

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, June 21, 2022 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, June 10, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.
6. Approval of Minutes
 - a. Meeting of May 17, 2022
7. Special Order of Business
 - a. Discuss and approve map, preferred transportation and date for the Planning Commission / Comprehensive Plan Bus Tour of the City of Hastings.
8. Unfinished Business
 - a. Continued Applications - None
 - b. Tabled Applications - None
 - c. Postponed Applications - None
9. Public Hearings.
 - a. **2022-032.** Public hearing to recommend a request for a Conditional Use Permit (CUP) for a Commercial Kennel at a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska

Motion to recommend approval for a CUP resolution for a Commercial Kennel at a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska
10. Subdivisions
11. Reports
 - a. Committee Reports
 - b. Chairman Comments
 - c. Staff Reports

Planning Commission Agenda
June 21, 2022
Page 2

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, May 17, 2022

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the City Building, 220 North Hastings Avenue, on May 17, 2022.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Sinner with the following members present: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.
Absent: Michelle Lewis.

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

4. Motion to adopt the current agenda for the Planning Commission Meeting

Moved by Jacque Cranson, seconded by Ann Hinton, to adopt the current agenda for the Planning Commission meeting.

Roll call: Ayes: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.

Nays: None

Absent: Michelle Lewis.

5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, May 6, 2022. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material which will be discussed at today's meeting is located at the back of the Council Chambers. Also, a current copy of the Nebraska Open Meetings Act is posted on the south wall of the Council Chambers which is accessible to members of the public.

6. Approval of Minutes

a. Meeting of April 19, 2022

Moved by Ann Hinton, seconded by Rakesh Srivastava, to approve the April 19, 2022 minutes.

Roll call: Ayes: Brian Hoffman, LaDaun Schoenhals, Lou Kully, Greg Sinner, Ann Hinton, Shawn Rossi, Rakesh Srivastava, Jacque Cranson.

Nays: None

Absent: Michelle Lewis.

7. Special Order of Business

a. Informative presentation on building safety and an explanation of future process changes to include Delegated Authority.

Anthony Murphy, Lisa Parnell-Rowe, Bill Money, and Kevin Kubo spoke on the agenda item.

May has been designated as Building Safety month in a Proclamation that was signed on May 9, 2022 by Mayor Stutte. This year the City would like to actively promote and speak to the importance of building safety in light of many recent events in our community. Many structures within the City of Hastings are aging. There are over 1400 residential structures in poor condition according to the Housing Study. It's important for both residences and businesses to understand and be able to identify hazards before it creates a tragedy.

In keeping with department mission "to protect life, property, and environment through...inspection and education programs", Hastings Fire & Rescue (HFR) desires a delegation of authority from the Nebraska State Fire Marshal's Office. This delegation will allow HFR to provide a higher level of services by streamlining the development and fire code inspection processes in our community. Additionally, our core value of duty requires that we be proactive and responsive to the needs of contractors, license holders, and business owners in the community. Working closely with Development Services, we've already begun to modify workflows and our permitting process in efforts to be more of a one-stop-shop for contractors and developers with improved turnaround times. To enhance these efforts, we are proposing code change that will be brought before Planning Commission in the near future and then taken before the City Council for approval. In general, these code changes are:

- modifications to our municipal code that allow for increased transparency and safety
- fee schedule changes to more closely align with comparable cities and provide cost recovery for services
- increasing staffing for fire prevention to account for the increased workload that delegated authority and the associated responsibilities of inspection bring

Our presentation will provide you background on what delegated authority is; how it changes the permitting process; and what will need to occur to make it happen. We will also be providing this presentation to several other groups and also be holding a Town Hall Meeting that will be open to the public at the Library on May 24th at 5:30 PM.

Brian Hoffman: Right now, you are doing about two inspections per week. How many would you be doing with these changes?

Anthony Murphy: I would like to see us closer to the national standard. I would like to see inspections every one to three years. Right now, we have schools that haven't been inspected in 6, 12 or 20 years, depending on the school, and I don't feel comfortable with that. The argument is, isn't the state doing that? The state is stretched so thin, you ask any of the state inspectors, they will tell you there are schools that they've never been to and they've been in that career 25 to 30 years. We are a ways from where I would like to see us and I would appreciate any feedback. We are also looking at grants to improve our staffing levels and it is currently a manpower thing and we are looking into that to improve our service to the community. I also don't like being reactive, I would rather be proactive in preventing that risk to the community.

Greg Sinner: You showed the plume map of hazardous material. A lot of us who have been in the community for quite some time may know this happened a long time ago in the industrial age with a lot of the factories that came up. Unfortunately, there were not a lot of regulations back then for inspectors to be able to enforce what few were there. So that's why the map is so ugly. We do not want to add to that and we do not want that to happen again in our community.

Also, I would like to point out to fellow commissioners that you showed storage units in the presentation. We do have a lot of conditions that come through. Whether we read them or not, staff does a great job of reviewing all of the codes and sticking those recommendations on

there. It's our job as well as the council as we push it up to them to review those. If we don't like them, or we want to add something, we need to speak up at that time, because that stuff does happen. You may still have individuals who continue to do that, and I guess that's the Fire Marshal's job to find that out.

Anthony Murphy: My belief is trust but verify. We'll issue the permit, but we will also follow up with those that don't hold the affect that we appreciate they would.

Greg Sinner: What I'm hearing, a service the city would provide is like a potential investor who is looking at buying a building for specific use and it was a shoe store and he's thinking about putting in a restaurant, he could call City Hall and he could get the appropriate people put together and do a walkthrough and make suggestions as to what would be required. So the individual would know from the get-go what that requirement would be. This is something the city would do for a potential investor not knowing what the building is and what it's going to be, because it all equates to dollars. We have a hard time getting people to come and invest in our community and I feel we need to do everything we can.

Lisa Parnell-Rowe: A lot of people don't understand that with occupancy changes, there are building code changes involved in that. They understand it's a storefront, I can move into it, and don't understand the change in occupancy, and that they are required to let us know. It can also sometimes save them money.

Anthony Murphy: I would rather we do that ahead of time and spend as much time as we need to provide the full, clear picture rather than coming in later in the project. I'd much rather be more of a resource to provide information. We can also help them be aware of any grants, tax or economic incentives that might help with sprinkling or fire alarms.

