

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, April 19, 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 April 19, 2022.

1. Call to Order

2. Roll Call

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Sinner with the following members present: Brian Hoffman, Jacque Cranson, Ann Hinton, LaDaun Schoenhals, Lou Kully, Greg Sinner, Michelle Lewis, Rakesh Srivastava, Shawn Rossi.
Absent: None

3. Pledge of Allegiance

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, Jacque Cranson, Ann Hinton, LaDaun Schoenhals, Lou Kully, Greg Sinner, Michelle Lewis, Rakesh Srivastava, Shawn Rossi.

Nays: None

Absent: None

5. Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, April 8, 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 March 15, 2022

Moved by Ann Hinton, seconded by LaDaun Schoenhals, to approve the March 15, 2022 Planning Commission meeting minutes.

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

Nays: None

Absent: None

7. Special Order of Business

8. Unfinished Business

a. Continued Applications - None

b. Tabled Applications - None

c. Postponed Applications - None

9. Public Hearings.

- a. **2022-009.** Public hearing to recommend a request for a Conditional Use Permit (CUP) for a Storage Facility on a property generally located West of North Marian Road along West 2nd Street in the Southeast Quarter of Section 10, Township 7 North, Range 10 West of the 6th P.M., City of Hastings, Adams County, Nebraska.

Motion to recommend approval for a CUP resolution for a property generally located West of North Marian Road along West 2nd Street in the Southeast Quarter of Section 10, Township 7 North, Range 10 West of the 6th P.M., City of Hastings, Adams County, Nebraska.

Brian Hurskainen explained the agenda item.

This request was previously heard on 2/15/22; there was an error in the legal description, nothing about the proposal has changed.

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 and A, Agricultural (Undeveloped)

South – I-1, Light Industrial (Undeveloped)

East – R-1, Urban Single Family Residential, Middle School

West – I-1, Light Industrial (Undeveloped)

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.

This use is for the storage of larger vehicles like recreational vehicles, boats and trailers; with such a use, pedestrian traffic should be at a minimum. The site is designed to be very spread out to make it easy for larger vehicles to traverse the site. The entrance is 30' wide and the aisles range from 75' to 80' wide.

-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.

The self-service storage facility standards for conditional use found in Section 34-404 (9) do not allow for outdoor storage. However, outdoor storage for campers and RVs (recreation vehicles) is not specifically addressed in the Table of Uses and Districts. There are similar uses found in Section 34-404 (5) for storage of vehicles in an impound yard and 34-404 (6) for off-street parking spaces and structures. These sections do include some applicable standards, though there are many standards that are not applicable. As allowable under 34-104, the Director of Development Services has made a determination that these are comparable uses and provide standards towards this proposed supplementary use that are similar enough after consideration of the intensity and scale of the use relative to this site and that this site accommodates heavier, more industrial uses. Adding to this decision is the fact that there are no residential properties in the vicinity on which this use would have an adverse impact. The following are additional standards that were placed on this development as required by this hybrid of requirements:

1. The exterior storage of any items or objects will not be permitted to be stored in and around the premises with the exception of specifically approved autos, boats and campers in the defined area.
2. Items such as gasoline, fuel, paint, containers with any flammable liquid or items which can readily cause fire or flame will not be allowed to be stored on the premises or within the storage building.
3. No maintenance, dismantling, construction, reconstruction or repair of any vehicles, boats, RV's or appliances will be allowed within the storage units, or the exterior of the building grounds or in any part of this facility.
4. Landscaping shall be provided in the areas outside the fences between the fence and the property line per Section 34-305 of the Hastings City Code.
5. The storage facility shall be enclosed by a six-foot high, sight-proof fence whenever the site abuts residentially zoned or developed property. Said fence, when abutting any residential district, shall be solid or semi-solid and constructed to prevent the passage of debris or light, and constructed of either brick, stone, masonry units, wood or similar materials. Chain-link fence may be used so long as it has slats installed to prevent the passage of light through the unit. The side and rear of a building located upon the site may serve as fencing.
6. All exterior lighting shall be of cut-off type to prevent off-site glare.
7. Buildings shall be separated a minimum of 30 feet from one another within self-service storage facilities.
8. Commercial activity: It shall be unlawful for any owner, operator or lessee of any self-service storage facility or portion thereof to offer for sale, or to sell any item of personal property or to conduct any type of commercial activity of any kind whatsoever, other than leasing of the storage units, or to permit same to occur upon any area designated as a self-service storage facility. Violation of this section shall be subject to the provisions of Section 34-804 of the Hastings City Code. Any violation may be cause for revocation of the conditional use permit by the City Council.
9. Building setbacks shall be the same as in the C-3 District.
10. The site shall abut and have direct access to a city street.

