

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, April 16, 2024 at 4:00 PM at the Hastings Municipal Airport, 3300 W 12th Street, Hastings NE 68901.

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 Saturday, April 6, 2024. 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 available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.
6. Approval of Minutes
 - a. Meeting of February 20, 2024
 - b. Meeting of March 19, 2024
7. Public Hearings.

- a. **2024-781.** Public hearing for a change of zoning for property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-Density Residential District to I-1, Light Industrial District, 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 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-Density Residential District to I-1, Light Industrial District, and to amend the Official Zoning District Map.

- b. **2024-783.** Public hearing for a change of zoning for property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, 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 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, and to amend the Official Zoning District Map.

- c. **2024-798.** Public hearing for a change of zoning for property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, 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 502 East D Street, City

Planning Commission Agenda

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of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.

8. Subdivisions

- a. **2024-784.** Preliminary Plat for Hoss Subdivision, in the Southeast Quarter of Section 32, Township 8 North, Range 9 West of the 6th P.M., in Adams County, Nebraska
- b. **2024-744.** Final Plat of the Adam Subdivision, in the West Half of the Southwest Quarter of Section 29, Township 8 North, Range 9 West of the 6th P.M., in Adams County, Nebraska

9. Work Session

- a. Discussion of an Annexation Policy for the 2024 Comprehensive Plan Update
- b. Discussion of Zoning and Subdivision Regulations updates
- c. Discuss the Community's ReThink Our Streets for Downtown Hastings effort

10. Reports

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

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING
COMMISSION
TUESDAY, FEBRUARY 20, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on February 20, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by Chair Greg Sinner with the following members present: Ann Hinton, Chuck Rosenberg, Shawn Rossi, Joe Kindig, Jody Stutzman, and Greg Sinner. Absent: Michelle Lewis, Lou Kully, Brian Hoffman, and Rakesh Srivastava.

The following City Officials were present: City Attorney, Jesse Oswald, Director of Engineering, Lee Vrooman, Chief Building Inspector, Kevin Kubo, City Fire Marshall, Anthony Murphy, Director of IT, Erik Nielsen, Public Information Manager, Tony Herrman.

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

Chair Sinner called for a motion to adopt the current agenda for the January 16, 2024, meeting. As stated, before the motion was made, Sinner conferred with the City Attorney Jesse Oswald, and the Second Vice-Chairperson was not listed as a position to be voted on, so moved that vote to the March meeting. Moved by Ann Hinton to approve the agenda except for voting for the Second Vice-Chairperson, seconded by Chuck Rosenberg to adopt the current agenda. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Jody Stutzman, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Rakesh Srivastava, Brian Hoffman, and Lou Kully. Motion carried 6-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, February 10, 2024. Pursuant to Nebraska Revised Statute Section 84-1412, the public is advised that a copy of today's agenda and all reproducible written material that will be discussed at today's meeting is available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

Rakesh Srivastava arrived at 4:04 p.m.

APPROVAL OF MINUTES

a. Meeting of November 14, 2023

Chair Sinner called for a motion to approve the November 14th, 2024, minutes. Moved by Rosenberg to approve the November 14, 2024, minutes, seconded by Rossi. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Abstain: Jody Stutzman. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 6-0-1.

b. Meeting of January 16, 2024

Chair Sinner called for a motion to approve the January 16, 2024, minutes. Moved by Ann Hinton to approve the minutes of January 16, 2024, seconded by Rakesh Srivastava. Ayes: Shawn Rossi, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Abstain: Jody Stutzman. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 6-0-1.

SPECIAL ORDER OF BUSINESS

a. Election of Chairperson

Chair Sinner asked for nominations for the Chair. Chuck Rosenberg nominated Greg Sinner as Chairperson. Shawn Rossi seconded. It was decided to vote by show of hands. Ayes-Unanimous. Ayes: Shawn Rossi, Jody Stutzman, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0.

b. First Vice-Chairperson

Chair Sinner asked for nominations for First Vice-Chairperson. Chuck Rosenberg nominated Ann Hinton for First Vice-Chairperson. Shawn Rossi seconded. Sinner said under the remarks side, Michelle Lewis had called him, and stated if she was to be nominated, she would like that position to move up to understand more, if that ever came about, so due diligence was done. All in favor of Ann Hinton being the First Vice-Chairperson, raise your hand. Ayes-Unanimous. Ayes: Shawn Rossi, Jody Stutzman, Ann Hinton, Chuck Rosenberg, Joe Kindig, Rakesh Srivastava, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0.

Public Hearings

a. 2024-697 Public hearing for a change of zoning for property commonly addressed as 925 E. 42nd Street Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.

Bunger stated generally, it conforms to the 2009 Comprehensive plan, and there is adequate infrastructure to service the site if they wish to connect in the future. Therefore, the proposed zoning is compatible, and the planning staff recommended that the Planning Commission rezone the property at 925 E 42nd Street from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, and amend the Official Zoning District Map to the City Council.

Hinton asked Bunger for clarification regarding the minimum lot size of the zoning district and the density limits of the Comprehensive Plan. Bunger provided clarification that the zoning district has a minimum lot area of 20,000 square feet. The comprehensive plan suggests a range of 2-5 dwelling units per acre. The proposed rezoning meets the minimum lot area of the zoning regulations.

Rossi asked what the advantage is to rezone that small section of land, and why would the owner want to do that since the house is already built.

George Adam, 4900 Osborne Dr East, representative for the applicant, stated the house is being rezoned for insurance purposes.

Sinner asked Vrooman if the drainage ditch had any bearing on this application.

Vrooman stated no, the ditch is not a factor in this area.

Chair Sinner closed the hearing. Rosenberg moved to approve the change of zoning for property commonly addressed as 925 E 42nd Street Adams County, Nebraska, from A., Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map, seconded by Stutzman. Ayes: Chuck Rosenberg, Ann Hinton, Rakesh Srivastava, Jody Stutzman, Joe Kindig, Shawn Rossi, and Greg Sinner. Nays: None. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Motion Carried: 7-0. This will go on to the City Council, on Monday, March 11, 2024.

WORK SESSION

a. Update from the Hastings Community Redevelopment Authority

Chick - 520 W 1st Street, Director of the Community Redevelopment Authority, provided the overview of the organization, its programs, and its activities over the past year.

Stutzman was curious how the CRA prioritized areas for income-restricted housing, and there was some discussion on what developers look for in choosing from the side of town, the mix of market rate, subsidized housing, or senior housing, and the amenities involved.

Rosenberg and Chick also discussed the TIF loans, and the interest and how that is factored in.

Sinner entered into the record that Randy Chick and himself had a conversation earlier that Chick thought it would be more informative for the Commission to have this discussion in April rather than February next year, so Chick's numbers would be put together more accurately.

Discussion of Annexation Policy for the 2024 Comprehensive Plan Update

Bunger stated next week will be the third and final reading of the ordinance to annex the areas into the City. Bunger thinks having a written policy of supporting annexation as a community, be it voluntarily or listing reasons why we are annexing certain properties could be beneficial. Hinton, Rosenberg, Sinner, and Stutzman discussed having a work session shortly.

REPORTS

a. Committee Reports:

Sinner brought up that maybe there are committees we need to be involved in, where we should be electing people to attend meetings where they can return to report back to the committee. Sinner will set up a meeting with Bunger and report back to the Commission on what they decide on this subject.

b. Chairman Comments:

Sinner spoke about the meeting held on February 12th, regarding the Lake Hastings Project, that Lee Vrooman helped set up. Sinner stated there was wonderful attendance, a lot of great information, informative diagrams, and commended whoever put that all together. He felt it was very well received. Vrooman stated that JEO Consulting Group Inc. is the one who assisted in putting that together, with assistance from City Staff Chad Bunger, Steve Riehle, and Bryce Helms. There were no negative comments at all, other than people wanting it done tomorrow. They are excited about what it can look like in the future and to have the new amenities around the lake.

c. Staff Reports:

Bunger discussed having committee ideas in a few months with the upcoming downtown projects, also in the housing realm. Planning has started updating zoning regulations, and Sign regulations are the first chapter we are covering. We are working on a couple of meetings with stakeholders, the Downtown Association, BID, The Chamber, and the Hastings Economic Development Corporation. At the next meeting, we should have an advisory plan for the Commission.

Vrooman thanked Tony Herrman, Public Information Manager, for getting the information out for the Lake Hastings Meeting. Helms did a Radio bit as well on March 5, 2024, for a similar type of meeting, for the Brick projects, as they received their FEMA grant. 1. Hastings Dam 2. Pawnee Creek 3. A Street, Stuff N Storage Area.

The first step will be the Design Phase. Vrooman will be working with Tony to get more information out to the public.

Kubo spoke about the Theatre District and its progression. They want to get in the building as soon as possible. There is an application for a gymnasium there and an application for a restaurant/bar in the SunMart building. Start a review on that building. so, they can start construction. Kubo introduced the new Building Inspector, Chris Olson. Kubo stated he would get certified first as a plumbing inspector and then move on to Fuel & Gas Inspector.

Chris Olson- 91145 West Assumption stated he is the new building inspector and is learning all he can. and appreciates the opportunity.

Legal Counsel had nothing to report, however, Sinner thanked Jesse Oswald for his attendance in the meetings, as he must be there, as questions arise.

Oswald thanked the Commission for everything they do in promoting the community.

Anthony Murphy- Fire Marshall-spoke on their resources have been curbing commercial cooking fires recently, and are still investigating the underground sewer explosion, and how to make sure that does not happen again. Murphy also spoke on how they will be updating the 2024 codes with the Development Services Team.

Chair Sinner called for a motion to adjourn at 5:12 p.m. Moved by Rosenberg, seconded by Ann Hinton, Voice Vote - Ayes, Unanimous. Ayes: Chuck Rosenberg, Ann Hinton, Rakesh Srivastava, Jody Stutzman, Joe Kindig, Shawn Rossi, and Greg Sinner. Absent: Michelle Lewis, Brian Hoffman, and Lou Kully. Nays: None. Motion Carried: 7-0. Motion Carried.

Greg Sinner, Chair

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING
COMMISSION

TUESDAY, MARCH 19, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on March 19, 2024.

The meeting was called to order at 4:00 p.m. in Regular Session by the First Vice-Chair Ann Hinton with the following members present: Ann Hinton, Chuck Rosenberg, Joe Kindig, Michelle Lewis, and Brian Hoffman. Absent: Jody Stutzman, Lou Kully, Greg Sinner, and Rakesh Srivastava.

The following City Officials were present: City Administrator, Shawn Metcalf, Assistant City Administrator, Mark Funkey, City Attorney, Jesse Oswald, Director of Engineering, Lee Vrooman, Director of Development Services, Chad Bunger, City Planner, Ember Batelaan, Community Risk Reduction Officer, Anthony Murphy, Public Information Manager, Tony Herrman, Information Technology Director, Erik Nielsen, and Administrative Assistant, Melissa Woodard.

The First Vice-Chair led the Commission in the recital of the Pledge of Allegiance to the United States of America.

The First Vice-Chair Hinton called for a motion to adopt the current agenda for the March 19, 2024, meeting. Moved by Rosenberg, seconded by Hoffman, to adopt the current agenda. Ayes: Hinton, Rosenberg, Lewis, Hoffman, and Kindig. Nays: Motion carried: 5-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, February 10, 2024. 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 available for public review. Also, a current copy of the Nebraska Open Meetings Act is posted and accessible to members of the public.

APPROVAL OF MINUTES

a. Meeting of February 20, 2024

The First Vice-Chair Hinton called for a motion to adopt the current agenda for the February 20, 2024, meeting. Moved by Rosenberg to approve the agenda, seconded by Kindig to adopt the current agenda. Ayes: Hinton, Rosenberg, Kindig, and Hoffman. Nays: None. Abstain: Lewis. Motion Carried: 4-0-1.

SPECIAL ORDER OF BUSINESS

a. Election of Second Vice-Chair

The First Vice-Chair asked for nominations for the Second Vice-Chair. Chuck Rosenberg nominated Michelle Lewis as the Second Vice-Chair. Brian Hoffman seconded. Roll Call. Ayes: Hinton, Rosenberg, Kindig, Lewis, and Hoffman. Nays: None. Motion Carried: 5-0.

Public Hearings.

Jody Stutzman arrived at 4:07 p.m.

a. 2024-727 Public hearing for a change of zoning for property commonly addressed as 1220 W 18th Street, Hastings, Adams County, Nebraska, from I1, Light Industrial District, to C-1, Local Business District, and to amend the Official Zoning District Map. Bunker provided a summary of the staff report for the request to rezone the 7.77-acre site from I-1, Light Industrial District, to C-1, Local Business District. The applicant, Grace Life Church proposes to establish a school (pre-kindergarten to 12th grade) on the site. Staff recommended the Planning Commission Approve the request to rezone the property at 1220 W. 18th Street, from I-1, Light Industrial District to C-1, Local Business District. The staff report provided recommended findings of fact for the request.

Following the staff presentation, First Vice-Chair Hinton opened the public hearing. With no one speaking on the item, Hinton then closed the public hearing. Lewis moved to approve the change of zoning for property commonly addressed as 1220 W 18th Street, Hastings, Adams County, Nebraska, from I1, Light Industrial District, to C-1, Local Business District, and to amend the Official Zoning District Map. Seconded by Rosenberg. Ayes: Hinton, Rosenberg, Lewis, Stutzman, Hoffman, and Kindig. Nays: None. Motion Carried: 6-0.

b. 2024-735 Public hearing at the request of the Community Redevelopment Authority to review a Blight and Substandard Study for an area to be known as Area 17. The area is generally bounded by North Cedar Avenue, East 6th Street, North 2nd Avenue, and East 9th Street. Batelaan introduced Bobbi Pettit, Owner, and Founder of Five-Rule Rural Planning. Bobbi Pettit, address 2123 Central Avenue, Kearney, NE 68847. Pettit explained what the Blight study involves and what criteria they consider. The study follows guidelines set forth by the Nebraska State Legislature to define blighted and substandard areas in a community to propose redevelopment plans for these areas. Pettit provided a summary of the staff report for the request to review a Blight and Substandard Study for an area to be known as Area 17. The area is generally bounded by North Cedar Avenue, East 6th Street, North 2nd Avenue, and East 9th Street. Batelaan stated that City Staff would recommend that the planning commission recommend approval to the City Council.

The First Vice-Chair opened the Public Hearing. Randy Chick stated he will speak at the next Public Hearing.

Rosenberg expressed concern about utility issues, safety risks, and sidewalk issues. Vrooman explained utilities would need to do the main replacement, but that would be a 5-11-year plan. Rosenberg brought up grants, to address the infrastructure issues, Pettit stated it is in the owner's best interest as far as incentives and grants: if they are in a blighted area. Murphy stated they are aware of the area and cannot rely on the four-inch main. They discussed the pros and cons, including the homeowner's insurance's main concern being the fire hydrant's distance to the owner's home, which is 100 ft. Hoffman inquired why Area 17 and Area 18 were brought before the Commission today. Randy Chick, address 528 W 1st Street, Hastings, NE., Director, Community Redevelopment Authority. Chick stated there are two different ways blight studies are brought up, the developer, who hires a consultant, or the CRA initiates the Tax Increment Financing (TIF) process by hiring a consultant to do a blight study. The CRA brought this forward to the Planning Commission, with the intent to utilize the tools to assist with relieving those substandard conditions and to utilize Tax Increment Financing, by a developer. The CRA brought these two specifically to address the

community's housing needs. They were identified as low to moderate-income, market-rate homes, and intended to impact the city's housing issue. Primarily these are residential areas, that is why they are in front of you today. Rosenberg asked how it affects the homeowner if they are selling a home in a blighted area. Chick replied It is unaffected, from banks, and lending institutions. The plus side is that when there is development, homeowners can receive assistance. Rosenberg asked if the CRA paid for the study and Chick answered yes.

With no further comments, the First Vice-Chair closed the hearing. Rosenberg motioned to recommend to the City Council approval of the draft of the Blight and Substandard Study for the area to be known as Area 17. Lewis seconded. Voice Roll Call: Ayes: Hinton, Hoffman, Lewis, Rosenberg, Stutzman, and Kindig. Nays: None. Motion Carried. 6-0.

c. 2024-736 Public at the request of the Community Redevelopment Authority to review a Blight and Substandard Study for an area to be known as Area 18. The area is generally bounded by East 26th Street, the Pioneer Spirit Trail, Union Pacific Railroad, and East 13th Street. Batelaan called Bobbi Pettit back up to present the Blight Study for Area 18. Pettit again provided a summary of the staff report for the request to review a Blight and Substandard Study for an area to be known as Area 18. The area is generally bounded by East 26th Street, the Pioneer Spirit Trail, Union Pacific Railroad, and East 13th Street. Batelaan concurs with this Blight Study and the City Staff would recommend that the planning commission recommend approval to the City Council. Chick ended by saying CRA would appreciate the Planning Commission's support on both redevelopment areas. Their goal is to try to help solve the housing problems, even though it will take several projects, and up to 24 months, and that will be done with Multi-Families, Single-Families, Low to Moderate low-income housing, and they are looking for their support and will be happy to answer their questions.

The First Vice-Chair Hinton closed the public hearing and opened the floor for discussion. Stutzman said she appreciates the forethought on East 26th Street for income-restricted housing, where it will be closer to amenities for lower-income housing, such as Wal-Mart, and feels that is important in addressing those needs. Hinton made the statement for Mumaw's Addition, it had been replatted, all except Blocks 1-4 and Crosier Park. Hinton did not think that Platt should have been used in the presentation to show poor platting practices. Rosenberg said the property north of the Union Pacific when the viaduct was coming out, property owners had complained of the noise level in that area, and it would be hard to see anyone wanting to develop or build there. The First Vice-Chair closed the discussion. Hoffman motioned to recommend to the City Council approval of the draft of the Blight and Substandard Study for the area to be known as Area 18. Seconded by Jody Stutzman. Voice Roll Call: Ayes: Hinton, Rosenberg, Hoffman, Lewis, Stutzman, and Kindig. Nays: None. Motion Carried. 6-0.

Subdivisions

a. 2024-744 Preliminary Plat for Adam Subdivision. In the West Half of the Southwest Quarter of Section 29, Township 8 North, Range 9 West of the 6th P.M., in Adams County, Nebraska. Bunger provided a summary of the Preliminary Plat for Adam Subdivision. The City and the Staff are recommending the Planning Commission approve and send it to the City Council for approval.

The First Vice-Chair Hinton opened the discussion by saying she thought Adams was in the City limits. Chad said that it was not. Murphy stated there are fire code-related issues for the existing home. Bunger noted these issues and stated the city will address them now or with any future development of the property. Rosenberg motioned to approve the recommendation to the City

Council of Subdivision 2024-744. Seconded by Lewis. Ayes: Hinton, Rosenberg, Lewis, Stutzman, Hoffman, and Kindig. Nays: None. Motion Carried: 6-0.

Work Session

a. 2024-732 Discussion of an Annexation Policy for the 2024 Comprehensive Plan

Update. Bunger provided a summary of the draft annexation policy provided to the Commission. The intent is this policy statement would accompany a map that would represent land potentially eligible for annexation, based on the availability of utilities and City services and proximity to the current City limits. right next to the City limits. Rosenberg, Hoffman, and Stutzman discussed different ideas for the annexation policy including adjacent properties, expectations from the community, agricultural land, and how the community grows, if you are receiving all the amenities, you can expect to be annexed. Rosenberg asked if this topic could be brought back to the Commission when the full members are present. Bunger agreed and will have it on future agendas.

b. 2024-733. Review of the EngageHastings website www.engage.cityofhastings.org)

devoted to Community Engagement. Bunger gave a presentation to the planning commission on EngageHastings. The link for EngageHastings can be found on the homepage of the city's website. City staff will update projects, so residents can see what is happening and get their questions answered. There are tools citizens can use to engage with projects and give input.

REPORTS

a. Committee Reports:

The First Vice-Chair Hinton stated she knew some members attended the Nebraska Planning Conference in Kearney. Stutzman said she appreciated the opportunity to attend. Bunger stated after fifteen-plus years of attending planning conferences, this was by far the one he learned the most from. He came away with multiple ideas of how to implement some things in Hastings. Bunger also mentioned Dean Rolls, Adams County Planning Commissioner, who received the Carol Swayne Achievement Award.

b. Chairman Comments:

None

c. Staff Reports:

Bunger provided project updates for Kevin Kubo, Building Official. This included the County's Justice Center, the 78-Plex at the Theatre District, and the Hastings Family YMCA, all nearing completion. Kevin wanted to let everyone know that several projects including the justice center, the 78 Plex across the road, and the YMCA are all working toward completion. The commercial spaces at the Theatre District are also progressing. Several new permits have been issued.

Bunger also noted the Development Services Staff has begun reviewing and updating the sign regulations. The first of three stakeholder meetings was held on March 18th. The other two will be held the week of March 25th, 2024.

City Staff and community leaders held a stakeholder meeting two weeks ago, re-thinking the downtown streets. A Brews and Brainstorm event will be held on Thursday, March 28th at 5:30 p.m. at the First Street Brewery to brainstorm what activities and events could be started or supported to bring more community members and visitors to the central business district.

Lastly, the City Staff is working hard on the housing topic. Development Services received information that we have been accepted as a participant in the States Supportive Housing Toolkit, a technical assistance program to help develop teams in cities to create housing and support programs for those in need.