Brian Hoffman: When we approach this Delegated Authority process, you talked about how the inspections are at three and seven percent. By giving that authority over to you, or our city delegates inspectors, that's an added responsibility onto your group. Getting those inspections in might be needed. Is there a plan of action to address that?

Anthony Murphy: The State is already doing a plan review process that would simply be me currently looking at both sets of codes and giving one final answer to the person asking the question. In that respect, we're already doing the plan review, we're already doing the inspection anyway, it's just the developer or the owner that's getting doubled up on. In that respect there's not a huge increased workload. Where the workload increase does come from is the daycares- every daycare gets an inspection every other year, any new liquor license, any assisted living facilities, the hospital, healthcare, all those become an added workload. Primarily, this has come about as a request from the community to the department and we wanted to figure out how we can meet that need. What we're looking at is Chapter 13 code changes. Right now, we are not recouping all those costs so come budget time we want to alter these reviews, inspections, all those similar things we are not asking for anything to cover those costs right now. We would like to start doing that. Minimum would be \$15.00 for the fire code review fee. This process adds efficiency, and this with other fees would allow me to get another person in the office to help with that workload.

Brian Hoffman: From speaking to others that I know, it's been a hassle with the state process. It would be good to see a fee structure and how that would work when we apply for the Delegated Authority, because we have small businesses that are going in and an occupancy fee. Some of them are scrounging for funding. It is a bit of a concern for small businesses, that fee and the fee structure.

Greg Sinner: Will there still be a city-maintained appeals board?

Anthony Murphy: Yes. The intent is to have the appeals at the local level.

Greg Sinner: My question is on the chief's consent for the Knox box. I take it that's to give the chief main control over the key box and those who have the key.

Anthony Murphy: Correct. If you have a locked box, the fire department has a key to get into those with a pin number. Each unit has a unique pin number so we can track who took the key out, when it was, and have accountability in that way.

Greg Sinner: Commissioners can reach out to you in the next few weeks if there are any questions?

Anthony Murphy: Absolutely.

Lisa: On May 24, which is next Tuesday, we are giving the same presentation at the Hastings Public Library at 5:30 p.m. and it is open to the public. We've also invited developers and as many businesses as we can. You will see this code change as an item on the agenda next month to recommend approval to City Council.

Anthony Murphy: That's on code changes, not necessarily Delegated Authority.

Lisa Parnell-Rowe: The documentation that gets us Delegated Authority is separate from the code changes. The code changes just drive the fee schedule that allows us to implement it. Whether or not we implement those fees, they would be in with the budget when implementation comes about.

Brain Hoffman: When would Delegated Authority be put in place?

Lisa Parnell-Rowe: The state may say we have to put Delegated Authority in place anyway, in the near future, so it may be put in place quickly.

Anthony Murphy: Once we are confident in our ability to provide adequate staffing, we would request it. Last time I went through the process it was several months but I don't see that being an issue since they have all of my information and documentation.

LaDaun Schoenhals: Will we have the fee schedule in our packets next month?

Anthony Murphy: My original intent on that was waiting until budget year but I can share that.

Greg Sinner: So we will see the code changes at the meeting next month?

Lisa Parnell-Rowe: The fee schedule internally is due to Roger Nash at the end of May or mid-June, so we will need to have a draft anyway. We can give you a draft, just know it's not approved, just recommended.

Greg Sinner: Will the same group of individuals be back in front of us next month for questions?

Lisa Parnell-Rowe: Yes, we can have the same group here available for questions.

8. Unfinished Business

- a. Continued Applications - None
- b. Tabled Applications - None
- c. Postponed Applications - None

9. Public Hearings.

10. Subdivisions

11. Reports

- a. Committee Reports

- b. Chairman Comments

It's on my agenda in the coming month to discuss the Bus Tour so we can talk more about it at the next Planning Commission meeting.

- c. Staff Reports

Lisa: For the Transportation and Parking Plan, we have set a date: June 9 at 6:00 p.m. We will send out that information. There will also be a flyer and press release as well. We will have the consultant from Kimley-Horn come up and he will talk from an informational perspective. We will follow with approval from City Council. The event will be in the Hastings Auditorium.

The Comprehensive Plan kickoff will be in August during Kool Aid days.

We are looking at June, possibly, and working with the schools to see when the best date for the Bus Tour would be. We can take the Building Official and the Fire Marshall with us and give feedback on things we are hoping to do around the city.

Adjourn

Moved by LaDaun Schoenhals, seconded by Brian Hoffman, to adjourn the meeting.

Chairman

Department: Development Services
Staff Contact: Lisa Parnell-Rowe, Clara McCully
Planning Commission Meeting Date: 6/21/2022
File No: 2022-002
Prepared By: Lisa Parnell-Rowe, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Discuss and approve map, preferred transportation and date for the Planning Commission / Comprehensive Plan Bus Tour of the City of Hastings.

Names of People/Business affected by this action:

Planning Commission, City Council, citizens of Hastings.

Why Planning Commission action is required:

Type of action requested:

Motion

Suggested motion:

Motion to approve Planning Commission / Comprehensive Plan Bus Tour of the City of Hastings tour map, preferred transportation mode and date.

Deadlines associated with action:

Once the motion is made, staff will finalize and distribute the tour map; finalize the tour date with all attendees; schedule the mode of transportation to be used for this tour; and complete any public notice requirements for this may be considered a special meeting depending on attendance of commissioners.

Department head comments:

We are gearing up for our bus tour of the City of Hastings. Attached are the draft map, pricing and pictures of several options for a bus for this tour. We would like feedback on this information and a motion to approve the tour map, tour date and the preferred mode of transportation. The date and time Staff is looking at is July 21st from 8 to 11 AM. Though based on initial feedback from commissioners there are a few that cannot attend at this date and time, this is the date and time where the maximum amount of all commissioners can attend based upon our initial assessment. It is important that the maximum number of commissioners can attend this event, if possible. This tour is necessary to enhance the knowledge of potential key stakeholders for the upcoming Comprehensive Plan, as well as to give Planning Commission a full-spectrum tour of our City, the areas where there is existing growth and buildout, as well as to discuss visions for future growth

and opportunities. Many members of our Planning Commission are new and we desire to enhance their knowledge base on all aspects of planning and zoning.

