

## HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, August 20, 2024 at 4:00 PM in the Hastings Municipal Airport at 3300 W. 12th Street, Hastings, NE.

### 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, August 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.
6. Approval of Minutes
  - a. Meeting of July 16, 2024
7. Public Hearings.
  - a. **2024-220.** Public hearing to consider a request for Plan Modification No. 2024-5 to Redevelopment Area #1 for the Magee Corner, L.L.C. Redevelopment Project. The area of redevelopment is approximately 0.13 acres and is generally located to the northwest of the intersection of W 2nd Street and N. Hastings Avenue in the City of Hastings, Adams County, Nebraska.

Motion to recommend approval for Plan Modification No. 2024-5 to Redevelopment Area #1 for the Magee Corner, L.L.C. Redevelopment Project. The area of redevelopment is approximately 0.13 acres and is generally located to the northwest of the intersection of W 2nd Street and N. Hastings Avenue in the City of Hastings, Adams County, Nebraska.
  - b. **2024-221.** Public hearing for a change of zoning for Lot 1, Anderson Second Subdivision, generally located approximately 350 feet north of the intersection of Cardinal Lane and South Shore Drive, from R-1, Urban Single-Family Residential District to C-1, Local Business 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 the property at Lot 1, Anderson Second Subdivision, generally located approximately 350 feet north of the intersection of Cardinal Lane and South Shore Drive, from R-1, Urban Single-Family Residential District to C-1, Local Business District.
8. Subdivisions
  - a. **2024-251.**

Final Plat of Sky Loch 18th Subdivision, located in the northwest quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M. in the City of Hastings, Adams County, Nebraska

## **Planning Commission Agenda**

**August 20, 2024**

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### **9. Reports**

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

Adjourn



CITY OF HASTINGS,  
NEBRASKA MINUTES OF  
PLANNING COMMISSION  
TUESDAY, JULY 16, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Municipal Airport, 3300 W 12<sup>th</sup> Street, Hastings, Nebraska on July 16, 2024.

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

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

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

First Chair Hinton called for a motion to adopt the current agenda for the July 16, 2024, meeting. Moved by Rosenberg, seconded by Lewis, to adopt the current agenda. Ayes: Hoffman, Stutzman, Hinton, Rosenberg, Kully, Lewis, and Rossi. Nays: None. Motion carried: 7-0.

**PUBLIC NOTICE** - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, July 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.

#### APPROVAL OF MINUTES

##### **Meeting of June 18, 2024**

First Chair Hinton called for a motion to approve the June 18, 2024, minutes. Moved by Kully to approve the June 18, 2024, minutes, seconded by Rossi. Ayes: Rosenberg, Kully, Hoffman, Hinton, Rossi, and Stutzman. Nays: None. Abstain: Lewis. Motion Carried: 6-0-1.

Joe Kindig arrived at 4:04 p.m.

First Chair Hinton read The Public Hearing Rules Statement prior to the Public Hearings.

#### Public Hearings

First Chair Hinton opened the Public Hearing.

**a. 2024-133 Public hearing to consider a request for Plan Modification No. 2024-4 to Redevelop Area # 7 for the Ponderosa Park Redevelopment. The area of redevelopment is approximately 2.44 acres and is generally located at the intersection of West 22<sup>nd</sup> Street and North Kansas Avenue in the City of Hastings, Adams County, Nebraska.** Batelaan gave her report to consider the request for Plan Modification No. 2024-

4 to Redevelop Area # 7 for the Ponderosa Park Redevelopment. Staff recommends the Planning Commission recommend approval to the City Council to consider the Redevelopment Plan Modification of Area # 7 for the Ponderosa Park Redevelopment project.

Randy Chick, 520 W 1<sup>st</sup> St, #200 on behalf of the Community Redevelopment Authority, as the developer couldn't attend. From the CRA's perspective, they have been working with Dr. Adam for four years in a variety of locations for a medical clinic. A new medical building along with the rehabilitation of an empty building that has sat empty for years. He appreciated Batelaan's presentation on Tax Increment Financing information.

Hoffman asked Chick when the Tax Increment Financing comes into play, does it happen the day the applicant submits and is approved for financing or do they get approval and can then wait three years, and not develop the property? When do the fifteen years kick in? As he understands, a lot of them do not take the entire fifteen years, and do they have an option of twenty years now?

Chick stated a couple of years ago the Legislature created an option for extremely blighted areas, none of our areas have been declared extremely blighted. Extremely blighted areas can last up to twenty years. All the CRA projects are a maximum of fifteen years. The second question is whether some projects take less time, and yes, a couple of projects have taken five years, and one took six. A project called Village Gardens will be coming off after thirteen years and will bring around \$52,000 more in taxes for the city.

Hoffman said so when does the applicant receive confirmation for the TIF money? And how long before they start construction?

Chick said in the Plan Modification, they identify a time frame, probably the end of 2025, so usually, 12, 18, or 24 months, depending on the type and size of the project.

First Chair Hinton declared the public hearing closed and called for a motion to consider the request for Plan Modification No. 2024-4 to Redevelop Area # 7 for the Ponderosa Park Redevelopment and recommend to the City Council. Kully moved to approve Plan Modification No 2024-4, seconded by Rossi. Roll Call: Ayes: Kully, Rosenberg, Rossi, Hoffman, Lewis, Kindig, Stutzman and Hinton. Nays: None. Motion carried: 8-0.

First Chair Hinton opened the Public Hearing.

**b. 2024-183 Public Hearing for a request by the owner, Johnson Imperial Home Co. of Hastings, to annex Lochland Meadows Subdivision Number 17. The area to be annexed is a 20.54-acre, undeveloped tract of land north of the dead ends of Quail Ridge Avenue and Mallard Way Avenue.** Bunger provided a summary of the Staff Report, requesting that his comments be included in the Final Plat.

Bunger gave the Staff Report for the Final Plat of Lochland Meadows, and the Staff is recommending approval of the Final Plat of Lochland Meadows Subdivision Number 17.

Chris Wissing, 6204 Quail Ridge Avenue, Johnson Imperial Homes, owner. This project is another extension of what there already is. The common area will be taken care of by the Homeowners Association.

Stutzman appreciates Johnson Imperial Homes and their adding more housing options and a more diverse mix and thanked Johnson Imperial Homes for all they have done.

Hoffman asked Bunger about the lack of sidewalks in the Lochland area, and general parks, has this been a discussion?

Bunger stated the sidewalk issue is being discussed internally and feels it's important for walkable neighborhoods.

First Vice-Chair Hinton closed the Public Hearing and called for a motion at this time only for the annexation of Lochland Meadows Subdivision Number 17 into the City of Hastings. Rosenberg moved to approve #2024-183 to annex Lochland Meadows Subdivision Number 17, seconded by Kully. Voice Roll Call: Ayes: Kully, Rosenberg, Rossi, Hoffman, Stutzman, Lewis, Kindig, and Hinton. Nays: None. Motion carried: 8-0.

#### Subdivisions

**a. 2024-185 Final Plat of Lochland Meadows Subdivision Number 17, a part of the North half of the Southeast quarter of Section 24, Township 8 North, Range 10 West of the Sixth P.M., Adams County, Nebraska.** The First Chair stated the Staff Report had already been given and called for a motion to recommend approval to the City Council for the Final Plat of Lochland Meadows Subdivision. Hoffman moved to approve the Final Plat of Lochland Meadows Subdivision Number 17, seconded by Lewis. Roll Call: Ayes: Kully, Rosenberg, Rossi, Hoffman, Stutzman, Lewis, Sinner, Kindig and Hinton. Nays: None. Motion carried: 8-0.

#### Reports

**a. Committee Reports:** Bunger mentioned the Comprehensive Plan Review Committee meeting earlier that morning, consisting of Rosenberg, Stutzman, Kully, and Hoffman. In the meeting, they discussed engaging the community for the comprehensive plan with videos, handouts, and on the Engage Hastings website, including holding open forums and meetings. Once reviewed by the committee and discussed, the final draft of the Comprehensive Plan will then be brought to the Planning Commission. Bunger mentioned the upcoming meetings for Zoning and Subdivision Regulations to Update the Committee in a few weeks and a housing meeting held in the first part of August.

**b. Chairman Comments:** The First Vice Chair is pleased seeing all the housing development happening, including seeing a large dirt truck pulling into the old mall site, with the City's new development there, and knowing they are making progress on the new buildings at this site.

**c. Staff Reports:** Anthony Murphy said the biggest item was Chief Starling and himself meeting with the State Fire Marshall and his assistant last Thursday, July 11<sup>th</sup> in Lincoln. They walked out with the Delegation of Authority letter in hand. Currently, a one-year pilot project to streamline development needs. A lot is going on with different projects right now.

Mark Funkey and Development Services have had a lot of meetings working on the Code information and aligning processes to be more efficient.

Stutzman had two questions, one was the status of the building downtown next to Bert's, are there updates and the second was the Car Wash on 2<sup>nd</sup> Street?

Bunger said he could answer both questions for the Dewitt Building downtown, formerly

Berts, they are working through processes towards a new building improvement and new façade and believe that at the next City Council meeting they will bring a grant request. Regarding the car wash, plans have been reviewed, and permits have been or are ready to be issued, but utility items need to be taken care of first, so that is in the hands of the developers and construction crews.

1. Discussion of Annexation Policy for the 2024 Comprehensive Plan Update. Bunger said as discussed, there's a new process being followed when a developer wants to bring a property into the City limits to develop so they can have the amenities such as utilities, and protection for Fire/Police/Medical. The policy states the City will support those requests, but largely states when people are adjacent and would be eligible for annexation, and do not want to come into the City, as clarification of when the City will take those steps to continue to grow, a policy was created, and he would like the Commission's feedback.

The First Vice Chair asked if the State Statute requires this every certain number of years. Bunger replied it was the City Code of Ordinance.

Oswald said it states with the City Code that the Planning Commission can review it every three years for annexation.