The First Vice-Chair called for a motion to adjourn at 5:52 p.m. Moved by Hoffman. Seconded by Rosenberg. Voice Roll Call: Ayes: Rosenberg, Hinton, Srivastava, Stutzman, Lewis and Kindig. Nays: None. Motion Carried: 6-0.

Chair

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 4/16/2024
File No: 2024-781
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-Density Residential District to I-1, Light Industrial District, 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 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-Density Residential District to I-1, Light Industrial District, and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-Density Residential District to I-1, Light Industrial District, and to amend the Official Zoning District Map.

Deadlines associated with action:

The request to rezone will be heard at the City Council Regular meeting on May 13, 2024.

Department head comments:

Development Services staff has reviewed the application to rezone the property to I-1, Light Industrial District. The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

Staff recommends the Planning Commission **APPROVE** the request to Rezone the property at 421 Emerson Avenue, from R-2, Mixed-density Neighborhood District to I-1, Light Industrial District.



City of Hastings Planning Commission

STAFF REPORT

Request to Rezone: From R-2, Mixed-Density Neighborhood District to I-1, Light Industrial District

Case No. 2024-781

Applicant Efrain and Maria R. Sandoval

Property Location: 421 Emerson Avenue, Hastings, Adams County, Nebraska

Lot Size: 16,552 square feet (0.38 acres)

Date of Public Hearing: April 16, 2024

Current Zoning R-2, Mixed, Density Neighborhood District

Adjacent Zoning:

- North: I-1, Light Industrial District; R-3, Multiple-Family Residential District
- East: R-3 District; R-1, Urban Single-Family Residential District
- South: R-1 District; I-1 District
- West: I-2, Heavy Industrial District



DESCRIPTION OF REZONING REQUESTS: The applicant has requested to rezone the 0.38-acre tract of land from R-2, Mixed, Density Neighborhood District to I-2, Light Industrial District.

The applicant has recently purchased the property. They also own the property and business, S and S Repairs, Inc., to the north of the site at 1615 West B Street. The business is a specialty construction business. The applicant has stated in the application materials that “the proposed rezoning is to accommodate the growth of our operations on the adjacent property. By rezoning the area, we can optimize our facilities and resources, thereby improving efficiency and productivity.”

No specific development plans or building permits have been provided for the future of the property.

Property Description: The property consists of two full lots and 30 feet of a third platted lot in the Sewell Addition. The property is roughly 125 feet wide, east to west, and 130 feet deep, north to south. The land is currently vacant and relatively flat. A single-family home was demolished from the site in 2001.

Access is provided to the lot by existing curb cuts off Emerson Avenue and West C Street. Access can also be gained from a mid-block alley to the east of the property. A sidewalk provides pedestrian access along the south side of the property along the West C Street right-of-way.

STANDARDS TO REZONE PROPERTY:

The provisions of [Article VIII](#) regulate the process to rezone property within the City and its extraterritorial jurisdiction.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

- a) **The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.**

The property was originally subdivided by the Sewell Addition in 1885. A single-family home was demolished from the site in 2001. The site has remained vacant ever since.

The site is relatively flat with no environmental concerns on the site.

The site has been zoned R-2 District since 1977. Before that, the property was zoned M-1, Light Industrial District.

Based on the size and orientation of the property, permitted residential uses could be placed on the property.

b) Conformity of the proposed change with the Comprehensive Plan.

The property is designated as Urban Residential in the 2009 Imagine Hastings Comprehensive Plan Future Land Use Map.

The policy statement for this use designation is:

The urban residential category allows higher density residential development, typically in the 4 to 10 units per acre range with lots ranging in size from 7,000 to 10,750 square feet in size. The original development areas of the city consisting of smaller lots and blocks, defined by a gridded street network, are good examples of this type of residential development. This category may include a mixture of housing styles and types including single family, duplexes, townhomes and multi-family of both rental and ownership types. Such residential uses may be integrated into neighborhoods or neighborhood centers, community centers, and regional centers per specified location guidelines outlined. To maintain the viability of these types of neighborhoods community services such as churches, schools and parks are also allowed in this land use category.

Use of the property for residential may be appropriate. However, the area to the north and west of the site is used for light industrial and manufacturing purposes. The applicant owns the property to the north, which is a contractor business.

The comprehensive plan may not appropriately reflect the fine-grain variety of existing uses in the neighborhood. To the east of the site are several single-family homes. To the north of the site is a contractor business, with a screened outdoor storage yard. To the west is a light manufacturing business. To the south are single-family homes.

Considering the adjacent uses to the north and west, and the fact that the property has remained vacant for over 20 years, a residential use on this property may not be appropriate. The use of the mid-block alley and adjacent streets may be a suitable demarcation for the change of uses, rather than the immediate blending of the different uses.

Although the proposed rezoning does not strictly conform to the Comprehensive Plan, the 15-year-old plan's future land use category for this property does not take into consideration the character of the area may be inappropriate.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

The site is currently served by City utilities. These utilities should be adequate to provide needed water, sanitary sewer, electricity, and gas for the existing and proposed uses.

d) The character of the neighborhood, including the zoning and uses of nearby property.

The surrounding area can be considered an area of transition from single-family residential to the east and south and industrial uses to the north and west.

To the east and south are single-family homes zoned R-3, Multiple-Family Residential, and R-1, Urban Single-Family Residential District. There is an odd, lone lot zoned R-2, Mixed-density Neighborhood District in the middle of the block to the south.

To the west of the site is a light-manufacturing business on a property zoned I-1, Heavy Industrial District. Further to the west is the Burlington Northern rail line.

To the north of the site is the applicant's property, a contractor business, that is zoned I-1, Light Industrial District. Further to the north of the site are properties zoned I-1 District and R-3 District. These properties are a mix of small businesses, outdoor storage yards, and single-family homes.

As previously stated, the applicant has not provided detailed plans for the property, however, it is intended to be an extension of their business to the north.

The proposed rezoning and assumed use would meet the general character of the surrounding neighborhood.

e) Compatibility of the proposed zoning district with nearby property.

Generally, an industrial use adjacent to a residential use would not be considered compatible with each other. However, this situation is currently present with the site being zoned R-2 District and the adjacent properties being zoned I-1 District to the north and I-2 District to the west.

This situation also occurs throughout the neighborhood, especially for properties in proximity to the Burlington Northern rail line. This situation is prevalent along Emerson Avenue and West A Street. Although not ideal, it appears that the neighborhood has found ways to cope with these compatibility issues.

As previously mentioned, the applicant owns the adjacent contractor business to the north. The owner has an appropriate screening of their business and outdoor storage yard from the neighbors to the east. It can be presumed that this screening would be provided by the owner on the rezoning site if a similar development were to occur. Additionally, Sec. 34-305. Landscape and open space design requirements would be required.

Finally, the applicant has provided a document signed by adjacent property owners and residents supporting the rezoning request.

f) Additional matters as might apply in individual cases. Not applicable.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the request to Rezone the property at 421 Emerson Avenue, from R-2, Mixed-density Neighborhood District to I-1, Light Industrial District.

PREPARED BY: Chad Bunger, AICP, CFM Director of Development Services

DATE: April 8, 2024

ATTACHMENTS:

1. Application materials
2. 2009 Comprehensive Plan Future Land Use
3. Uses and district table (I-1 District highlighted)
4. I-1 District Regulations
5. Staff summary presentation



Zoning Application

Date: 03/11/2024

Project

Permit Type:	Change of Use Zoning Change (Rezone)	Existing Zoning:	R-2, Mixed-density Neighborhood
Project Name:	Efrain Sandoval	Proposed Zoning:	I-1, Light Industrial
Project Address:	421 Emerson Ave	Comprehensive Plan:	
City, State, Zip:	HASTINGS, NE 68901	Gross Area:	16582
In City Limits:	Yes	# of Lots:	1
Legal:		Proposed Use:	Undecided

Reason for Request: Want to expand current business on adjacent property to this site. The site is owned by the property

Applicant / Owner

Applicant Name:	Efrain & Maria R. Sandoval	Owner Name:	LIGHTHILL LELAND
Company:		Address:	PO BOX 171
Address:	11280 S Marion Rd	City, State, Zip:	GUIDEROCK, NE 68942-0000
City, State, Zip:	Ayr, NE 68925-2656	Phone:	
Phone:	402-462-2451	Email:	
Email:	efrain1955@gmail.com		

Key Contact

Key Contact:	Efrain & Maria R. Sandoval	Address:	11280 S Marion Rd
Company:		City, State, Zip:	Ayr NE 68925-2656
Phone:	402-462-0270	Email:	efrain1955@gmail.com

I do hereby certify that the information contained herein is true and correct.

Efrain Sandoval

Applicant

03/11/2024

Date

03/11/2024

Owner

Date



1615 West B Street
Hastings, NE 68901
402-462-8885 office
402-462-0270 cell
ssrepairs.efrain@gmail.com

Thursday, March 28, 2024

CITY OF HASTINGS
220 N HASTINGS AVE
HASTINGS, NE 68901

To Whom It May Concern:

At S&S Repairs, our primary objective is to ensure unparalleled service for our clients. We are committed to delivering the utmost level of excellence in all that we do. As part of our ongoing efforts to enhance our operations and better serve our customers, we are seeking a rezoning of the property located at 421 EMERSON AVE to an I-1, Light Industrial District.

This proposed zoning change is crucial for our business expansion plans, specifically to accommodate the growth of our operations on the adjacent property. By rezoning this area, we can optimize our facilities and resources, thereby improving efficiency and productivity. This strategic move aligns with our goal of providing top-notch service and meeting the evolving needs of our clientele.

We welcome any feedback, concerns, or questions regarding this zoning request and encourage open communication to address any issues effectively. Thank you for your attention and consideration in this matter.

Sincerely,

Efrain Sandoval
President

Adjacent Property Owner or Resident Statement

(Completion of this form by the applicant is optional)

To Whom It May Concern:

We, the undersigned, own property, or are residents or business owners next to
421 EMERSON AVE _____ in Hastings, Nebraska.

It is our understanding that EFRAIN SANDOVAL _____ has applied to the
City of Hastings to rezone the property to I-1, Light Industrial District.

Want to expand current business on adjacent property to this site.

As adjoining property owners, residents, or business owners, we have no objections to the
approval of this application.

Signature	Name	Address	Date
Tom Goedert	Tom Goedert	1615 WEST C ST.	3/19/24
Rob Ramsey	ROB RAMSEY	577 S EMERSON	3/19/24
Annette	Tina Witt	452 S. Sewell Ave	3/20/24
Kristin Stobl	Kristin Stobl	410 S. Sewell Ave	3/20/24
Margorie Earl	Margorie Earl	502 S Sewell Ave	3/20/24
Ron Aflague	RON AFLAGUE	406 S, SEWELL AVE	3.28.24

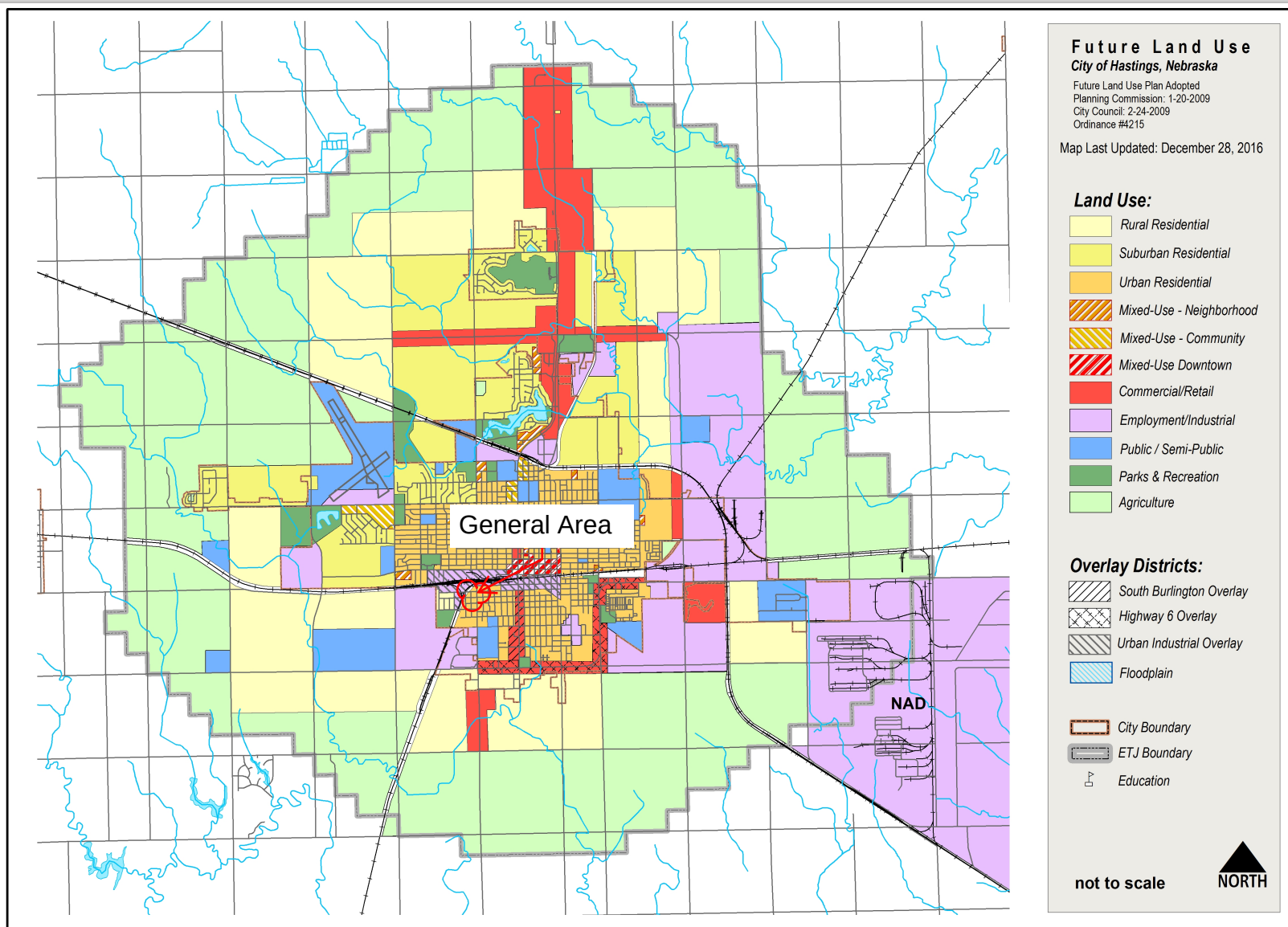


Figure 2.2: Future Land Use Plan

Sec. 34-200. - Uses and districts table.

TABLE 200-1: USES AND DISTRICTS														
	A	R-1	R-1A	R-1S	R-2	R-3	R-4	C-O	C-1	C-2	C-3	CMP	I-1	I-2
Residential Uses														
Detached dwelling	P	P	P	P	P	P	P	P	P		P			
Semi-attached dwelling					P	P	P	P	P		P			
Attached dwelling						P	P	P	P		P			
Multi-dwelling building						P	P	P	P		P			
Live/Work units							P	P	P	P				
Mixed-use dwelling							C			P		P		
Group housing		C	C	C	C	C	C				C			
Type A & B manufactured housing	P	P	P	P	P	P	P	P	P		P			
Mobile home court	C												C	C
Mobile home, accessory	C													
Detached dwelling, accessory	C													
Civic Uses														
Assembly, neighborhood	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Assembly, community								C	C	C	C	C	C	C
Eleemosynary or philanthropic institution.						C		C	C	P	P	P		
Golf course/Clubhouse (non-business)	P	P	P	P		C						P		
Public park/Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public museum or library	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, elementary	P	P	P	P	P	P	P	P	P			P		
School, secondary	R	R	R	R	R	R	R	R	R			P		
School, college or university	P					P						P		
Recreational vehicle park	C										C		C	C
Recreational vehicle, temporary use	R										R		R	R
Temporary structure, temporary use	P	R	R	R	R	R	R			P	P	P	P	P
Service Uses														
Adult care, home	C	C	C	C	C	C	C	C	C	C	C	C	P	
Adult care facility								P	P	P	P	P		
Automobile service station, limited								C	P	P	P	P	P	P

Automobile service station, general											P	P	P	P
Automobile service station, large-scale											P	P	P	P
Automobile repair, limited								C	C	C	P	P	P	P
Automobile repair, general										C	P		P	P
Bank								P	P	P	P	P	P	P
Child care, home	R	R	R	R	R	R	R	R	R	R	R	P		
Child care facility					R	R		P	P	P	P	P	P	P
Halfway house, quasi-institutional use													C	C
Kennel, commercial	C										C		C	C
Lodging, bed and breakfast	C	C	C	C	C	C	C	C	C	C				
Lodging, rooming house						C			P	P	P	P		
Lodging, hotel										P	P	P	P	P
Lodging, motel											P	P	P	P
Medical office	C							P	P	P	P	P		
Medical clinic	C							P	P		P	P	C	C
Medical hospital	C							P	P			P	C	C
Nursing home/Assisted living	C	C	C	C	C	C	C	P	P	C	P	P		

Professional services office								P	P	P	P	P	P	P
Self storage, storage areas								C		R	C		C	C
Veterinary office	P							P	P	P	P		P	P
Veterinary hospital	P										C		C	C
Employment Uses														
Home occupation	R	R	R	R	R	R	R	R	R	R	R			
Office, limited						C	C	P	P	P	P	P	P	P
Office, small							C	P	P	P	P	P	P	P
Office, general									C	P	P	P	P	P
Office complex/campus										C	P	P	P	P
Commercial and Retail Uses														
Convenience retail, automobile (< 5K s.f.)								C			P	P	P	P
Convenience retail, corner store (< 2K s.f.)							C	P	P	P	P	P	P	P
Neighborhood retail (< 5K s.f.)									P	P	P	P	P	P
General retail (5Ks.f.— 20Ks.f.)										P	P	C	P	P
Large-scale retail (20K s.f.— 100K s.f.)										C	P	C	P	P

Warehouse retail (> 100K s.f.)										P		P	P
Neighborhood grocery (< 45K s.f.)								P	P		P		
Supermarket (> 45K s.f.)										P	C	P	P
Indoor entertainment & Rec. business									P	P	C	P	P
Outdoor entertainment & Rec. business	C									C	C	C	C
Entertainment venue	C									C	C	C	C
Outdoor sales, limited									C	P	P	P	P
Outdoor sales, seasonal									C	C	C	C	C
Outdoor sales, yard										P		P	P
Mobile vendor, temporary use										R	R	R	R
Outdoor market (Farmers market)										P			
Restaurant									P	P	P	P	P
Industrial Uses													
Grain storage elevator	P												P
Manufacturing, limited								C	C	C	P	P	P

Manufacturing, light										C	C	C	P	P
Manufacturing, general													P	P
Manufacturing, heavy														P
Impound yard													C	C
Motorized Vehicle Racetracks														P
Recycling collection and processing													C	P
Salvage yard/Junkyard													C	C
Slaughterhouse/Meat packing	C													C
Storage or sale of liquid petroleum	C													P
Warehouse storage/Bulk storage	C												P	P
Wholesale													P	P
Agriculture and Natural Resource Uses														
Agriculture, limited	R		R											
Agriculture, general	P													
Aquaculture	C													
Feed lot	C													

Natural resource extraction	C													
Nursery	P	C	C								P		P	
Stable, public	P										P		P	
Public Service Users														
Airfield	C	C	C	C										C
Heli-stop	C	C	C	C				C	C				C	C
Public parking lot						C	C	C	C	C	C	C	C	C
Public recreation grounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public utility plant	C												C	C
Public utility sub-station	C	C	C	C	C	C	C	C	C	C	C		C	C
Cemetery	C									C	C		C	
Small wind energy systems	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Large scale wind generator (Wind farms)	C												C	C
Telecommunication facilities and support structures	C							C	C	C	C	C	R	R

Key:

P = Permitted, allowed subject to general district standards

R = Restricted, allowed subject to specific use standards

C = Conditional, allowed subject to discretionary review

* Permitted use within the A District outside the City Limits, conditional use within A District within the City Limits.

(Ord. No. 4342 -3/2013; Ord. No. 4674, § 2, 11-8-2021; Ord. No. 4735, § 2, 5-8-2023)

Sec. 34-213. - I-1 Light Industrial Districts.

- (1) *Intent.* This district is intended primarily for urban and suburban light industrial, manufacturing, processing, storage, wholesaling and distribution operations; but also permits commercial uses. The regulations are intended to allow efficient use of the land while, at the same time, making the district attractive and compatible for a variety of non-residential uses.
- (2) *Allowed uses.* See Table 200-1 in Section 34-200.
- (3) *Minimum lot requirements.*

Use	Lot Area (sq. ft.)	Lot Width (lin. ft.)
All Uses	None	None

- (4) *Minimum yard requirements.*
- (a) *Front yard*—None; except that set back of not less than 50 feet shall be provided along all federal and state highways.
- (b) *Side yard*—None; except if a building is set back from the property line, the minimum side yard shall be at least three feet.
- (c) *Rear yard*—None.
- (5) *Maximum lot coverage by all buildings.*
- (a) None; except as may be required for yards, parking, loading or outside storage areas.
- (6) *Maximum height of structures.*
- (a) Except as otherwise provided in this chapter, the maximum height of a principal structure shall not exceed 90 feet in height above grade.
- (b) The maximum height of an accessory structure shall not exceed the lesser of 44 feet above grade or the height of the principal structure by more than 25 percent.

