CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
Monday, August 21, 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, on August 21, 2017.

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

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

Moved by Marshall Gaines, seconded by Jodi Graves, to adopt the current agenda. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

Chair Napier read the Public Notice - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, August 18, 2017. 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.

Moved by Dave Johnson, seconded by Dale Hamburger, to approve Minutes of the July 17, 2017 meeting. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

7. Special Order of Business
a. 2017.016. Request a Motion to Proceed with a city-initiated rezone from "I-1, Light Industrial to a more appropriate zoning district for the subject properties referred herein, commonly referred to as the "South Street East Sector".

Don Threewitt stated the action is very similar to what was done on Second Street West. Staff is looking at South Street East Sector, Burlington Avenue to Second Avenue, Railroad Road right-of-way south to the City Limits line. It is a much larger area, the properties are much less contiguous and staff may be looking at multiple zoning districts. A 30-day public comment period will be held and property owners may opt in or out. Staff will look at properties that the zoning is unsuitable for the use and create a final recommendation prior to moving forward.

Moved by Lou Kully, seconded by Gavin Raitt, to approve a Motion to initiate this process. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

9. Public Hearings.
a. 2017-017. A public hearing regarding a final plat for a tract of land located in the South Half (S1/2) of Section 31, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska, referred to as North Park Commons Addition to the City of Hastings.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt stated this is a final plat for the entirety of North Park Commons project. It includes the preliminary platted in July. An additional south lot is included in the final plat. The preliminary plat was approved for about 73 lots for the residential portion of this project. The applicant has since chosen to maintain maximum flexibility for the residential and multi-family areas. Staff has accepted, and recommends, a change to an agricultural planned development. That would create a situation where the preliminary plat, as filed, could move forward without any major changes. The whole lot can be brought in as a final plat prior to looking at other development with the property.

Chair Napier declared the public hearing closed.

Moved by Lou Kully, seconded by Jodi Graves, to approve 2017-017. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

b. 2017-018. A public hearing regarding the Blight and Substandard Determination Study and General Redevelopment Plan for Redevelopment Area #14 proposed for the City of Hastings, Adams County, Nebraska.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt spoke regarding the Blight and Substandard Study for the area bounded by North Park Commons and a neighboring property. The Study was approved by the Community Redevelopment Authority at its meeting on June 20, 2017. This area includes the former WalMart commercial area, three former farmsteads, several outbuildings and some large, undeveloped tracts of land and right-of-way. Staff recommends approval of the Blight Study.

Randy Chick, 520 W. 1st St., #200, Hastings, NE. This is a process, by state statute, that needs to occur. In previous redevelopment areas, the CRA has requested a study be done. In this case, the developer had commissioned this study and brought it to the CRA for approval. Cities of the First Class are able to declare up to 35% of their community as blight and substandard. The City is now at 26%. If approved by Council, the Redevelopment Authority could assist the developers with various projects, primarily tax increment financing. Affordable housing is one of this development's primary goals.

Chair Napier declared the public hearing closed.

Moved by Dave Johnson, seconded by Chuck Rosenberg, to approve 2017-018. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

c. 2017-019. A public hearing for a change of zoning from "A-Agricultural" to "C-3 Commercial Business" and "A-P Agricultural Planned District" for a tract of land located in the South Half (S1/2) of Section 31, Township 8 North, Range 9 West of the 6th P.M., Adams County, Nebraska, commonly referred to as North Park Commons Addition to the City of Hastings.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt stated this is retaining Block 1 as C-3 Commerical Business. The remaining Blocks going to agricultural planned district. Block 1 is consistent with the preliminary plat, layout and zoning and in light of the applicant's wishes to maximize flexibility of Blocks 2, 3 and 4 would be going to agricultural planned. Staff recommends approval.

Chair Napier declared the public hearing closed.

