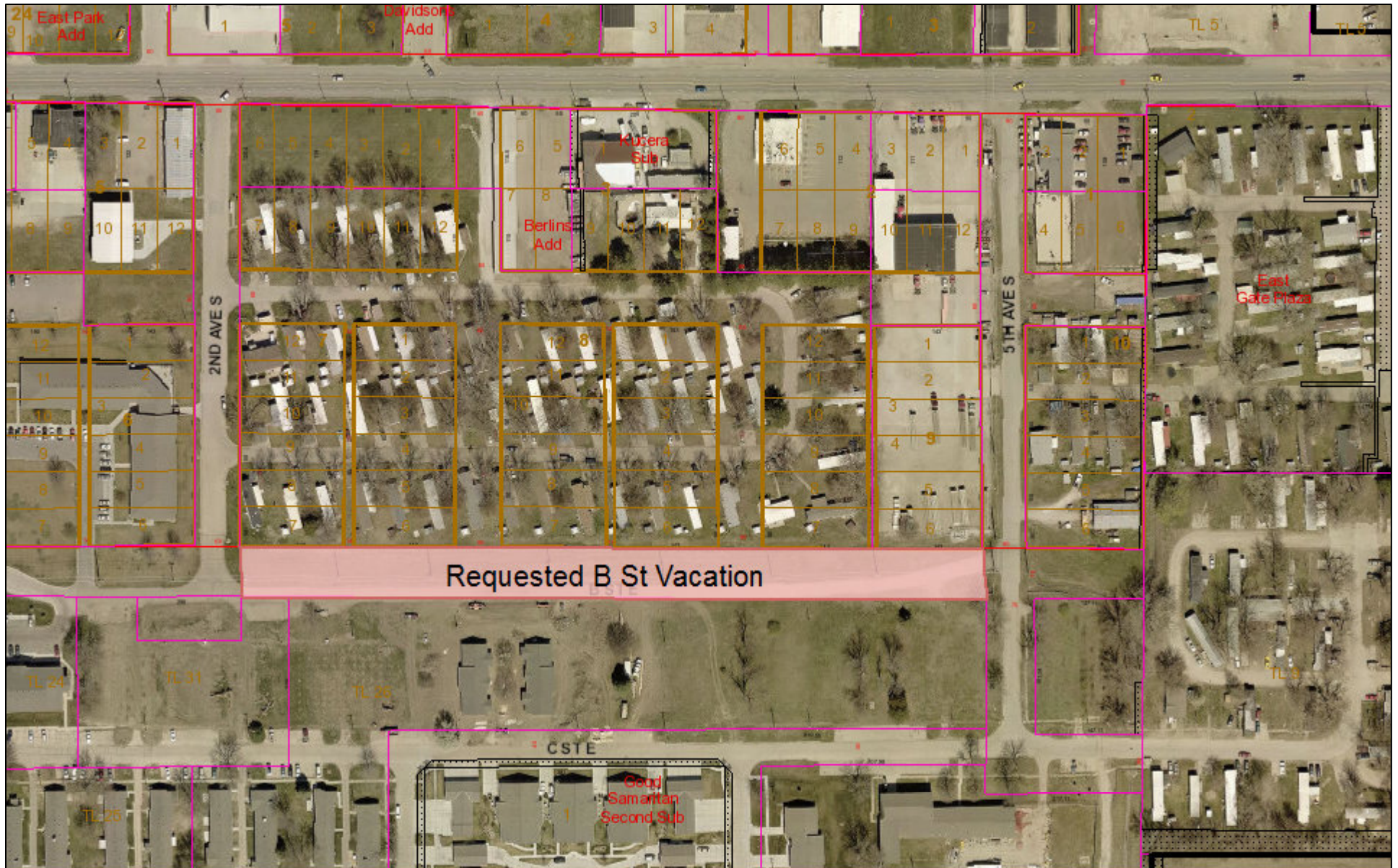
section. It is important to note that the asphalt paving for B Street is largely located on private property, as the street section 'wanders' off of the right-of-way onto property owned by GSV. This creates the condition where the paving section is nearer to the structures than the minimum required setback, and thus creates the safety problem mentioned earlier. The street cannot simply be relocated due to conflicts with existing power lines and existing drainage. Rather than relocate the paving, GSV is requesting vacation of the right of way to allow them to pave a private access to this area. In addition to the private access, GSV would be able to install a controlled access gate on the east end of this area to limit traffic and calm traffic issues in this new development on their campus. GSV proposes to maintain the vacated right of way and plant a number of trees to screen and buffer the site to the north.