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

The addition of these storage uses to this area is logical due to its use in compatibility with the allowable use of storage in the I-1 District. This use is less intensive than some uses that are permitted within the district, such as general manufacturing. This is important with both the Hastings Middle School and the Head Start Child and

Family Development to the east. Storage typically does not add a significant amount of traffic to areas, which is important for this area with morning and afternoon pickup of children.

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 storage units should not evoke safety concerns and property values should remain the same. Providing these units will provide a service that is lacking in this area, particularly for parking of recreational vehicles. Adjacent property notice letters were sent out to all properties within 300 feet of this location and there has been no response.

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 suburban residential. Staff feels as though this designation is incorrect for this area and should be changed during the major update to the Zoning code in the coming months. There is a large depression in the ground which tends to hold water after rain, to the west and north of this property. There are also train tracks less than 900' to the south of the subject property. Both of these things would make suburban residential development difficult, evidenced by how the surrounding area has remained vacant.

Moved by Lou Kully, seconded by Jacque Cranson, to recommend approval to the Mayor and City Council a request for a Conditional Use Permit (CUP) for a Storage Facility on a property generally located West of North Marian Road along West 2nd Street in the Southeast Quarter of Section 10, Township 7 North, Range 10 West of the 6th P.M., City of Hastings, Adams County, Nebraska.

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

Nays: None

Absent: None

- b. **2022-025.** Public hearing to recommend a request for a Conditional Use Permit (CUP) for an Entertainment Venue at 3030 South Marian Road in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska

Motion to recommend approval for a CUP resolution for an Entertainment Venue at 3030 South Marian Road in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska

Brian Hurskainen explained the agenda item.

The Barn Festival is a craft fair event that is held over 2 3-day weekends in May and September with around 6,000-8,000 people for each season. Additionally, they are looking to add a 10-day Christmas event in early December and there is expected to be a much smaller turnout, not requiring any changes in traffic along Marian Road. This event has been going on for the last 28 years and is under new ownership. The last amendment to the CUP was approved by Adams County revising their parking plan on 5/12/2003. The new owners are making changes to the traffic plan as well as adding the December dates.

Surrounding zoning is as follows:

North – A, Agricultural

South – A, Agricultural

East – A, Agricultural
West – A, Agricultural

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.

The applicant is working with the County Roads Department to make sure that everyone will be safe and we have additional conditions to follow their parking plan as reviewed by us and the County personnel. The proposed plan is to switch Marian Rd to a one-way street going north for the 4 weekends of the year that it is in use. In addition, there will be a shuttle running from the Fairgrounds to the property to reduce the number of cars that need to be parked within the vicinity. They are finalizing the resolution for the plan and it will be heard at the April 19th Board meeting.

-Reasonable and economic extension of public utilities and facilities

This property is outside the City limits and is not serviced by Hastings Utilities.

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

Any noise generated by the events will be mitigated by a majority of the event being inside the facility at 3030 South Marian Rd. No fumes or environmental pollution are anticipated with this use.

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

This area is difficult to have typical agricultural development with a railroad to the west and the floodplain surrounding the property (see attached map). This is an established use but it is under new ownership, so we are making sure everyone is on the same page on how the use should continue moving forward.