Hoffman said that was good they had to review that information because there were some properties discovered that had to come into the City from the Industrial Park and other properties as well.

Rosenberg thinks the policy looks good. Stutzman said it is good for community members to know there is a process and not just a land grab. There is equity and it is done fairly. Bunger said he would like to take it as a draft into the Comprehensive plan and at that point do the formal policy discussion and adoption. The Commission agreed this was a good idea.

#### Adjourn

First Vice Chair Hinton called for a motion to adjourn at 4:49 p.m. Moved by Rosenberg to adjourn, seconded by Hoffman. Roll Call: Ayes: Kully, Rosenberg, Rossi, Hoffman, Hinton, Kindig, Lewis and Stutzman. Nays: None. Motion carried: 8-0.

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Chair

Department: Development Services  
Staff Contact: Ember Batelaan  
Planning Commission Meeting Date: 8/20/2024  
File No: 2024-220  
Prepared By: Chad Bunger, Director of Development Services

## **AGENDA ITEM SUMMARY SHEET**

### **Description of Item:**

The Hastings Community Redevelopment Authority and Magee Corner, LLC have applied for a Redevelopment Plan Modification 2024-5 in Redevelopment Area #1 for the Magee Corner, LLC Redevelopment Project. The Redevelopment Plan Modification is to purchase the vacant lot at 700 West 2nd Street and redevelop the property at 706 West 2nd Street.

### **Names of People/Business affected by this action:**

The applicant, the people of Hastings, the Community Redevelopment Authority, and the City

### **Why Planning Commission action is required:**

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall submit such plan to the planning commission or board of the city in which the redevelopment project area is located for review and recommendations as to its conformity with the general plan for the development of the city as a whole. The planning commission or board shall submit its written recommendations with respect to the proposed redevelopment plan to the authority within thirty days after receipt of the plan for review. Upon receipt of the recommendations of the planning commission or board or, if no recommendations are received within such thirty days, then without such recommendations, an authority may recommend the redevelopment plan to the governing body of the city for approval (N.R.S 18-2112).

### **Type of action requested:**

Motion

### **Suggested motion:**

### **Deadlines associated with action:**

The City Council is scheduled to review this Redevelopment Plan Modification on September 9, 2024.

### **Department head comments:**

Development Services staff have reviewed the application for the Magee Corner LLC, Redevelopment Project and Redevelopment Plan Modification of Area #1. The complete details of the staff review and recommendation are in the attached staff report.

### **Recommendation:**

Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the request for a **REDEVELOPMENT PLAN MODIFICATION** for the Magee Corner, LLC Redevelopment Project, generally located northwest of the intersection of West 2nd Street and North Hastings Avenue, based on the findings in the staff report and Redevelopment Plan Modification materials.



## City of Hastings Planning Commission

### STAFF REPORT

**Request to Modify Magee Corner Redevelopment Plan**  
**Redevelopment Plan: (Plan Modification No. 2024-5)**

Case No. 2024-220

Applicant Hastings Community Redevelopment Authority, on behalf of Magee Corner, LLC

Property Location: Northwest of the intersection of West 2nd Street and North Hastings Avenue, on the west side of North Hastings Avenue.

Lot Size: 0.13 acres

Date of Public Hearing: August 20, 2024

Current Zoning C-2, Central Business District

Adjacent Zoning: North: C-2 District

East: C-2 District

South: C-2 District

West: C-2 District



**DESCRIPTION OF PROPOSED REDEVELOPMENT PLAN MODIFICATION REQUESTS:**

The Hastings Community Redevelopment Authority (CRA) has made an application for the Redevelopment Plan Modification of Area #1 for the purchase of the vacant lot at 700 W. 2<sup>nd</sup> Street and the redevelopment of the property located at 706 W. 2<sup>nd</sup> Street. Magee Corner, LLC has requested the use of tax increment financing (TIF) to pay for eligible expenses for the development, which can include acquisition and rehabilitation of the property.

The property is within Redevelopment Area #1. The Blight and Substandard Determination and General Redevelopment Plan was approved in March 1987 (see attached). The area was re-declared blighted in November 2017. The redevelopment plan, which was also approved in November 2017, proposes the following planning and redevelopment actions:

- Rehabilitation of residential, commercial, industrial and public/quasi-public properties;
- Maintain and/or replace, as necessary, the current infrastructure in the Area;
- Code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community;
- Screening and/or buffering of adjacent industrial areas (beyond the Redevelopment Area) from residential uses, including the use of berms and, or, landscaping to partially screen parking or storage areas and enhance vehicular and pedestrian rights-of-way; and,
- Condemnation of un-safe structures, acquisition where necessary and demolition of substantially deteriorated structures, and replacement with appropriate residential, commercial or industrial development.

The proposed redevelopment, named Magee Corner, LLC Redevelopment Project, would rehabilitate the vacant lot at 700 W. 2<sup>nd</sup> Street and the building at 706 W. 2<sup>nd</sup> Street.

**Property Description:**

The property has a historic downtown building, which was damaged by a fire and demolition of the adjacent building at 700 W. 2<sup>nd</sup> Street in 2022. The demolition of the adjacent building led to the demolition of the south storefront and the need to demolish the east wall of 706 W. 2<sup>nd</sup> Street.

**STANDARDS TO PROPOSED REDEVELOPMENT PLAN MODIFICATION:**

The provisions of N.R.E 18-2116 regulate the process of modifying a redevelopment plan within the City and its extraterritorial jurisdiction for a proposed development.

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



- a) **Is the proposed redevelopment plan modification feasible and in conformity with the Comprehensive Plan (general plan) for the development of the City of Hastings, as a whole, and is it in conformity with the legislation declarations and determinations?**

Based on the application materials provided by the Hastings CRA, the proposed redevelopment project appears to be feasible.

The cost per square foot documented in the application appears to be reasonable, using appropriate expenses and revenue for the development.

The City of Hastings “Imagine Hastings” Comprehensive Plan, adopted in 2009, shows the site as the Mixed Use- Downtown land use category. The policy statement for this use designation is:

*Downtown Hastings is a good example of a “mixed-use center” containing a mix of cultural, financial, governmental, institutional, retail, entertainment, residential and recreational uses. The continued mix and growth of all types of land uses is appropriate for Downtown Hastings. Small, specialty industrial manufacturing that is not a detriment to the surrounding uses with regards to noise, odor/other noxious practices are also allowed within Downtown. (Heading towards form based? ) (Maybe-let's discuss. Garages?) New uses and development in this category should be integrated with the existing development patterns and character in Downtown and the adjacent neighborhoods and not diminish or degrade them. Downtown acts as a regional center that is dependent on the entire community of Hastings as well as the region for economic viability. Additional redevelopment and increased density will rely on an increased population base in the community and surrounding region.*

*The continued addition of housing in the Downtown area and within designated mixed-use centers is desirable and should strive for higher densities. Within the Downtown, the density of housing should be in excess of 10 units/acre on average. Single family detached housing is not appropriate in Downtown. Residential uses in downtown can include townhomes, stacked-flats, live/work units, lofts and walk-ups of both condominium and rental types.*

The existing zoning of the property is C-2, Central Business District, which permits live/work units and mixed-use dwellings.

Based on the City staff’s review, the proposed redevelopment plan modification is feasible and conforms with the City’s Comprehensive Plan.

**b) If the proposed redevelopment plan is to use tax increment financing (TIF):**

**i. Would the redevelopment project in the plan be economically feasible without the use of tax-increment financing?**

Based on the information in the Magee Corner, LLC Redevelopment Plan Modification application materials, the proposed development would not be economically feasible without the use of tax-increment financing.

The developer's project financial plan shows the total expenses to be \$1,700,000. The sources of funds used to pay for the project include owner equity (\$925,000), a CRA loan (50,000), and a CDBG DTR Forgivable Facade Loan (425,000). The total of these funds is \$1,400,000.

The developer is seeking \$300,000 in TIF funding, which will be in the form of a loan amortized over 15 years. These funds will cover the gap in financing and other funding sources for the development.

As stated on page 8 of the plan modification documents, the cost per square foot of the proposed development is significantly higher than similar recently renovated condos in downtown without TIF funding. The developer would face significant market challenges on the sale of the condo units even with the use of TIF and CDBG funding.

**ii. Would the redevelopment project not occur in the community redevelopment area without the use of tax-increment financing?**

The historic building received damage from a fire and the demolition of the building at 700 W. 2<sup>nd</sup> Street in 2022. The rehabilitation of this property will help eliminate an existing blighted condition and provide life safety improvements.

As previously stated, the proposed development, which will provide housing and commercial space, needs the financial support from TIF to make the development feasible.

Based on the cost per square foot of the rehabilitation of this property, it appears that without the tax-increment financing, the proposed development project would not occur.

- iii. **Is the costs and benefits of the redevelopment project, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services in the long-term best interest of the community impacted by the redevelopment project?**

Based on the information in the redevelopment plan modification documentation, the proposed development will be in the long-term best interest of the community.

The proposed redevelopment creates a new valuation from the rehabilitation of a vacant lot and building, which will support taxing entities after the project is paid off. Additionally, no public service needs have been identified. The property is served by existing water and wastewater facilities. The project will not have a negative impact on employers and employees of businesses located within the boundaries of the redevelopment area but will provide additional housing units in downtown and create additional jobs. The development will have minimal impact on the school system due to an unlikely increase in attendance. The housing units are unlikely to be family units since they are two 1-bedroom condominium units.

- c) **Is the proposed redevelopment plan within a designated enhanced employment area? If so, will the new investments proposed with the redevelopment plan modification increase employment in the area by five new employees and new investment of \$250,000?** This standard does not apply, as the area is not in a designated enhanced employment area.

**STAFF COMMENTS:** Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the request for a **REDEVELOPMENT PLAN MODIFICATION** for the Magee Corner, LLC Redevelopment Project, generally located northwest of the intersection of West 2nd Street and North Hastings Avenue, on the west side of North Hastings Avenue, based on the findings in the staff report and the Redevelopment Plan Modification materials.