Recommendation:

Recommend a motion to approve tour map, date and mode of transportation for the Planning Commission / Comprehensive Plan Bus Tour of the City of Hastings.

Comprehensive Plan Tour Map

Tour Stops

- | | | |
|--|---|--|
| 1. City Municipal Parking Lot | 19. Osborne Dr East Intersections | 36. Brickyard Park |
| 2. Hastings Library | 20. Tom Osborne and 33rd St | 37. Lincoln Park |
| 3. 2nd St-Burlington to Kansas End-Traffic Signal removals/stop sign | 21. Lochland | 38. Good Samaritan Villiage |
| 4. 1st St and Denver-Traffic Signal removals/stop sign | 22. Baltimore Ave - 42nd to Lochland Rd | 39. US Hwy 6 and Elm Ave-Very Dangerous getting on and off HWY to Elm and South St |
| 5. 1st St and Hastings-Traffic Signal removals/stop sign | 23. Railroad & Baltimore Ave | 40. MPH Track |
| 6. 1st St and Lincoln Ave-Traffic Signal removals/stop sign | 24. ASR Water Treatment Facility | 41. Central Community Colleg |
| 7. Mary Lanning Hospital | 25. Hastings High School | 42. Heartwell Renewables |
| 8. Hastings College | 26. Altrnate Uses of Airspace-Community Gardens/Soccer Fields/Dog Parks | 43. Naval Ammunition Facility |
| 9. Hastings Museum | 27. Marian Rd and 12th St | 44. Duncan Ball Field |
| 10. 16th St Viaduct | 28. Airport | 45. 2nd St-Burlington to Kansas Stop-Traffic Signal removals/stop sign |
| 11. RV Park | 29. Solar Power Field | 46. 2nd St - Marian to Downtown |
| 12. Lake Hastings | 30. Adams Central and 12th St | 47. Chautauqua Park and Aquacourt |
| 13. Osborne Drive West Intersections | 31. J Street/Hwy 6 and Adams Central-New Round-About | 48. Hastings Middle School |
| 14. Wal-Mart | 32. Railroad and J St | 49. Marian Rd and 7th St |
| 15. Softball Complex | 33. Industrial Park West | 50. Marian Rd and 9th St |
| 16. Industiral Park North | 34. Fairgrounds | 51. Theatre District |
| 17. Trail Ridge | | |

Bus Quotes

Company	seating	price (for 3 hours)	amenities
B.I.G. Limousines	34	\$1,200	bluetooth hookup acoustic stereo w/sub 2 TV's seats are inward-facing Climate control
Husker bus of Columbus	20 (x2)	\$900	seats are inward-facing has 2 busses that seat 20 ea. Sound system Climate control
Party Bus Rental	30	\$1,500	forward-facing seats Climate control
Grand Island Party Bus	34	\$600	inward-facing Climate control TV Sound system
Your Own Limo	28	\$754	inward-facing Climate control TV Sound system

B.I.G Limousines



seating	price (for 3 hours)	amenities
34	\$1,200	bluetooth hookup acoustic stereo w/sub 2 TV's seats are inward-facing Climate control

Husker Bus of Columbus



seating	price (for 3 hours)	amenities
20 (x2)	\$900	seats are inward-facing has 2 busses that seat 20 ea. Sound system Climate control

Part Bus Rental



seating	price (for 3 hours)	amenities
30	\$1,500	forward-facing seats Climate control

Grand Island Party Bus



seating	price (for 3 hours)	amenities
34	\$600	inward-facing Climate control TV Sound system

Your Own Limo



seating	price (for 3 hours)	amenities
28	\$754	inward-facing Climate control TV Sound system

Department: Development Services
Staff Contact: Brian Hurskainen
Planning Commission Meeting Date: 6/21/2022
File No: 2022-032
Prepared By: Brian Hurskainen, City Planner

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing to recommend a request for a Conditional Use Permit (CUP) for a Commercial Kennel at a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska

Motion to recommend approval for a CUP resolution for a Commercial Kennel at a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 requires a conditional use permit to be approved by the City Council unless the City Council has, through a zoning ordinance or special ordinance, generally authorized the Planning Commission to exercise such power and has approved the standards and procedures adopted by the Planning Commission for equitably and judiciously granting such conditional uses or special exceptions. City Code 34-401 requires a recommendation from the Planning Commission before City Council can approve a conditional use permit.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for a CUP resolution for a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska, subject to the following conditions:

- 1) The applicants' Site Plan with inclusive dimensions of buildings, parking locations, access and easement location notes are hereby approved and applicant agrees to comply to all inclusive details.
- 2) Applicant must replat property into one piece within 180 days.
- 3) There will be no more than 45 animals kenneled at one time.
- 4) There shall be compliance with any other applicable City, County, State or Federal regulations

that shall apply.

5) This resolution shall be filed with the Registrar of Deeds so as to provide notice to any person examining the real estate records of the existence of this CUP. The recording costs incurred to comply with this section shall be paid by the applicant for the CUP.

Deadlines associated with action:

This item is scheduled to be heard at the regular City Council meeting on July 11, 2022.

Department head comments:

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

Surrounding zoning is as follows:

North – R-1, Urban Single Family Residential (Church)

South – I-2, Heavy Industrial (Railroad Property)

East – I-2, Heavy Industrial, (Storage)

West – I-2, Light Industrial (City Park)

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

-Pedestrian and vehicular traffic circulation and safety.

Applicant requested and was granted a portion of unimproved City right-of-way originally platted in Volland's 2nd Addition for Burlington Avenue. This was executed in Ordinance #4652 on December 14, 2020. This was done to help applicants meet the necessary off-street parking requirements and to better achieve appropriate circulation of traffic dropping off and picking up pets from this office. This use is for a commercial kennel, in conjunction with a veterinary office. The amount of traffic generated for this use can be handled by 22nd Street. This use is not considered to be a high-traffic use where there would be a specific "busy" time of day like you would see with a restaurant use.

-Reasonable and economic extension of public utilities and facilities

As this is within City limits and already serviced by the City, there is no extension of service required. Utilities has reviewed and approved this site plan.

-No noise, fumes and/or environmental pollution are anticipated.

Per the applicant narrative, there will be no outside kennels. There will be an outside exercise area for the animals but that will be in between the 2 buildings and should provide for adequate screening. Staff will pick up any waste multiple times a day and the applicant has contracted with a commercial trash hauler.