(Ord. No. 3110-1/89, 3396-5/94, 3397-6/94, 3510-1/96, 3637-5/98, 3861-6/2002, 3995-2/2005, 4003-5/2005 and 4233-11/2009)





File No.	2024-781
Project	Public hearing for a change of zoning for property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed Density Neighborhood District to I-1, Light Industrial District, and to amend the Official Zoning District Map.
Applicant	Efrain & Maria R. Sandoval



B ST W

B ST W

B ST W

B ST W

B ST W

EMERSON AVE

SEWELL AVE

SEWELL AVE

BALTIMORE AVE S

C ST W

C ST W

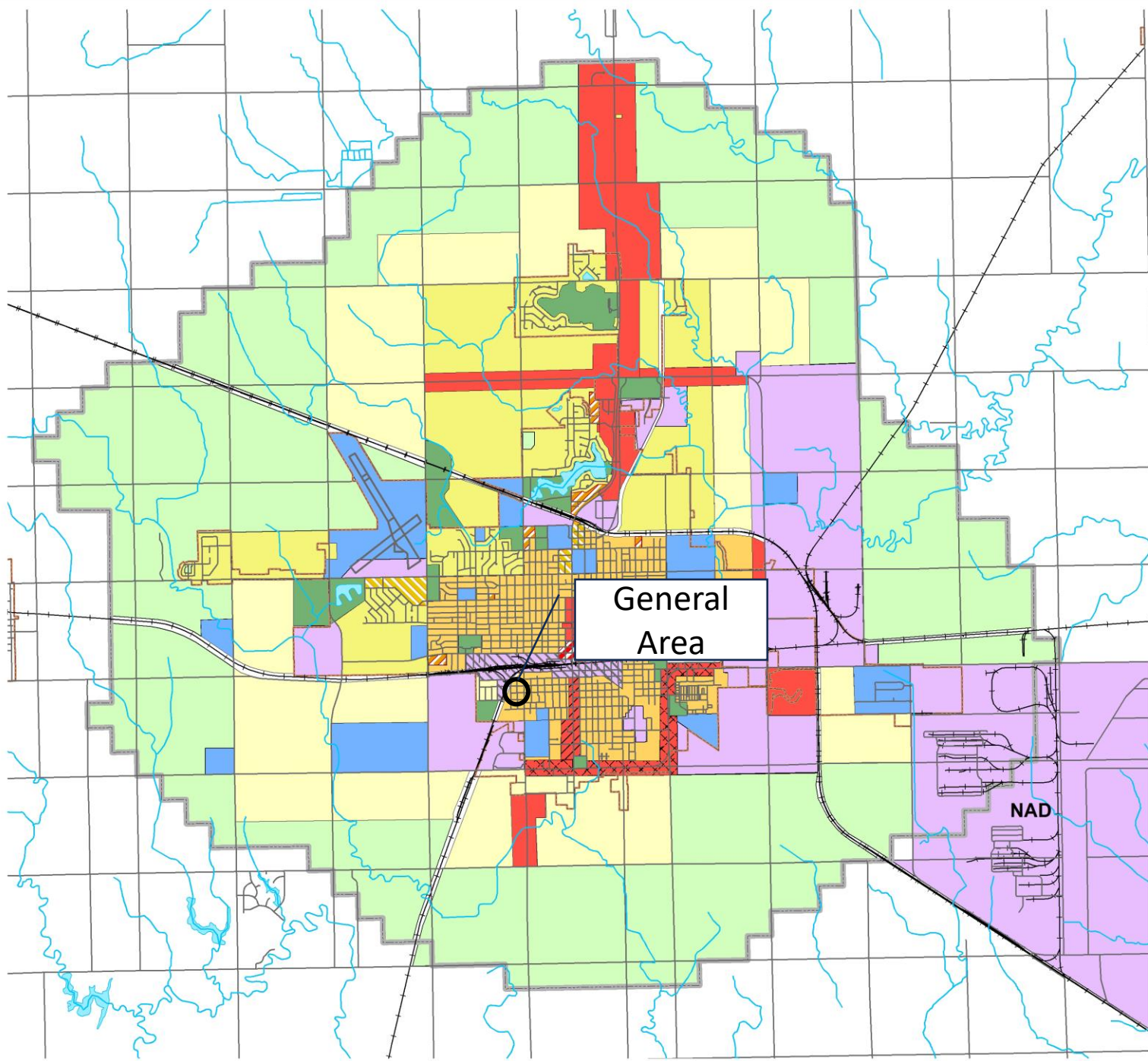
C ST W

EMERSON AVE

SEWELL AVE

BALTIMORE AVE S

D ST W



Future Land Use City of Hastings, Nebraska

Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215

Map Last Updated: December 28, 2016

Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential
- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial
- Public / Semi-Public
- Parks & Recreation
- Agriculture

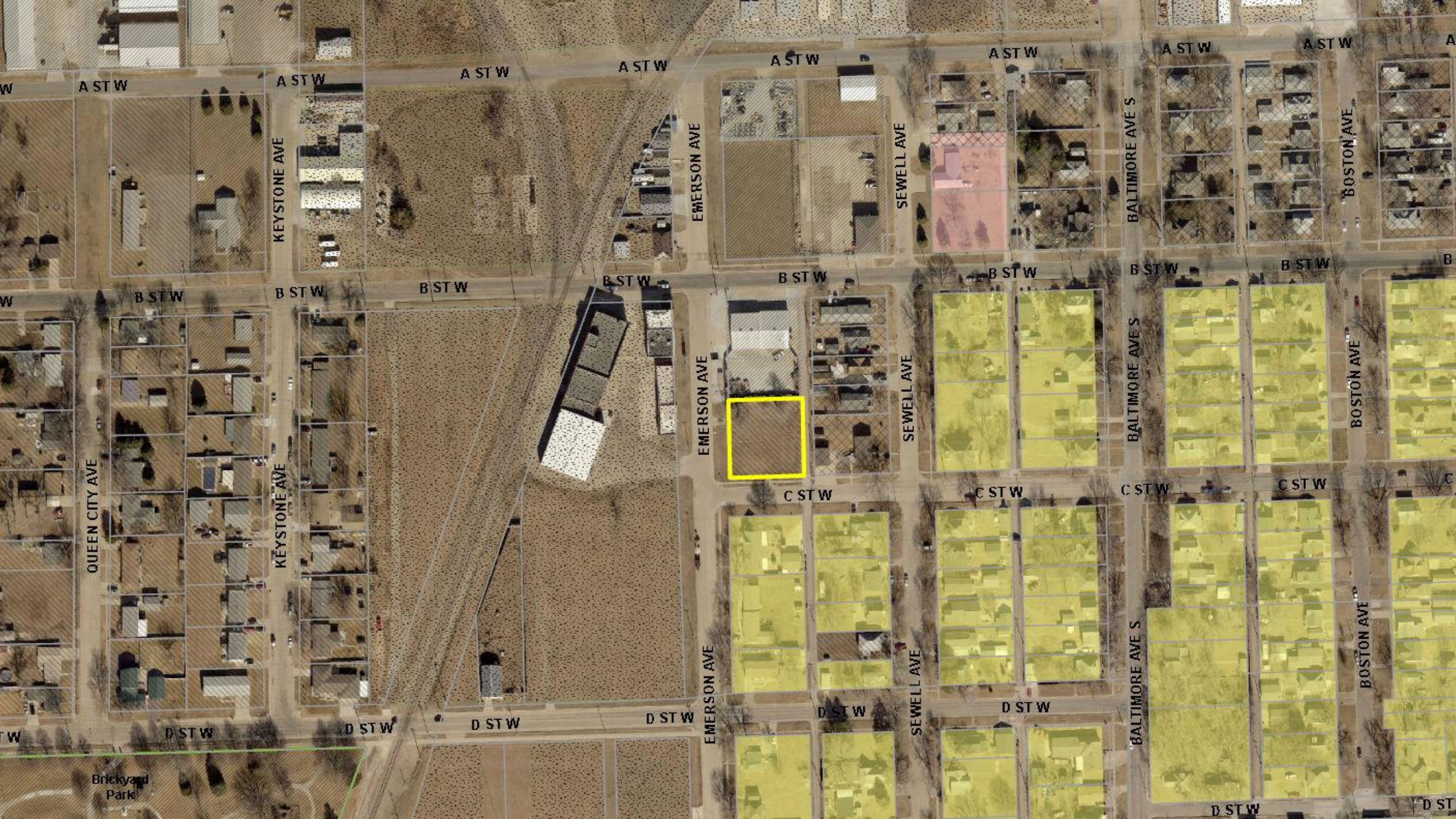
Overlay Districts:

- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay
- Floodplain

- City Boundary
- ETJ Boundary
- Education

not to scale





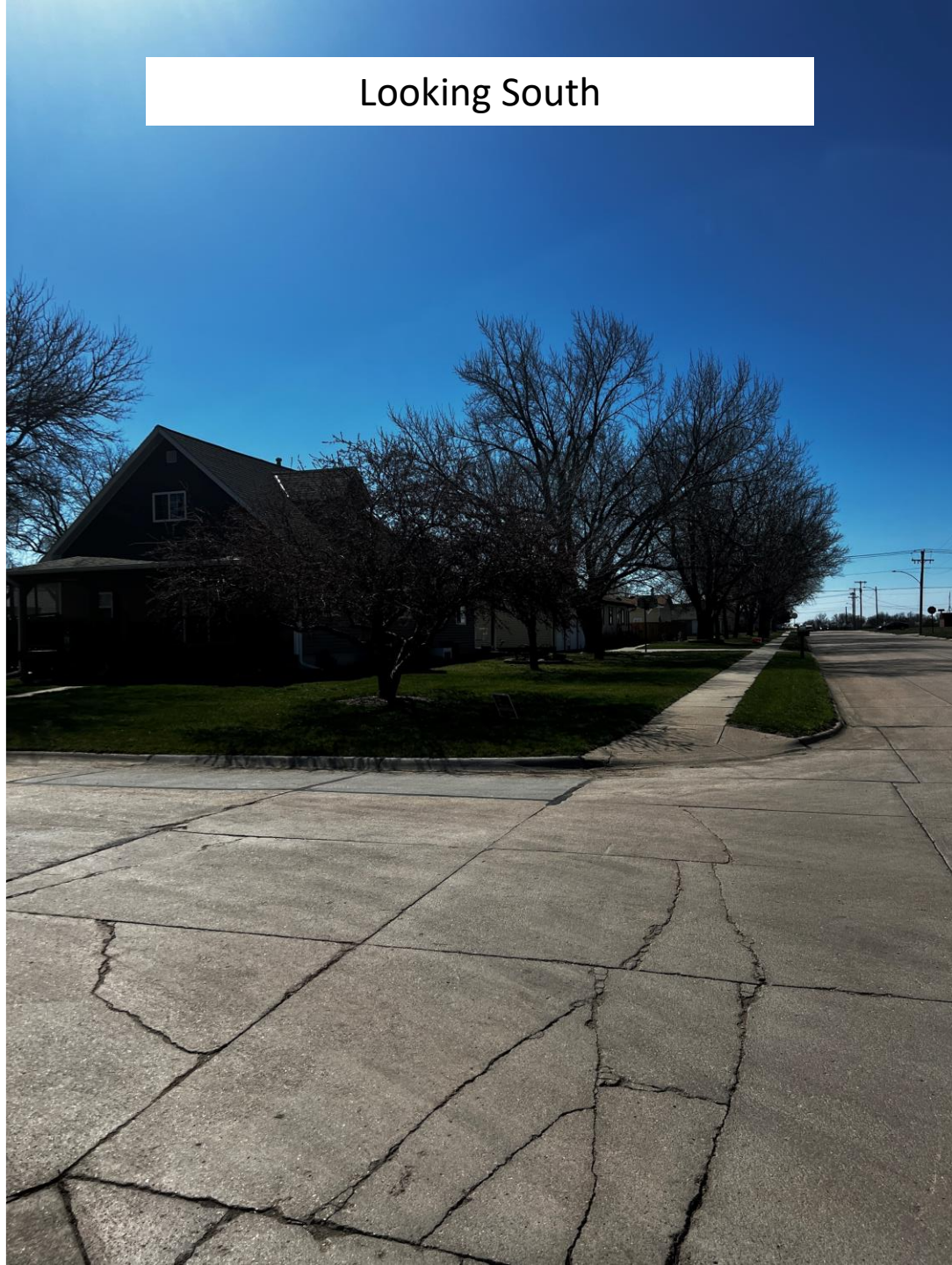
Looking North



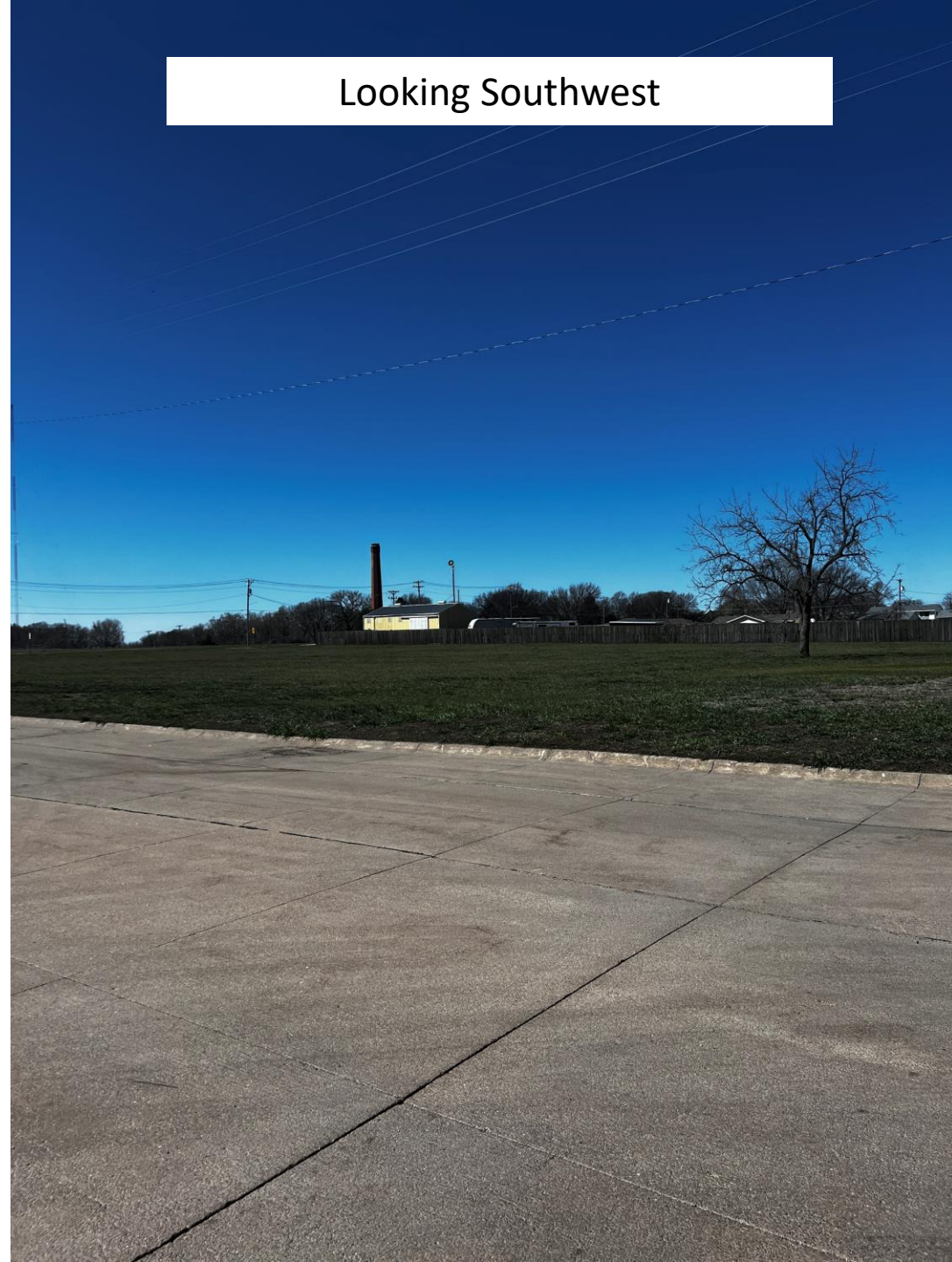
Looking East



Looking South



Looking Southwest



Looking Northwest



Staff Findings Summary

- The property and surrounding area is a unique mix of residential and industrial that is fined-grained and not recognized by the Comprehensive Plan. The request generally conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development.
- The character of the surrounding neighborhood is unique with incompatible industrial and residential uses combined along the railroad. It appears that this area finds ways to be compatible.
- A variety of uses on other properties have incompatible zoning and uses adjacent to each other. It appears that the mixed neighborhood has found ways to cope. Zoning Regulations do have requirements for screening and buffering to further minimize issues. The applicant has secured signatures of support for the rezoning. The request appears to be compatible.

Staff Recommendation

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed-density Neighborhood District to I-1 Light Industrial District, and to amend the Official Zoning District Map.





HASTINGS

Nebraska



File No.	2024-781
Project	Public hearing for a change of zoning for property commonly addressed as 421 Emerson Avenue, City of Hastings, Adams County, Nebraska, from R-2, Mixed Density Neighborhood District to I-1, Light Industrial District, and to amend the Official Zoning District Map.
Applicant	Efrain & Maria R. Sandoval



B ST W

B ST W

B ST W

SEWELL AVE

B ST W

B ST W

EMERSON AVE

C ST W

SEWELL AVE

C ST W

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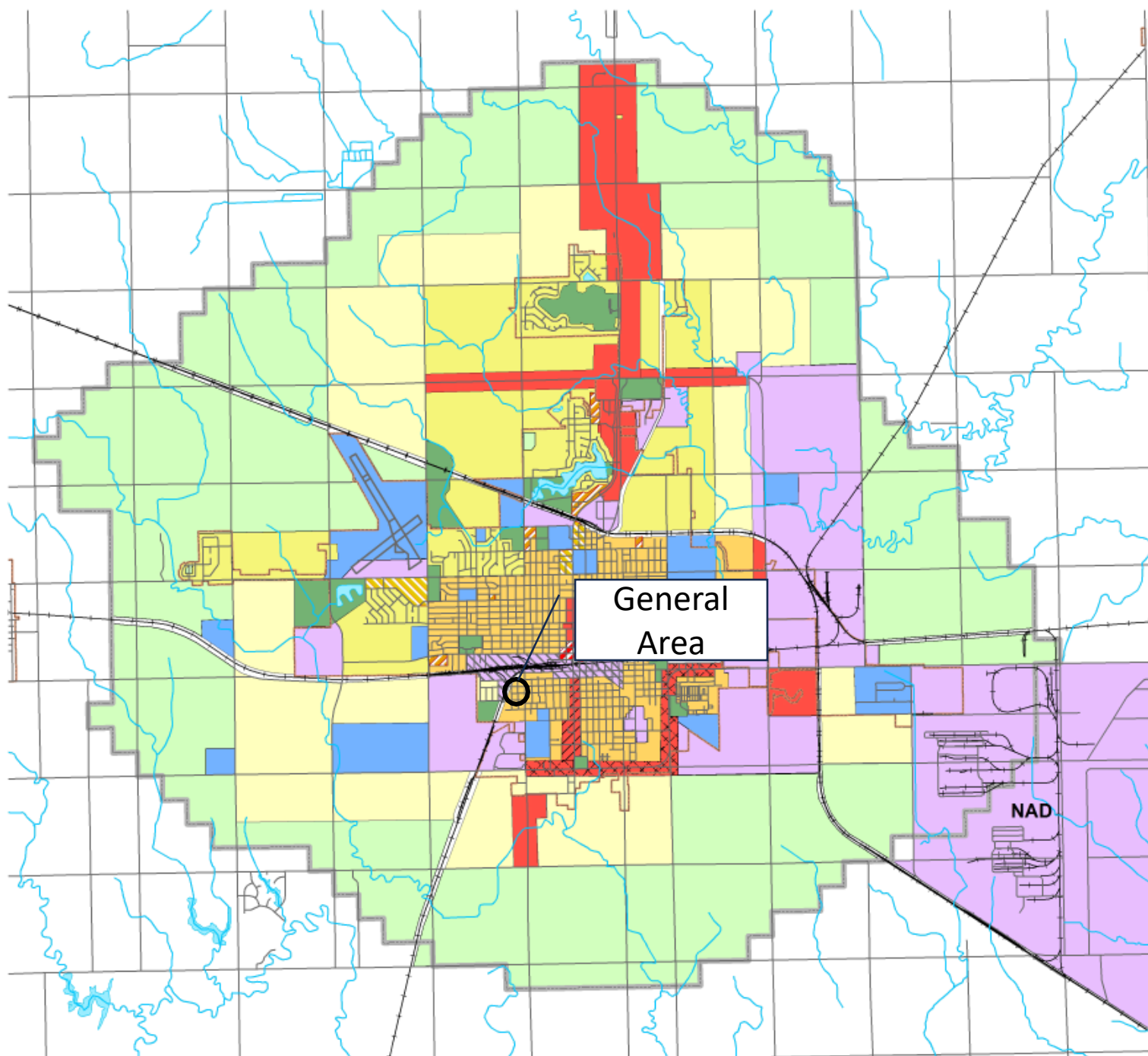
EMERSON AVE