**PREPARED BY:** Ember Batelaan, City Planner

**DATE:** August 2, 2024

**ATTACHMENTS:**

1. Redevelopment Plan Modification materials
2. Magee Corner Exterior Plan
3. Magee Corner Floor Plans
4. 2017 Redevelopment Area Number 1 Blight and Substandard Determination Study
5. 2017 Redevelopment Area Number 1 Redevelopment Plan

**REDEVELOPMENT PLAN #1**  
**PLAN MODIFICATION NO. 2024-5**  
(Magee Corner, L.L.C. Redevelopment Project)

**The Community Redevelopment Authority (CRA) of the City of Hastings intends to amend the Redevelopment Plan for Area #1 within the city, pursuant to the Nebraska Community Development Law (the "Act") and provide for the financing of a specific redevelopment related project in Area #1.**

**Executive Summary:**

**Project Description**

THE PROJECT CONSISTS OF THE PURCHASE OF THE VACANT LOT AT 700 W. 2<sup>ND</sup> STREET AND THE REDEVELOPMENT OF THE PROPERTY LOCATED AT 706 W. 2<sup>ND</sup>. THE PROPERTY WILL BE ACQUIRED AND RENOVATED FOR COMMERCIAL AND RESIDENTIAL USES, INCLUDING FIRE/LIFE SAFETY IMPROVEMENTS AND BUILDING REHABILITATION AND EXPANSION. TAX INCREMENT FINANCING TO PAY FOR ACQUISITION AND THE REHABILITATION OF THE PROPERTY WILL COME FROM THE FOLLOWING REAL PROPERTY:

**Property Description (the "Redevelopment Project Area")**

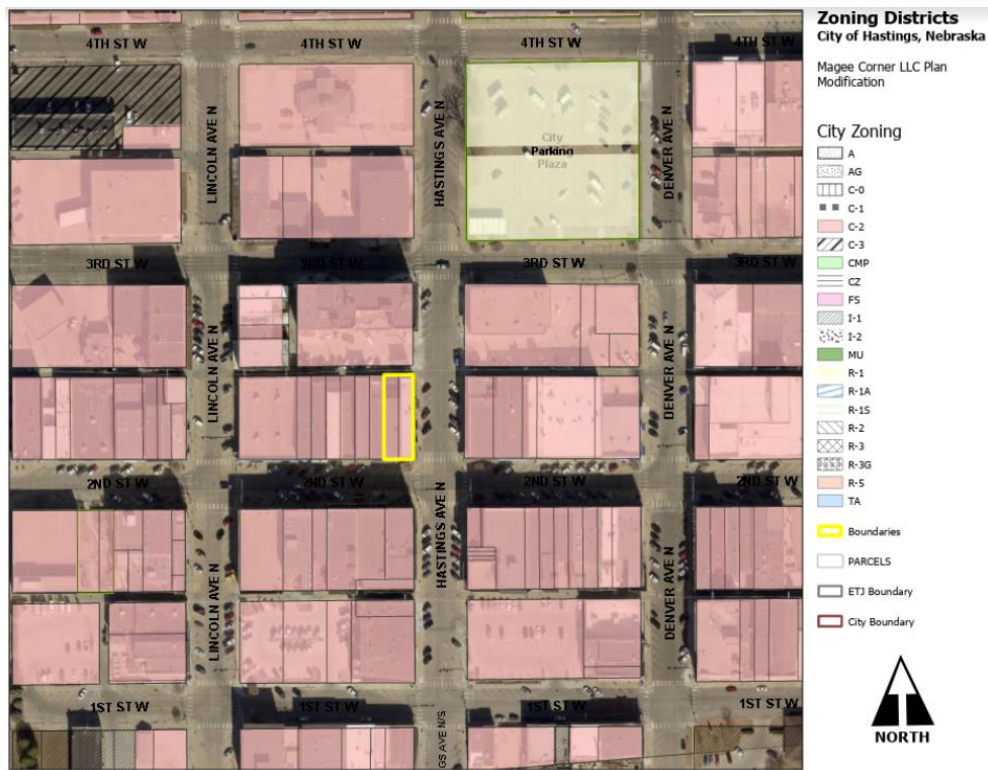
700 W. 2nd Street and 706 W. 2<sup>nd</sup> Street in Hastings, Nebraska

**Legal Description:** Lots Twenty-three (23) and Twenty-four (24), Block Nineteen (19), in the Original Town, now City of Hastings, Adams County Nebraska, according to the recorded plat thereof.

The current owners of 706 W. 2<sup>nd</sup> Street, Heidy Behrens and Scot DeWitt d.b.a. Magee Corner, L.L.C. plan to acquire the vacant lot at 700 W. 2<sup>nd</sup> Street and will utilize Tax Increment Financing to aid in site acquisition, site preparation, demolition, repair, rehabilitation and expansion of the structure, façade enhancements, architectural, engineering and planning costs, capitalized interest, and legal fees, public parking and any other eligible public improvements essential for public uses in accordance with the Redevelopment Plan.

**The real property ad valorem taxes on the current valuation will continue to be paid to the normal taxing entities. The increase in value will come from the construction of up to 2 owner-occupied or rental residential condominiums and 1 or 2 main floor commercial condos as permitted in the C-2 Commercial Zoning District. The tax increment will be captured for the tax years 2025 through 2039 inclusive. Provided, however, if there is no increase in valuation for the 2025 tax year, the increment will be captured beginning in the year when an increase in value is available for capture and ending fifteen years later.**

## Map of Existing Land Use and Proposed Redevelopment Site



Project costs for the acquisition, south façade, new east wall, and white box spaces are estimated to be \$1,756,255. The developer intends to sell white box condo spaces to owners who will build out their individual spaces. When each condo space is fully renovated the total project costs are anticipated to be \$2,500,000 - \$3,000,000. The anticipated project valuation when completed is \$1,600,000 and the developer projects an incremental valuation increase of approximately \$1,559,304.

### Statutory Pledge of Taxes.

In accordance with Section 18-2147 of the Act and the terms of the Resolution providing for the issuance of the TIF Note, the Authority hereby provides that any ad valorem tax on the Redevelopment Project Area for the benefit of any public body be divided for a period of fifteen years after the effective date of this provision as set forth in the Redevelopment Contract, consistent with this Redevelopment Plan, said taxes shall be divided as follows:

- a) That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and
- b) That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with

the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

### **Redevelopment Plan Amendment Complies with the Act:**

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

- 1. The Redevelopment Project Area was first declared blighted and substandard by action of the Hastings City Council on March 23, 1987 (Resolution No. 1069). In September of 2017 a blight and substandard study was completed and the area was re-declared blighted and substandard by action of the Hastings City Council on November 13, 2017. (§18-2109) Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act,**
- 2. Conformation to the General Plan for the Municipality as a whole. (§18-2103 /13) (a) and §18-2110)**

Hastings adopted a Comprehensive Plan on February 24, 2009. This redevelopment plan amendment and project are consistent with the Comprehensive Development Plan, in that no changes in the Comprehensive Development Plan elements are intended. This plan merely provides funding for the developer to preserve a historic building for residential and commercial uses on this property as defined by the current and effective zoning regulations. The Hastings Planning Commission will hold a public hearing at their meeting on August 20, 2024 to review and approve Plan Modification No. 2024-5 to Redevelopment Plan I confirming that this project is consistent with the Comprehensive Development Plan for the City of Hastings.

- 3. The Redevelopment Plan must be sufficiently complete to address the following items: (§18-2103/13) (b)**

#### **a. Land Acquisition:**

The Redevelopment Plan for Area I provides for real property acquisition and this plan amendment does not prohibit such acquisition. The Community Redevelopment Authority is the current owner of the vacant lot on which a portion of the Project will be constructed and the developer plans to acquire the property. The developer currently owns the 2-story building at 706 W. 2<sup>nd</sup>.

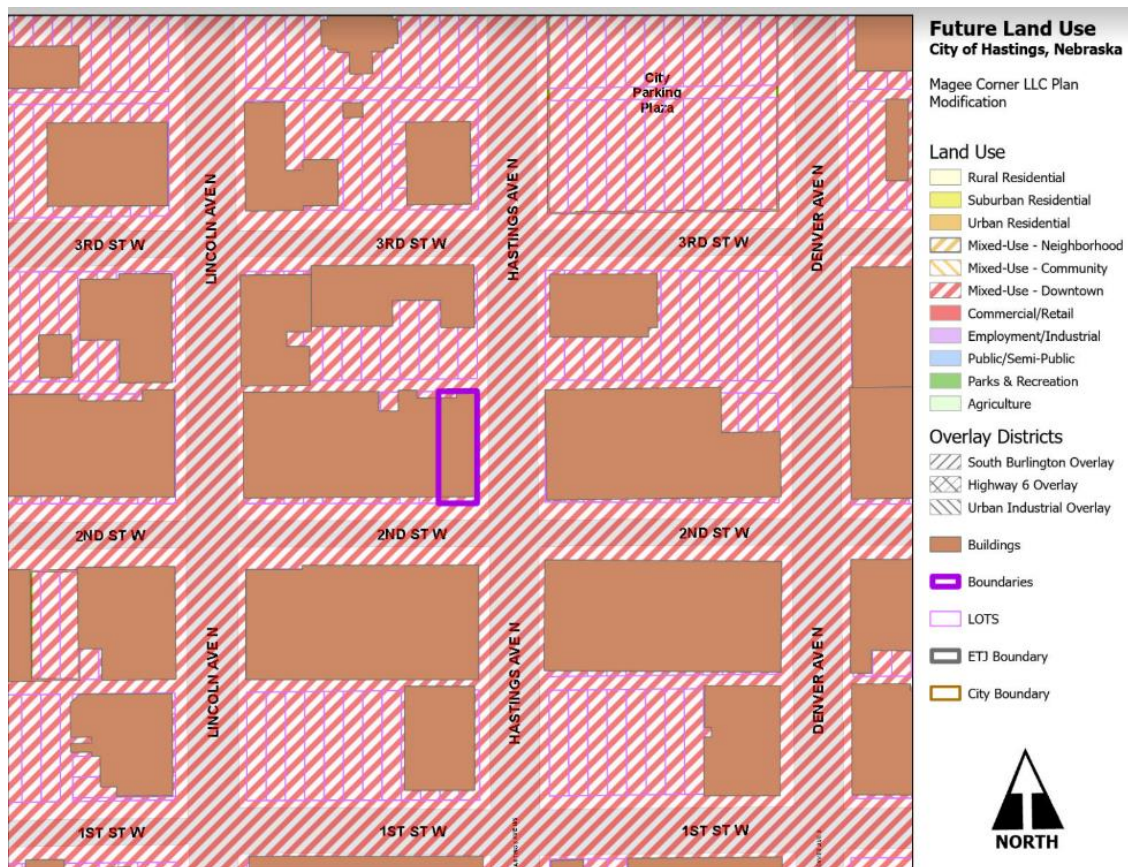


**b. Demolition and Removal of Structures:**

The project to be implemented with this plan does not provide for the demolition and removal of any structures on this property, however, the south wall has been demolished and the east wall of the existing structure at 706 W. 2<sup>nd</sup> will be demolished.