2-The maintenance of logical and efficient development patterns and land use mixtures.

In the I-2 district a veterinary office is a permitted use which already allows for boarding as an accessory for the care of domestic animals. This request is an extension of that permitted use to

also allow people to board their animals without any congruent veterinary care (i.e., daycare, vacation boarding). In the surrounding area there are more typical industrial uses, such as a self-storage facility and an auto body repair shop. The church across 22nd Street is also setback about 300' from the property line and should not be adversely affected by this use. Churches are not residential in use, but the City of Hastings Zoning Map lacks a category for public and semi-public zoning so we often see public and non-profit entities placed in a residential zoning district.

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

The use of a kennel should not evoke safety concerns and property values should remain the same. The animals will not be outside the enclosure to harm anyone. Adjacent property notice letters were sent out to all properties within 300 feet of this location and there has been no response as of the time of drafting this staff report.

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

The Future Land Use Plan for this property is Mixed-Use Neighborhood. This use fits within that designation as the use is locally focused and is less than 70,000 square feet. The applicant views their extension of this additional service as being more community-focused for their customers.

There are additional standards for kennels found in Section 34-404 (13) of the City Code.

(a) All points on the perimeter of any kennel facility, dog run or exercise area shall be at least 100 feet from any property line.

As mentioned in the applicants narrative, "Because the Hospital will serve only small family pets, there is a need to locate within the City so it will be convenient for clients. It is not feasible to have a 100-foot buffer for the exercise area, but because only a few dogs will be in the area at a time and because they will be supervised, they will not present a noise nuisance." Per their narrative, the proposed exercise area is between the two buildings and will be contained by the buildings on the north and south, as well as privacy fences that will be placed on both the east and west sides of this exercise area. The narrative goes on to discuss that the backs of industrial buildings are also located immediately east of the property, so there is additional screening to the east by these structures to screen vision of this area from the overpass or any customers to the neighboring business to the east. The applicant has operated a similar hospital and boarding facility at her previous location and has not had any complaints from neighbors. Additionally, they mention in this narrative that the dogs are let out to exercise on a rotating basis and, in such a manner, that no dogs from differing households are exercised at the same time.

This is an existing facility that has the ability to board dogs that require veterinary care without a CUP. The exercise area would be approximately 23' to the East property line with a 12' alley in between properties. There is 57' between the exercise area and the West property line and an additional 33' of ROW before the city park. This area of the park contains a few Frisbee golf locations, but is otherwise considered mostly open space. There are no areas in this portion of the park used for congregating groups of people like you would see in a picnic area.

(b) Outdoor exercise areas, runs, or yards, when provided for training or exercising, shall be restricted to use during daylight hours.

As stated in the applicants narrative, the use of this exercise area would occur during daylight hours between approximately 7 a.m. and 7 p.m.

(c) A site plan, drawn to scale shall be provided with the application showing all existing and proposed buildings and structures, fencing and landscaping.

Located in a packet, this is an existing facility and it has met all requirements for building permits and zoning with a condition for replatting within 180 days.

(d) A narrative statement shall be provided with the application. See attached narrative

(e) The total number of animals on the premises at any one time will be established as part of the conditional use permit process.

As stated in the narrative, it is anticipated that there would be spaces for 13 dogs in the south building for convalescent and temporary boarding, with additional boarding for up to 32 dogs in the north building. Therefore, the maximum amount of boarding at this facility, at one time, shall be set as 45 animals.

(f) The applicant must demonstrate that: (i)The location and operation of the kennel is appropriate for housing multiple animals and will be consistent with the health and safety of the animals and of the neighbors. (ii)The location of the kennel on the property will have no significant adverse effect on the peace and quiet or sanitary conditions of the neighborhood. (iii) The kennel will be operated in a manner that it will cause no nuisance to the public. (iv)The kennel will be operated in a safe, sanitary, and humane condition.

The zoning district and uses that surround this property are compatible with the use of a kennel. The use of storage will have a less frequent clientele than many other businesses. Those enjoying the park will not be strangers to pets, as many people walk their pets in the park. The area owned by the church across the street is all open space; the church is located on the far left portion of this lot where noise or other nuisances that might occur as part of this use are not going to be an imposition. Additionally, the owner has demonstrated appropriate screening, waste elimination, noise reduction and safety measures as part of their development and discussed in their narrative.

Recommendation:

Staff recommends a motion to recommend approval for a CUP resolution for a property commonly known as 815 West 22nd Street in the City of Hastings, Adams County, Nebraska, subject to the following conditions:

- 1) The applicants' Site Plan with inclusive dimensions of buildings, parking locations, access and easement location notes are hereby approved and applicant agrees to comply to all inclusive details.
- 2) Applicant must replat property into one piece within 180 days.
- 3) There will be no more than 45 animals kenneled at one time.
- 4) There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.
- 5) This resolution shall be filed with the Registrar of Deeds so as to provide notice to any person examining the real estate records of the existence of this CUP. The recording costs incurred to comply with this section shall be paid by the applicant for the CUP.

815 West 22nd Street
Hastings, NE 68901

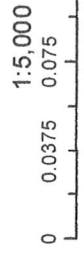
Lots Five (5), Six (6), Seven (7) and Eight (8), Block Thirteen (13), Volland's Second Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof, and the East Half of vacated Burlington Avenue between the North Right-of-Way line of 21st Street to the South Right-of-Way line of 22nd Street.