SEWELL AVE

BALTIMORE AVE S

BALTIMORE AVE S

D ST W



Future Land Use City of Hastings, Nebraska

Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215

Map Last Updated: December 28, 2016

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- Rural Residential
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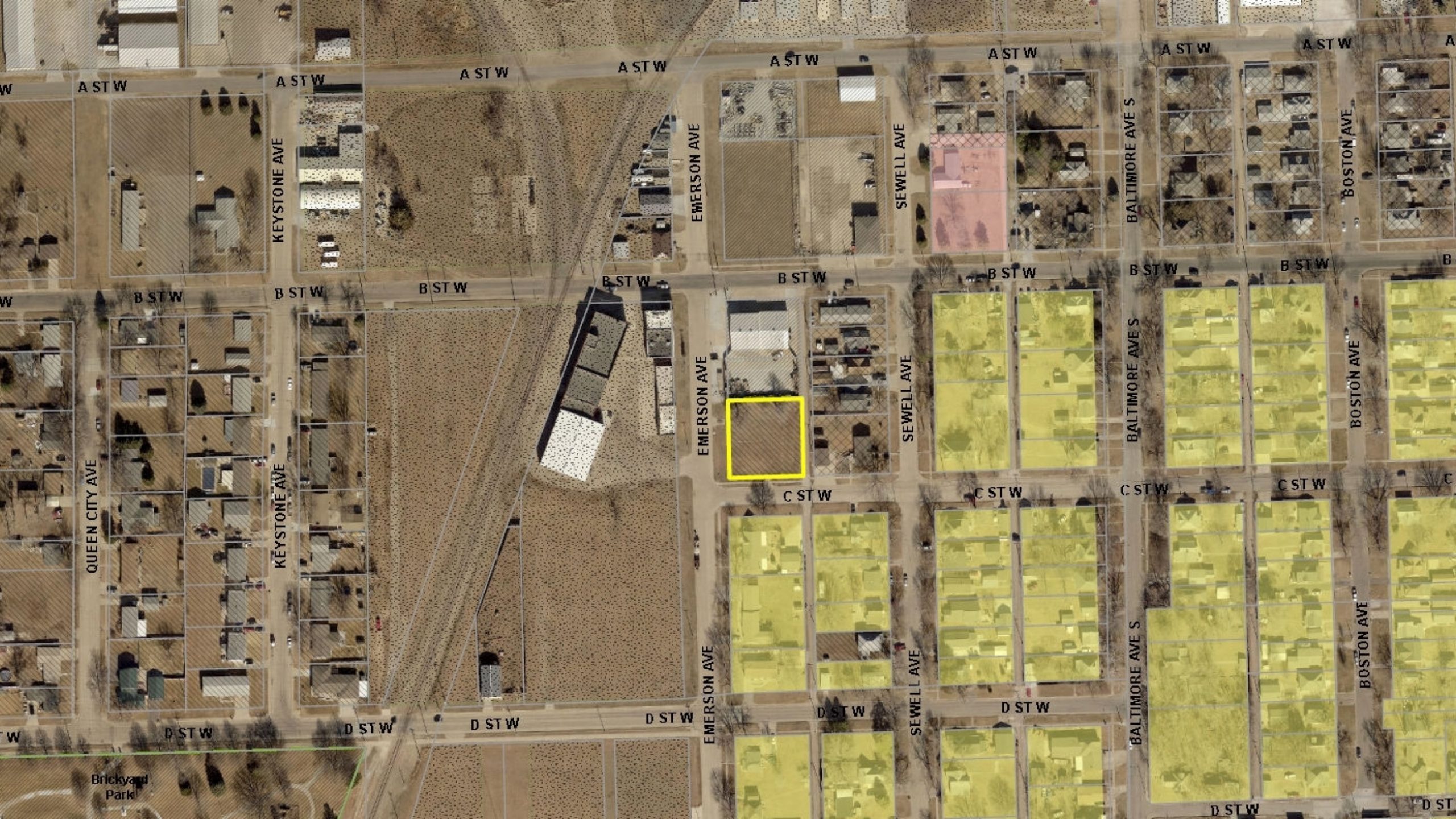
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not to scale





Looking North



Looking East



Looking South



Looking Southwest



Looking Northwest



Staff Findings Summary

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HASTINGS

Nebraska

Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 4/16/2024
File No: 2024-783
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, 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 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion
Ordinance

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single-Family Large Lot Residential District, and to amend the Official Zoning District Map.

Deadlines associated with action:

The request to rezone will be heard at the City Council Regular meeting on May 13, 2024.

Department head comments:

Development Services staff has reviewed the application to rezone the property to R-1A, Single-Family Large Lot District. The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

City staff recommends to the Planning Commission to recommend approval to the City Council for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.

City of Hastings Planning Commission



STAFF REPORT

Request to Rezone: A, Agriculture District to R-1A, Single-Family Large Lot Residential District

Case No. 2024-783

Applicant Craig Schlachter

Property Location: 1325 E. 26th Street, Hastings, NE, Adams County

A tract of land located in the southeast quarter of Section 32, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska

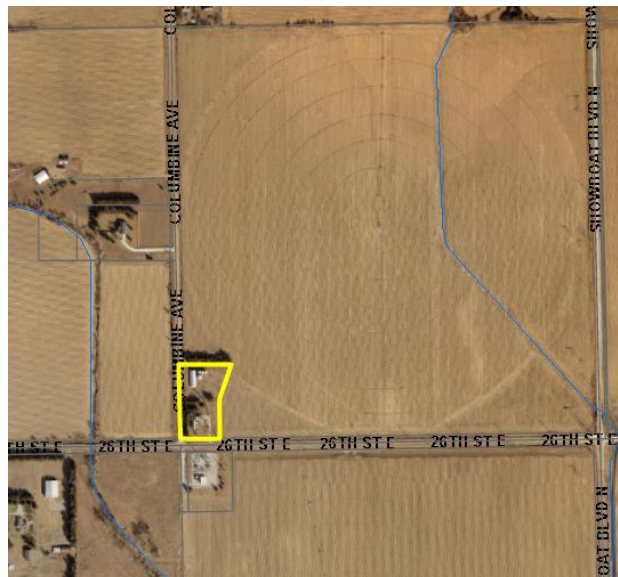
Lot Size: Rezoning Site: 2.97 acres Parent Tract: 160.83 acres

Date of Public Hearing: April 16, 2024

Current Zoning A, Agricultural District

Adjacent Zoning:

North:	A District
East:	A District
South:	A District and R-1S, Single-Family Suburban Acreage Residential District
West:	A District



DESCRIPTION OF REZONING REQUESTS: The applicants have requested to rezone approximately 2.97 acres of the 160.83-acre parent tract from A, Agricultural District to R-1A, Single-Family Large Lot Residential District. The rezoning site is associated with the land containing the single-family home. The remaining portion of the parent tract remains A District and is intended to remain as an agricultural use.

The reason for the rezoning request is to allow for a future subdivision of the land to subdivide the home site from the rest of the farmland. The A District requires that individual lots be a minimum of 5 acres. The applicants do not wish to subdivide that amount of property from the ag land.

Both the farm ground and the home site gain access from E. 26th Street.

The intent of the R-1A District is for urban and suburban single-family residential areas with low population densities where larger lots are desired and public sewer and water service may not be available. Structures and uses required to serve governmental, education, religious, non-commercial recreational, and other needs of such areas are permitted within such districts or are permissible as conditional uses subject to restrictions intended to preserve and protect their single-family residential character. (Sec. 34-203). The minimum lot area for the district is 20,000 square feet.

Property Description: The parent tract is 160.83 acres and the majority of it is row-crop farmland. In the southwest corner of the tract is a home site. Both the agricultural land and the home site gain access from E. 26th Street.

STANDARDS TO REZONE PROPERTY:

The provisions of [Article VIII](#) regulate the process of rezoning property within the City and its extraterritorial jurisdiction. The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

- a) The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.

The majority of the property has historically been used for agriculture. The agricultural land has been recently used for row crops.

The home site sits in the southwest corner of the tract of land. The home site is approximately 2.97 acres in area.

b) Conformity of the proposed change with the Comprehensive Plan.

The Future Land Use Map of the 2009 Imagine Hastings Comprehensive Plan shows the land as Rural Residential. Rural Residential is defined as a land use category that provides for large-lot and estate residential development with associated densities of 1 unit per 5 acres and greater range. The proposed rezoning is within the rural residential designated area.

The remaining portion of the parent tract is designated as primarily rural residential with the east portion of the farmland shown as employment/industrial land use.

The proposed rezoning generally conforms to the comprehensive plan. The 2009 plan shows the area as Rural Residential (1 unit per 5 acres or greater density).

Additionally, the proposed rezoning to a less intense residential zoning district would not preclude future developments on or near the site from developing to a denser residential use. If the current or future property owners choose to develop a residential subdivision on the parent property, that subdivision should not significantly conflict with the R-1A zoned property.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

The existing home uses a private water well and onsite sanitary service (septic system). The property is served by the City's electrical system.

Most public infrastructure (potable water, electricity, and gas) is located in the E. 26th Street right-of-way. Sanitary sewer is 750 ft away from the property. The rezone site and parent property can be served by the existing infrastructure in the area.

When the private water well needs to be replaced, the property will be required to connect to the public water system.

The site gains access from a paved driveway off E. 26th Street, which is a public roadway. The roadway is maintained by the County.

- d) The character of the neighborhood, including the zoning and uses of nearby property.

The neighborhood could be described as a transitional agricultural area, where the farmland is being developed over time due to its proximity to Hastings' city limits. To the southwest of the site are properties with single-family homes on smaller acreages. To the north, east, and south is agricultural land.

Southwest of the proposed Lot 1 is property within the city limits. These sites include single-family homes on smaller acreages, zoned R-1A.

The existing house matches the surrounding character and most of the uses of the surrounding neighborhood. The proposed rezoning is to accommodate a subdivision of the home site from the agricultural land.

- e) Compatibility of the proposed zoning district with nearby property.

As previously described, the proposed zoning district is intended to be for urban and suburban single-family residential areas with low population densities where larger lots are desired and public sewer and water service may not be available. The existing use matches the intent of the zoning district, as well as the surrounding properties, which can largely be described in a similar manner.

- f) Additional matters as might apply in individual cases. Not Applicable.

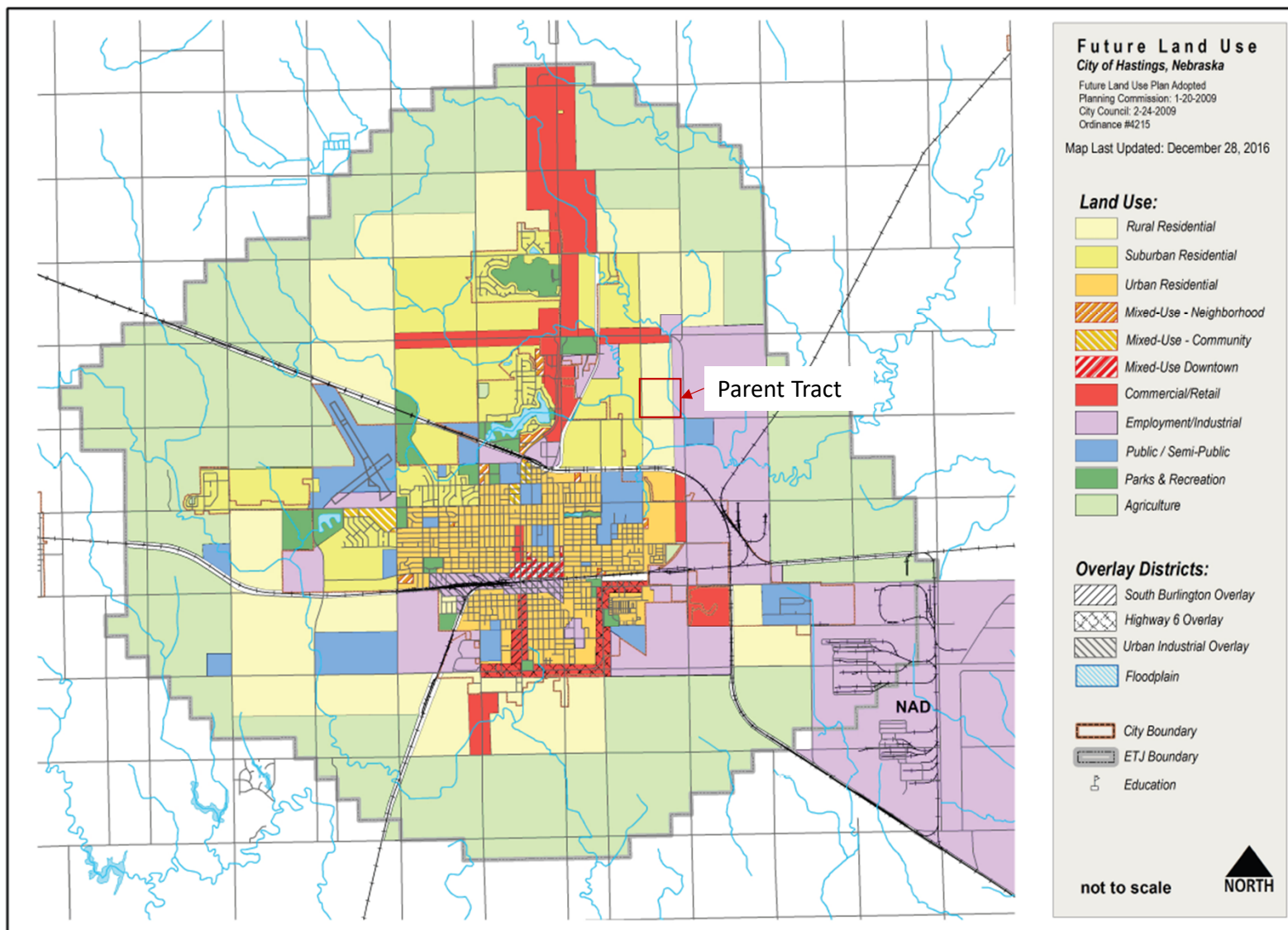
STAFF COMMENTS: City staff recommends to the Planning Commission to recommend approval to the City Council for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.

PREPARED BY: Ember Batelaan

DATE: April 1, 2024

ATTACHMENTS:

1. Aerial Map of Rezoning Site and Surrounding Area
2. Preliminary Plat
3. Rezoning Legal Description
4. 2009 Comprehensive Plan Future Land Use Map
5. Staff Summary Presentation

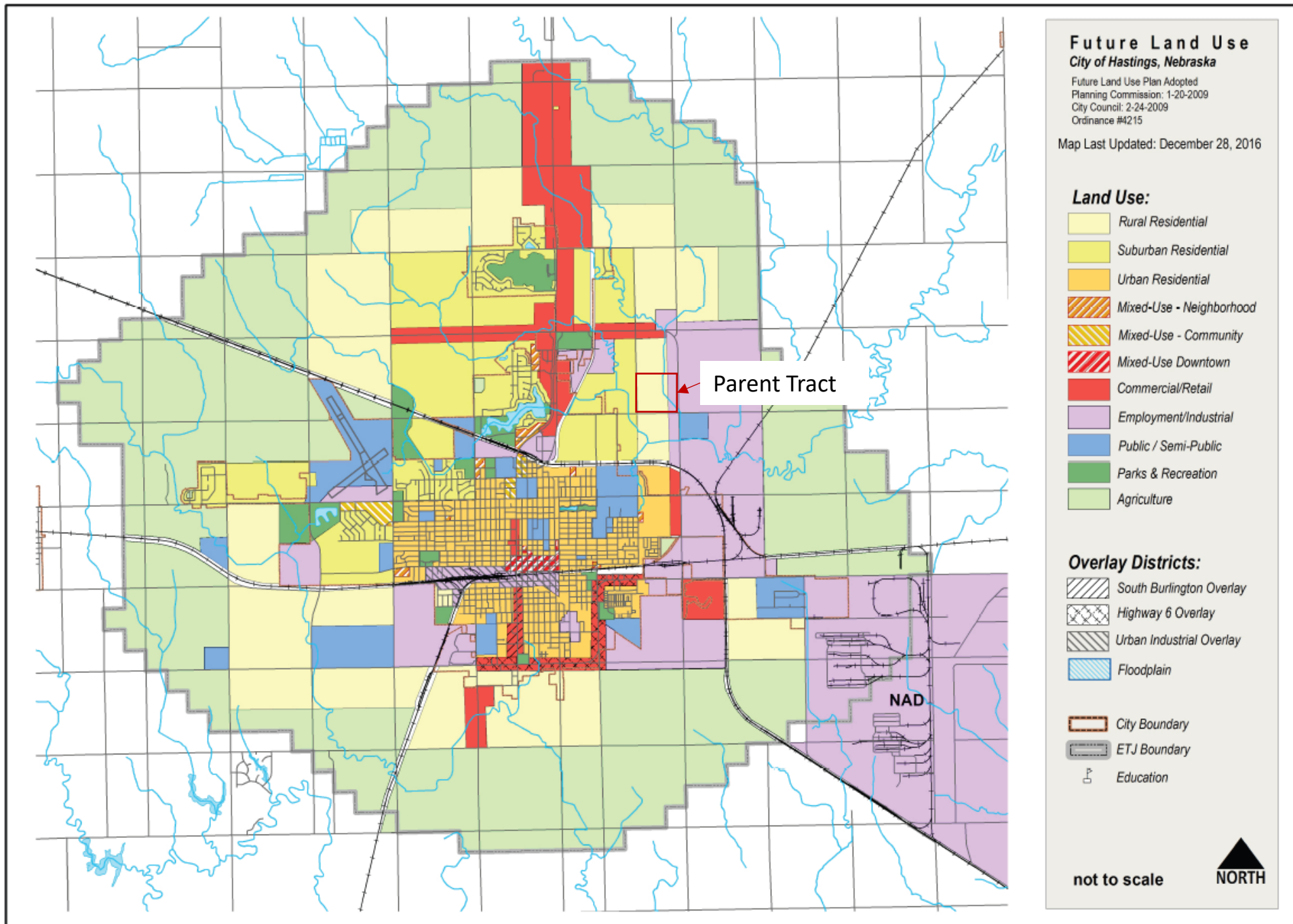


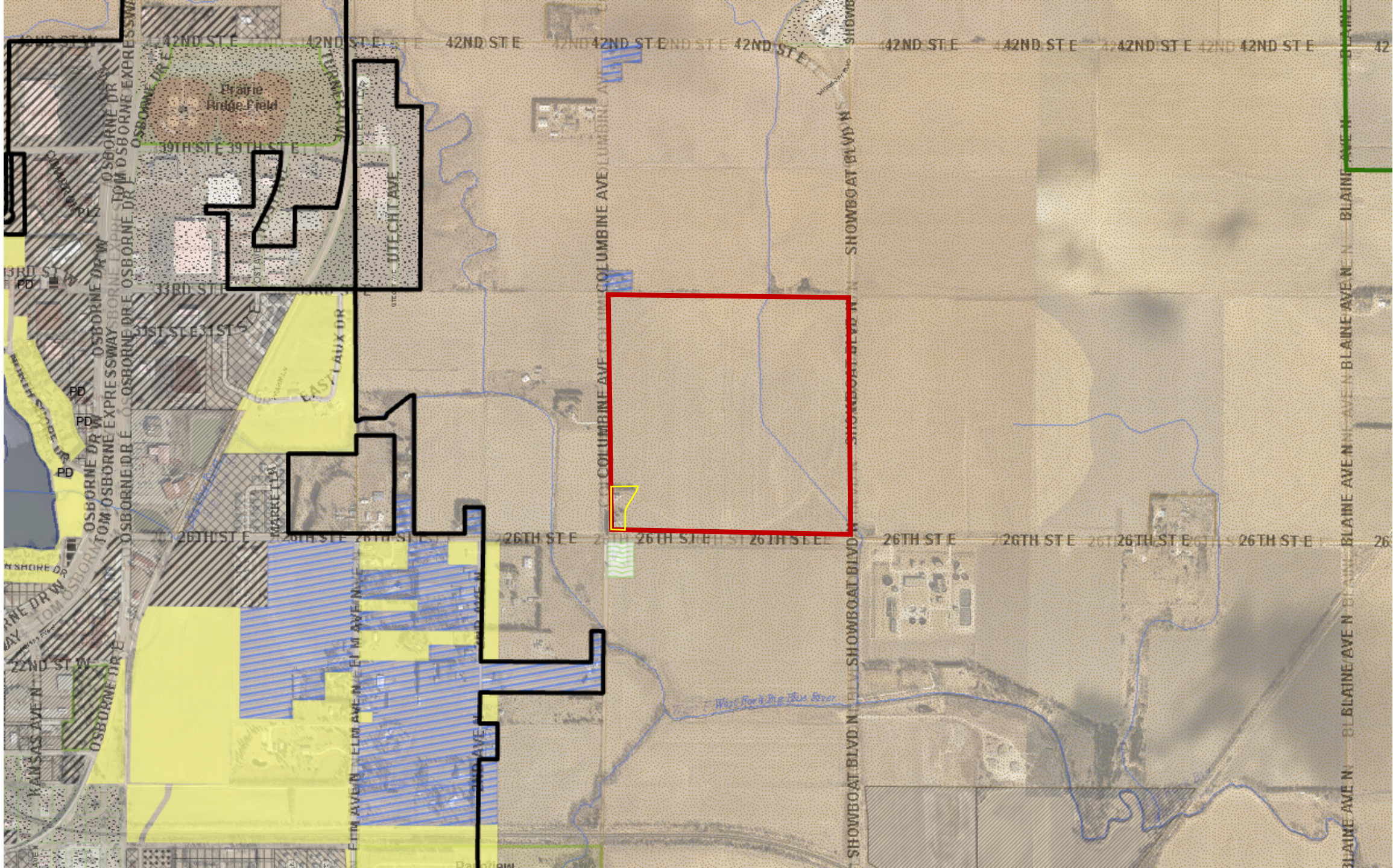




File No.	2024-783
Project	Public hearing for a change of zoning for property commonly addressed as 1325 E. 26 th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.
Applicant	Craig Schlachter







Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development. The existing home is currently on private water and sanitary sewer systems.
- The zoning and existing and potential uses are in character with the surrounding neighborhood.
- The proposed rezoning is compatible with the zoning and uses of nearby properties.