**c. Future Land Use Plan**

See the attached map from the 2009 Hastings Comprehensive Development Plan. All of the area around the site in private ownership is planned for Downtown Commercial development; this includes housing and commercial uses within the same structure. [§18-2103(b) and §18-2111] The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5)]



**d. Changes to zoning, street layouts and grades or building codes or ordinances or other planning changes**

The area is zoned C-2 Commercial District and no zoning changes are anticipated with this project. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances nor are any other planning changes contemplated. [§18-2103(b) and §18-2111]

**e. Site Coverage and intensity of Use**

The developer is rehabilitating the existing building and plans to expand the building approximately

10' feet to the east. When construction is complete the building will meet the applicable regulations regarding site coverage and intensity of use. [§18-2103(b) and §18-2111]

**f. Additional Public Facilities or Utilities**

Sewer, water, gas and electric are available to support this development. The developer may be required to extend a water line capable of providing sufficient water for a sprinkler system required to meet fire safety codes for the various uses in the building.

4. **The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation. This property has been vacated for over a year after receiving damage from a fire and demolition of an adjacent building and no relocation is contemplated or necessary. [§18-2103.02]**
5. **No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]**
6. **Section 18-2114 of the Act requires that the Authority consider:**

1. **Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.**

The developer plans to purchase the vacant lot at 700 W. 2<sup>nd</sup> and acquisition is part of the request for tax increment financing. The CRA has been asked to provide \$300,000 in TIF funding to this project to offset the cost of TIF eligible expenditures. The CRA has identified the following developer TIF eligible expenses for the developers "white box" portion of the project;

- a) site acquisition - \$50,000
- b) planning related & engineering services - \$50,000
- c) structure rehabilitation costs - \$590,000
- d) interior renovation and rehabilitation - \$490,000

The total TIF eligible expenses for this project are \$1,180,000. The vacant land will be sold and transferred to redevelopers by the Authority and the developer will provide and secure all necessary financing.

2. **Statement of proposed method of financing the redevelopment project.**

The developer will provide all necessary financing for the project. The Authority will assist the project by granting the proceeds of TIF which will result in \$300,000 of direct aid to the project. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2025 through December 2039.

3. **Statement of feasible method of relocating displaced families.**

No families will be displaced as a result of this plan.



## **7. Section 18-2113 of the Act requires:**

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Hastings Comprehensive Development Plan. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions. This will accomplish the goal of both the Downtown Business Improvement District and the Hastings City Council of increasing the number of residential units available in the Downtown area and will help with the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

## **8. Time Frame for Development**

Development of this project is anticipated to be completed between September 2024 and December 2025. Excess valuation should be available for this project for 15 years beginning with the 2025 tax year.

## **9. Justification of Project**

This historic building in downtown Hastings received damage from a fire and demolition of the adjacent building at 700 W. 2nd in March of 2022. The demolition of the adjacent building led to the demolition of the south storefront and the need to demolish the east wall of 706 W. 2nd. The reconstruction costs and expansion of the building 10' feet onto the adjacent lot is cost prohibitive. The reconstruction of the building and the creation of up to two new 2<sup>nd</sup> story upper-level residential units is consistent with goals of the May, 2021 Hastings Housing Study to build more residential units in downtown Hastings. The main floor will be used for commercial tenant space. The renovation of this building will help to eliminate an existing blighted condition and prevent the reoccurrence of blight and substandard conditions in the area.

## **10. Cost Benefit Analysis**

Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, Neb. Rev. Stat. (2012), the

City of Hastings has analyzed the costs and benefits of the proposed Redevelopment Project, including:

### **Project Sources and Uses.**

Approximately \$300,000 in public funds from tax increment financing provided by the Hastings Community Redevelopment Authority and \$425,000 in CDBG Downtown Revitalization Funds will be required to complete the project. The redeveloper intends to spend an estimated \$1,010,000 on interior renovation and rehabilitation to create “white box” condo space available for sale. After tenant spaces are finished, this investment by the Authority and the City will leverage \$2,000,000 - \$3,000,000 in private sector financing; a private investment of \$2.76 – 4.38 for every public/TIF dollar of investment.

| USE OF FUNDS                         |                    | SOURCE OF FUNDS                   |                    |
|--------------------------------------|--------------------|-----------------------------------|--------------------|
| Site Acquisition                     | \$50,000           | Insurance Proceeds & Owner Equity | \$925,000          |
| Engineering & architecture           | \$50,000           | CRA Loan                          | \$50,000           |
| Exterior Structure Rehabilitation    | \$590,000          | TIF Loans                         | \$300,000          |
| Interior renovation & rehabilitation | \$1,010,000        | CDBG DTR Forgivable Façade Loan   | \$425,000          |
|                                      |                    |                                   |                    |
| <b>TOTALS</b>                        | <b>\$1,700,000</b> | <b>TOTALS</b>                     | <b>\$1,700,000</b> |

**Tax Revenue.** The property to be redeveloped is anticipated to have a January 1, 2024, valuation of \$40,696. Based on the 2023 levy of .02174734 this would result in real property taxes of approximately \$885.03 which will be paid out to all the existing taxing entities. It is anticipated that the assessed value will increase by \$1,559,304 upon full completion, as a result of the building redevelopment. This development will result in an additional estimated tax increase of over \$33,910 annually. This tax increment gained from the Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

|                                  |             |
|----------------------------------|-------------|
| January 1, 2024 assessed value:  | \$40,696    |
| Estimated value after completion | \$1,600,000 |
| Increment value                  | \$1,559,304 |
| Annual TIF generated (estimated) | \$33,910    |
| TIF bond issue                   | \$300,000   |

### **Statement Identifying Financial Gap and Necessity for use of Tax Increment Financing for proposed Project:**

A large financial gap exists on this project after conventional financing is utilized. A combination of owner equity, TIF and other incentives are needed to make the project feasible. The developer is contributing owner equity/insurance proceeds of \$925,000 and TIF, a 0% interest loan from the CRA and façade grant funding are intended to fill the remaining gap, making this project feasible. The project is asking for \$300,000 in a TIF loan amortized over 15 years. Without the availability of TIF

funding for the project, it would not be feasible for the developer to proceed with this redevelopment. Please see the table below which shows recent sales of downtown buildings or condo spaces in need of redevelopment. The average sales prices are significantly lower (\$87+ per square foot) than the developers proposed costs even with the use of incentives. The highest sale price per square foot is \$50.00 lower than the developers proposed sale price. The developer will face significant market challenges on the sale of the condo units even with the use of TIF and CDBG funding. Without these incentives the Authority believes the developer will find it impossible to sell white box condo space in today's Hasting's market.

| <b>Recent Sales of White Box renovated condos</b> | <b>Sq Ft</b>         | <b>Price</b>            | <b>PSF Cost</b>        |
|---------------------------------------------------|----------------------|-------------------------|------------------------|
|                                                   |                      |                         |                        |
|                                                   |                      |                         |                        |
| 733 W. 2nd Unit #3                                | 3,419                | \$175,000               | \$51.18                |
| 733 W. 2nd Unit #4                                | 1,800                | \$205,000               | \$113.88               |
| 734 W. 2nd Unit #5                                | 2,000                | \$210,000               | \$105.00               |
| 733 W. 2nd Unit #6                                | 4,000                | \$275,000               | \$61.00                |
|                                                   |                      |                         |                        |
| <b><u>Average Sale PSF</u></b>                    | <b><u>11,219</u></b> | <b><u>\$865,000</u></b> | <b><u>\$77.10</u></b>  |
|                                                   |                      |                         |                        |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF W/O Incentives</b>       | 5,920                | \$1,700,000             | \$287.16               |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF With CDBG funds</b>      | 5,920                | \$1,275,000             | \$215.37               |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF With CDBG &amp; TIF</b>  | 5,920                | \$975,000               | <b>\$164.70</b>        |
| <b>Average Cost PSF Other Sales</b>               |                      |                         | <b><u>-\$77.10</u></b> |
|                                                   |                      |                         |                        |
| <b>PSF Gap With Incentives</b>                    |                      |                         | <b>\$87.60</b>         |

***(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;***

The redevelopment project area currently has a valuation of \$40,696. The proposed redevelopment will create additional valuation of \$1,559,304. No tax shifts are anticipated from the project. The project creates new valuation from the rehabilitation of both levels of an historic building which will support taxing entities long after the project is paid off.