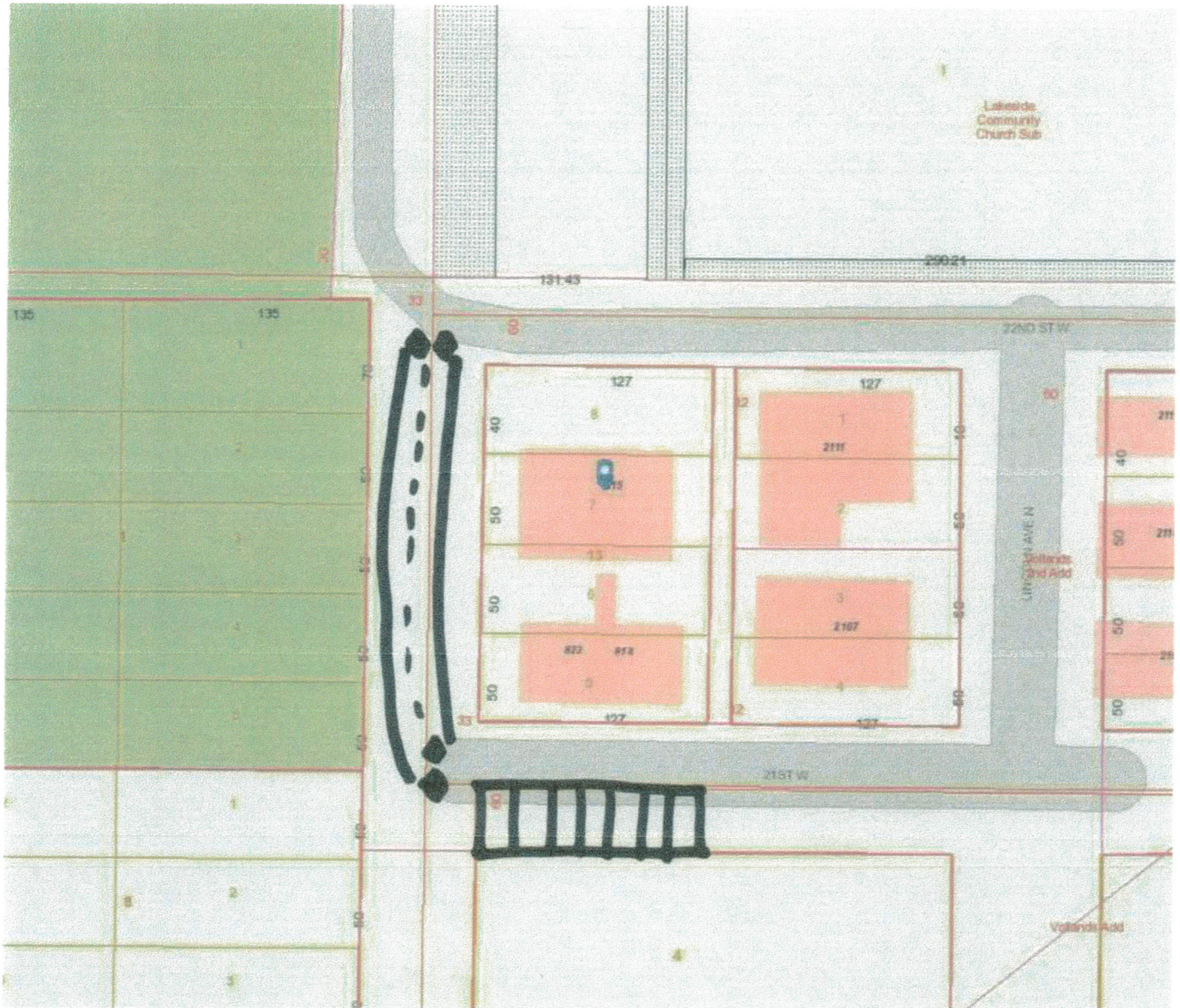
ArcGIS Web Map



11/24/2020, 8:58:09 AM

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





Lisa -

The Diamond Shapes (◆) are where the staked signs are now.

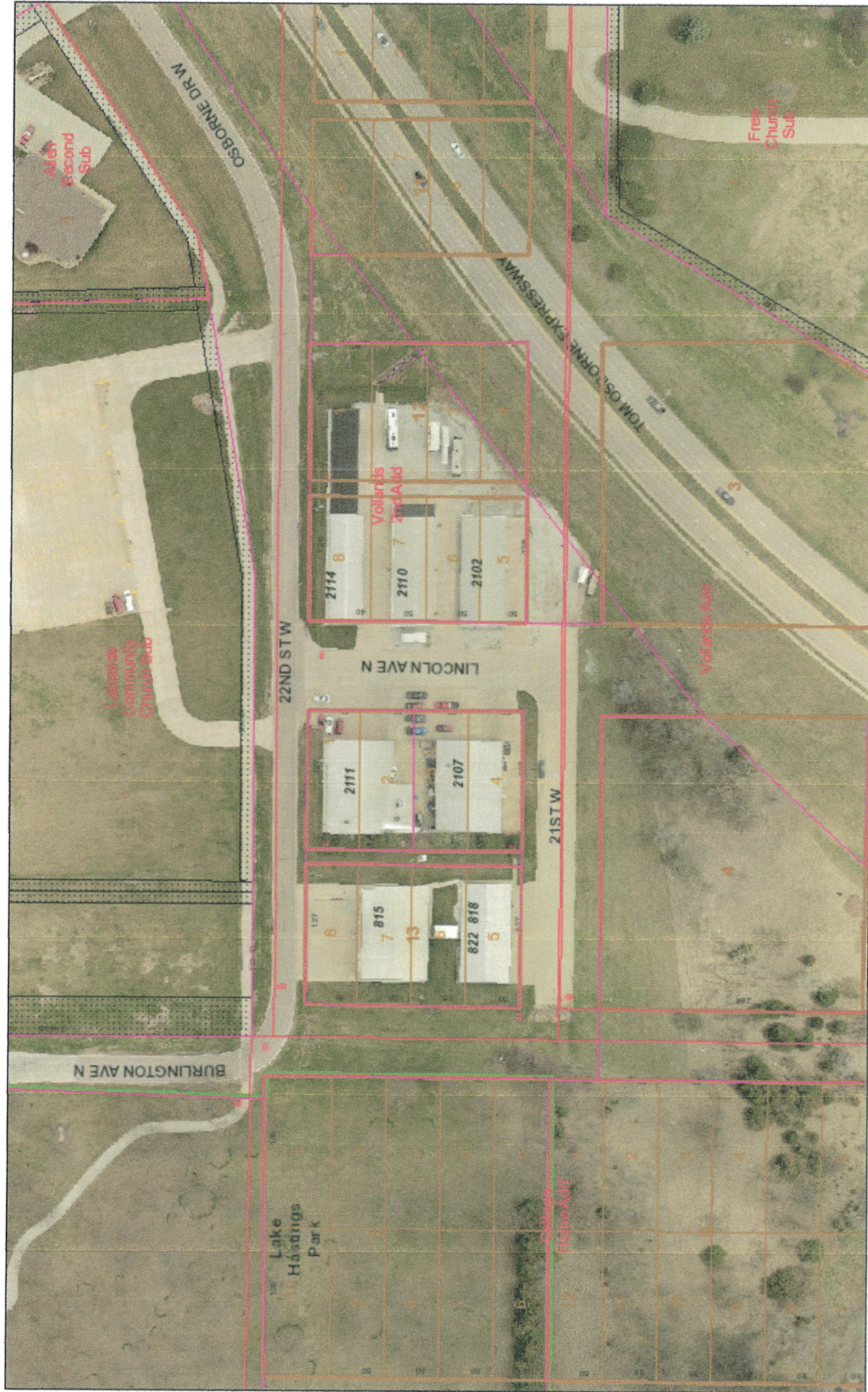
I would like to have the street finished between them to connect 22nd St W to 21st St W

The additional off-street parking I would like is noted by the rectangles (◻) to the south of the property on the south side of 21st St W.

