

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Tuesday, October 18, 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, Hastings, Nebraska on October 18, 2022.

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

1. Pledge of Allegiance

Chair Sinner led the Commission in recital of the Pledge of Allegiance to the United States of America.

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

Moved by Ann Hinton, seconded by LaDaun Schoenhals, to adopt the current agenda. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

3. Public Notice

Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, October 7, 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.

4. Approval of Minutes

Moved by Lou Kully, seconded by Brian Hoffman, to approve the minutes of the September 20, 2022 Planning Commission meeting. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

5. Special Order of Business

a. Presentation of 2023-2028 One and Six Year Street Improvement Plan

Lee Vrooman gave a presentation of the One and Six Year Street Improvement projects.

Brian Hoffman: Any discussion on improving the bridge issues out by the sanitation plant?

Lee Vrooman: That is a county bridge. That is in their budget and they are currently in the design phase. They hope to get that done this winter.

Rakesh Srivastava: Do you have any plans for 12th street to the Theater District? There is only one entryway and exit for 3211.

Lee Vrooman: We do not have any plans for it currently but we can look into it as part of the corridor study.

6. Unfinished Business

a. Continued Applications - None

b. Tabled Applications - None

c. Postponed Applications - None

7. Public Hearings.

- a. **2022-062.** Public hearing for a change of zoning for property commonly addressed as 3801 Wendell Drive Hastings, Nebraska from "R-1, Urban Single Family Residential" to "R-1A, Single-Family Large Lot Residential", 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 commonly addressed as 3801 Wendell Drive Hastings, Nebraska from "R-1, Urban Single Family Residential" to "R-1A, Single-Family Large Lot Residential"

Moved by LaDaun Schoenhals, seconded by Michelle Lewis, to recommend approval to the Mayor and City Council an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 3801 Wendell Drive Hastings, Nebraska from "R-1, Urban Single Family Residential" to "R-1A, Single-Family Large Lot Residential". Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

Lee Vrooman spoke on the agenda item.

- b. **2022-064.** Public hearing to recommend a request for Randy Chick regarding Plan Modification No. 2022-4 to Redevelopment Area Number #13, Theatre Flats Project, for the following collective property, to wit: Lot Two (2), Block One (1), Theatre District Subdivision, Hastings, Adams County, Nebraska

Motion to recommend approval for Plan Modification No. 2022-4 to Redevelopment Area Number #13, Theatre Flats Project, for the following collective property, to wit: Lot Two (2), Block One (1), Theatre District Subdivision, Hastings, Adams County, Nebraska

Moved by Jacque Cranson, seconded by Rakesh Srivastava, to recommend approval to the Mayor and City Council Plan Modification No. 2022-4 to Redevelopment Area Number #13, Theatre Flats Project, for the following collective property, to wit: Lot Two (2), Block One (1), Theatre District Subdivision, Hastings, Adams County, Nebraska. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

Lee Vrooman spoke on the agenda item.

Tom Huston 9200 Andermatt Dr. Lincoln NE
Perry Properties
4 projects under construction
Theatre to be open by December
Have obtained FAA approval from the flex building
Lot 2 - second apartment complex - workforce housing project for all ages.

Rakesh Srivastava: What is the plan for the indoor sports K Mart building?

Tom Huston: We had a preliminary plan for the K Mart building for indoor sports. We've been told by the consultants that's probably a challenge because the ceiling height is not tall enough to accommodate basketball and volleyball. We don't have a present user. Our plan is to still proceed with our exterior renovation and the parking lot and get it ready for a user but it's hard to find one user that's going to occupy the entirety of that building. By my estimation we are going to have to break it up into leasable bay areas for retail, office, that type of use.

The following public hearings (2022-058, 2022-059, 2022-063) were heard at the same time but voted on separately:

- c. **2022-058.** Public hearing for a change of zoning for property commonly addressed as 403 West 3rd Street Hastings, Nebraska from “C-2, Central Business District” to “R-3, Multiple Family Residential”, 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 commonly addressed as 403 West 3rd Street Hastings, Nebraska from “C-2, Central Business District” to “R-3, Multiple Family Residential”

Moved by Michelle Lewis, seconded by Brian Hoffman, to recommend approval to the Mayor and City Council an Ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 403 West 3rd Street Hastings, Nebraska from “C-2, Central Business District” to “R-3, Multiple Family Residential”. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

Dave Rippe 109 N. Hastings Ave. Hastings NE
Duplexes 4 total housing units 1500 sq. ft. each
Is consistent with the affordable housing act

- d. **2022-059.** Public hearing on a request for a Planned District Development Plan for Garage Flats LLC for property commonly addressed as 403 West 3rd Street, City of Hastings, Adams County, Nebraska.