***(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;***

No additional public service needs have been identified. Existing water and waste water facilities will not be impacted by this development. The electric utility has sufficient capacity to support the development. Fire and police protection are available and should not be negatively impacted by this development. The addition of life safety elements to this building including fire sprinklers, rated separations and proper exits actually reduce the chances of negative impacts to the fire department.

***(c.) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project; and***

This project will not have a negative impact on employers and employees of firms locating within the boundaries of the redevelopment area but will create new opportunities for these same firms to acquire unique and renovated commercial space. The project will also provide additional residences in the downtown area consistent with the planned development in Downtown Hastings.

***(d.) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and***

This project will not have a negative impact on other employers in any manner different from any other expanding business within the Hastings area.

***(e) Impacts on student populations of school districts within the City or Village:***

This development will have a minimal impact on the Hastings area school systems as it will likely not result in any increased attendance. The units to be developed with this project are unlikely to be family units, especially for families with school age children. These are anticipated to be two 1-bedroom condominium units located in the historic downtown and it is likely that the local school systems would be able to absorb any students from this additional development without adding to school facilities or staffing.

***(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.***

This project is consistent with the goals of the City Council, the Business Improvement District and the Community Redevelopment Authority to create additional housing units in downtown Hastings. The project will potentially create additional jobs and downtown residents which will benefit local businesses.

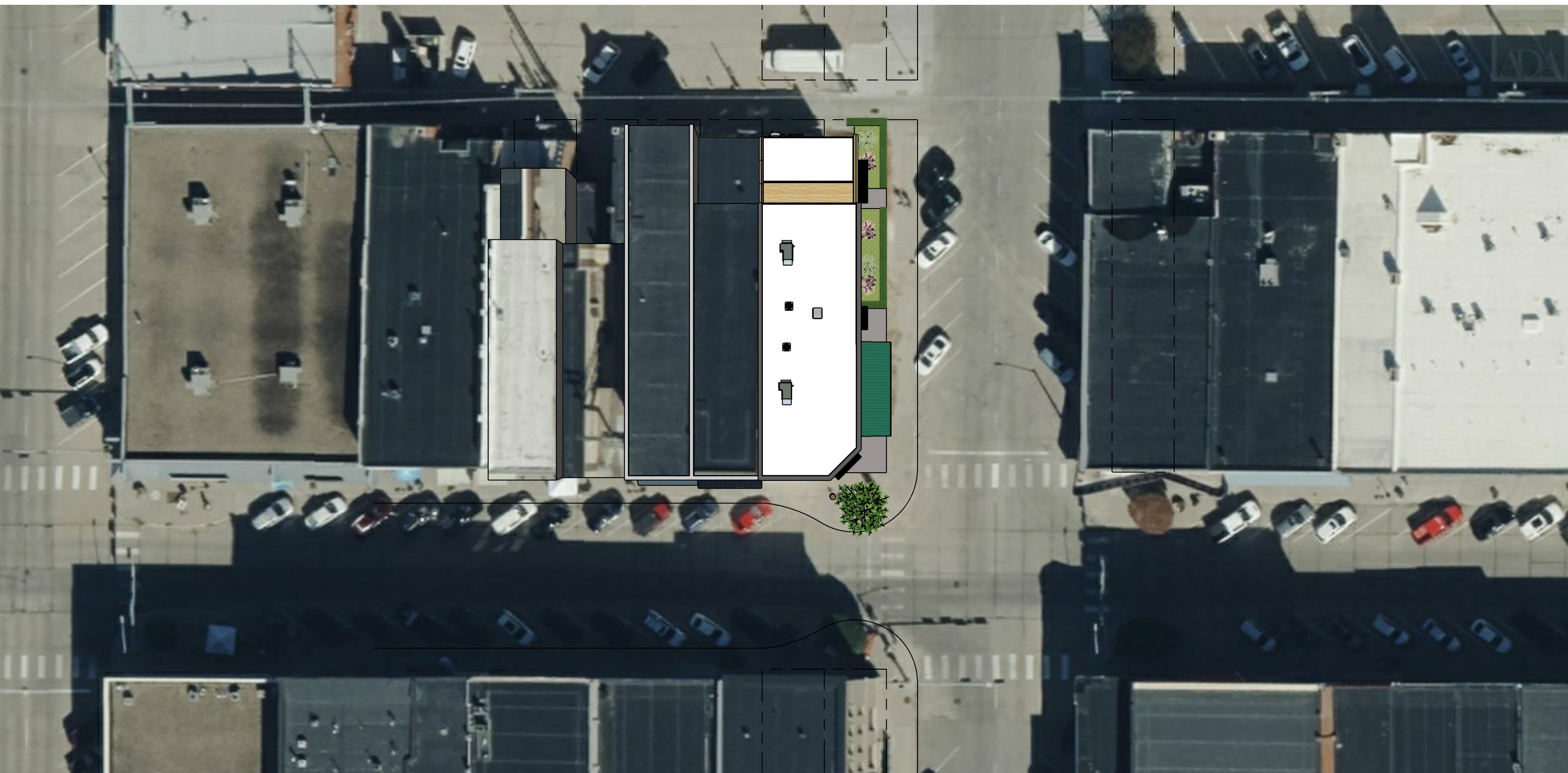
***(f) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.***

This project is consistent with the goals of the City's Comprehensive Plan, and the Hastings Housing Study of 2021.

**Time Frame for Development**

Development of this project is anticipated to be completed between September of 2024 and December of 2025. The base tax year should be calculated on the value of the property as of January 1, 2024. Excess valuation should be available for this project for 15 years beginning in 2025 with taxes due in 2026. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per the contract between the CRA and the developer for a period not to exceed 15 years on an amount not to exceed \$300,000 the projected amount of increment based upon the anticipated value of the project and current tax rate





















MAGEE  
CORNER  
2023

AD





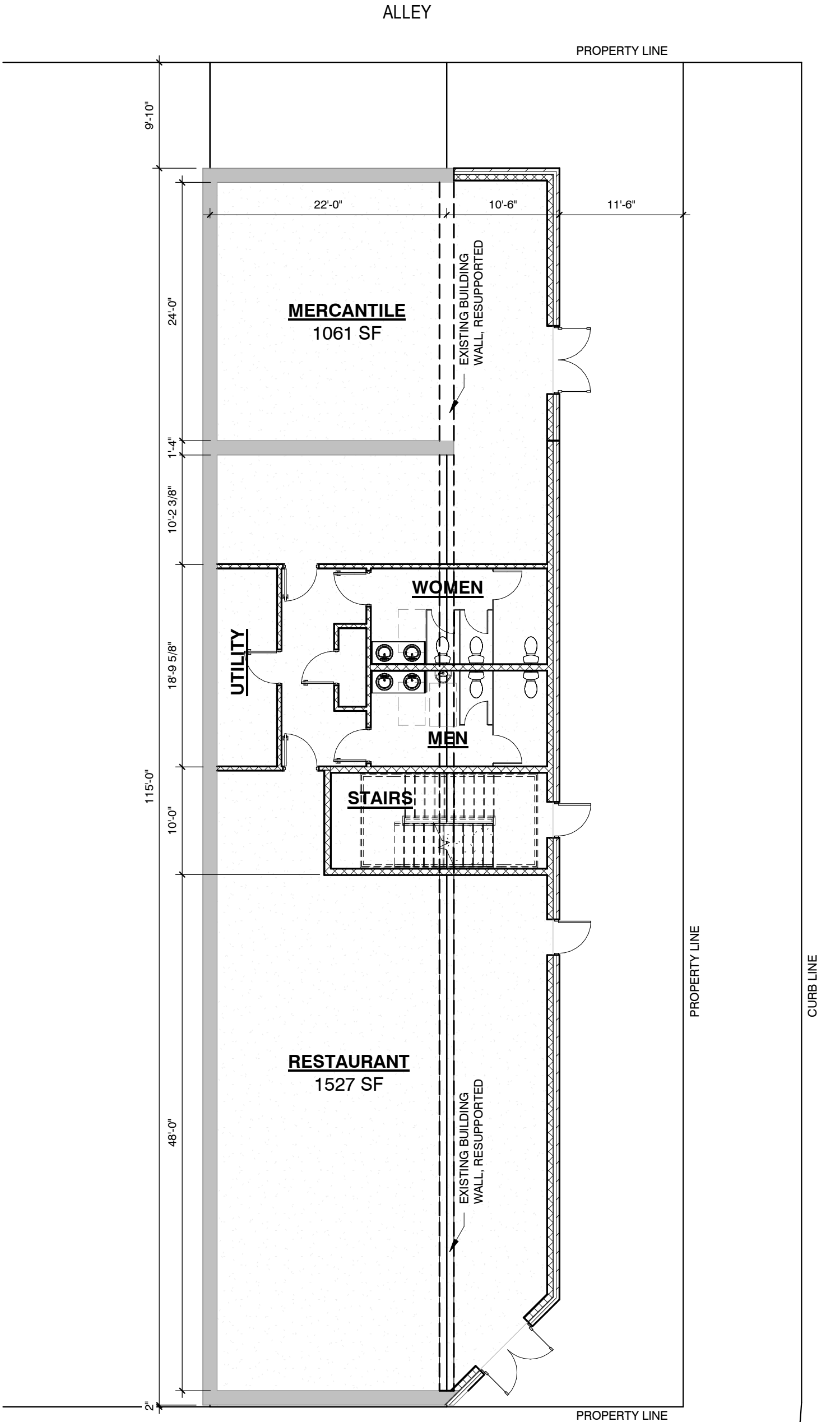












**1**  
SD1.0

## FIRST FLOOR PLAN

1" = 10'-0"

2nd STREET

*MAGEE CORNER*

**Client Name**

*706 West 2nd Street*

**Architectural Design Associates**

*Suite A*

*3410 'O' Street*

*Lincoln, Nebraska 68510*

*www.adalincoln.com*

*tel 402 486 3232*

**Project number**

23-108

**Date**

Issue Date

**Scale**

1" = 10'-0"