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

All issues with safety and health should be addressed by parking and traffic plan with the County to ensure there no issues with emergency response. The use is also being limited to certain days and times of the year to lessen any impact on the surrounding property owners. The use has been going on for 28 years and most residents in the area are used to having these events.

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 Agriculture. The zoning is also Agriculture and an entertainment venue is a use allowed through a CUP.

Speakers: Kara Parde and Ross Parde. They bought the property in October and are continuing the festival as it has been done the past 28 years. Kara has been a part for more than 10 years and is familiar with the event. Kara and Ross worked with previous owners on the September event and that's how they came up with the one-way road suggestion. They will market the shuttle service which will follow the same route. They will have holding bins for people to keep their items to eliminate the need to go back and forth from cars. They bought a larger shuttle than they've had in the past. It has an aisle down the middle and room for their items. The focus of marketing is to use the shuttle. The customers are happy the event is continuing.

Speaker: Dawn Miller, Adams County Highway Superintendent. Traffic plan is part of county roads, so it needed to be heard at county board. The board acted today on a final resolution for permission to designate summer and fall events to allow the traffic plan.

Brian Hoffman: The event that is 10 days in December, what is the plan for that?

Kara Parde: We anticipate limited vendors and local customers. It would be the first 10 days of December. It is much different from big events where we have out of state visitors coming in.

Ann Hinton: On our agenda, it said public hearing to request for a venue at 3030 S Marian Road, the Public Notice said 3045 and the party said 3045. What is the address and does that make a difference?

Kara Parde: The property has three addresses and the event is at all three addresses: 3025 S Marian Road, 3030 S Marian Road, and 3045 S Marian Road.

Ann Hinton: Should that have been in the Public Notice?

Clint Schukei: 3045 and 3030 are in there. Most importantly, relative to the Public Notice is the legal description. The address is in there because when a legal description is presented in the Public Notice, who knows where that's at. The address really helps anybody that's interested in reading it to locate it, so it's fine.

Ann Hinton: Doesn't this include more than just lot one and two?

Brian Hurskainen: The full Public Notice does include the accurate legal description. We do not read the full public notice in the interest of time.

Clint Schukei: The important part is in the Legal Description: we have addresses that are in the vicinity. The key to the Conditional Use Permit, when we prepare the resolution, will be from the legal description.

Jacque Cranson: Kara and Ross came here from Lincoln. Everyone welcome them to Hastings, they're new residents.

Moved by LaDaun Schoenhals, seconded by Rakesh Srivastava, to recommend approval to the Mayor and City Council a request for a Conditional Use Permit (CUP) for an Entertainment Venue at 3030 South Marian Road in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska.

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

Nays: None

Absent: None

- c. **2022-021.** Public hearing to consider a voluntary annexation to bring a tract of land into the corporate limits of the City of Hastings for Adams County for property generally located on the southeast corner of Baltimore Avenue and M Street

Approval of an ordinance for voluntary annexation to bring a tract of land into the

corporate limits of the City of Hastings, generally located on the southeast corner of Baltimore Avenue and M Street.

Brian Hurskainen explained the agenda item.

This annexation is being processed at the request of the Adams County Board and they have supplied us with a letter signed by the Chairman. This annexation is for the newly proposed Justice Center for Adams County which is currently underway. The parcel is just over 11 acres and contiguous to the corporate City Limits across M Street. The area is urban in character with the current zoning of the property to be annexed designated as I-2 Heavy Industrial. Much of this area between Baltimore and Burlington, and J Street to M Street is commercial and industrial in use, with some agricultural presence intermittently. Many commercial businesses, like Orscheln's, have settled in the north and several more industrial uses have been established to the east, like WR Reserve. Though the area is slated for rural residential in the Future Land Map, as we have previously discussed this area as a good candidate for reexamining in our Comprehensive Plan that will kick off in the very near future.