The City of Hastings would vacate the street, and retain easements for drainage and for the overhead electric line. The City would also retain the ownership at this point, and then transfer title to GSV at a later date, instead of reverting the ownership to the abutting owners, as there are two different abutting owners on the north side. Staff have contacted these owners regarding this issue but have not heard a response to date.

Recommendation:

Staff recommends vacation of B Street as requested, with the City retaining easements for drainage and utilities, as well as retaining ownership, with the transfer of title to occur at a later date.

B St Vacation



March 13, 2017

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

1:3,000
0 0.0225 0.045 0.09 mi



DATE 2/15/17

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 | ☐ 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: Vacate B Street

Project Address: B Street between 2nd & 5th Ave Within City Limit ☒ Yes ☐ No

Existing Zoning: Street Proposed Zoning / Use: Multi Family Resident

Existing Comprehensive Plan Designation: _____ Gross Area: _____

Legal Description: _____ Number of Lots: _____

APPLICANT INFORMATION

Applicant: Paul Hamelink Company: Good Samaritan Society

Address: 926 East E Street Tel: 402-460-3236 Fax: _____

City: Hastings State: NE Zip: 68901 Email: phamelin@good-sam.com

Property Owner: Good Samaritan Society-Hastings Village Company: The Evangelical Lutheran
Good Samaritan Society

Address: 926 East E Street Tel: 402-460-3236 Fax: _____

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

Key Contact: Paul Hamelink Company: Good Samaritan Society-
Hastings Village

Address: 926 East E Street Tel: 402-460-3236 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.

Paul Hamelink
Property Owner Signature

2-15-17
Date

Applicant Signature

Date

DEPARTMENTAL USE ONLY

Fees: \$150.00

Receipt No. _____

Accepted by Staff: _____

Signature

Case No. _____

Department: Development Services
Staff Contact: Mark Evans
Planning Commission Meeting Date: 03/20/2017
File No: 2017-6
Prepared By: Mark Evans, Building Inspector

AGENDA ITEM SUMMARY SHEET

Description of Item:

Request of Joan Shaw for a conditional use permit for a bed and breakfast at 751 N. Lincoln Avenue, legally described as the East 175 feet of the South half of the North half of Block 8, in Alexander's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof, and Except the South 6 feet thereof, and except the North 8 feet thereof.

Names of People/Business affected by this action:

The applicant, the neighbors and the City of Hastings.

Why Planning Commission action is required:

Conditional Use Permits require a public hearing and review by the Planning Commission, with recommendation by the Planning Commission to the City Council.

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

None.

Department head comments:

This application is for a Bed and Breakfast at 751 N. Lincoln Ave. Staff has reviewed the application and it generally complies with the specific conditions listed for a Bed and Breakfast under Hastings City Code 34-404(14). However, there are two significant issues staff feels need to be addressed.

First, the site is limited in off-street parking. The code requires two off-street parking spaces for the residence in addition to one off-street parking space for each guest room. This creates a total off-street parking demand of four spaces on a narrow lot with limited parking available. While the code allows for parking credits for on-street parking for some uses, the specific standard for a

conditional use permit for a bed and breakfast specifies that that this site will need a total of four off-street parking spaces.

This is further exacerbated since the site utilizes the driveway located on the neighbor's property to access the garage at the rear of the property under consideration. This creates the situation where the garage and any functional parking area would be land-locked if the neighbor to the north were to object to the Bed and Breakfast utilizing their driveway to access required parking.

Staff has contacted the property owners to the north. Staff has not heard a response to date.

Based on the lack of off-street parking, and that the driveway to access the garage is located on the neighboring property, staff recommends denial of this application.