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**SD1.0**

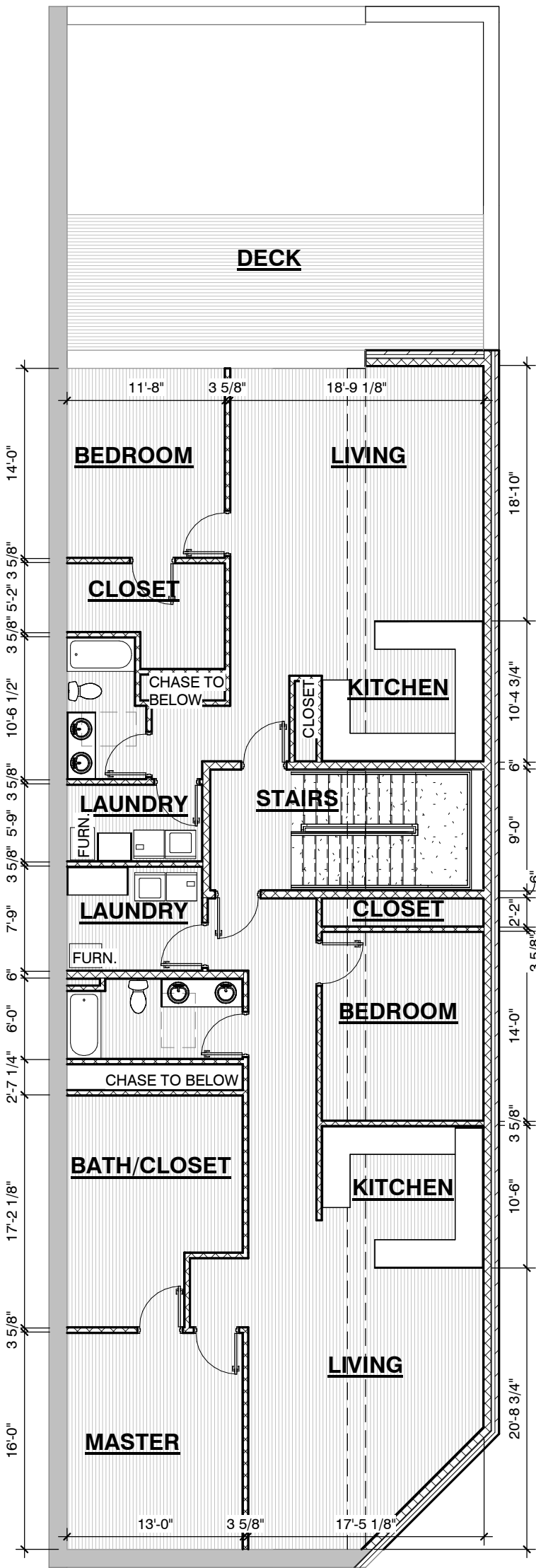
First Floor

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**1**  
SD2.0

## SECOND FLOOR

1" = 10'-0"

*MAGEE CORNER*

**Client Name**

*706 West 2nd Street*

**Architectural Design Associates**

*Suite A*

*3410 'O' Street*

*Lincoln, Nebraska 68510*

*www.adalincn.com*

*tel 402 486 3232*

**Project number**

23-108

**Date**

Issue Date

**Scale**

1" = 10'-0"

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**SD2.0**

Second Floor

11/27/2023 2:35:32 PM





# Hastings, Nebraska Area 1 Blight and Substandard Study

September 2017

Prepared for: City of Hastings, Nebraska CRA

Prepared by:   
**MARVIN PLANNING CONSULTANTS**  
*Specializing in Municipal, County and Neighborhood Planning*

  
**MSA**  
 PROFESSIONAL SERVICES  
 ARCHITECTURE | ENGINEERING | ENVIRONMENTAL  
 FUNDING | PLANNING | SURVEYING



## PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Hastings. This study has been commissioned by Hastings CRA in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Hastings, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

*"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of Sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements".*

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program. The statute reads,

*"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."*

Blight and Substandard are defined as the following:

*"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or*

*welfare;"*

*"Blighted area means an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a shall not designate an area larger than one hundred percent of the as blighted;"*

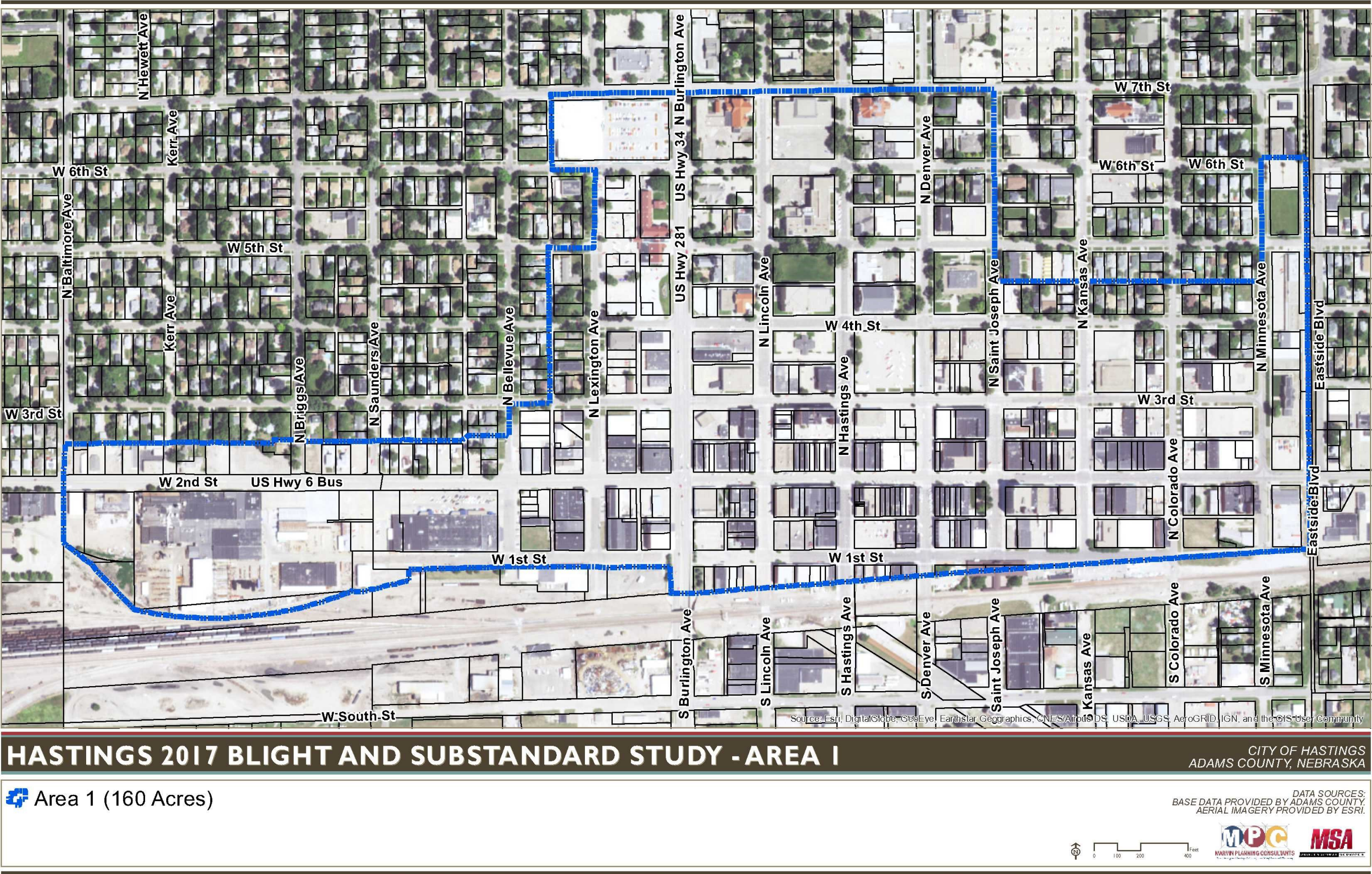
The Study is intended to give the Hastings CRA, Hastings Planning Commission and Hastings City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future containing, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present which qualify the area as blighted and substandard.



Study Area  
Figure 1: Study Area Map





BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in area include residential uses, commercial uses, industrial uses and public uses including accessory uses within the corporate limits of Hastings.

Through the redevelopment process the City of Hastings can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Hastings is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Hastings.

The study area is defined as follows: the Point of beginning is located at the intersection of the centerlines of 7th Street and North St. Joseph Avenue; thence, southerly along the centerline of North St. Joseph Avenue to the intersection with the centerline of the alley between 5th Street and 4th Street; thence, easterly along said centerline to the intersection with the centerline of North Minnesota Avenue; thence, northerly along said centerline to the extended north property line of a lot referred to Lots 1 and 2 & adjacent 6th Street Block 8 Johnsons Addition; thence, easterly along said property line to the centerline of Eastside Blvd.; thence, southerly along said centerline to the intersection with the northern right-of-way of the Burlington Northern Santa Fe Railroad; thence southwesterly along said northern property line until it intersects with the western right-of-way line of North Burlington Avenue; thence northerly along said right-of-way line until it intersects with the southern right-of-way line of West 1st Street; thence, westerly along said line to intersection with the northeast corner of a lot referred to as Tax Lot 4; thence; southerly along the east property line of Tax Lot 4 to the southeast corner of Tax Lot 4; thence southwesterly along the southern property line of Tax Lot 4 until said property line intersects with a sidetrack; thence, continuing on said sidetrack until intersecting with the east property line of a lot referred to as Tax Lot 11; thence, northerly along said property line and continuing to the centerline of North Baltimore Avenue to the intersection with the north property line of the southern half of the block situated between West 2nd Street and West 3rd Street; thence, easterly along said northern property lines extended northwest corner of Lot 2, Sidlo's Subdivision; thence, continuing along the northern property line of said lot to the intersection with the centerline of North Briggs Avenue; thence southerly along said property line to the extended centerline of an alley contained within McIntyre's Addition; thence easterly along said alley centerline and continuing along the alley centerline between GT Hutchinson's Addition, Birderup's 2nd Addition and Benjamins Addition to the intersection with the alley centerline west of N Bellevue Avenue; thence, northerly to the intersection with the extended south property line of Lot 1, Block 18 of Moore's Addition; thence, easterly along said south property line to the intersection with the centerline of N. Bellevue Avenue; thence, northerly along said centerline to the intersection with the centerline of W. 3rd Street; thence, easterly along said centerline top the intersection with the extended centerline of the alley between N. Bellevue Avenue and N. Lexington Avenue, thence, northerly along said centerline and extending along alley centerlines to the intersection with the centerline of W. 5th Street; thence, easterly along said centerline to the intersection with the centerline of N. Lexington Avenue; thence, northerly along said centerline to the intersection with the centerline of W. 6th Street; thence, westerly along said centerline to the extended centerline of an alley located between N. Lexington Avenue and N. Bellevue Avenue; thence, northerly along said centerline to the intersection of W. 7th Street; thence, easterly to the point of beginning.