The only utilities required for this property that will need to be extended is water and there is a district being proposed. Additionally, M Street is not paved and there is a paving district proposed for this road. City Engineering will complete paving M Street after the heavy machinery and trucks for construction of the jail have completed the majority of their work. These two districts are being processed by our City Engineer, Lee Vrooman, and are not required to move forward with the approval of this voluntary annexation by the Planning Commission per our existing Annexation Policy.

Moved by Michelle Lewis, seconded by LaDaun Schoenhals, to recommend approval to the Mayor and City Council a voluntary annexation to bring a tract of land into the corporate limits of the City of Hastings for Adams County for property generally located on the southeast corner of Baltimore Avenue and M Street.

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

Nays: None

Absent: None

- d. **2022-003.** Public hearing for a change of zoning for property generally located at the end of West 16th Street, west of Westbrook Drive in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska, from "A, Agricultural" and "R-1, Urban Single Family Residential" to "A, Agricultural" 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 property generally located at the end of West 16th Street, west of Westbrook Drive in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska, from "A, Agricultural" and "R-1, Urban Single Family Residential" to "A, Agricultural"

Brian Hurskainen explained the agenda item.

Surrounding zoning is as follows:

North – A, Agricultural

South – R-1, Urban Single Family Residential

East – R-1, Urban Single Family Residential

West – R-1, Urban Single Family Residential & A, Agricultural

These pieces originally had been intended to be a part of Westbrook Subdivision but were sold to the current owner and their intention is to keep the acreage. Portions of the piece are R-1 and part of it is Agriculture; the intention now is to rezone it so it is all Agriculture. There is a significant floodway on the west side of the property that would make suburban development challenging and provides a natural barrier to the Country Estates Subdivision. In total, the piece is 67 acres and can give adequate buffer from surrounding properties. This parcel currently sits vacant and is farmed, but is planned to have a house and barn. As the new owners desire to have horses and a barn as well as a residence, agricultural zoning is best suited to allow for both uses. This land will also not be pulled into the City limits and will remain in the extra-territorial zoning since it will remain well over 10 acres and will no longer be subdivided into single-family residential lots.

The Future Land Use Map is supportive of this rezone with the designation of Agriculture. With this being on the fringes of the city limits and with most of the land around Westbrook being agriculture, the recommended zoning fits within the surrounding area.

Speaker: Tom Fish. This is our property. The majority of it is agriculture and where Alan Anderson had his development, we purchased that whole piece of property. We plan to have a few horses and in order to build a barn that is not in floodplain, we need it changed to agriculture. We plan to maintain it and keep it cleaned up. The house will be in back, and for logistical and cost purposes, the barn will be towards the south roughly 60 feet from the property line.

Speaker: Monica Nordby. Our back yard is against where the barn is. We have heard a different number of horses, we have pets and want to know if we need to put up a fence. We want to know if the trees will be cleaned up, we have dogs and heard several horses will be coming. We will probably have to install a fence. I'm not opposed, I just have questions.

Tom Fish: I have been asked to keep trees, I have also been asked to take down the trees, and it's specific to the lots we are abutting against. We will do what folks want. We will have fence around entire property. We will not have a whole herd. Right now we have three. They will be broke, domesticated horses.

Monica Nordby: What kind of fence will you have?

Tom Fish: It is a tight wire weave v-mesh horse fence. It will keep things in and out, can't be climbed, and won't let critters in and out. We have two dogs too. We are taking care of the fence payment. It will be a double fence.

Monica Nordby: Is fence squared or will it go around the entire property?

Tom Fish: The fence will be around entire property.

Monica Nordby: I'm worried about flies.

Tom Fish: All waste will be hauled weekly from barn and throughout the summer I will mow pasture to make sure to take care of flies.

Monica Nordby: Where are the barn doors?

Tom Fish: The doors are North and South, and have tight seal. In the summer the horses will be in when it's hot and out when it's cool. The stalls will be cleaned twice a day. I will haul it out myself or have a service weekly.

Greg Sinner: You can continue this conversation later. Do you have any questions for us?