Motion to recommend approval of a resolution for a Planned District Development Plan for Garage Flats LLC for property commonly addressed as 403 West 3rd Street, City of Hastings, Adams County, Nebraska.

Moved by Lou Kully, seconded by Shawn Rossi, to recommend approval to the Mayor and City Council a resolution for a Planned District Development Plan for Garage Flats LLC for property commonly addressed as 403 West 3rd Street, City of Hastings, Adams County, Nebraska. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

- e. **2022-063.** Public hearing to recommend a request for Randy Chick regarding Plan Modification No. 2022-3 to Redevelopment Area Number #1, Garage Flats Project, for the following collective property, to wit: Lot 1, 2 and 3, Block 20, Johnson’s Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof, commonly addressed as 403 W 3rd St Hastings, NE

Motion to recommend approval for Plan Modification No. 2022-3 to Redevelopment Area Number #1, Garage Flats Project, for the following collective property, to wit: Lot 1, 2 and 3, Block 20, Johnson’s Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof, commonly addressed as 403 W 3rd St Hastings, NE

Moved by Ann Hinton, seconded by Jacque Cranson, to recommend approval to the Mayor and City Council Plan Modification No. 2022-3 to Redevelopment Area Number #1, Garage Flats Project, for the following collective property, to wit: Lot 1, 2 and 3, Block 20, Johnson’s Addition to the City of Hastings, Adams County, Nebraska, according to the recorded plat thereof, commonly addressed as 403 W 3rd St Hastings, NE. Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Ann Hinton, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: None. The motion carried.

The following public hearings (2022-060, 2022-061) were heard at the same time but voted on separately:

- f. **2022-060.** Public hearing for a change of zoning for property generally located north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska from "A, Agriculture" to "C-3, Commercial Business", 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 north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska from "A, Agriculture" to "C-3, Commercial Business".

Lee Vrooman gave a presentation on the change of zoning, and the Conditional Use Permit. He also explained the 10 items for compliance with the Conditional Use Permit. He said the horse race track is an allowed use in the agricultural zoning district.

Brian Jorde, representative for the owners.

Alan Anderson- in favor

Mike Engelhardt - in favor

Kelly Sheets
1331 Sheridan Drive Hastings NE
-Property tax relief and more jobs

Tom Hastings
1101 W 33rd Street Hastings, NE
-Spoke in favor

Richard French
710 Dockside Cove
- Contrary opinion main benefit is we will get tax revenue regardless of whether we have a casino here or not. Downside will outweigh the benefits.

Pastor Joel Reimers
- Decrease in valuation on their property within 1 mile
- Spoke against

CL Wimer
320 East 9th Street Hastings, NE
- Does not fit the culture of Hastings. Could destroy what we are doing downtown. Could this be tabled until after the election on November 8th.

Kathy Swanson
630 North Shore Drive
-What would the safety be for my children.

Ed Ziemba Nebraska
Quarterhorse Racing Assn.
-Supportive of the casino.
-We live in horseracing country.

Brian Jorde: Let's keep it in this community, be the driver of economics. On the land use question this does make sense. Want to use Nebraska based contractors, open to green energy.

Moved by Lou Kully, seconded by Jacque Cranson, to recommend approval to the Mayor and City Council an ordinance and the amendment to the Official Zoning District Map to rezone property generally located north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska from "A, Agriculture" to "C-3, Commercial Business". Roll Call: Ayes: Rakesh Srivastava, Shawn Rossi, Greg Sinner, Michelle Lewis, Brian Hoffman, LaDaun Schoenhals, Lou Kully, Jacque Cranson. Nays: Ann Hinton. The motion carried.

Rakesh Srivastava: Are phase 2 and phase 3, are they a maybe projects, are they there to make the project look good, or are they dependent on other variables?

Brian Jorde: We want to develop that property in the most consistent manner with the surrounding area and the needs of the community going forward.

Rakesh Srivastava: What happens if the project doesn't happen or fails?

Brian Jorde: We would still own that infrastructure and we would want to redevelop it.