EXISTING LAND USES

The term "Land Use" refers to the developed uses in place within a building or on a specific lot of land. The number and type of uses are constantly changing within a community, and produce a number of impacts either benefitting or detracting from the community. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Adams County Assessors website. This survey noted the use of each lot of land within the study area. These data from the survey are analyzed in the following paragraphs.

TABLE 1: EXISTING LAND USE, HASTINGS - 2017

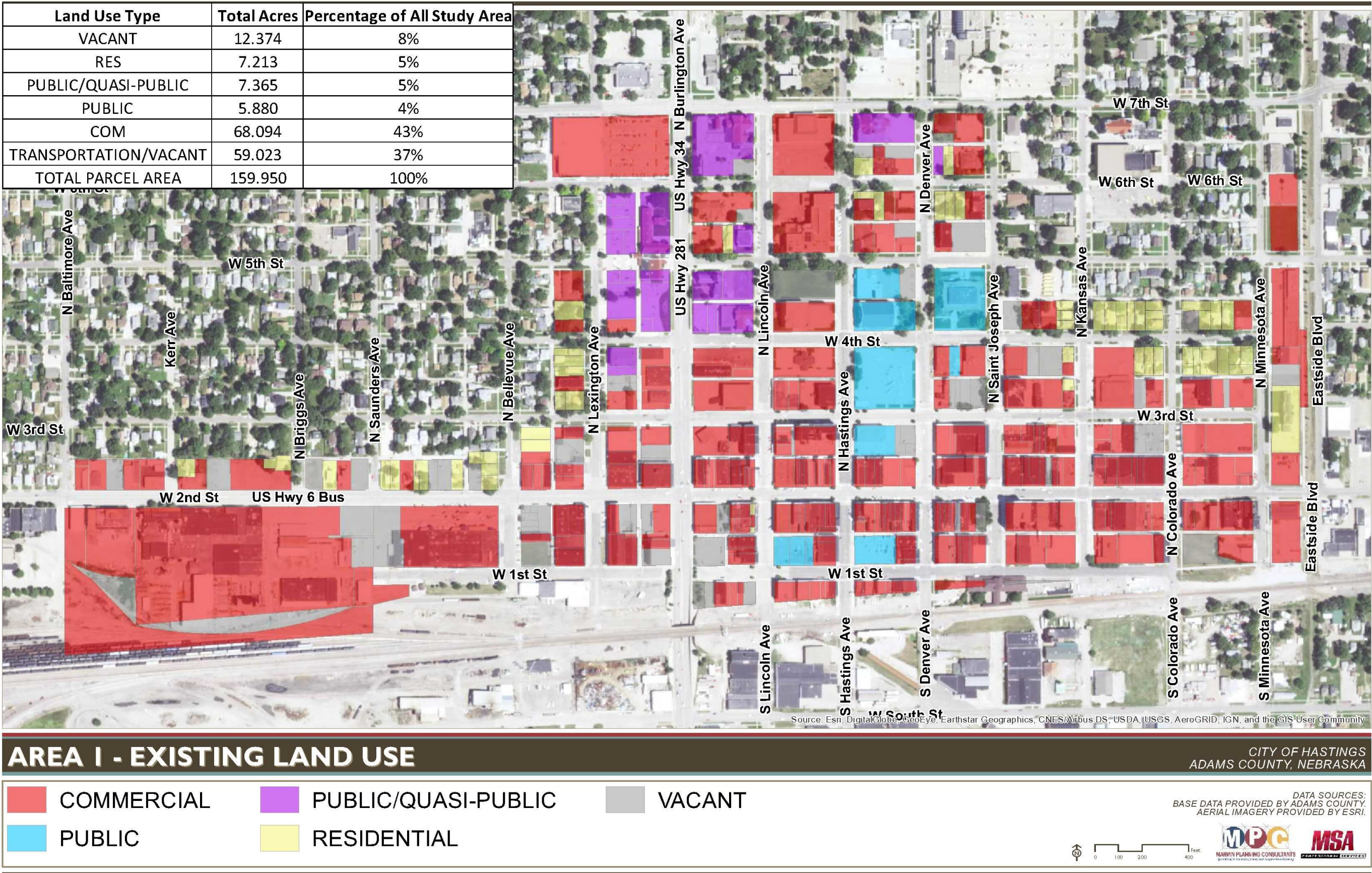
| Type of Use          | Acres  | Percent of Developed land within the Study Area | Percent of Study Area |
|----------------------|--------|-------------------------------------------------|-----------------------|
| Residential          | 7.21   | 4.9%                                            | 4.5%                  |
| Commercial           | 68.10  | 46.1%                                           | 42.6%                 |
| Quasi-Public/Public  | 13.25  | 9.0%                                            | 8.3%                  |
| Transportation       | 59.02  | 40.0%                                           | 36.9%                 |
| Total Developed Land | 147.58 | 100.0%                                          | 92.3%                 |
| Vacant/Agriculture   | 12.37  |                                                 | 7.7%                  |
| Total Area           | 159.95 |                                                 | 100.0%                |

Source: Marvin Planning Consultants 2017

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area. The Study Area is predominately made up of commercial and transportation (including rights-of-way). Commercial uses, according to the Assessor's methods includes all industrial uses. In addition to the Assessor's methods, the definition of Blighted and Substandard only refer to residential and commercial uses. Therefore, 42.6% of the entire area is considered to be commercial uses; while, 36.9% is made up of transportation (streets, alleys, and rights-of-way). Residential uses only make up 4.5% of the entire study area; however, this does not include any above ground level residential dwellings in the downtown area.



Figure 2  
Existing Land Use Map





## FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

### CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

### Structural Conditions

Structural conditions were evaluated, structures were either rated as: Excellent, Good, Average, Fair, and Poor. The data and rating system comes from the Adams County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

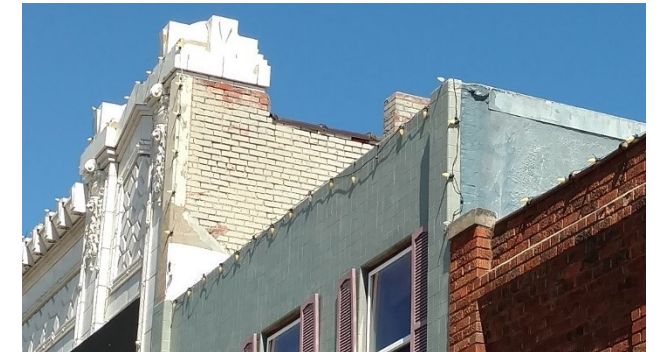
- 2 (0.8%) structures rated as Excellent
- 25 (8.8%) structures rated as Good
- 216 (76.0%) structure rated as Average
- 33 (11.6%) structures rated as Fair
- 8 (2.8%) structure rated as Poor

The different rating terms used in this section are defined as follows:

- Excellent:** Typically newer construction or property that recently has been completely upgraded.
- Good:** Typically no major defects or aging conditions showing up in the physical analysis.
- Average:** Typically minor defects may be showing up, including: degrading roof materials (limited to 25%), masonry joints needing tuckpointed (25% or less), painted surfaces beginning to peel and flake, small cracks in the foundation, broken glass, and other similar conditions.
- Fair:** Similar to Average but conditions are worsening and covering a greater percentage of the structure.
- Poor:** Represents structures likely showing several of the conditions mentioned above as well as the extent of the aging and deterioration is at a point where demolition may be necessary to eliminate the conditions.

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 90.4% of the structures in this study area are average condition or worse.