Monica Nordby: We are annexed into Hastings, but he will not be. I am not opposed.

Speaker: Mike Biere. My property is on the west edge toward the north on Meander Circle near the floodplain area. I have a couple of questions for Mr. Fish but will talk after the meeting. I am not opposed, completely neutral.

Tom Fish: I'm happy to answer questions and work with people.

Lou Kully: This has been going on since October. It's been about five or six months. It shouldn't take this long. This is Hastings, if there's a problem, we bring it up and go with it. I'm not blaming staff but with all the building supplies on the ground, it's been long enough. I'd like to see this passed. Mr. Fish is willing to work with anyone and make sure it's a clean property, and I just thought I would bring that up.

Brian Hoffman: Brian, we rezoned this as agricultural, what's the property going to look like after Mr. Fish leaves, when it comes to zoning?

Brian Hurskainen: The livestock rule is 1 per acre, so 67 would be the max but would be difficult with floodplain, there are regulations. People would be allowed to farm it like they do to the North of this property and to the South of 12th Street, it would be like one of those lots. It would be similar to how those lots are being used and how this lot is currently being used, with the row crops, if he decides to sell it and move on.

Moved by Lou Kully, seconded by Shawn Rossi, to recommend approval to the Mayor and City Council a change of zoning for property generally located at the end of West 16th Street, west of Westbrook Drive in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska, from "A, Agricultural" and "R-1, Urban Single Family Residential" to "A, Agricultural" and to amend the Official Zoning District Map.

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

Nays: None

Absent: None

10. Subdivisions

- a. **2022-022.** Preliminary/Final Plat for Hastings Catholic School Subdivision, a replat of part of Blocks 3, 5, and 6 Johnson's Second Subdivision and vacated Kansas Avenue and 6th Street, City of Hastings, Adams County, Nebraska.

Moved by Brian Hoffman, seconded by Michelle Lewis, to recommend approval to the Mayor and City Council a Preliminary/Final Plat for Hastings Catholic School Subdivision, a replat of part of Blocks 3,5, and 6 Johnson's Second Subdivision and Vacated Kansas Avenue and 6th Street, City of Hastings, Adams County, Nebraska.

Roll Call: Ayes: Brian Hoffman, Jacque Cranson, Ann Hinton, LaDaun Schoenhals, Lou Kully, Greg Sinner, Michelle Lewis, Rakesh Srivastava, Shawn Rossi.
Nays: None
Absent: None

11. Reports

a. Commissioner Reports

Greg Sinner: Brian is going to talk to us about an educational opportunity, but first I want to commend all the commissioners. This is great to see all the chairs filled. I would encourage all those who can make it Friday. I do know Mr. Nabity out of Hall County, and he is worth the time. He is a very knowledgeable person and he presents in a way that everybody can understand.

Ladaun Schoenhals: I've been to several of Chad Nabity's classes, and also Keith Marvin, well worth it. They are both easy to understand and will both answer your questions. They are entertaining, laid back, it will be good.

Brian Hurskainen: On Friday Chad is coming from Grand Island to discuss the Planning Commission role. Keith Marvin is our consultant for the Comprehensive Plan and will be there to answer any questions, and meet commissioners. It would be great if you could make it there for part of it or all of it.

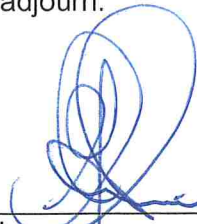
Greg Sinner: We are working on the bus tour with the Comprehensive Plan. We will get a few dates out, and hopefully Mr. Marvin will be joining us as well, and city officials can answer questions during the bus tour. I encourage the public to be involved in the Comprehensive Plan. It only comes around every 10 or 12 years, and over the past year there have been a lot of contentious items that have come to City Council because of zoning issues that I think might have been alleviated if we had different zoning options in place ahead of time.

b. Chairman Comments

c. Staff Reports

Adjourn

Moved by Lou Kully seconded by LaDaun Schoenhals to adjourn.


Chairman