Staff Recommendation

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 1325 E. 26th Street, Adams County, Nebraska, from A, Agricultural District to R-1A, Single Family Large Lot Residential District, and to amend the Official Zoning District Map.



Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 4/16/2024
File No: 2024-798
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Public hearing for a change of zoning for property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, 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 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.

Names of People/Business affected by this action:

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

Why Planning Commission action is required:

Neb. Rev. Stat. 19-902 provides the city council shall receive the advice of the planning commission before taking definite action on any contemplated amendment, supplement, change, modification, or repeal, and no such regulation, restriction, or boundary shall become effective until after separate public hearings are held by both the planning commission and the city council in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Notice of the time and place of such hearing shall be given by publication thereof in a legal newspaper in or of general circulation in such municipality at least one time ten days prior to such hearing.

Type of action requested:

Motion

Suggested motion:

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.

Deadlines associated with action:

The request to rezone will be heard at the City Council Regular meeting on May 13, 2024.

Department head comments:

Development Services staff has reviewed the application to rezone the property to R-3, Multiple-Family Residential District. The complete details of the staff review and recommendation are in the attached staff report.

Recommendation:

Staff recommends the Planning Commission **APPROVE** the request to rezone the property at 502 East D Street, from I-1, Light Industrial District to R-3, Multiple-Family Residential District.

City of Hastings Planning Commission



STAFF REPORT

Request to Rezone: From I-1, Light Industrial District to R-3, Multiple-Family Residential District.

Case No. 2024-798

Applicant Hoppe Development, Inc., Ben Kunz, on behalf of the Hastings Community Redevelopment Authority

Property Location: 502 East D Street

Lot Size: 3.67 acres

Date of Public Hearing: April 16, 2024

Current Zoning I-2, Heavy Industrial District

Adjacent Zoning:

- North: R-3, Multiple-Family Residential District
- East: I-1, Light Industrial District
- South: I-2, Heavy Industrial District
- West: R-3 District, I-1 District and I-2 District



DESCRIPTION OF REZONING REQUESTS: The request is to rezone the property from I-1, Light Industrial District to R-3, Multiple-Family Residential District. The purpose of the rezoning request is to prepare the land for a future residential development once the land is purchased by the developer, Hoppe Development. The land is currently owned by the Hastings Community Redevelopment Authority.

No specific plans have been submitted to the City for this new development. However, the applicant has requested information from the City for a Nebraska Investment Finance Authority (NIFA) Low Income Housing Tax Credit application.

Property Description:

The property is a relatively flat, 3.67-acre tract of land, to the southeast of the intersection of East D Street and Cedar Avenue. Near this intersection, a vacant single-story home that was built in the early 1920s sits on the site. Surrounding the home is a wooded area. A gravel driveway is accessed off S. Cedar Avenue, a gravel public roadway. The wooded area extends along S. Cedar Avenue.

The remainder of the site is an open area that has a grass cover crop.

STANDARDS TO REZONE PROPERTY:

The provisions of [Article VIII](#) regulate the process to rezone property within the City and its extraterritorial jurisdiction.

The City Council, by recommendation from the City Planning Commission, will base its decision on the following:

a) The existing use of the property, its physical and environmental characteristics, its zoning history, and its suitability for the zoning district it currently is within.

The site is relatively flat. On the northwest corner of the site is a single-story, single-family home that is currently vacant. According to the Adams County Accessory data, the home was built in 1923.

Surrounding the home, and along the S. Cedar right-of-way is a dense stand of mature trees. The remainder of the site is an open area with a grass cover crop.

The site was originally zoned I-1, Light Industrial District in 1958 by Ord. No. 1824. It does not appear that the site was used for any industrial uses after the rezoning.

Based on the size and layout of the site, an industrial use could be established on the site.

b) Conformity of the proposed change with the Comprehensive Plan.

The property is designated as Urban Residential in the 2009 Imagine Hastings Comprehensive Plan Future Land Use Map.

The policy statement for this use designation is:

The urban residential category allows higher density residential development, typically in the 4 to 10 units per acre range with lots ranging in size from 7,000 to 10,750 square feet in size. The original development areas of the city consisting of smaller lots and blocks, defined by a gridded street network, are good examples of this type of residential development. This category may include a mixture of housing styles and types including single family, duplexes, townhomes and multi-family of both rental and ownership types. Such residential uses may be integrated into neighborhoods or neighborhood centers, community centers, and regional centers per specified location guidelines outlined. To maintain the viability of these types of neighborhoods community services such as churches, schools and parks are also allowed in this land use category.

The proposal is to rezone the property to R-3, Multiple-family Residential District. This district would generally have a more intense residential use compared to other residential zoning districts. The minimum lot area requirements of the R-3 District range from 4,500 square feet for a single-family home to 8,000 square feet for 5 or more family dwellings.

The density of the proposed development will not be known until the development plans are submitted. In addition to the density topic, the proposed use should be integrated with the surrounding neighborhood with the building and site designs, as described in the land use category policy statement.

c) Adequacy of sewer, water, streets, and other needed facilities and services for permitted uses in the proposed zoning district.

The site is currently served by City utilities. These utilities should be adequate to provide needed water, sanitary sewer, electricity, and gas for the existing and proposed uses.

East D Street is a paved urban section of roadway with curb and gutters. South Cedar Street is a gravel road with no ditches or curbs and gutters. This roadway will most likely need to be improved with the proposed development to handle any added traffic from the development.

d) The character of the neighborhood, including the zoning and uses of nearby property.

The surrounding neighborhood is a mix of residential and industrial uses. To the north is a residential neighborhood that is zoned R-3 District. Within this neighborhood are mostly single-family homes. However, there are other housing types, including a small four-family housing development immediately to the north of the site.

To the east and south of the site are open areas with grass ground cover. The properties to the south are zoned I-2, Heavy Industrial District, and are being used for a trucking business.

A manufactured home is present on this site. The large open area on the east side of the property is being used for outdoor storage.

To the west of the site is a mix of zoning districts. Immediately to the west is a property that is zoned R-3 District and is a single-family home. Also to the west is a property used for a light manufacturing facility or indoor storage facility. This property is zoned I-1 and I-2 Districts. To the southwest of the site is a property being used for indoor and outdoor storage uses.

e) Compatibility of the proposed zoning district with nearby property.

The proposed rezoning should be compatible with the surrounding properties. Relatively speaking, the most intense use allowed in the R-3 District would be multiple-family dwellings in the form of an apartment complex. Compared to other industrial uses in the area, this type of use should not adversely affect the surrounding area.

The site is large enough to accommodate a variety of residential types while also providing any required or applicant-provided buffers, screening, or the like to minimize impacts on the surrounding area.

- f) Additional matters as might apply in individual cases.** The site is within Hastings Redevelopment Area Number 5. A link to the Blight and Substandard Area Study completed in 1992 can be found [here](#). If the future development on the site is to use tax increment financing (TIF) to help fund the project, a specific redevelopment plan will need to be reviewed by the CRA, City staff, and the Planning Commission and approved by the City Council. This will occur at a later date.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the request to rezone the property at 502 East D Street, from I-1, Light Industrial District to R-3, Multiple-Family Residential District.

PREPARED BY: Chad Bunger, AICP, CFM Director of Development Services

DATE: April 8, 2024

ATTACHMENTS:

1. Application materials
2. 2009 Comprehensive Plan Future Land Use
3. Uses and district table (R-3 District highlighted)
4. R-3 District Regulations
5. Staff summary presentation



Owner's Authorization Letter

I/we hereby certify that I/we are the owner(s) of the property described herein. I/we am/are respectfully requesting processing and approval of the application(s) referenced herein. I/we hereby authorize the Applicant(s) listed on this application to act on my/our behalf during the processing and presentation of the request. The person(s) identified as Applicant shall be the principal contact with the City in processing this application.

Project: Cedar Park

Address/Location: 502 East D Street, Hastings, NE 68901

Applicant(s): Ben Kunz, Hoppe Development

Community Redevelopment Authority of the City of Hastings Randal Chick
Owner: _____ Owner's Signature

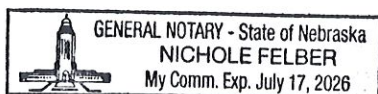
Owner: _____ Owner's Signature

State of Nebraska)

) ss:

County of Adams)

The foregoing document was acknowledged before me this 28th day of March
2024, by Randal Chick



Nichole Felber
Notary Public

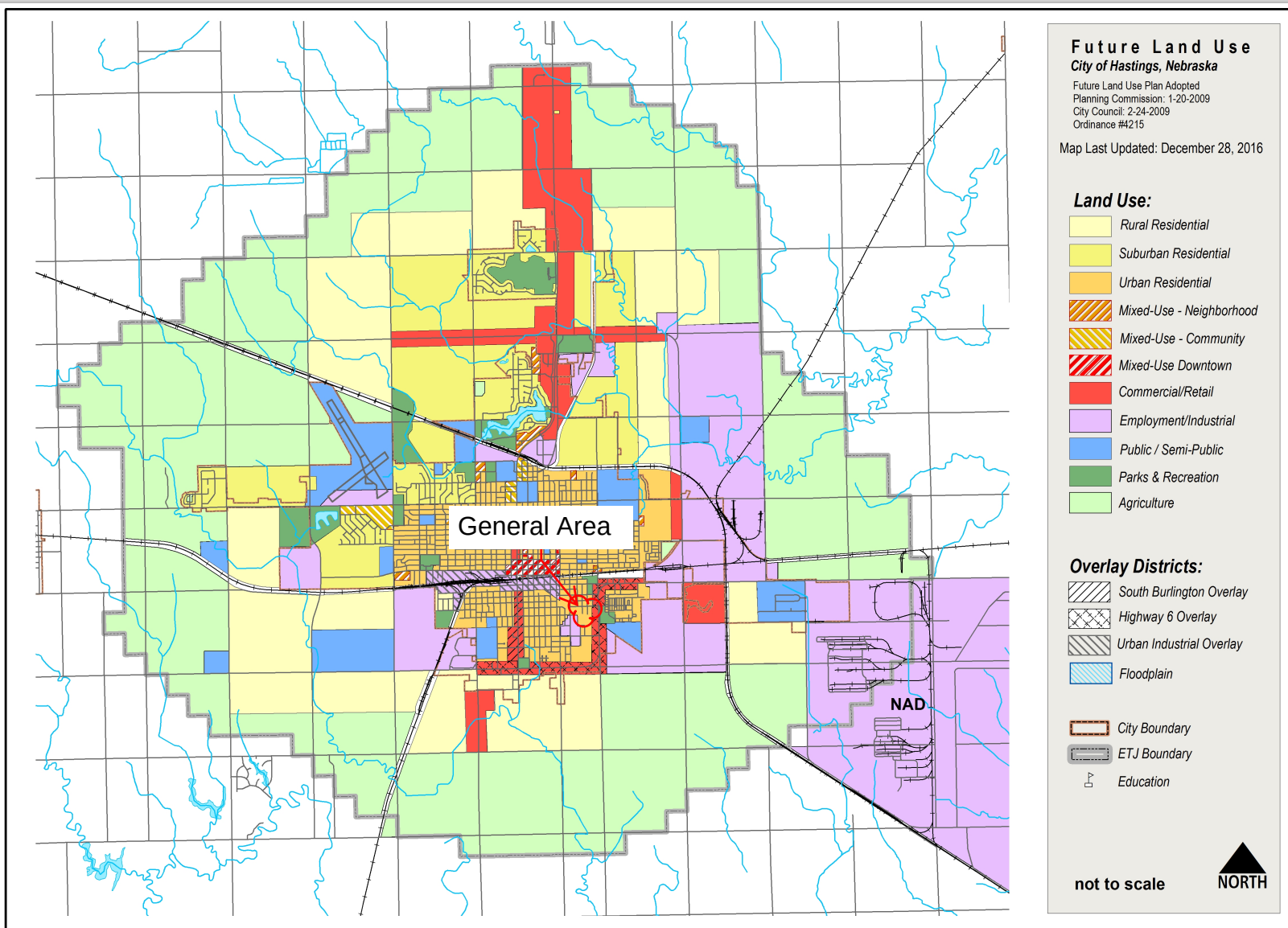


Figure 2.2: Future Land Use Plan

Sec. 34-200. - Uses and districts table.

TABLE 200-1: USES AND DISTRICTS														
	A	R-1	R-1A	R-1S	R-2	R-3	R-4	C-O	C-1	C-2	C-3	CMP	I-1	I-2
Residential Uses														
Detached dwelling	P	P	P	P	P	P	P	P	P		P			
Semi-attached dwelling					P	P	P	P	P		P			
Attached dwelling						P	P	P	P		P			
Multi-dwelling building						P	P	P	P		P			
Live/Work units							P	P	P	P				
Mixed-use dwelling							C			P		P		
Group housing		C	C	C	C	C	C				C			
Type A & B manufactured housing	P	P	P	P	P	P	P	P	P		P			
Mobile home court	C												C	C
Mobile home, accessory	C													
Detached dwelling, accessory	C													
Civic Uses														
Assembly, neighborhood	C	C	C	C	C	C	C	C	C	C	C	C	C	C

Assembly, community								C	C	C	C	C	C	C
Eleemosynary or philanthropic institution.						C		C	C	P	P	P		
Golf course/Clubhouse (non-business)	P	P	P	P		C						P		
Public park/Playground	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Public museum or library	P	P	P	P	P	P	P	P	P	P	P	P	P	P
School, elementary	P	P	P	P	P	P	P	P	P			P		
School, secondary	R	R	R	R	R	R	R	R	R			P		
School, college or university	P					P						P		
Recreational vehicle park	C										C		C	C
Recreational vehicle, temporary use	R										R		R	R
Temporary structure, temporary use	P	R	R	R	R	R	R			P	P	P	P	P
Service Uses														
Adult care, home	C	C	C	C	C	C	C	C	C	C	C	P		
Adult care facility								P	P	P	P	P		
Automobile service station, limited								C	P	P	P	P	P	P

Automobile service station, general											P	P	P	P
Automobile service station, large-scale											P	P	P	P
Automobile repair, limited								C	C	C	P	P	P	P
Automobile repair, general										C	P		P	P
Bank								P	P	P	P	P	P	P
Child care, home	R	R	R	R	R	R	R	R	R	R	R	P		
Child care facility					R	R		P	P	P	P	P	P	P
Halfway house, quasi-institutional use													C	C
Kennel, commercial	C										C		C	C
Lodging, bed and breakfast	C	C	C	C	C	C	C	C	C	C				
Lodging, rooming house						C			P	P	P	P		
Lodging, hotel										P	P	P	P	P
Lodging, motel											P	P	P	P
Medical office	C							P	P	P	P	P		
Medical clinic	C							P	P		P	P	C	C
Medical hospital	C							P	P			P	C	C
Nursing home/Assisted living	C	C	C	C	C	C	C	P	P	C	P	P		

Professional services office								P	P	P	P	P	P	P
Self storage, storage areas								C		R	C		C	C
Veterinary office	P							P	P	P	P		P	P
Veterinary hospital	P										C		C	C
Employment Uses														
Home occupation	R	R	R	R	R	R	R	R	R	R	R			
Office, limited						C	C	P	P	P	P	P	P	P
Office, small							C	P	P	P	P	P	P	P
Office, general									C	P	P	P	P	P
Office complex/campus										C	P	P	P	P
Commercial and Retail Uses														
Convenience retail, automobile (< 5K s.f.)								C			P	P	P	P
Convenience retail, corner store (< 2K s.f.)							C	P	P	P	P	P	P	P
Neighborhood retail (< 5K s.f.)									P	P	P	P	P	P
General retail (5Ks.f.— 20Ks.f.)										P	P	C	P	P
Large-scale retail (20K s.f.— 100K s.f.)										C	P	C	P	P

Warehouse retail (> 100K s.f.)										P		P	P
Neighborhood grocery (< 45K s.f.)								P	P		P		
Supermarket (> 45K s.f.)										P	C	P	P
Indoor entertainment & Rec. business									P	P	C	P	P
Outdoor entertainment & Rec. business	C									C	C	C	C
Entertainment venue	C									C	C	C	C
Outdoor sales, limited									C	P	P	P	P
Outdoor sales, seasonal									C	C	C	C	C
Outdoor sales, yard										P		P	P
Mobile vendor, temporary use										R	R	R	R
Outdoor market (Farmers market)										P			
Restaurant									P	P	P	P	P
Industrial Uses													
Grain storage elevator	P												P
Manufacturing, limited								C	C	C	P	P	P

Manufacturing, light										C	C	C	P	P
Manufacturing, general													P	P
Manufacturing, heavy														P
Impound yard													C	C
Motorized Vehicle Racetracks														P
Recycling collection and processing													C	P
Salvage yard/Junkyard													C	C
Slaughterhouse/Meat packing	C													C
Storage or sale of liquid petroleum	C													P
Warehouse storage/Bulk storage	C												P	P
Wholesale													P	P
Agriculture and Natural Resource Uses														
Agriculture, limited	R		R											
Agriculture, general	P													
Aquaculture	C													
Feed lot	C													

Natural resource extraction	C													
Nursery	P	C	C								P		P	
Stable, public	P										P		P	
Public Service Users														
Airfield	C	C	C	C										C
Heli-stop	C	C	C	C				C	C				C	C
Public parking lot						C	C	C	C	C	C	C	C	C
Public recreation grounds	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Public utility plant	C												C	C
Public utility sub-station	C	C	C	C	C	C	C	C	C	C	C		C	C
Cemetery	C									C	C		C	
Small wind energy systems	R	R	R	R	R	R	R	R	R	R	R	R	R	R
Large scale wind generator (Wind farms)	C												C	C
Telecommunication facilities and support structures	C							C	C	C	C	C	R	R

Key:

P = Permitted, allowed subject to general district standards

R = Restricted, allowed subject to specific use standards

C = Conditional, allowed subject to discretionary review

* Permitted use within the A District outside the City Limits, conditional use within A District within the City Limits.

(Ord. No. 4342 -3/2013; Ord. No. 4674, § 2, 11-8-2021; Ord. No. 4735, § 2, 5-8-2023)

Sec. 34-206. - R-3 Multiple-Family Residential Districts.

- (1) *Intent.* This district is intended to include urban and suburban single-family, two-family and multiple-family residential uses with medium population densities, uses and structures required to serve governmental, educational, religious, non-commercial recreational and other needs of such areas. The regulations and restrictions in the R-3 District are intended to protect, preserve and enhance the primarily residential character of the district.
- (2) *Allowed uses.* See Table 200-1 in Section 34-200.
- (3) *Minimum lot requirements.*

Use	Lot Area (sq. ft.)	Lot Width (lin. ft.)
Single-family dwelling	4,500	45
Two-family dwelling	6,000	50
Townhouses	2,500	20
3 and 4 family dwelling	7,000	70
5 or more family dwelling	8,000	75 (plus 1,000 sq. ft. for each dwelling unit in excess of 5)
Other uses	6,000	50

Multiple-family dwellings shall provide a usable yard area of 100 sq. ft. per dwelling unit.

- (4) *Minimum yard requirements.*
- (a) All permitted uses except townhouses.
- (i) Front yard—25 ft.
- (ii) Side yard—There shall be a side yard on each side of a building not less than ten percent of the width of the lot; except, that such side yard shall not be less than seven feet, and need not be more than 25 feet. In single-family dwellings with lots less than 50 feet in width, a side yard setback may be reduced to five feet on each side of the building.

Buildings on corner lots shall provide a side yard on the street side of not less than 15 feet, or a side yard on the street side of not less than ten feet on any lot less than 50 feet in width provided that this regulation shall not be so interpreted as to reduce the buildable width of a corner lot in separate ownership on August 26, 1968 to less than 35 feet.

- (iii) Rear yard—The depth of the rear yard shall be at least 20 percent of the depth of the lot, but such depth need not be more than 30 feet, except that for a corner lot, the rear yard setback shall be the same as for the interior side yard, as described in the preceding subsection (b).

(b) *Townhouses.*

- (i) *Front yard*—20 ft.
- (ii) *Side yard at the common wall*—none.
- (iii) *Side yard*—Ten ft.
- (iv) *Rear yard*—Ten ft.

(5) *Minimum dwelling size.*

- (a) *Single family*—650 sq. ft. of living floor area.
- (b) *Multi-family*—None.

(6) *Maximum lot coverage by all buildings.*

- (a) Maximum lot coverage by all buildings shall not exceed 50 percent.

