

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
WORKSESSION

Tuesday, October 3, 2023

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Public Library, 314 N. Denver Avenue, Hastings NE, on October 3, 2023.

1. Call to Order

The meeting was called to order at 4:07 p.m. by Chair Greg Sinner with the following members present: Ann Hinton, Chuck Rosenberg, Jody Stutzman, Brian Hoffman, Shawn Rossi, Michelle Lewis, and Jacque Cranson. Absent: Lou Kully and Rakesh Srivastava

2. Roll Call

Greg Sinner, Ann Hinton, Shawn Rossi, Jody Stutzman, Michelle Lewis, Brian Hoffman, Jacque Cranson, Chuck Rosenberg Absent: Rakesh Srivastava and Lou Kully. Others Present: Lee Vrooman, Director of Engineering, Chad Bunger, Development Services Director, Kevin Kubo, Chief Building Official, Anthony Murphy, Fire Marshall

3. Pledge of Allegiance

The Chair Greg Sinner led the Commission in recital of the pledge of Allegiance to the United States of America.

4. Before accepting a motion to adopt the current agenda, Greg Sinner asked to please move item 6 which is the only action item on the agenda, to be moved to the end of the agenda and finish with that. We move through everything else, then turn it over to Chad Bunger and let them finish with the meeting. Asked if that was ok with everybody and to please add that in their motion.

Greg would entertain a motion at this time for the approval of the current agenda for the Planning Commission Worksession.

Moved by Ann Hinton to approve the current agenda with the modification of moving item 6 to the end of the meeting. Seconded by Brian Hoffman. Voice Vote taken- Ayes: Ann Hinton, Chuck Rosenberg, Jody Stutzman, Brian Hoffman, Shawn Rossi, Michelle Lewis, Greg Sinner, and Jacque Cranson. Yays- 8 Nays – 0 Motion passed.

5. Public Notice: The Public Notice was read into the record. - Official Notice of the Regular Meeting was published in the Hastings Tribune on Friday, September 29, 2023. 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 City

Library. Also, a current copy of the Nebraska Open Meetings Act is located on the wall of the Conference Room, which is accessible to members of the public.

6.. Public Hearings-None

7. Reports

a. Committee Reports

b. Chairman Comments

c. Staff Reports

Greg Sinner asked the Commission at this time, if it was ok, he would like these presentations to be delayed until the October 17th meeting? Seeing that it is, we will move on to item number six to the Special Order of Business, Discussion of Annexation, specifically the North Industrial Park area. Greg turned it over to Chad Bunger.

8. Special Order of Business

a. Discuss Annexation – North Industrial Park Area

Chad Bunger provided the Commission with an overview of the annexation review of properties along East 33rd and Yost Avenue. Last May, started with a total of 42 properties, and now focused on twenty-three properties along the North Yost area. Chad provided information about the private properties and did not provide information on the building the city owned at 3505 Yost Avenue or the retention pond east of the trail. That is the liberty of the city, and not a lot of impact on property taxes. That will be included in the final round. These areas are generally all Industrial. All gaining access to our streets, some already built and platted, dedicated, and city maintained. The zoning is largely I-2, heavy industrial, on that land behind Menards, all the way to the softball complex. South of 33rd Street is that residential development, Trail Ridge, which is in the process of being built out. It's a large donut hole in the City's corporate limits. The reason for that was the designation of an industrial area by the county in 2006. Discussed the agreements, once a county designates an industrial area, it cannot be annexed by a municipality, unless there are three exceptions to that rule, one of which is the city and the county, and the property owners agree to some sort of annexation in some time. There was one for this area. The agreement accompanied the application and it's the designation with the county. It's similar to what was discussed at the other work session, where it would be left in the county for a certain period of time, the city would install an infrastructure, the property owners would purchase city utilities from the city, and there were some conditions the city would provide protection for police, and fire to some extent. The difference was a ten-year limit when the properties could begin to annex, or seventeen years after signing the agreement, whichever is earlier. Seventeen years in 2006 means 2023 was the year they could be annexed. This agreement also had that incremental annexation clause in there, that