Brian Hoffman: Hastings was once a green city. Would this facility be green?

Brian Jorde: If we have providers who would be willing to sit down and talk with us about that, I would be willing to do that and consider it.

Jacque Cranson: I am in favor of this.

Michelle Lewis: To the point of holding off the vote, I don't see a point. The work's already been done.

Greg Sinner

- Tries to remain neutral.
- People are tired of taxation and stigma that we're not proactive for economic development.
- It's a great amended plan.

Shawn Rossi: I am in favor of the plan. Activity breeds activity. This is not a savior project.

- g. **2022-061.** Public hearing for a Conditional Use Permit (CUP) request for an Outdoor Entertainment & Recreation Business for property generally located north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska.

Motion to recommend approval of a request for a CUP for an Outdoor Entertainment & Recreation Business for property generally located north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska.

Moved by Lou Kully, seconded by Brian Hoffman, to recommend approval to the Mayor and City Council a request for a CUP for an Outdoor Entertainment & Recreation Business for property generally located north of West 42nd Street and west of Tom Osborne Expressway in the extra-territorial jurisdiction of the City of Hastings, Adams County, Nebraska, subject to the following conditions:

1. There shall be compliance with any other applicable City, County, State or Federal regulations that shall apply.
2. The City Clerk shall forward to the register of deeds for recording an affidavit or such other instrument as may be deemed appropriate so as to provide notice to any person examining the real estate records of the existence of this conditional use permit. The recording costs incurred to comply with this section shall be paid by the applicant for the conditional use permit.

3. An annexation to pull the area inclusive of both the Casino and Racetrack into the City will be required.
4. A site-tailored Noise Mitigation Plan will be required and should provide evidence to Staff of the anticipated level of noise and should demonstrate how this plan would reduce or screen additional noise from interfering with residential neighbors to the north.
5. Trees must be planted as shown on the approved narrative on page 3, trees shall be at least 1.5" caliper at the time of planting. Must be maintained
6. A site-tailored Waste Management & Disposal Plan and copies of any necessary State approvals of such will be required for building permit approval.
7. A Drainage Study that includes flows and calculations for each Phase development (racetrack, commercial, residential) shall be required. Design standards for culverts, storm sewer, and detention cells must conform to the City's Drainage Criteria Manual. Preliminary evaluations shall be conducted to avoid conflicts during the building phase of development; otherwise, pending approval of the Development the Final Drainage Study shall also include the following:
 - a. Proposed entrance for horse trailers (pipe/road) shall be able to pass the 100-year event so as to not restrict flood waters or negatively impact the existing triple box culvert at 42nd St (County Structure No. C000101205).
 - b. The proposed triple box culvert at the main entrance across from Walmart must handle the 100-year event.
 - c. The No Rise Procedure shall be required for entrances across the Regulated Floodway.
 - d. Development impact to floodplain shall include hydraulic analysis that shows rise in floodplain is no greater than 1-foot during the base flood.
 - e. The impact of post development flows/scour must be evaluated regarding the existing triple box culvert (State Structure No. S03421307).
 - f. The applicant may request the 2018 Hydraulic Effective Model from the Department of Natural Resources to aid in the design of culverts and to perform the No Rise Procedure.
8. A more extensive traffic study and copies of any related necessary State and County permits will be required for building permit approval.
9. A copy of the group's approved horse-racing and casino licenses from the Racing and Gaming Commission must be provided prior to approval of a building permit and any construction of this development.
10. A separate parking plan that demonstrates acceptable parking practices for the unique assembly use that doesn't particularly provide seats as shown in the city codes off street parking requirements will be required as a condition of this permit and must be provided for building permit approval.
11. Trail must be constructed as shown on the approved narrative on page 3, built to City Standards.

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

8. Subdivisions

9. Reports

- a. Committee Reports
- b. Chairman Comments
- c. Staff Reports

Lee Vrooman gave an update on the Comprehensive Plan meetings in the different wards. Survey is on line.

LeAnne Doose PIM - 1021 Starwood Ave. GI
Like to attend different activities in town. QR code

Brian Hoffman - school community program. This will set the tone for the next 10-15 years. We will have fewer and fewer people making decisions on the City. Get the information out to parents.

Adjourn

Moved by Lou Kully, seconded by Rakesh Srivastava, to adjourn. Roll Call: Ayes: Unanimous. The motion carried.

Chairman