(7) *Maximum height of structures.*

- (a) Except as otherwise provided in this chapter, the maximum height of a principal structure shall be 35 feet above grade.
- (b) The maximum height of an accessory structure shall not exceed the height of the principal structure by more than 25 percent.

(Code No. 3139-8/89, 3163-3/90, 3205-2/91, 3215-6/91, 3269-7/92, 3276-9/92, 3428-10/94, 3491-8/95, 3861-6/2002, 3879-11/2002, 4233-11/2009, 4595-7/2019)



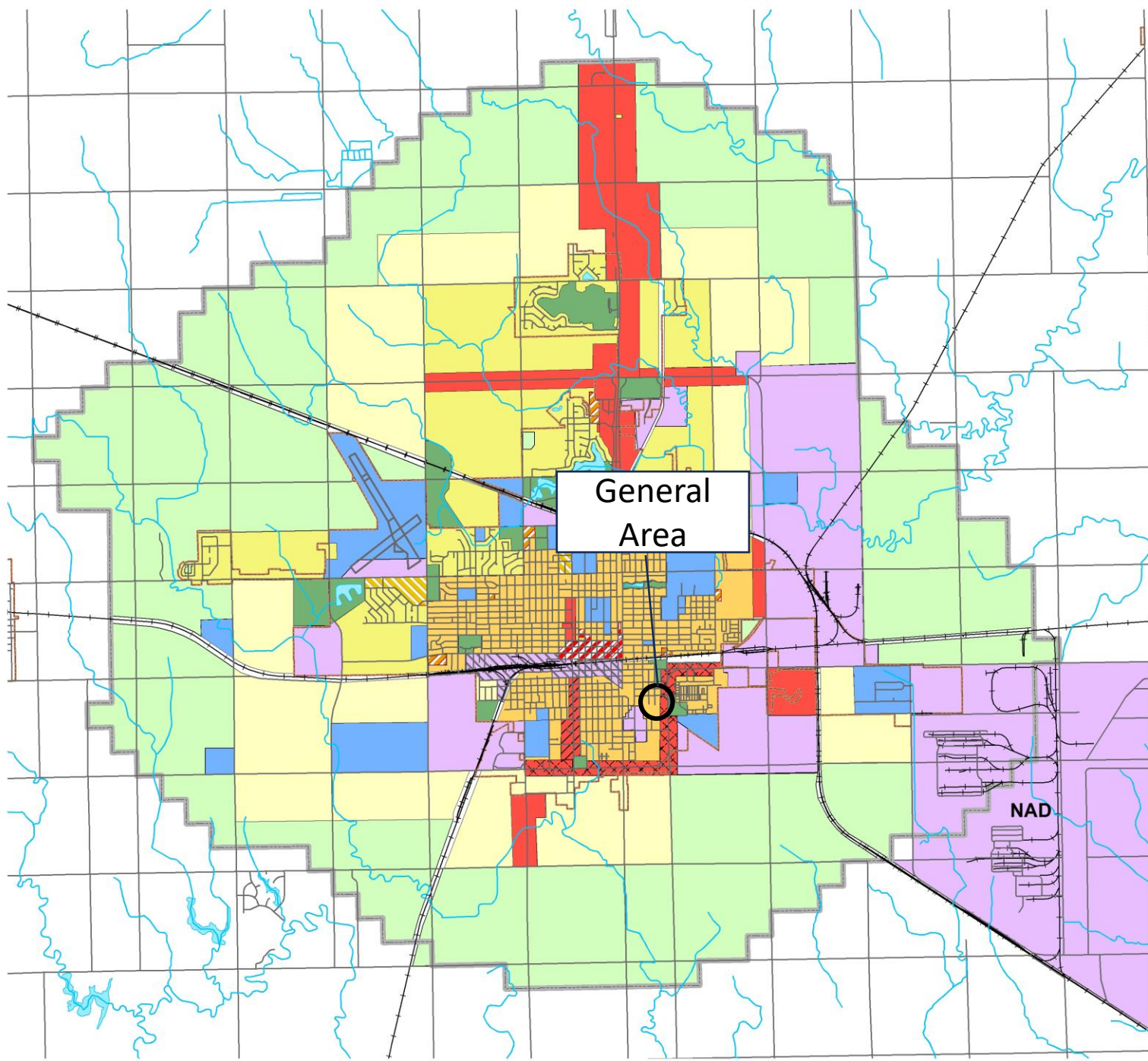
HASTINGS

Nebraska



File No.	2024-798
Project	Public hearing for a change of zoning for property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.
Applicant	Hoppe Development, Ben Kunz
Owner	Hastings Community Redevelopment Authority





Future Land Use City of Hastings, Nebraska

Future Land Use Plan Adopted
Planning Commission: 1-20-2009
City Council: 2-24-2009
Ordinance #4215

Map Last Updated: December 28, 2016

Land Use:

- Rural Residential
- Suburban Residential
- Urban Residential
- Mixed-Use - Neighborhood
- Mixed-Use - Community
- Mixed-Use Downtown
- Commercial/Retail
- Employment/Industrial
- Public / Semi-Public
- Parks & Recreation
- Agriculture

Overlay Districts:

- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay
- Floodplain

- City Boundary
- ETJ Boundary
- Education

not to scale





Looking South – Into Home Area



Looking South – Into Open Area



Looking South – Down Cedar Ave.



Looking Northwest



Looking West



Looking East



Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development.
- The character of the surrounding neighborhood is a mix of single-family homes, smaller multiple-family homes, and light industrial uses
- The proposed rezoning should be compatible with the surrounding neighborhood. Other properties to the north are also zoned R-3 District.
- The area is in Redevelopment Area #5. If this area redevelops, a request to amend the redevelopment plan is likely

Staff Recommendation

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District, to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.



HASTINGS

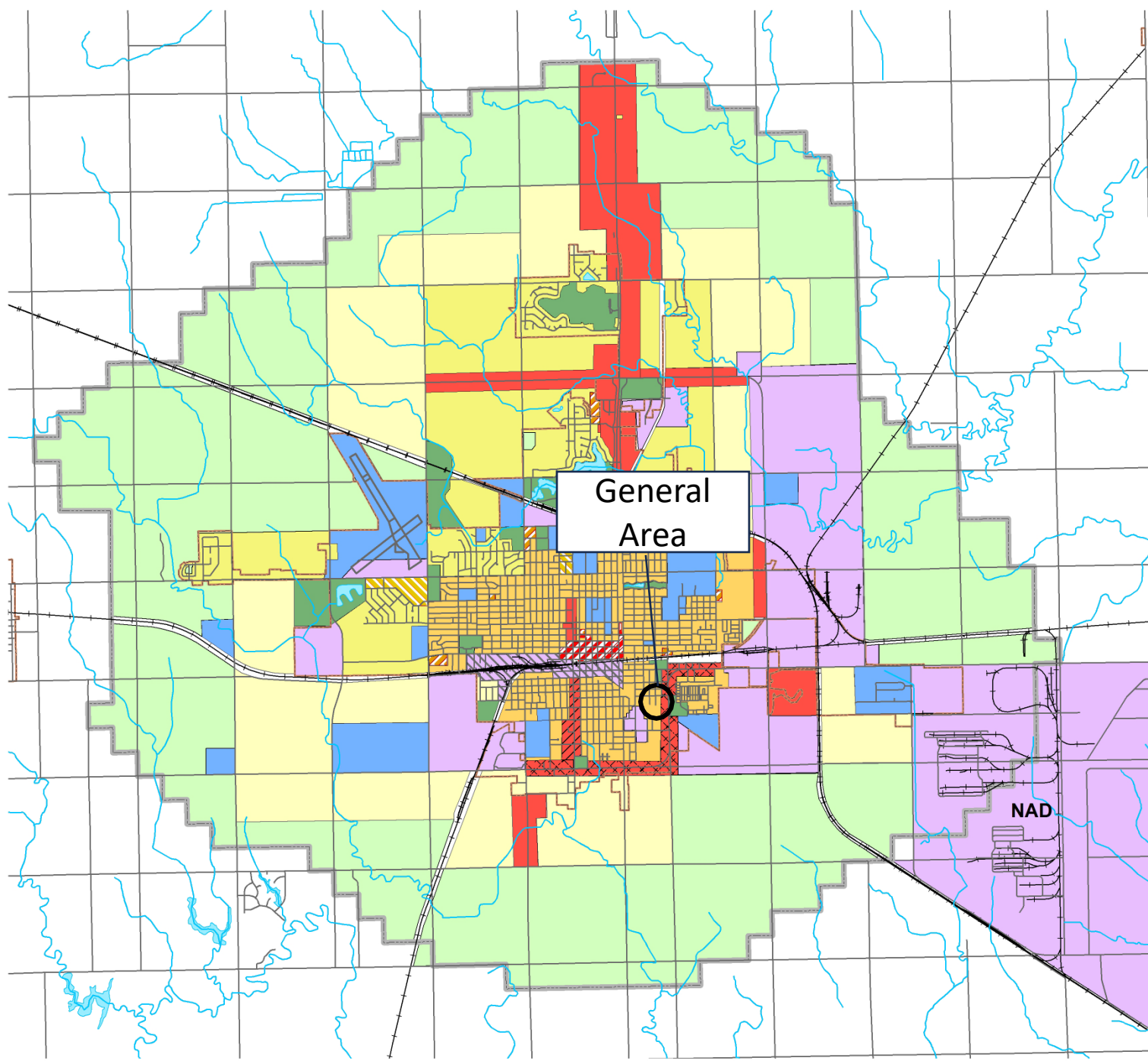
Nebraska





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- Mixed-Use Downtown
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- Parks & Recreation
- Agriculture

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- South Burlington Overlay
- Highway 6 Overlay
- Urban Industrial Overlay
- Floodplain

- City Boundary
- ETJ Boundary
- Education

not to scale





Looking South – Into Home Area



Looking South – Into Open Area



Looking South – Down Cedar Ave.



Looking Northwest



Looking West



Looking East



Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- Adequate public infrastructure is available in the area to serve the development.
- The character of the surrounding neighborhood is a mix of single-family homes, smaller multiple-family homes, and light industrial uses
- The proposed rezoning should be compatible with the surrounding neighborhood. Other properties to the north are also zoned R-3 District.
- The area is in Redevelopment Area #5. If this area redevelops, a request to amend the redevelopment plan is likely

Staff Recommendation

City staff recommends to the Planning Commission to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 502 East D Street, City of Hastings, Adams County, Nebraska, from I-1, Light Industrial District, to R-3, Multiple-Family Residential District, and to amend the Official Zoning District Map.



Department: Development Services
Staff Contact: Ember Batelaan
Planning Commission Meeting Date: 4/16/2024
File No: 2024-784
Prepared By: Chad Bunker, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Preliminary Plat for Hoss Subdivision, in the Southeast Quarter of Section 32, Township 8 North, Range 9 West of the 6th P.M., in Adams County, Nebraska

Names of People/Business affected by this action:

The applicant, the City of Hastings and Adams County.

Why Planning Commission action is required:

Neb. Rev. Stat. 19-929 states that city council shall not take final action on subdivision development matters without the recommendation of the Planning Commission.

Type of action requested:

Motion

Suggested motion:

Not Applicable

Deadlines associated with action:

This case will be presented for approval at the City Council Regular Meeting to be held on May 13, 2024.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in City Code Section 38-203. All related utility easement locations have been reviewed and approved by the Utilities Coordinator as part of this plat process.

A complete review of the Preliminary Plat can be found in the attached Staff Report.

Recommendation:

Staff recommends the Planning Commission **APPROVE** the **PRELIMINARY PLAT of the Hoss Subdivision**, a tract of land located in the southeast quarter of Section 32, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska.

City of Hastings Planning Commission



STAFF REPORT

Preliminary Plat: Hoss Subdivision

File No. 2024-784

Applicant Craig Schlachter

Property Location: 1325 E. 26th Street, Hastings, NE, Adams County
A tract of land located in the southeast quarter of Section 32, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska

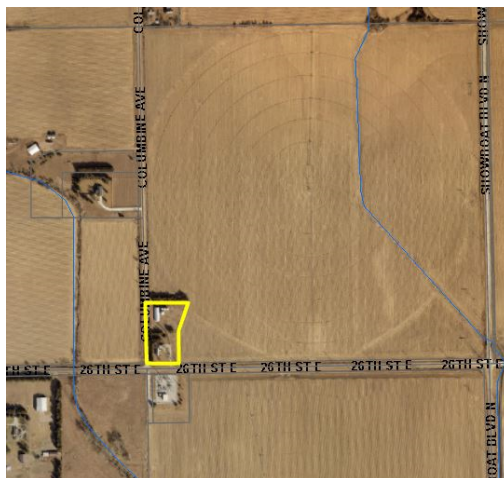
Lot Size: 160.83 acres

Date of Consideration April 16, 2024

Current Zoning A, Agricultural District

Adjacent Zoning:

- North: A District
- East: A District
- South: A District and R-1S, Single-Family Suburban Acreage Residential District
- West: A District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF A PRELIMINARY PLAT:

- **Sec. 38-201. – Approval of subdivision plats**
- **Sec. 38-202. – Preliminary Plat:** describes intent, submittal requirements and approval limitations.
- **Chapter 28, Article III. – Planning and Community Design Standards:** describes various plat, lot, and site design requirements.
- **Chapter 28, Article IV. – Engineering and Technical Standards:** describes technical standards of public infrastructure and other improvements.

DESCRIPTION OF PRELIMINARY PLAT REQUESTED:

The applicant has requested to subdivide the 160.83-acre tract of land into two separate lots. Lot 1 will be 2.97 acres and is the location of a single-family home. The area associated with Lot 1 is also requested to be rezoned on April 16, 2024, to R-1A, Single-Family Large Lot Residential District. Lot 2 would consist of the remaining land 157.86 acres that is dedicated to farmland. Lot 2 is zoned A, Agricultural District.

Property Description: The parent tract is 160.83 acres and the majority of it is row-crop farmland. In the southwest corner of the tract is a home site with a single-family home. Both the agricultural land and the home site gain access from E. 26th Street.

The site is outside of the Hastings City Limits but within the Hastings Extra-territorial jurisdiction.

The grades have been established with the farmland and the house. No changes in the grades are proposed.

CONSIDERATIONS OF THE PRELIMINARY PLAT:

Subsection 38-201(1). – Approval of subdivision plats states no plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions set forth in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.

City staff reviews the following topics to ensure that the proposed preliminary plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards and Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to the City of Hastings Planning Commission and Hastings City Council.

Pursuant to Sec. [34-402](#) of the City Code of Ordinance, the City Council, by recommendation from the City Planning Commission, will base its decision on the following:

1. Conformance to the Comprehensive Plan

The Future Land Use Map of the 2009 Imagine Hastings Comprehensive Plan shows the land as Rural Residential. Rural Residential is defined as a land use category that provides for large-lot and estate residential development with associated densities of 1 unit per 5 acres and greater range. The proposed rezoning is within the rural residential designated area.

The remaining portion of the parent tract is designated as primarily rural residential with the east portion of the farmland shown as employment/industrial land use.

The proposed Preliminary Plat generally conforms to the comprehensive plan. A large portion of the property is to remain farmland and is not intended for development at this time.

The proposed density of the area to be rezoned to R-1A will be 0.34 dwelling units per acre. This is compatible with the 2009 plan (1 unit per 5 acres or greater).

The proposed Preliminary Plat does not preclude future developments on or near the site from developing to a denser residential use. If the current or future property owners choose to develop a residential subdivision on Lot 2, another Preliminary Plat would be required to ensure appropriate subdivision design and conformance with the Comprehensive Plan.

2. Conformance with the Applicable Zoning Regulations

The two lots conform to the minimum requirements of their respective zoning district, if the rezoning of proposed Lot 1 is approved. The minimum lot size in the A District is five acres. The minimum lot size in the R-1A District is 20,000 square feet (.46).

3. Adequate and Appropriate Access

Both properties gain access from E. 26th Street, a county-maintained paved arterial roadway. The existing driveway is rural design leading to the house site.

4. Design of Public Infrastructure

- a. Access to public right-of-way.* The site gains access from E. 26th Street via a paved driveway. The location of the private driveway meets minimum standards for spacing onto the County-maintained arterial roadway.
- b. Public utilities.* Currently, the property is served by private water wells and onsite sanitary sewer (septic system).
- c. Floodplain and stormwater management.* The proposed Lot 1 is shown on the FEMA Flood Insurance Rate Map (Panel No. 31001C0100C) as being in the Zone X.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the **PRELIMINARY PLAT of the Hoss Subdivision**, a tract of land located in the southeast quarter of Section 32, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska.

PREPARED BY: Ember Batelaan, City Planner

DATE: April 1, 2024

ATTACHMENTS:

1. Hoss Subdivision Preliminary Plat
2. 2009 Comprehensive Plan

HOSS SUBDIVISION

PRELIMINARY PLAT

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

NW COR SE ¼ SEC 32-T8N-R9W
FOUND A 3/8" REBAR 0.3' DEEP

W 33.12' TO A NAIL FOUND 2-FOOT ABOVE GROUND
IN THE SOUTH FACE OF A FENCE POST
SE 64.34' TO A STEP NAIL FOUND 1-FOOT ABOVE GROUND
IN THE WEST FACE OF A POWER POLE
SE 65.69' TO THE CENTER OF THE TOP NUT OF FIRE HYDRANT
E 32.82' TO A ¾" PIPE FOUND NEAR THE SURFACE
E 2' TO THE CENTERLINE OF A GRAVEL ROAD
AS DRIVEN NORTH AND SOUTH

SW COR SE ¼ SEC 32-T8N-R9W
FOUND A SURVEY SPIKE IN THE ASPHALT

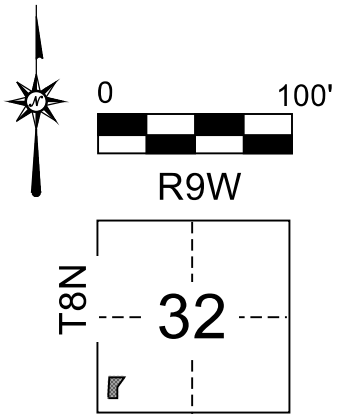
S 41.25' TO A PLASTIC CAP STAMPED "LS-448" ON A 5/8" REBAR
S 40.28' TO A ½" REBAR
SE 47.05' TO THE CENTER OF THE TOP NUT
OF A FIRE HYDRANT
NW 57.93' TO A NAIL FOUND 3-FOOT ABOVE GROUND
IN THE WEST FACE OF A GUARD POST
FOR A TELEPHONE RISER
NE 63.82' TO A NAIL FOUND 1-FOOT ABOVE GROUND
IN THE NORTHWEST FACE OF A POWER POLE
E 5' TO THE CENTERLINE OF A GRAVEL ROAD NORTH

NE COR SE 1/4 SEC 32-T8N-R9W
FOUND A DRILL HOLE IN CONCRETE

W 36.00' TO A NAIL "X" FOUND 1-FOOT ABOVE GROUND IN THE
EAST FACE OF A RAILROAD TIE FENCE POST
SW 47.38' TO A 5/8" REBAR (BENT SOUTH)
E 50.00' TO A PLASTIC CAP ON A 5/8" REBAR
NW 48.36' TO A 5/8" REBAR
E 4.1' TO THE CENTERLINE JOINT OF CONCRETE

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IN THE NORTHEAST FACE OF A POWER POLE



NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE
	WELL
	SET 1/2" REBAR (LS-448 CAP)
+	CALCUATED CORNER

EXISTING 20-FOOT
UTILITY EASEMENT
(INSTR NO. 20060367)

POINT
OF
BEGINNING

SW COR SE ¼
SEC 32-T8N-R9W
(SURVEY SPIKE)

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF HOSS SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR
APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY,
NEBRASKA WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED THIS _____ DAY OF _____, 20____.

CHAIRMAN

DIRECTOR

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M., WITHIN THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS
COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF
SAID SECTION 32; THENCE N00°11'45"W (ASSUMED BEARING) ON THE WEST
LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 41.25 FEET TO THE NORTH
RIGHT-OF-WAY LINE OF EAST 26TH STREET AS RECORDED IN DEED BOOK 153,
PAGE 189, THIS BEING THE POINT OF BEGINNING; THENCE CONTINUING N00°
11'45"W, ON SAID WEST LINE, DISTANCE OF 2643.15 FEET TO THE NORTHWEST
CORNER OF SAID SOUTHEAST QUARTER; THENCE S89°40'49"E, ON THE NORTH
LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2653.82 FEET TO THE
NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE S00°09'47"E, ON
THE EAST LINE SAID SOUTHEAST QUARTER, A DISTANCE OF 2638.46 FEET TO
SAID NORTH OF WAY LINE OF EAST 26TH STREET; THENCE N89°46'55"W, ON
SAID RIGHT-OF-WAY LINE, A DISTANCE OF 2652.29 FEET TO THE POINT OF
BEGINNING CONTAINING 160.83 ACRES, MORE OR LESS, INCLUDING 3.95 ACRES,
MORE OR LESS, OF COUNTY RIGHT-OF-WAY EASEMENT.