Recommendation:

Motion to recommend denial of this application. OR

Approval subject to the following standard conditions:

1. The bed and breakfast shall be operated and maintained in a manner that preserves the character and integrity of the neighborhood.
2. The bed and breakfast shall be occupied and operated by the owner as their principal residence.
3. The home shall not be used by the public or paying guests for the hosting of receptions, private parties or the like.
4. Any meals provided and any amenities connected with the guest rooms shall be solely for the use of the owner, the owner's immediate family and the owner's registered guests.
5. There shall be no separate kitchen facility for the guests.
6. A person who does not reside at the home shall not be employed to assist in the conduct of the bed and breakfast except as usual for a single family residence, such as a maid, housekeeper, etc.
7. The bed and breakfast shall comply with all other provisions of the zoning district in which it is located.
8. Only rooms within the dwelling unit, as designated on the plans provided, shall be used for the guest rooms.
9. No more than 3 guests shall be allowed per room.
10. Each guest room shall be provided with a smoke detector. Carbon monoxide detectors shall be located as required by the building code.

11. A fire escape plan shall be developed and displayed in each guest room.

12. Four off-street parking spaces shall be provided on site. A cross access agreement shall be completed with the abutting property to the north, and filed with the Register of Deeds of Adams County.

13. A register shall be kept in which it shall be stated the names and addresses of every person to whom a room is let, the date on which the room is let, and the correct designation of the room let, and the number of occupants assigned to the room. No page shall be disposed of until two years after the date of the most recent entry recorded on it. The register shall be available to the Development Services upon request.

14. Signs shall be limited to one non-illuminated wall mounted sign not to exceed 6 square feet in area.

DATE 2/24/17

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 | ☐ 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: 2 Guest Room Bed + Breakfast

Project Address: 751 North Lincoln Within City Limit ☒ Yes ☐ No

Existing Zoning: multifamily R-3 Proposed Zoning / Use: Bed + Breakfast

Existing Comprehensive Plan Designation: Urban Residential Gross Area: 9,100 sq ft

Legal Description: See Attached Deed Number of Lots: 1

APPLICANT INFORMATION

Applicant: Joan Shaw Company: _____

Address: 12204 West Alexander St Tel: 402-460-8195 Fax: _____

City: Roseland State: NE Zip: 68973 Email: jshaw58.j@gmail.com

Property Owner: See attached deed 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.

_____	_____	<u>Joan Shaw</u>	<u>2/24/17</u>
Property Owner Signature	Date	Applicant Signature	Date

DEPARTMENTAL USE ONLY

Fees: \$300.00 Receipt No. _____

Accepted by Staff: Maisha Kwa 2/24/17 Case No. _____

Signature

PAID
CK 2888

I am proposing to establish a Bed and Breakfast at 751 North Lincoln Avenue in Hastings, Ne. This is a lovely old home perfectly suited for a B&B. It is located in a historic part of Hastings known as the Fisher Fountain Tour. There would be two guest rooms, each with their own bathroom. Also available, a sitting room on the main floor with tv, a coffee bar and a large front porch. I think this would be a great complement to Hastings.