I appreciate your consideration and time.

Regards,
Victoria Winfield DVM

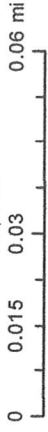
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11/21/2020, 8:51:54 AM

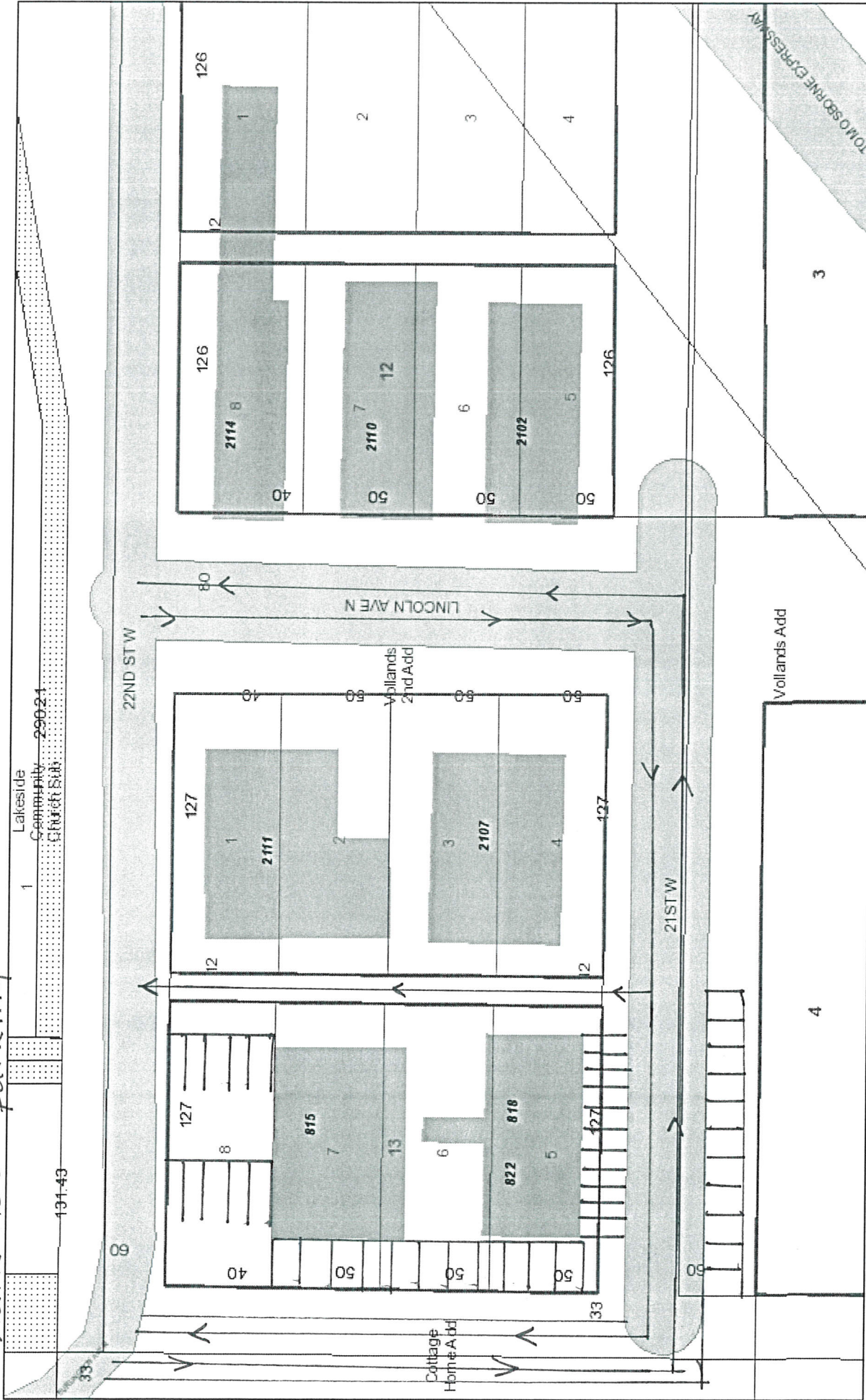
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|----------------------------------|---------------------------------------|-----------|
| ☐ Limits | ☐ Subdivisions | Addresses |
| ☐ OneMile | ☐ Easements | |
| ☐ TwoMile | ☐ LOTS | |
| ☐ Parcels | ☐ BLOCKS | |