property would be annexed at twenty percent. After that period, it could be annexed twenty percent at a time a year, until it was fully annexed. Then about 2015 it was determined by the county that would be inappropriate. They largely stopped doing that. Except for the few areas you see on that map, like Hastings HVAC was annexed incrementally, then stopped in 2015. The agreements are on hold on all these properties and just fulfilling that agreement. That was the whole area that was designated, and the areas incrementally brought in and what remains. The big factor for property owners, such as Hastings HVAC was partially brought in the city, the county declared them already in the city, annexed the whole area regardless of the incremental approach to it. Then properties Northeast of Yost and 33rd, so Raynor Garage Doors, and Storage Unit Area, or warehouse units, by mistake in 2016, they were brought in by the county, assuming they were already in the city and were taxing them. Although no official procedures between the Planning Commission and the county to officially annex them. The city and the county are working with those property owners to rectify that, and will refund them, but largely they have been paying taxes like they were in the city for several years. You can see the range of taxes will be increased as this comes along. That's all the topics he wanted to cover, the agreement laid out, would have started or already been annexed into the city, so just fulfilling that agreement.

Greg Sinner said he guesses that's why we packed them in today because they all knew. Greg asked Chad Bunger if they had been notified of the worksession today?

Chad Bunger told the Commission the property owners were all sent letters.

Greg Sinner asked when it would come before the Commission officially as a Public Hearing?

Chad Bunger stated he needed to look through that schedule, now that we know they are designated county industrial areas. We need to reach out to the County Clerk's office; see how they want us to proceed. Anticipating November, we would come back before the Planning Commission as a Formal Public Hearing, officially per the City Ordinance, we must have a recommendation to the City Council no later than the middle of February. So, we need to get a public hearing to the Planning Commission, take a resolution to the City Council, then go to the Board of County Commissioners to get their agreement to release it, then a formal annexation. There are multiple steps. The next work session with the City Council, we are taking this to them. Another opportunity to engage the public, the community, and the property owners.

Greg Sinner asked unrelated to this topic, looking ahead to the October 17th meeting, Chad, can you shed light on what we are looking at?

Chad Bunger told the Planning Commission we should have two applications, a Final Plat for the Showboat Boulevard Condos, you saw the Preliminary Plat, a couple meetings ago, and then an application to amend a Conditional Use for the Pine Patch. Bring back a couple of changes to what were originally approved conditions. There were some conditions that restricted the use of the property, how that event center was used. They would like to see if they can change it. We'll have

more details on October 17th. Since the Commission opened the discussion beyond this meeting, are there other topics the Commission would like to see discussed as a work session in the future? We'll have the Comprehensive Plan update that's not quite ready in November/December timeline, and the Housing Action Plan. Other than those two things, any other topics?

Greg Sinner told Chad this group met in January 2023, starting to talk a lot about TIF Financing. Randy Chick gave a presentation, and he was asked to come back on an annual basis, around January or February. Suggested to Chad to add that on his schedule, to work with whoever is in charge at that point, to come back to the Planning Commission and enlighten them, where they're at, what has happened in the past year, where they're at on numbers, on payback, how much they can use, and what areas are getting used? A briefing for this group, so they can make informed decisions, as they did come through them for their financing.

Chad Bunger stated and also ask the CRA to talk about that.

Brian Hoffman suggested to bring back the Code Enforcement Officer after a year to see and evaluate the policies put in place for the Home Occupation Policy and see how those are affected and how the effectiveness in the community is being used and what are things, we need to look at.

Chad Bunger stated he is starting to create some direction in our department in that realm and would appreciate the opportunity to talk in front of the Planning Commission about how we want to approach some property maintenance and building maintenance areas. It is an important subject for Hastings.