Joan Shaw

751 N Lincoln Ave



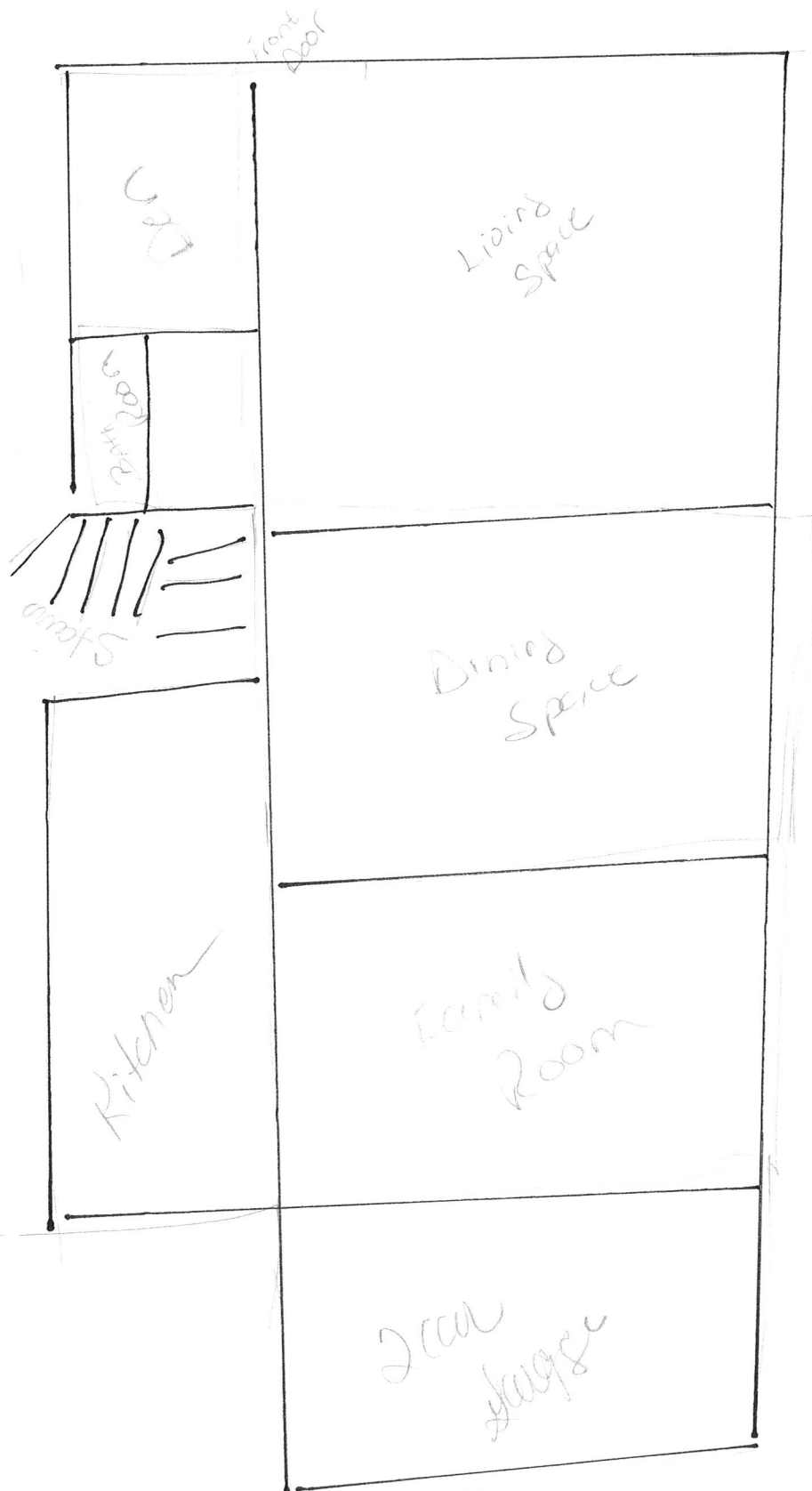
February 24, 2017

- | Limits | | Subdivisions | | Addresses | |
|--------|----------|--------------|-----------|-----------|--------|
| | One Mile | | Easements | | LOTS |
| | Two Mile | | Parcels | | BLOCKS |