FLOOD PLAIN STATEMENT

THE PROPERTY AS LEGALLY DESCRIBED ON THIS
PLAT IS IN ZONE X, AREA OF MINIMAL FLOOD
HAZARD, AND NOT WITHIN THE SPECIAL FLOOD
HAZARD AREA AS DETERMINED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY (FEMA) AS
INDICATED ON THE FLOOD INSURANCE RATE MAP
(FIRM) PANEL NO. 31001C0176C EFFECTIVE
7/05/2018.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF A SURVEY WAS
MADE BY ME OR UNDER MY SUPERVISION AND IS
TRUE AND ACCURATE TO THE BEST OF MY
KNOWLEDGE AND THAT I AM A DULY REGISTERED
LAND SURVEYOR UNDER THE LAWS OF THE STATE OF
NEBRASKA.

THOMAS L. KRUEGER | LS-448

FILE NAME ADAMS COUNTY SEC 32-T8N-R9W (SCHLACHTER)		
SCALE 100 Ft/In	DATE 03-04-2024	DRAWN BY T. KRUEGER
JOB KLS-24002	FIELD WORK TK	SHEET 1 OF 2

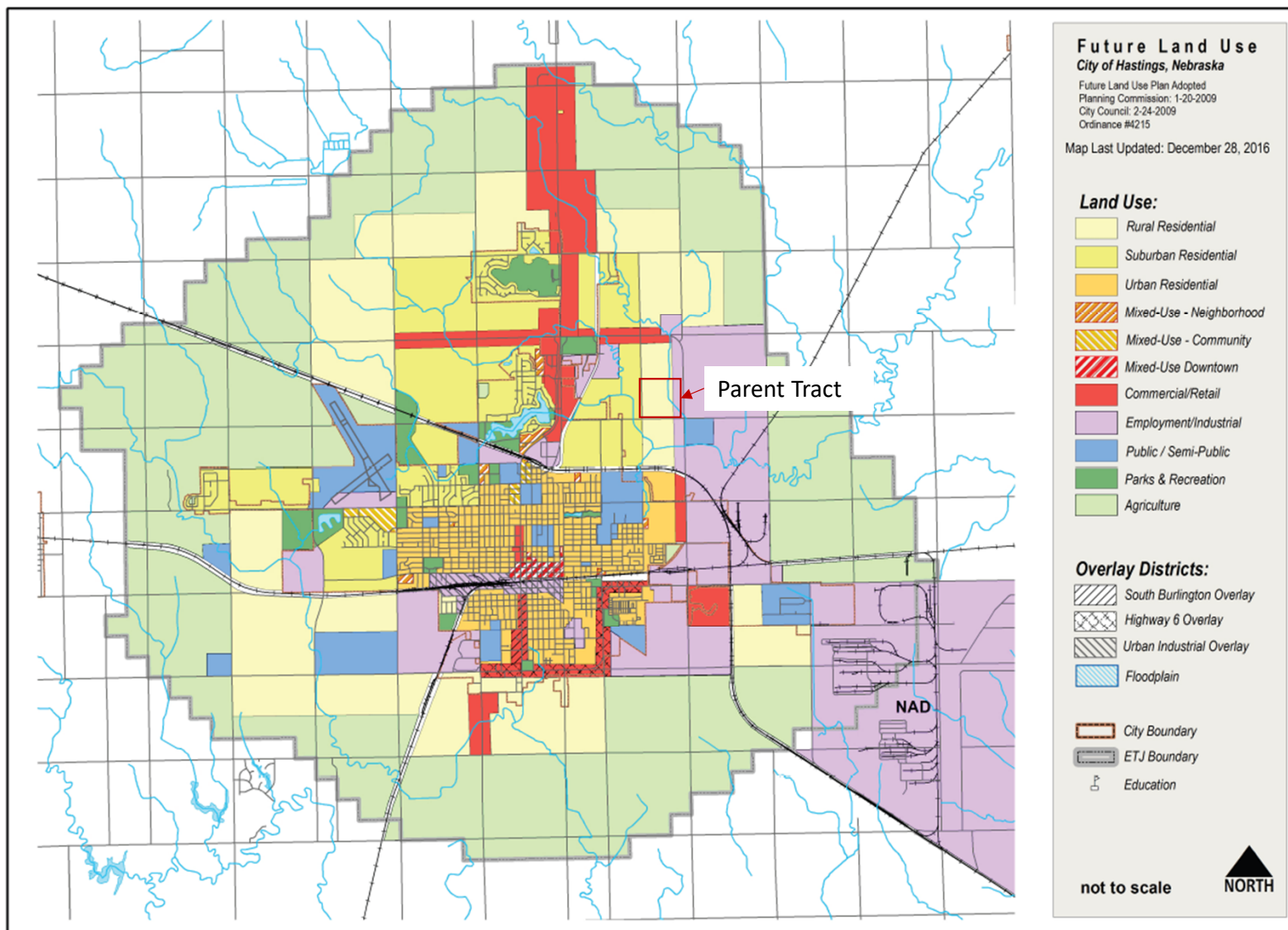
SE COR
SEC 32-T8N-R9W
(HOLE IN CONCRETE)

MAYOR AND CITY COUNCIL ACTION

THIS PRELIMINARY PLAT OF HOSS SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF
HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED THIS _____ DAY OF _____,
20____.

MAYOR

CLERK







File No.	2024-784
Project	Preliminary Plat of Hoss Subdivision
Applicant	Craig Schlachter



HOSS SUBDIVISION

PRELIMINARY PLAT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 32,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

NW COR SE ¼ SEC 32-T8N-R9W
FOUND A 3/8" REBAR 0.3' DEEP

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NOTE: ALL BEARINGS ARE ASSUMED

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⬢	WELL
●	SET 1/2" REBAR (LS-448 CAP)
+	CALCULATED CORNER

EXISTING 20-FOOT
UTILITY EASEMENT
(INSTR. NO. 20060367)

POINT
OF
BEGINNING

SW COR SE ¼
SEC 32-T8N-R9W
(SURVEY SPIKE)

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF HOSS SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR
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NEBRASKA WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED THIS _____ DAY OF _____,
20____.

CHAIRMAN

DIRECTOR

MAYOR

CLERK

LEGAL DESCRIPTION

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MORE OR LESS, OF COUNTY RIGHT-OF-WAY EASEMENT.

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THE PROPERTY AS LEGALLY DESCRIBED ON THIS
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HAZARD, AND NOT WITHIN THE SPECIAL FLOOD
HAZARD AREA AS DETERMINED BY THE FEDERAL
EMERGENCY MANAGEMENT AGENCY (FEMA) AS
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(FIRM) PANEL NO. 31001C0176C EFFECTIVE
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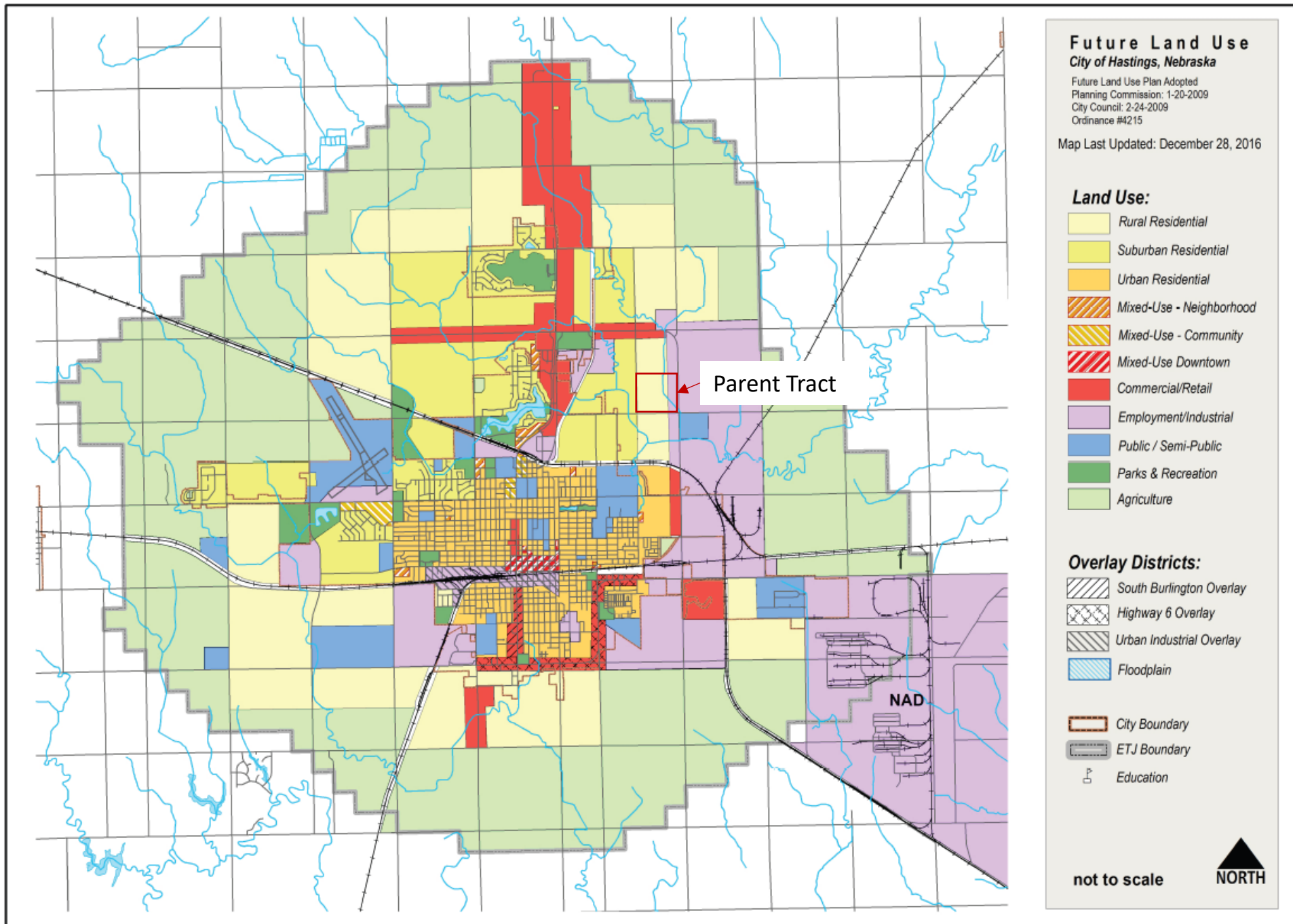
THOMAS L. KRUEGER | LS-448

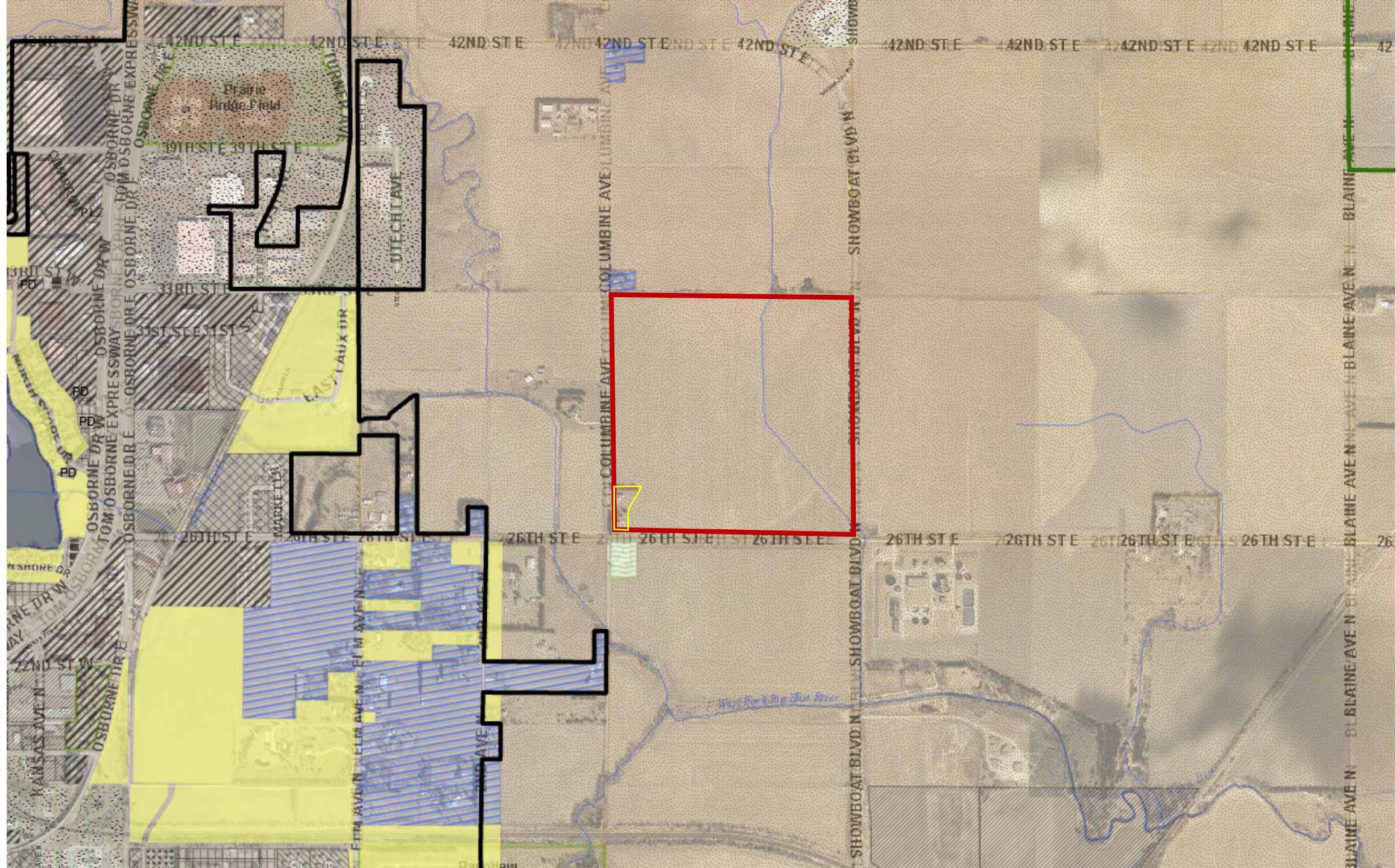
FILE NAME		
ADAMS COUNTY SEC 32-T8N-R9W (SCHLACHTER)		
SCALE 100 F/IN	DATE 03-04-2024	DRAWN BY T. KRUEGER
JOB KLS-24002	FIELD WORK TK	SHEET 1 OF 2

SE COR
SEC 32-T8N-R9W
(HOLE IN CONCRETE)

MAYOR AND CITY COUNCIL ACTION

THIS PRELIMINARY PLAT OF HOSS SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF
HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED THIS _____ DAY OF _____,
20____.





Staff Findings Summary

- The request generally conforms with the 2009 Comprehensive Plan
- The subdivision conforms with the City of Hastings Zoning Regulations
- The proposed lots have adequate and appropriate access.
- The design of the public infrastructure is appropriate for current and future developments.

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the **PRELIMINARY PLAT of the Hoss Subdivision**, A tract of land located in the southeast quarter of Section 32, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska.





City of Hastings Planning Commission

STAFF REPORT

Final Plat: Adam Subdivision

Case No. 2024-744

Applicant Indicator Land & Cattle, LLC

Property Location: 925 E. 42nd Street, Hastings, NE, Adams County
A tract of land located in the west half of Section 29, Township 8 North, Range 9 West of the 6th p.m., Adams County, Nebraska

Lot Size: 79.5 acres

Date of Public Meeting: April 16, 2024

Zoning A, Agricultural District and R-1A, Single-Family Large Lot Residential District

Adjacent Zoning: North: R-1A, Single-Family Large Lot Residential District
East: A District
South: A District and I-2, Heavy Industrial District
West: A District, R-3, Multiple-Family Residential District, C-3, Commercial District



SECTION AND REQUIREMENT OF HASTINGS CODE OF ORDINANCE CONSIDERATION OF A FINAL PLAT:

- **Sec. 38-201. – Approval of subdivision plats**
- **Sec. 38-203. – Final Plat:** describes intent and submittal requirements.
- **Chapter 28, Article III. – Planning and Community Design Standards:** describes various plat, lot, and site design requirements.
- **Chapter 28, Article IV. – Engineering and Technical Standards:** describes technical standards of public infrastructure and other improvements.

DESCRIPTION OF FINAL PLAT REQUESTED:

Property description: The parent tract is 79.5 acres and the majority of it is row-crop farmland. In roughly the center of the tract is a home site where the applicants recently completed the home's construction. Both the agricultural land and the home site gain access from E. 42nd Street.

The site is outside of the Hastings City Limits but within the Hastings Extra-territorial jurisdiction.

There is a prominent hill roughly in the center of the tract of land, where the house is located. The property slopes to the southwest and northeast of this hill. The grades have been established with the farmland and the house. A FEMA-mapped 1% Annual Chance Floodplain is located on the southwest corner of proposed Lot 2. No changes in the grades are proposed.

Conditions from the Approved Preliminary Plat: One condition of approval was approved with the Preliminary Plat. The condition of approval is:

If any portion of proposed Lots 1 and 2 is annexed into the City or further subdivided into residential or commercial lots, the property must comply with the minimum requirements of the City's Fire Code.

As discussed at the public meeting for the Preliminary Plat, there are outstanding Fire Code issues for access and water supply for responding to a fire. The requirements are largely outside of the scope of the subdivision. The approved condition was designed to ensure that these requirements and others would be addressed if the property were to ever subdivide further into more residential lots or commercial lots along E. 42nd Street.

Final Plat Design: The layout of the Final Plat is similar to what was presented as the Preliminary Plat. No changes have been proposed to the layout of the lots or needed easements to serve the site for utilities and public access.

CONSIDERATIONS OF THE FINAL PLAT:

Subsection 38-201(1). – Approval of subdivision plats states No plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same be approved by the City Council, subject however, to the exceptions set forth in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.

City staff reviews the following topics to ensure that the proposed final plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards and Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to City of Hastings Planning Commission and Hastings City Council.

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the **Final Plat of Adam Subdivision**, with the following condition, which was recommended with the Preliminary Plat:

1. If any portion of proposed Lots 1 and 2 is annexed into the City or further subdivided into residential or commercial lots, the property must comply with the minimum requirements of the City's Fire Code.

PREPARED BY: Chad Bunger, AICP, CFM Director of Development Services

DATE: April 8, 2024

ATTACHMENTS:

1. Final Plat of Adam Subdivision
2. Approved Preliminary Plat (March 19, 2024)

ADAM SUBDIVISION

FINAL PLAT

LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

NW COR SW 1/4 SEC 29-T8N-R9W
FOUND A 3/4" PIPE

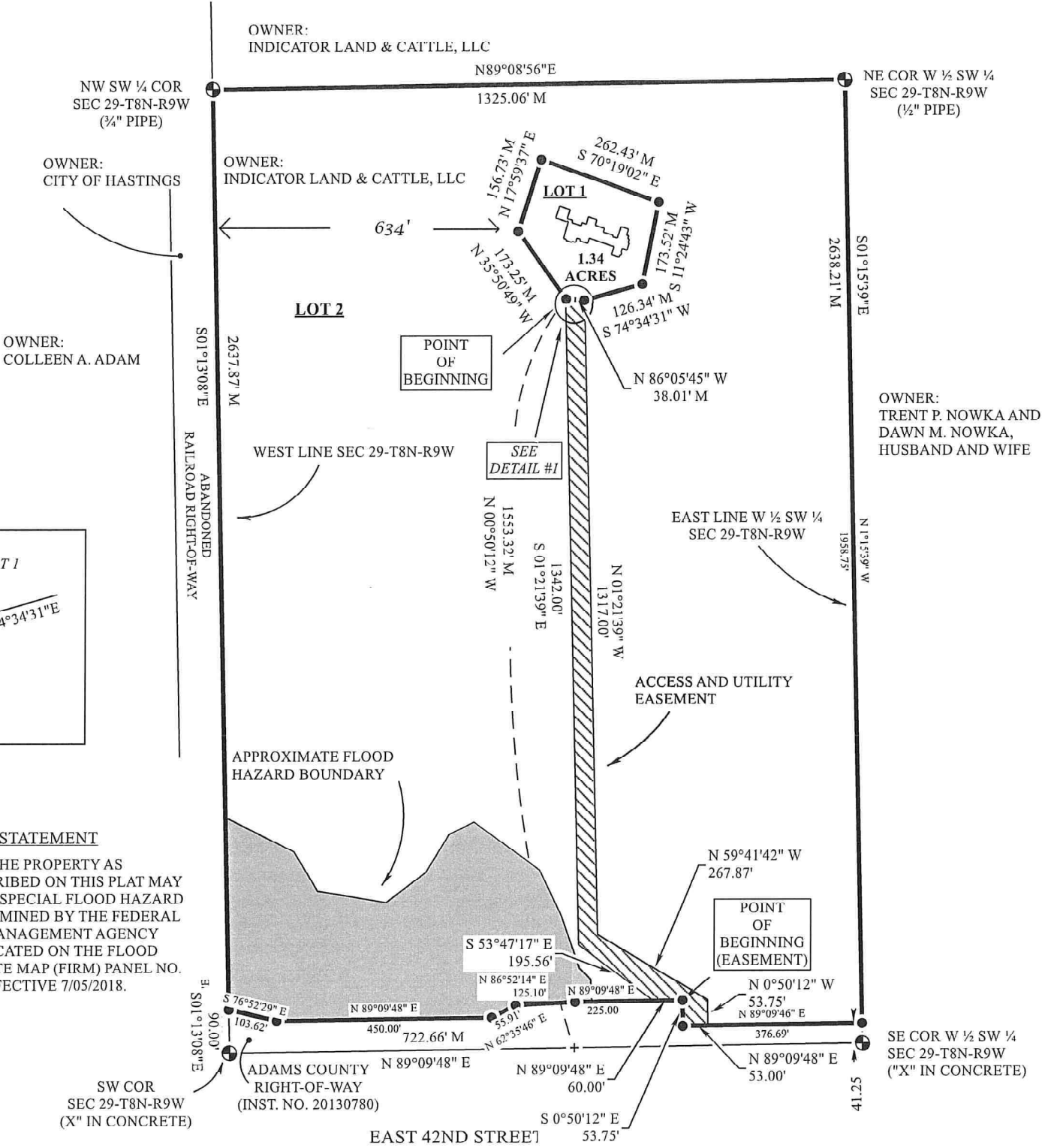
W 84.77' TO A 1/2" PIPE
SW 90.20' TO A MAG-NAIL IN AN ALUMINUM DISK STAMPED
"T. KRUEGER LS-448" FOUND IN THE TOP
OF A FENCE POST
E 1' TO A FENCE LINE NORTH