1:2,000



ArcGIS Web Map

Traffic flow + parking

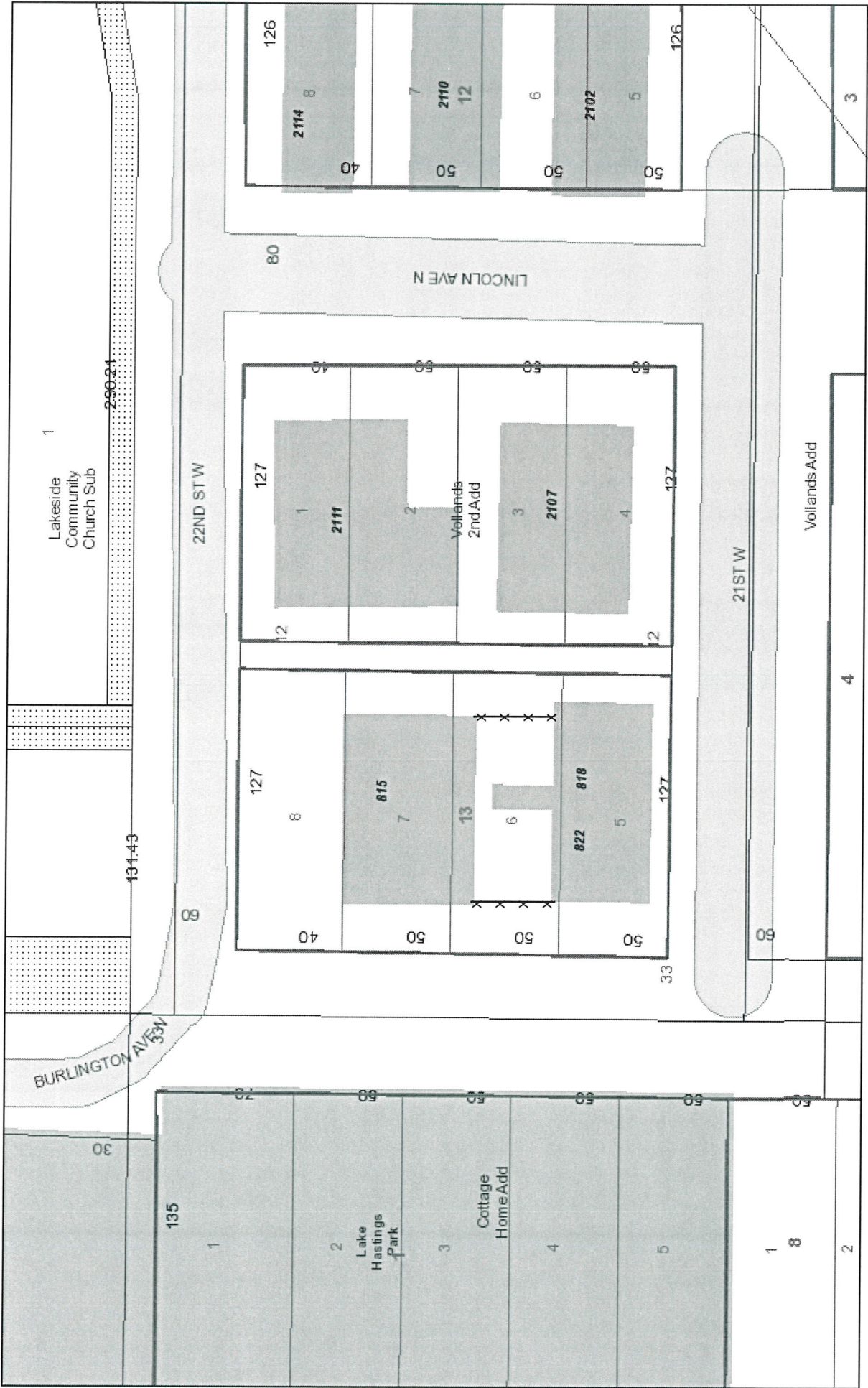


11/20/2020, 5:07:44 PM

- ☒ Limits
- ☒ OneMile
- ☒ TwoMile
- ☒ Parcels
- ☐ Subdivisions
- ☐ Easements
- ☐ LOTS
- ☐ BLOCKS
- Addresses

1:1,000
0 0.0075 0.015 0.03 mi





11/24/2020, 8:02:37 AM

ArcGIS Web Map

Landscaping



11/24/2020, 8:07:04 AM

Addresses

Subdivisions

One Mile
Two Mile
Parcels

Easements
LOTS
BLOCKS

Limits
One Mile
Two Mile
Parcels

Entire parcel is planted
to mature stand of grass

1:1,000
0 0.0075 0.015 0.03 mi



Narrative for Application for Conditional Use Permit for 815 W 22nd and 818-822 W 21st, Hastings, NE
Lots 5-8, Block 13, Vollands Second Addition to the City of Hastings, NE

Applicant: Victoria J. Winfield, D.V.M., for Active Enterprises, LLC

The Applicant is requesting Final Approval for a conditional use permit for a Veterinary Clinic and commercial kennel utilizing two existing buildings on lots 5-8, Block 13, Vollands 2nd Addition to the City of Hastings, Nebraska. Dr. Winfield is a Doctor of Veterinary Medicine who currently operates Companion's Choice Animal Hospital, a Veterinary Hospital within the meaning of the Hastings City Code, at 820 West 21st Street, and previously at 2217 West 2nd Street in Hastings, and has done so for over 13 years.

Lots 5-8 in Block 13 Vollands Second addition is a parcel 190 feet north and south and 127 feet east and west for a total of 24,130 square feet. There are two buildings on the property. To the north is a building which is 8,058 square feet and to the south is a building which is 6,300 square feet. There is an area approximately 25' by 85' between the buildings that is astroturf. A concrete sidewalk extends along the east side of the property.

The South Building is being utilized as a veterinary clinic.

Plans for the North Building are for indoor exercise and physical therapy space for patients and boarders and facilities to accommodate indoor dog runs (3'X6'X6') for medical and vacation boarding. North building may also house an indoor grooming facility which would operate during daylight hours.

In response to Code 34-402(1)(b), all needed utilities (water, sewer, gas and electrical) have been extended to the property and are currently in use in both buildings. Current lighting of the streets and exterior areas is adequate.

In response to Code 34-402(1)(c), the proposed use of the buildings would be for a Veterinary Clinic and commercial kennel. Eventually, the north building will include an inside exercise and therapy area, inside boarding and grooming facilities.

In response to Code 34-402(1)(d), the proposed use of the buildings is consistent with the prior use of the premises and the surrounding area. The area was developed in 2000. The property is zoned Industrial-2. Property to the west is zoned Industrial-2 and is owned by the City of Hastings and is used as a park. Property to the south is zoned Industrial-2 and is owned by the Union Pacific Railroad and is currently vacant. Double main line tracks and 4 storage tracks of the Union Pacific Railroad are located approximately 600 feet south of the Property. Property to the east is zoned Industrial-2 and is used as a

body shop and self-storage units. The Property is within 220 feet of the U. S. Highway 281 right of way to the east and southeast. Property to the north, across 22nd street, is zoned R-1 and is currently vacant. Lakeside Community Church is located 400 feet to the northeast of the Property and the closest residence is 400 feet north of the Property. Lake Hastings recreation area is located northwest of the Property.