1:500

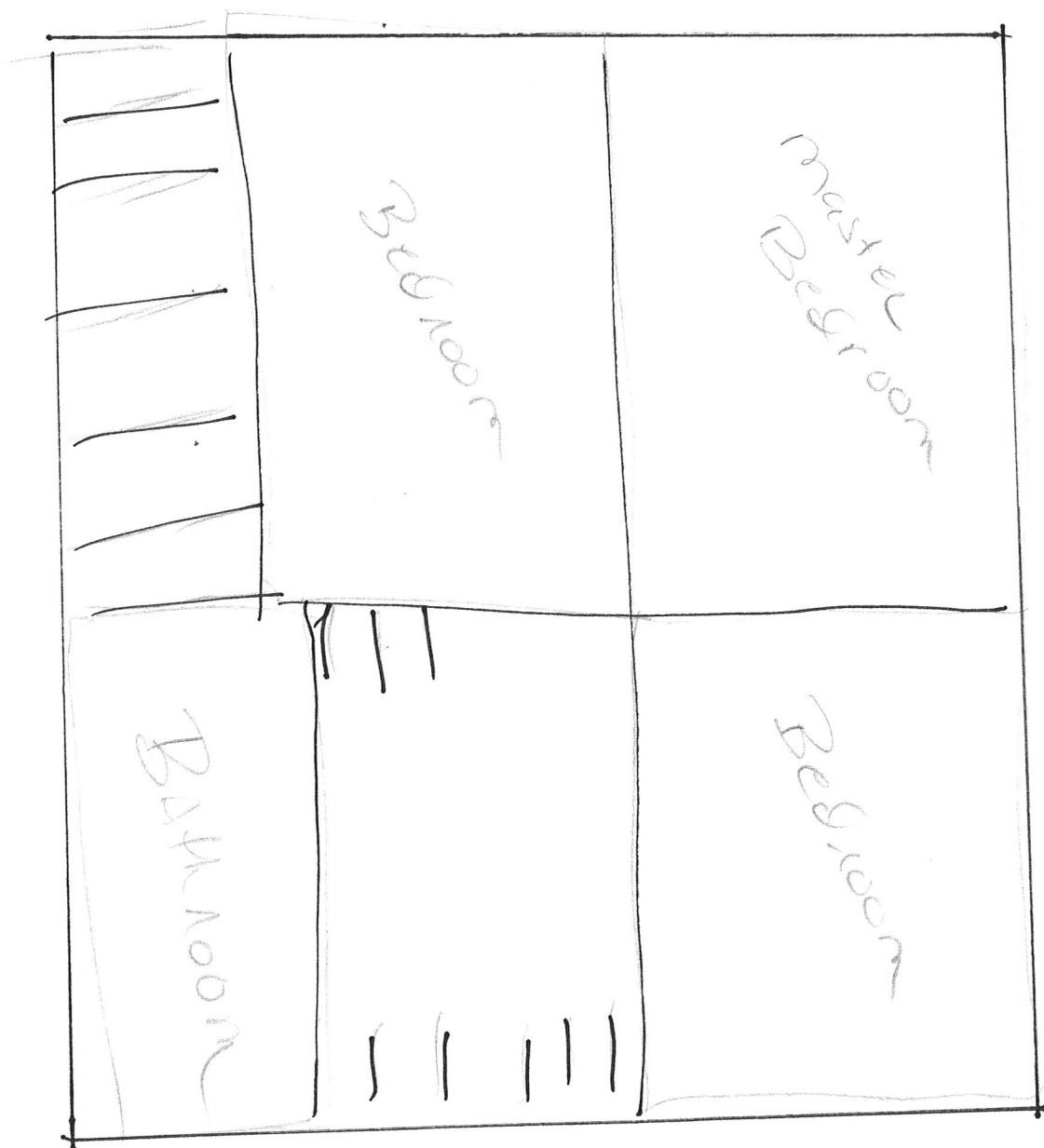
0 0.00375 0.0075 0.015 mi

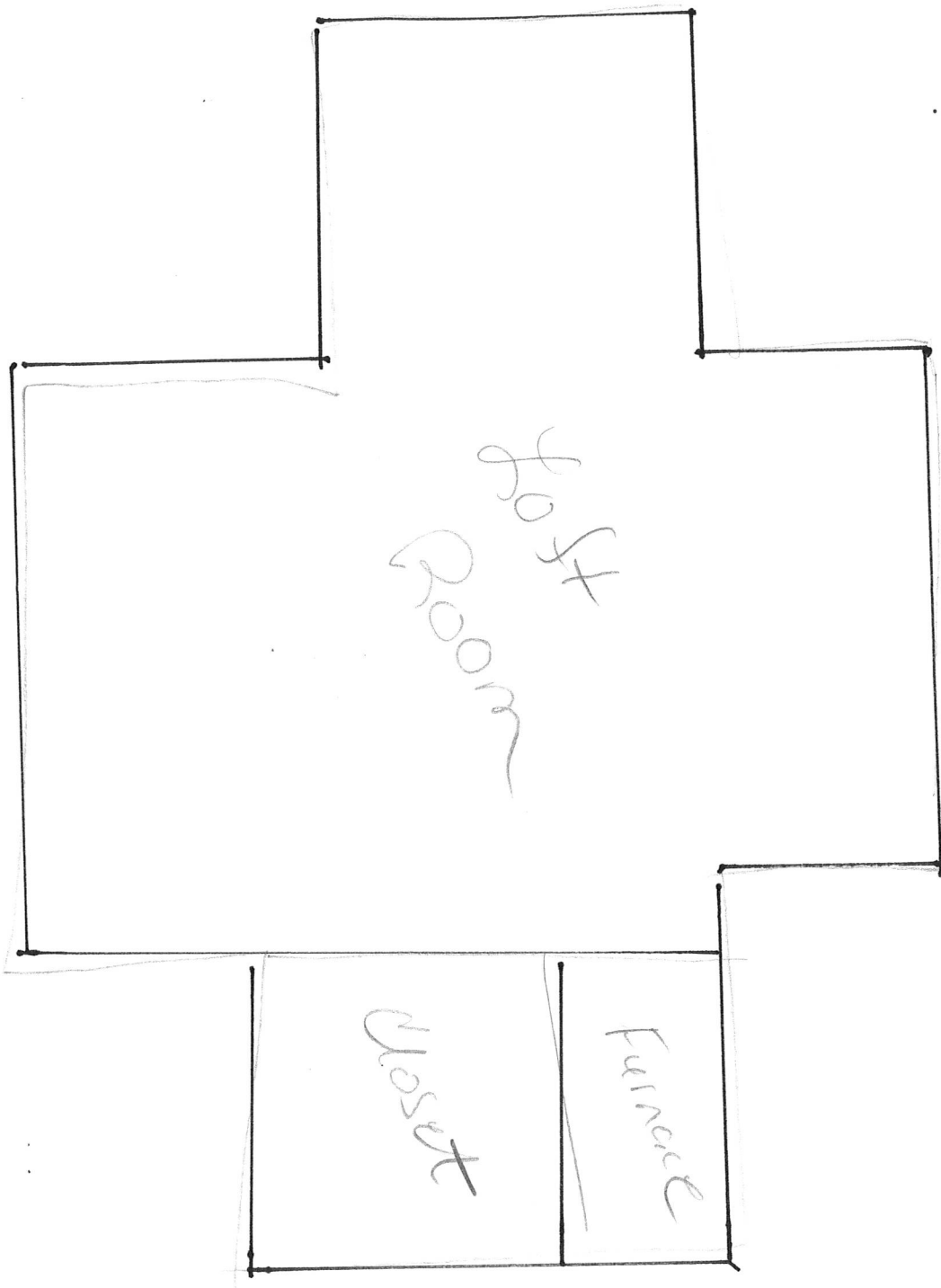




Main Floor

2nd floor





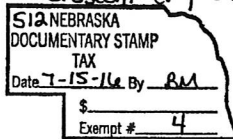
3rd floor
10 ft
10 ft

NUM PGS 1
DOC TAX _____ CK# _____
FEES 10.00 PD 10.00 CK# 1718
CHG _____ ACCT# _____
RET FEES: _____ CASH _____
P & M FUND 2.50 GEN FUND 7.50
REC'D Karen Davis
RETURN Karen Davis
800 Acacia Drive
Crescent City CA 95531



20162314

ADAMS COUNTY, NE
FILED
INST. NO. 20162314
Date 7-15-16 Time 11:43 AM
Annie M. Hinton
REGISTER OF DEEDS



NUM Alexanders Add
RD. COMP x BM
COMPARE ✓ KQ
CADAS 7-47 BM COMP BM
OK KQ KQ

751 N Lincoln

AFTER RECORDING RETURN TO:

Charter Title & Escrow Services, Inc.
747 North Burlington Avenue
Suite G208
Hastings, NE 68901
402-463-6788

WARRANTY DEED

Mark H. Davis and Karen C. Davis, husband and wife, GRANTORS, in consideration of Two Dollars (\$2.00) and other good and valuable consideration received from GRANTEE convey to GRANTEE

Mark H. Davis and Karen C. Davis, as Trustees of the Davis Revocable Living Trust, u/d/t February 16, 1987, as amended November 17, 2001.

the following described real estate (as defined in Neb. Stat. 76-201) in Adams County, Nebraska:

The East 175 Feet of the South Half of the North Half of Block 8, in Alexander's Addition to the City of Hastings, Adams County, Nebraska, according to the recorded Plat thereof, and Except the South 6 Feet thereof, and Except the North 8 Feet thereof.