Lee Vrooman stated there have been some of those demo properties.

Jacque Cranson stated she knows the owners downtown don't have anything in their buildings and don't do snow removal. If they aren't going to maintain their buildings, like replacing their awnings until someone points it out, how do we say, you must do snow removal, it's your job? It's a privilege to own a building in this town, take care of it, follow the code! How can we enforce that and put fines on them, to either sell their buildings or take care of it?

Lee Vrooman said he and Steve both plan in either October or November BID, monthly meeting, to talk about snow removal and how that affects Steve and his challenges with downtown and how the property owners can help with that. An opportunity to get some of that out there in that meeting.

Greg Sinner asked Lee Vrooman if he could come to the Commission after that meeting and give them a briefing how they came out with the BID? So, we know where you are and what was decided?

Lee Vrooman replied they can come to the next meeting after that.

Chuck Rosenberg said I think another area too for Hastings is the Economic Development

Corporation merger. How are they recruiting businesses? Hastings has a lot of holes, businesses that are not in buildings, I know they present that to the council, but that is a different note for us.

Chad Bunger stated their director is brand new, allowing her to get her feet on the ground, she is doing a great job, maybe the first of the year, kind of recap and talk about those things, would be appropriate.

Greg Sinner said we could invite her to a meeting. Just a nice briefing on what's going on.

Chad Bunger suggested to see what their plans are moving forward and that has direct connection with land use planning and what this board does.

Greg Sinner said I don't know if this is going to pertain, but like Jacque Cranson's building here, maybe give her another two or three months, meet for a work session downtown on the street and if Jacque would be so kind to take us through her building, to see how the monies are, and what's going to happen, her vision, and what it's going to be like. That's very important in the planning process.

Jacque Cranson agreed that's important too. It's easy to see when it's all done, people say oh, I can't believe it cost that much, but when seeing them load the dumpsters. It's a good idea.

Greg Sinner suggested keeping that on the radar.

Chad Bunger said there are a lot of conversations about what could happen downtown and there are some folks taking some innovative steps to do that, there are interesting concepts. Getting into that building early, to see that change, and maybe there are a couple of other buildings, maybe a walking tour?

Jody Stutzman said she didn't know if it's possible or if it would be beneficial to the group but thinks there is an opportunity for a lot of the minority population to assist the Planning Development, somehow involving them or representative or groups to talk to the Commission or Planning Development or for them to get to know us and see how we can help them.

Chad Bunger said that's something we can do incrementally, our staff meeting with those folks, business owners, these neighborhoods, communities, are important to get an understanding of what we can do to help and bring suggestions back to the Planning Commission. Our community needs to take those big steps. Something as simple as making sure our documents are translated well is vital.

Greg Sinner said to piggyback on Jody's idea, are there any key people that could step up and lead for the rest? We could invite, talk to, and provide information to let them know what is out there. They can come to us for assistance, advice, and direction.

Jody Stutzman said there are, and she would be more than happy to help with that.

Chad Bunger said he would reach out to Jody and make those connections.

Brian Hoffman said one other topic that came up a couple weeks ago was permitting. Having a work session to discuss the level of permitting. Educate, and promote. How to best serve the community, to make sure the permits are getting pulled for all the jobs going on around the community.

Chad Bunger brought up these are topics he has recognized we need to improve as a staff. Putting together ideas, reaching out to the development communities and engagement efforts. Where to get permits, working with our community members, and downtown. Let us take a couple months to put some plans together, these are the things we want to improve upon, talk about and bring them back to the commission.

Greg Sinner said he and Chad will continue to get together and figure these out. When agendas are light, move one or two topics into the discussion.

9. Adjourn

Moved by Ann Hinton. Seconded by Chuck Rosenberg to adjourn the meeting of October 3, 2023. The motion carried.

Adjourned at 4:32pm.

CHAIRMAN