Moved by Dale Hamburger, seconded by Lou Kully, to approve 2017-019. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

d. 2017-020. A public hearing to consider a Conditional Use Permit (CUP) for Neighborhood Assembly uses, for a portion of the South eighty feet (S 80') of Lot One (1) of the Kenyon-Ross Subdivision, specifically located at 235 S. Burlington, Suite D, Hastings, Adams County, Nebraska; by applicant Jean-Paul Escalera on behalf of Grace Baptist Church.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt stated neighborhood assembly uses are allowed as Conditional Uses in all zoning district, but not allow by right in any zoning district. In 2014, Gospel Community Church was in this location for 6 months. Then a different pastor and Church located in this tenant space until 2015. Then Pastor Escalera began renting as Grace Community Church. Conditions would be that the property owner or permittee notify the DSO annual to verify its continued use. Secondly, the space use would be limited to Sundays from 7-10 p.m. and weekdays between 8 a.m. and 10 p.m. Free and clear of nuisances, and prior to occupancy an inspection shall occur by the Building Inspector. No accessory uses shall be permitted on site unless approved by an amendment. Staff recommends approval of the CUP.

Dave Ptak stated this is a small church. There is an occupancy limit based upon the way the configuration of the building has been modified that limits the usage without having to go to more extensive requirements under the building code to 49 occupants. There was an issue regarding the liquor license and a nearby restaurant, however, that was worked out.

Chair Napier declared the public hearing open.

Moved by Marshall Gaines, seconded by Dave Johnson, to approve 2017-020 with staff conditions. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

e. 2017-021. A public hearing for a change of zoning from "R-1 Single Family Residential" to "R-3 Multiple Family Residential," for Lot 5 of Cornell Subdivision, a replat of Lot 11 of Cramer's Subdivision of the City of Hastings, Adams County, Nebraska, commonly referred to as 850 S. Kansas Avenue.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt stated this lot is located at "G" and Kansas, is an undeveloped lot, and the applicant wishes to move a duplex onto the lot to use as a rental. Based on initial site design,

the applicant intends to have two separate driveways. Staff recommends approval with conditions. Driveways are to be constructed at 15' on "G" Street, and that a 4' wide concrete sidewalk is constructed along the property lines on South Kansas and "G" Street.

Chair Napier declared the public hearing closed.

Moved by Dale Hamburger, seconded by Jodi Graves, to approve 2017-021.

Marshall Gaines point out that an aerial and/or elevation of the property and structure to be moved should be included in the packet.

Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

f. 2017-022. A public hearing regarding an amendment to the Comprehensive Plan of the City of Hastings, Nebraska to change the future land use from "Agricultural" to "Suburban Residential" for portions of Westbrook Village 11th, 12th, 13th, 14th, and 15th Additions to the City of Hastings, Adams County, Nebraska.

The legal was read into the record.

Chair Napier declared the public hearing open.

Don Threewitt explained this is a housekeeping issue. Staff noticed the Future Land Use Map, the Comprehensive Plan, did not get updated for Westbrook 11th through 15th. The packet indicates the area is still considered agricultural. Staff recommends approval.

Chair Napier declared the public hearing closed.

Moved by Lou Kully, seconded by Gavin Raitt, to approve 2017-022. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

10. Subdivisions

a. 2017-023. Final plat approval for Lakeview 7th Subdivision of the City of Hastings, a tract of land located in the Southwest Quarter (SW1/4) of Section 36, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska.

Don Threewitt stated the plat is an extension of a plat filed in 2005. It is an 11 lot subdivision. Staff recommends approval.

Moved by Chuck Rosenberg, seconded by Dave Johnson, to approve 2017-023. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

b. 2017-024. A preliminary plat approval for Shadow Ridge 7th Addition, City of Hastings, located in the Northwest Quarter (NW1/4) of Section 36, Township 8 North, Range 10 West of the 6th P.M., Adams County, Nebraska.

Don Threewitt stated 33rd Street was an issue in this preliminary, however, the applicant came up with a design that works well. Staff recommends approval.

Moved by Dale Hamburger, seconded by Jodi Graves, to approve 2017-024. Roll Call: Ayes: Keith Napier, Chuck Rosenberg, Marshall Gaines, Dale Hamburger, Lou Kully, Dave Johnson, Gavin Raitt, Jodi Graves. Nays: None. The motion carried.

11. Reports
a. Committee Reports

The Ad Hoc Committee has not been able to coordinate a meeting.

Adjourn

Keith Napier Digitally signed by Keith Napier
DN: cn=Keith Napier, o, ou, email=kan13654@gmail.com, c=US
Date: 2017.09.22 13:37:42 -05'00'

Chairman