GRANTORS covenants with GRANTEES that GRANTORS:

- (1) is lawfully seised of such real estate, that it is free from encumbrances, except easements, restrictions and reservations of records, and subject to all regular taxes and special assessments;
- (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.

Executed this 15 day of July, 2016.

Mark H. Davis

Mark H. Davis

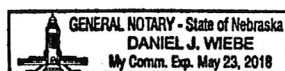
Karen C. Davis

Karen C. Davis

STATE OF Nebraska
COUNTY OF Adams

The foregoing instrument was acknowledged before me this 15 day of July, 2016 by Mark H. Davis and Karen C. Davis, husband and wife.

Daniel J. Wiebe
Notary Public



Department: Development Services
Staff Contact: Mark Evans
Planning Commission Meeting Date: 03/20/2017
File No: 2017-7
Prepared By: Mark Evans, Building Inspector

AGENDA ITEM SUMMARY SHEET

Description of Item:

Request of John Volkmer to re-zone the following tract of land, to wit:
The South one hundred fifty (S 150) feet of the North three hundred thirty-three (N 333) feet of the West one hundred seventy-eight and two-tenths (W 178.2) feet of the Northwest Quarter (NW 1/4) of Section twenty-three (23), Township seven (7) North, Range ten (10) West of the 6th P.M. Adams County, Nebraska, subject to the road on the West thereof. the real property or its address is commonly known as 1265 S. Marian Road,
from I-1 Light Industrial to C-3 Commercial Business.

Names of People/Business affected by this action:

The owner, the neighboring property owners and the City of Hastings.

Why Planning Commission action is required:

Re-zoning of property requires a public hearing by the Planning Commission, to make a recommendation to the City Council.

Type of action requested:

Suggested motion:

Deadlines associated with action:

None.

Department head comments:

The applicant would like to expand the attached garage on this property. Because the use of the principal structure is residential, it is a non-conforming use and non-conforming structure since the property is zoned Light Industrial. By re-zoning to Commercial Business, the use would be a permitted use, as residences are permitted in the C-3 Commercial Business district.

The Comprehensive Land Use Plan shows this area designated as Rural Residential, so the change

from I-1 to C-3 is a move toward conformity with the Comprehensive Land Use Plan.

Since the site is already developed with a residential use, and because the re-zone is in conformity with the Comprehensive Plan, staff recommends approval of the application.

Recommendation:

Staff recommends approval of this application.

DATE 2 / 15 / 17

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

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- | | | | |
|---|---|--|--|
| ☐ 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: Rezone

Project Address: 1265 S marion Rd Within City Limit ☐ Yes ☒ No

Existing Zoning: I-1 Proposed Zoning / Use: C-3

Existing Comprehensive Plan Designation: Rural Residential Gross Area: < 1 acre

Legal Description: PT NW 1/4 NW 1/4 Tax Lot 12 Ex R Number of Lots: 1
33-7-10 Denver Twp

APPLICANT INFORMATION

Applicant: John Volkmer Company: JVE Enterprises

Address: 502 East C Street Tel: 402-469-0951 Fax: _____

City: Hastings State: NE Zip: 68973 Email: tishj@enterprises@yahoo.com

Property Owner: John Volkmer Company: _____

Address: Same Tel: _____ Fax: _____

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

Key Contact: John Volkmer same as above 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.