SW COR SEC 29-T8N-R9W
FOUND "X" IN CONCRETE

NW 82.78' TO CHISELED "X" FOUND IN THE EAST END OF
A CONCRETE BRIDGE ABUTMENT
NE 23.09' TO THE CENTER OF A MANHOLE
SW 56.77' TO A CHISELED "X" IN THE WEST END OF
A CONCRETE BRIDGE ABUTMENT
IN CENTERLINE OF 42ND STREET EAST
IN LINE WITH FENCE NORTH

SE COR W 1/2 SW 1/4 SEC 29-T8N-R9W
FOUND "X" IN CONCRETE

S 40.92' TO A MAG-NAIL IN A BOTTLE CAP IN THE TOP
OF A FENCE POST
SE 50.60' TO THE CENTER OF THE TOP NUT ON A
FIRE HYDRANT
NE 65.67' TO A NAIL IN A BOTTLE CAP SET 1-FOOT
ABOVE GROUND
IN THE NORTHWEST FACE OF A
POWER POLE



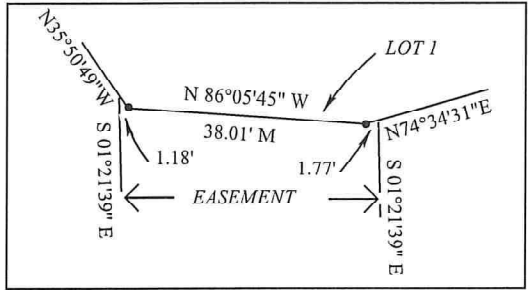
LEGAL DESCRIPTION (LOT 1)

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE N89°09'48"E (ASSUMED BEARING) ON THE SOUTH LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 722.66 FEET; THENCE N00°50'12"W, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 1553.32 FEET TO THE POINT OF BEGINNING; THENCE N35°50'49"W, A DISTANCE OF 173.25 FEET; THENCE N17°59'37"E, A DISTANCE OF 156.73 FEET; THENCE S70°19'02"E, A DISTANCE OF 262.43 FEET; THENCE S11°24'43"W, A DISTANCE OF 173.52 FEET; THENCE S74°34'31"W, A DISTANCE OF 126.34 FEET; THENCE N86°05'45"W, A DISTANCE OF 38.01 FEET TO THE POINT OF BEGINNING CONTAINING 1.34 ACRES, MORE OR LESS.

LEGAL DESCRIPTION (LOT 2)

A TRACT OF LAND LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 29; THENCE N01°11'38"E, (ASSUMED BEARING) ON THE WEST LINE OF SAID SECTION 29, A DISTANCE TO 90.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 42ND STREET AS CONVEYED TO ADAMS COUNTY IN INSTRUMENT NUMBER 20130780, THIS BEING THE POINT OF BEGINNING; THENCE S76°52'29" E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 103.62 FEET; THENCE N89°09'48"E ON SAID RIGHT-OF-WAY, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 450.00 FEET; THENCE N62°35'46"E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 55.91 FEET; THENCE N86°52'14"E, ON SAID RIGHT-OF-WAY, A DISTANCE OF 125.10 FEET; THENCE N89°09'48"E, ON SAID RIGHT-OF-WAY, PARALLEL WITH THE SOUTH LINE OF SAID SECTION 29, A DISTANCE OF 225.00; THENCE S00°50'12"E, ON SAID RIGHT-OF-WAY, PERPENDICULAR TO SAID SOUTH LINE, A DISTANCE OF 53.75 FEET; THENCE N89°09'48"E, ON SAID RIGHT-OF-WAY, PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 376.69 FEET TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER; THENCE N 01°15'59" E, ON SAID EAST LINE, A DISTANCE OF 2596.96 FEET TO THE NORTHEAST CORNER OF SAID EAST HALF; THENCE S 89°08'56"W, ON THE NORTH LINE OF SAID EAST HALF, A DISTANCE OF 1325.06 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE S01°13'08"E, ON THE WEST LINE OF SAID EAST HALF, A DISTANCE OF 2547.87 FEET TO THE POINT OF BEGINNING CONTAINING 78.25 ACRES, MORE OR LESS.

DETAIL #1



FLOOD PLAIN STATEMENT

A PORTION OF THE PROPERTY AS LEGALLY DESCRIBED ON THIS PLAT MAY BE WITHIN THE SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AS INDICATED ON THE FLOOD INSURANCE RATE MAP (FIRM) PANEL NO. 31001C0100C EFFECTIVE 7/05/2018.

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON 1/2" REBAR
⊕	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)		
SCALE 300 Ft/In	DATE 02-20-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 1 OF 3

ADAM SUBDIVISION

FINAL PLAT

LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT TYLER J. ADAM, MEMBER OF INDICATOR LAND & CATTLE, LLC, A NEBRASKA LIMITED LIABILITY COMPANY AND STEPHANIE A. ADAM, MEMBER OF INDICTOR LAND & CATTLE , LLC, A NEBRASKA LIMITED LIABILITY COMPANY, OWNER(S) OF RECORD OF THE LAND SHOWN ON THE PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAS CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT SAID SURVEYING, SUBDIVIDING, PLATTING AND DESIGNATION WAS DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES AND WISHES OF THE UNDERSIGNED OWNER(S). BE IT FURTHER KNOWN, THAT SAID OWNER(S) DOES HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON THIS PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SIGNED THIS _____ DAY OF _____, 20____

TYLER J. ADAM, MEMBER
INDICATOR LAND & CATTLE, LLC

STEPHANIE A. ADAM, MEMBER
INDICATOR LAND & CATTLE, LLC

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) SS
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____ BY
TYLER J. ADAM, MEMBER OF INDICATOR LAND & CATTLE, LLC AND STEPHANIE A. ADAM, MEMBER OF INDICATOR LAND & CATTLE, LLC

MY COMMISSION EXPIRES THE _____ DAY OF _____, 20____

NOTARY

CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE DELINQUENT OR DUE UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF THIS _____ DAY OF _____, 20____.

CITY OF HASTINGS TREASURER

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES ARE DUE OR DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT AS OF THIS _____ DAY OF _____, 20____.

ADAMS COUNTY TREASURER

WAIVER FOR STREET GRADES

APPLICANT(S) HEREBY WAIVE(S) ANY AND ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS AND ALLEYS TO CONFORM TO SAID GRADES AS ESTABLISHED.

SIGNED THIS _____ DAY OF _____, 20____.

TYLER J. ADAM, MEMBER OF
INDICATOR LAND & CATTLE, LLC

STEPHANIE A. ADAM, MEMBER OF
INDICATOR LAND & CATTLE, LLC

CONSENT OF LIENHOLDER

I, _____ (PRINT NAME), _____ (TITLE) OF FIVE POINTS BANK OF HASTINGS, BEING LIENHOLDER OF THE DESCRIBED TRACT OF LAND, HEREBY APPROVE AND AGREE TO THE PLATTING OF THE ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, ON THIS _____ DAY OF _____, 20____ ON BEHALF OF FIVE POINTS BANK OF HASTINGS.

(SIGNATURE)

(PRINT NAME AND TITLE)

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
) SS
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____, BY _____ ON BEHALF OF FIVE POINTS BANK.

MY COMMISSION EXPIRES THE _____ DAY OF _____, 20____.

NOTARY

CITY ENGINEER'S APPROVAL

THIS PLAT OF ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA HAS BEEN RECEIVED AND REVIEWED BY ME AND IS IN COMPLIANCE WITH THE PROVISIONS OF CHAPTER 38 OF THE CITY CODE FOR THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, PROVIDING FOR THE APPROVAL OF SUBDIVISIONS AND PLATS BY THE CITY ENGINEER UNDER CERTAIN CIRCUMSTANCES.

APPROVED THIS _____ DAY OF _____, 20____.

CITY ENGINEER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN SUBMITTED TO AND REVIEWED BY THE CITY PLANNING COMMISSION FOR APPROVAL AND IS HEREBY TRANSMITTED TO THE GOVERNING BODY OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA WITH THE RECOMMENDATION THAT SAID PLAT BE APPROVED THIS _____ DAY OF _____, 20____.

CHAIRMAN

DIRECTOR

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)		
SCALE 1000 Ft/In	DATE 04-04-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 2 OF 3

ADAM SUBDIVISION

FINAL PLAT

LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF ADAM SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS
HEREBY APPROVED THIS _____ DAY OF _____, 20_____.

MAYOR

CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
) SS
COUNTY OF ADAMS)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.

DATE: _____ TIME: _____ INSTRUMENT NO: _____

REGISTER OF DEEDS

KRUEGER LAND SURVEYING
2837 WEST U.S. HIGHWAY 6 #204
HASTINGS, NE 68901
402-984-2176

FILE NAME ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)		
SCALE 1000 Ft/In	DATE 04-04-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 3 OF 3

PRELIMINARY PLAT
LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 8 NORTH, RANGE 9 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS
ADAMS COUNTY, NEBRASKA

FILE NAME ADAMS COUNTY SEC 29-T8N-R9W (ADAM SURVEY)		
SCALE 300 Ft/In	DATE 03-08-2024	DRAWN BY T. KRUEGER
JOB KLS-23146	FIELD WORK TK	SHEET 1 OF 1

Staff Memorandum



To: City of Hastings Planning Commission

From: Chad Bunker, AICP, CFM Director of Development Services

Date: March 11, 2024

Re: Discussion of Draft Annexation Policy

At the February 20, 2024, Planning Commission meeting, the Commission asked staff to draft an annexation policy to be considered as part of the 2024 Comprehensive Plan update. The annexation policy would provide direction to City staff, the Planning Commission, the City Council, property owners, and developers on when to anticipate the City will accept voluntary annexation requests or initiate annexation of land adjacent to corporate limits of Hastings.

This draft is intended to create input and conversation. **It is not a final draft.** City staff welcomes comments and suggestions to the draft annexation policy.

City of Hastings Annexation Policy

Annexation of land adjacent to the City limits is important and necessary to the future growth and health of Hastings. Developers and landowners routinely ask to be voluntarily annexed into the City as part of the regular development process. This allows these properties to be supplied with City services as they are needed, and the City benefits from property taxes, utilities, and other fees that City residents and businesses pay, as well as the overall comprehensive growth of the community.

Policy: The City will encourage annexation of land adjacent to the City limits, as it prepares to be developed.

Some property owners at the edge of the City may not want to develop in the foreseeable future, nor want to be within Hastings City limits. However, in certain circumstances, it makes sense for the City to initiate annexation of adjacent land that is already developed and requires minimal public investment to provide public infrastructure and services.

Policy: The City may initiate annexation of adjacent land for the following reasons:

- Equity for taxpayers. Properties at the edge of the City limits benefit from many of the City's services, including streets, parks, trails, the library, snow removal on nearby streets, some or all public utilities, and in some cases emergency services, without paying City

taxes and fees. Annexation balances providing appropriate and reliable services with the “fair share” payment for those services.

- Clarity of service areas for maintenance of roads and providing emergency services.
- Allowing Hastings to continually grow in an efficient and orderly manner.
- The City of Hastings will require that properties receiving public infrastructure be located within the City limits, as allowed for by State Statute. Annexation should occur before any property is provided with water or sanitary sewer.
- Annexation must occur before a property receives an urban zoning designation or is prepared for development.

The character of existing residential areas should be respected as much as possible during the annexation process. When low-density residential areas are proposed for annexation due to the City’s annexation policy, additional steps should be taken to ease the transition as much as possible. In general, many aspects of the low-density residential areas may remain unchanged, such as zoning or covenants. However, any annexation of existing land will result in some costs to the property owners.

Additionally, the City-initiated annexation process should take additional steps to inform those proposed to be annexed, including City-hosted public meetings, advanced notice, and written explanations of potential changes as a result of the annexation.

Staff Memorandum



To: Hastings Planning Commission

From: Chad Bunger, AICP, CFM Director of Development Services

Date: April 9, 2024

Re: Zoning and Subdivision Code Update

Typically, following a major Comprehensive Plan update, a community undertakes updating of the Zoning and Subdivision Regulations to ensure that the development regulations meet the needs of the community effectively. The 2023 Comprehensive Plan draft is nearing completion, and the Development Staff is looking ahead to updating the development codes.

It is unknown when the last time a complete review of the regulations was done by the City. So, Development Services will be doing a thorough review of the regulations to update the codes to ensure our development regulations achieve our community goals, as outlined in the City's Comprehensive Plan Update. Meeting the community's goals will be done with legally sound regulations; the use of best practices to accommodate quality developments and growth; innovative approaches, where needed, to support more suitable housing; and simple, practical regulations that are easy to understand and apply.

Development Services staff will do the bulk of the code review, topic research, and regulation drafting. Although a small budget was approved with the comprehensive plan update to do this work, the plan has shifted to a staff-led project to make sure the local needs are met.

Staff's proposed intentions for the regulation updates are:

- Common use language,
- The use of images, where appropriate, to assist with complex topics or definitions,
- Create several separate sections, within the chapter to help find regulations (see draft chapter outline for more information),
- Utilizing use categories rather than the current use matrix (see attached example),
- Residential regulation updates that will allow for more housing types (duplex, triplex, cottage courts) in more places in the city, with appropriate site regulations to help provide affordable housing,
- Significantly lower parking minimums to reduce burdensome site costs.

Staff will research other First-Class Cities in Nebraska for comparable solutions, as well as peer communities across the Midwest that have created innovative solutions to problems, such as housing, parking, landscaping, and other development design standards. These peer communities will be noted in the support materials for the draft regulations, as they are used.

Project Engagement

A good set of development regulations should not be created in a vacuum and imposed on the community. Although there is a significant amount of technical details within a development code, these codes need to be discussed and considered by the community.

The [Development Codes Update EngageHastings project page](#) has been created to provide a landing page for this effort. This page will largely be used to provide drafts of the code. However, engagement on specific topics could be conducted, in part, through the project page to gain an understanding of the topic through surveys, forums, or idea tools. This level of engagement will be adjusted throughout the project.

Additionally, staff will consistently reach out to stakeholders to introduce a topic, gather information on issues, concerns, and ideas; and then review a proposed draft. This iterative approach will occur throughout the project to make sure stakeholders understand the proposed regulations and have the ability to voice concerns.

Finally, Development Services would like to enlist the help of the Planning Commission through an ad hoc committee that will help in the understanding of the issues, guide engagement efforts, and review draft regulations. It is anticipated that the time commitment would be an average of 3-5 hours per month, including one meeting per month (in-person or virtual), and reviewing of draft regulations. Ideally, the ad hoc would consist of 3-4 Planning Commission members.

Project Schedule

Completing a project of this scope is time-intensive. It is anticipated that this project will take approximately 18-24 months to complete. The research and drafting of several sections have already begun. The following order of events is proposed.

1. Sign code improvements - address known issues, including legal ones;
2. Administrative section - better define our application and public hearing processes;
3. Subdivision chapter - streamline cumbersome and expensive subdivision applications, and make sure the technical requirements meet the community's needs;
4. Housing regulation – discuss needs and reform efforts;
5. Use category – introduce and develop the regulation structure;
6. District regulations – setbacks, height, etc.;
7. Parking limits, screening, and landscape regulations;
8. Systematically clear up the other sections.

It should be noted that there will be a significant overlap between some elements. Topics like housing regulations are large and impactful to the community and will need a great deal of discussion, consideration, and drafting to make sure the new regulations meet the community's needs.

We look forward to working with the Planning Commission and the community to develop the next generation of regulations to help our community maintain its character and quality and continue to grow in sound ways.

Article I – General

Article II – Administration

Article III – District and Land Use

1. Use Categories
2. Manufactured Home Courts
3. Supervised Homes

Article IV – Parking

1. Drastically reduce minimum parking to reduce site development cost;
2. Vehicle, Bike, Drive-thru designs;

Article V – Signs

1. Downtown signage;
2. Meet current legal requirements;

Article VI – Landscape & Screening

Article VII – Lighting

Article VIII – Home Occupations, Accessory Uses, & Buildings

Article IX – Reserved for Historic Preservation

Article X – Floodplain Regulations

Article XI – Airport Overlay

Article XII – Telecommunication Systems

Article XIII – Small Wind Energy Systems

Article XIV – Nonconformity

Article XV - Definitions

Chapter 38

Article I – General

Article II – Applications & Procedures

Article III – Planning & Community Design Standards

Article IV – Engineering & Technical Standards

Use Category Example from Iowa City, Iowa

Retail Uses

1. Characteristics: Establishments involved in the sale, lease, or rent of new or used products to the general public for personal or household consumption and establishments involved in the sale of personal services, hospitality services, or product repair services to the general public.
2. Examples: Examples include uses from the subgroups listed below:
 - a. Sales Oriented: Stores selling, leasing, or renting consumer, home, and business goods, including, but not limited to, antiques, appliances, art, art supplies, bicycles, carpeting, clothing, dry goods, electronic equipment, fabric, flowers, furniture, garden supplies, gifts, groceries, hardware, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, videos. Also includes retail establishments that have a cottage industry component, such as bakeries, confectioneries, upholsterers, artist/artisans' studios, and similar.
 - b. Personal Service Oriented: Establishments engaged in providing retail services and services related to the care of a person or a person's apparel, such as retail banking establishments, laundromats, catering services, dry cleaners, tailors, shoe repair, photographic studios, beauty salons, tanning salons, therapeutic massage establishments, taxidermists, mortuaries, funeral homes, and crematoriums.
 - c. Repair Oriented: Repair of consumer goods, such as electronics, bi-cycles, office equipment; appliances.
 - d. Hospitality Oriented: Hotels; motels; convention centers; guesthouses; and commercial meeting halls/event facilities.
 - e. Outdoor Storage and Display Oriented: Uses that typically include large areas of outdoor storage or display, such as lumberyards; sales or leasing of consumer vehicles, including passenger vehicles, light and medium trucks, and recreational vehicles; sales of landscaping materials and nursery products to the general public; farm supply and implement sales; equipment or vehicle rental businesses.
 - f. Alcohol Sales Oriented: Liquor stores; wine shops; grocery stores; convenience stores; and other retail establishments for which a class E liquor control license or wine or beer permit has been issued that allows sale of alcohol or alcoholic beverages in closed containers for off-premises consumption.
 - g. Delayed-Deposit Service Uses: Payday lenders and any other similar use that meets the definition of "delayed deposit service use", as defined in chapter 9, article A of this title.
3. Accessory Uses: Offices; storage of goods; assembly, repackaging, or processing of goods for on-site sale; off street parking, services incidental to the sale of goods; wholesale sales. Drive-through facilities are accessory uses that are subject to additional regulations outlined in Article C, "Accessory Uses and Buildings", of this chapter. Crematoriums, for either human or pet remains, may be an accessory use to a funeral home or mortuary.
4. Exceptions
 - a. Lumberyards and other building material suppliers that sell primarily to contractors and do not have a retail orientation are classified as wholesale sales.

- b. Repair of consumer motor vehicles, motorcycles, and light and medium trucks is classified as vehicle repair. Repair and service of industrial vehicles and equipment and heavy trucks is classified as industrial service.
- c. Sales, rental, or leasing of heavy trucks and equipment are classified as wholesale sales.
- d. Firms that primarily sell tree nursery products and landscaping materials to other retail outlets rather than to the general public are considered wholesale sales.
- e. Restaurants and/or bars that are associated with a hospitality-oriented retail use and that have been issued a class B liquor control license are considered accessory to the subject hospitality-oriented retail use and are not considered drinking establishments or alcohol-oriented retail uses.
- f. Drinking establishments are not considered alcohol sales-oriented uses, even if they have a liquor control license or wine or beer permit that allows sale of alcohol, wine, or beer in closed containers for off-premises consumption.
- g. A use is not considered an alcohol sales-oriented use if an accessory alcohol sales certificate has been granted according to the process set forth in subsection 14-4A-2G, "Use Classification for Establishments That Sell Alcohol", of this article.
- h. Bed and breakfast inns and bed and breakfast homestays are considered accessory uses to owner occupied, detached single-family dwellings, and are regulated according to the provisions specified for such uses in article C, "Accessory Uses and Buildings", of this chapter.
- i. A pet crematorium, if a principal use on a property, is considered an animal-related commercial use. Pet crematoriums may also be an accessory use to a veterinary clinic.