In response to Code 34-402(1)(e), the current and proposed uses of the property would not adversely affect surrounding property values and would be consistent with the neighborhood use as an Industrial-2 area. A veterinary clinic and its affiliated commercial kennel are allowed uses in this Industrial-2 zoned area with a conditional use permit.

It is anticipated that there would be 20 employees working at the Hospital, including 4 Doctors of Veterinary Medicine, although some are part-time and seasonal. It is anticipated that there would be no more than 20 employees working at any time. There could be as many as 10 clients visiting with their pets at any one time. There is room for 10 parking spaces on the south parking apron.

The Hospital does not plan to utilize outside kennels. Dr. Winfield has worked at a Veterinary Hospital utilizing outside kennels in the past and has determined that she will not adopt that model. All convalescent care and boarding would be in the form of private inside pet spaces. These are 3 feet by 6 feet individual spaces for each dog and are approximately 6 feet high. Smaller dogs will be accommodated in 3 feet by 3 feet by 3 feet enclosures. Feline condos are smaller and measure approximately 2 feet by 2 feet. Dedicated staff members will supervise the pets during daytime hours and see that they are properly watered, fed and exercised. An outside exercise area would be developed primarily for dogs by erecting 8 foot pvc privacy fencing to enclose the area between the two buildings. The dogs are generally let out to exercise twice per day and are under constant supervision when they are outside. This would occur during daylight hours between approximately 7 a.m. and 7 p.m. The length of use would depend on the number of dogs being cared for at the time. It is anticipated that there would be spaces for 13 dogs in the south building for convalescent and temporary boarding with additional boarding for up to 32 dogs in the north building. The high seasons for boarding are summer, weekends and holidays, when all spaces could be occupied. In the off seasons the number of boardings could drop to around 6. It is not possible to estimate the ratio of male and female dogs at any time. However, the dogs are let out to exercise on a rotating basis and no dogs from differing households are exercised at the same time. The staff will pick up waste at least twice daily and it will be disposed of through the use of a commercial trash hauler.

Based on her experience of operating a Veterinary Hospital in Hastings the Applicant believes there is a need for an additional facility in the north part of Hastings. Applicant's practice is devoted exclusively to dogs, cats and pocket pets (small four-legged furry animals) normally kept as family pets. Services include Anesthesia, Behavioral Medicine, Dental Care, Hospice & Euthanasia, Internal Medicine, Microchipping, Pain Management, Pocket Pet Care, Senior Care, Vaccinations, Bathing, Blood Transfusions, Emergency & Critical Care, House Calls, Laboratory, Nutritional Counseling, Parasite Prevention, Radiology (X-Rays), Surgery and Wellness Exams and Temporary Boarding.

Because the Hospital will serve only small family pets, there is a need to locate within the City so it will be convenient to Clients. It is not feasible to have a 100-foot buffer for the exercise area but because only a few dogs will be in the area at a time and because they will be supervised, they will not present a noise nuisance. The proposed exercise area is between the two buildings and will be contained by the buildings on the north and south and privacy fences on the east and west. Because of the adequate screening the dogs should not be affected by vehicle traffic. The backs of industrial buildings are located immediately east of the property. Applicant has operated a similar Hospital and boarding facility at her previous location and has not had any complaints from neighbors. Applicant's 13 years of operating a similar facility in Hastings demonstrates that she has the knowledge and management ability to operate in a safe, sanitary and humane manner.

Current outside lighting on the property is provided by street lights and is augmented by security lighting around the buildings, which includes the exercise area, however, it will not be operated except in daylight hours. The property was originally developed in 2000 and a mature stand of grass is in place over the entire property. The Applicant is planning on adding some landscaping (flowers/plants in planters) for aesthetic reasons.

As currently configured, drop off and pick up traffic would come off of 22nd Street, south onto Lincoln Avenue and then west on 21st to the south building. There is room for 10 parking spaces on the south side of the building that will be reserved for clients. These spaces would be ample for Applicant's clients visiting the south building to park. The north building would be accessed directly from 22nd street. There is ample room on the parking apron to allow 10 clients to drive in and park and then turn around so they are not backing onto 22nd street. Staff will utilize parking on the west side of the building.

A Site Plan is attached to this narrative showing the surrounding property. A traffic flow diagram is attached as well.

A Deed is attached showing the current owner as Active Enterprises, LLC, a Nebraska limited liability company, consisting of two members, Dr. Winfield and her husband.

ORDINANCE No. 4652

AN ORDINANCE OF THE CITY OF HASTINGS, NEBRASKA, VACATING THE EAST HALF OF BURLINGTON AVENUE BETWEEN THE NORTH RIGHT OF WAY LINE OF 21ST STREET AND THE SOUTH RIGHT OF WAY LINE OF 22ND STREET LOCATED IN HASTINGS, NEBRASKA AND RETAINING THE PUBLIC UTILITY EASEMENTS CONTAINED THEREON; PROVIDING FOR FILING OF THIS ORDINANCE WITH THE REGISTER OF DEEDS OF ADAMS COUNTY, NEBRASKA; REPEALING INCONSISTENT PROVISIONS; AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

SECTION 1. That the legally described property described as:

The East half of Burlington Avenue between the North Right of Way line of 21st street to the South Right of Way line of 22nd street, being 33' wide and 190' long in the City of Hastings, Adams County, Nebraska,

and depicted on the attached Exhibit "A" be and the same is hereby vacated; provided, however the title to all public utility easements located thereon are hereby retained by the City of Hastings pursuant to Neb. Rev. Stat. §16-611.

SECTION 2. The City Clerk is hereby directed to certify this ordinance to the Register of Deeds of Adams County, Nebraska to be recorded, all as provided by law.

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

SECTION 4. The provisions of this ordinance are separable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

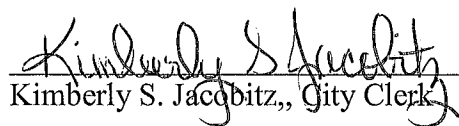
SECTION 5. This ordinance shall take effect and be in full force from and after its passage, approval and publication in pamphlet form.

PASSED AND APPROVED this 14th day of December, 2020.



Corey Stutte, Mayor

ATTEST:


Kimberly S. Jacobitz, City Clerk

(S E A L)



APPROVED AS TO FORM:


Clint Schukei, City Attorney