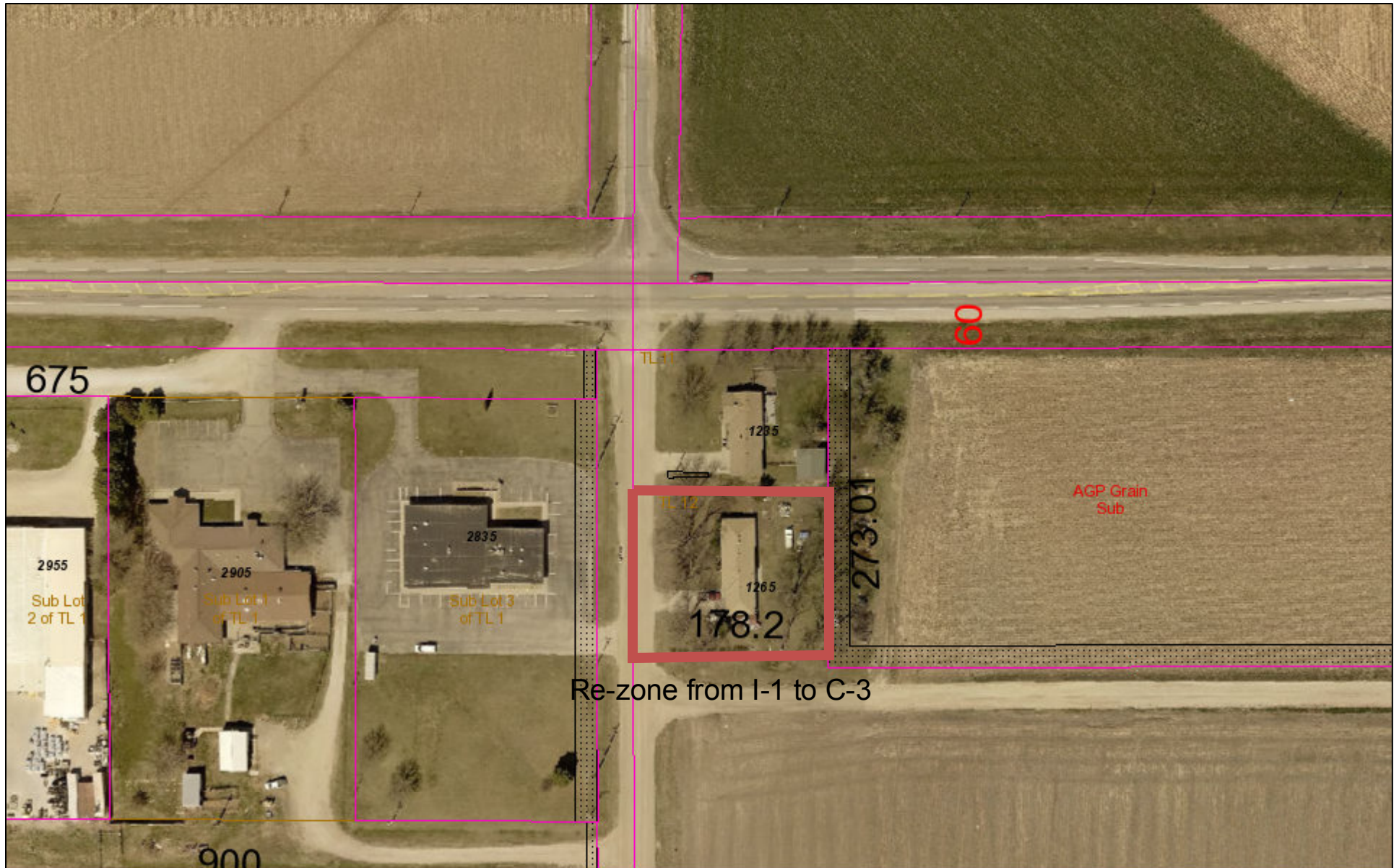
Don Anderson P.R. 2-15-17 John Volkmer 2-15-17
Property Owner Signature Date Applicant Signature Date

DEPARTMENTAL USE ONLY

Fees: \$350.00 Receipt No. _____

Accepted by Staff: _____ Signature Case No. _____

1265 S Marian Rd



March 17, 2017

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

1:2,000

0 0.015 0.03 0.06 mi