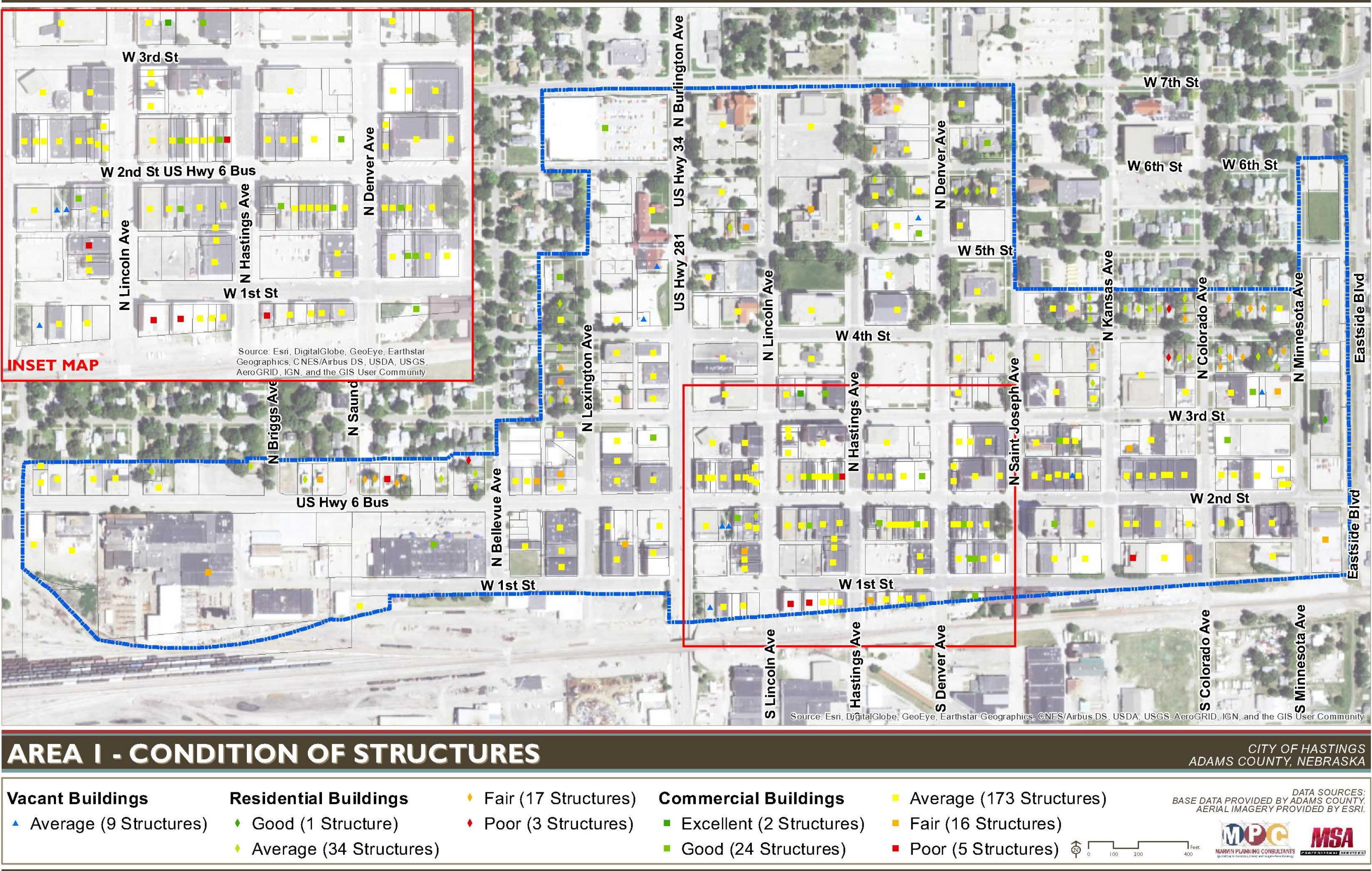
Due to the stated conditions found in the Adams County Assessor's data, the condition of the structure is a contributing factor.



Examples of Structural Conditions within the Study Area



Figure 3  
Structure Conditions





## Deterioration of Site or Other Improvements

### Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off of heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on four categories; good, average, poor, and missing completely. In most cases, if a few panels were showing signs of deterioration and the remaining sections were not newer, than an entire run was deemed to match the areas of concern. Again, average and lower are considered to be undesirable conditions. As with the structural conditions, once a sidewalk begins to deteriorate they will continue to get worse unless specific maintenance or replacement steps are undertaken.

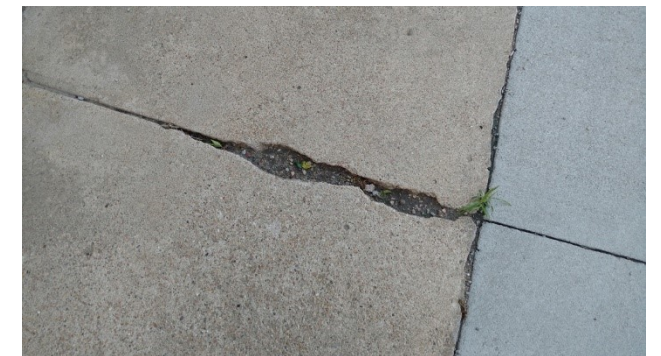
The different rating terms used in this section are defined as follows:

- Good:** Typically no major defects or aging conditions showing up in the physical analysis.
- Average:** Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a panel.
- Poor:** Represents a sidewalk with considerable issues and is in need of replacement in the near future.
- Missing:** Just as it implies, there is no sidewalk present at that location.

Within the study area there is approximately 56,650 lineal feet of area where sidewalk could or should be located. The lineal feet were determined through some on-site analysis as well as using the 2016 Hastings aerals and Google Earth with Street View. The following is how the sidewalk conditions breakdown within the study area:

- 12,438 (21.9%) lineal feet of good sidewalk
- 13,120 (23.2%) lineal feet of average sidewalk
- 27,192 (48.0%) lineal feet of poor sidewalk
- 3,890 (6.9%) lineal feet of no sidewalk.

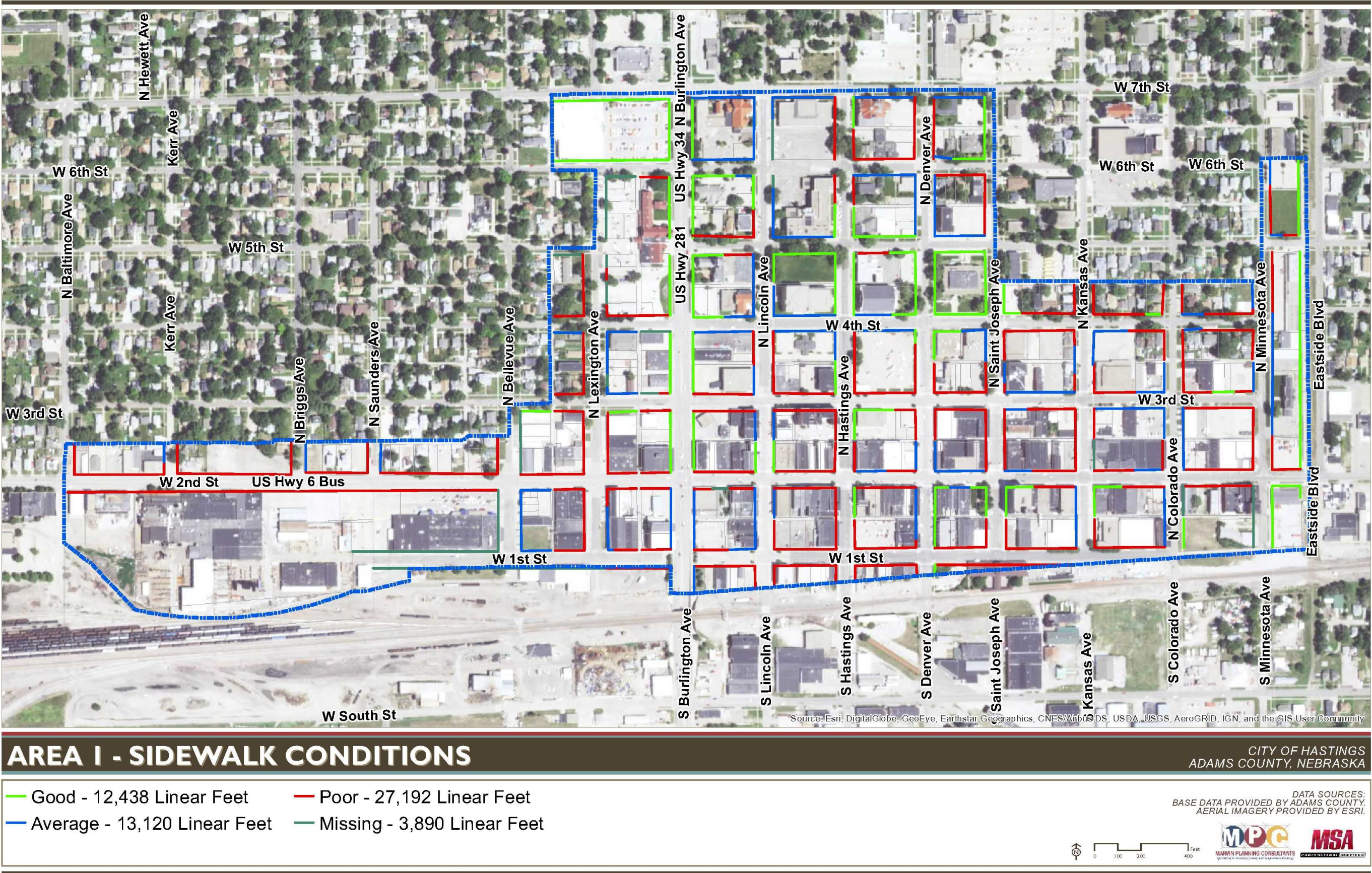
There is only one area which is lacking sidewalk, along 1st Street. Most of the area is directly behind Allen's but continues around the east side of the stores parking lot. Overall, over 78% of the sidewalk in this study area is considered to be average, poor or completely missing. Even if the average sidewalk condition was factored out of the overall calculation, there would be 54.9% of the sidewalk considered poor or missing. Due to this the sidewalk conditions in the Study Area are considered a contributing factor to a condition of Blight.



Examples of Sidewalk Conditions within the Study Area



Figure 4  
Sidewalk Conditions





## Deterioration of Site or Other Improvements, continued

### Street Conditions

Streets are our primary means for getting from place to place, if they are in a bad state then an area is difficult to access. Streets in the Study Area were examined similarly to sidewalks. The streets were graded as either good, average, poor, or closed.

The street conditions, similar to the sidewalks, were analyzed in the Study Area. The streets were rated on four categories; good, average, poor, and closed. In most cases, if a few panels of concrete were showing signs of deterioration and the remaining sections were not newer, than an entire run was deemed to match the areas of concern. In addition, where there were streets with an asphalt overlay, any spawling, breakups, or other noticeable issues, these were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the sidewalks conditions, once a street begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

The different rating terms used in this section are defined as follows:

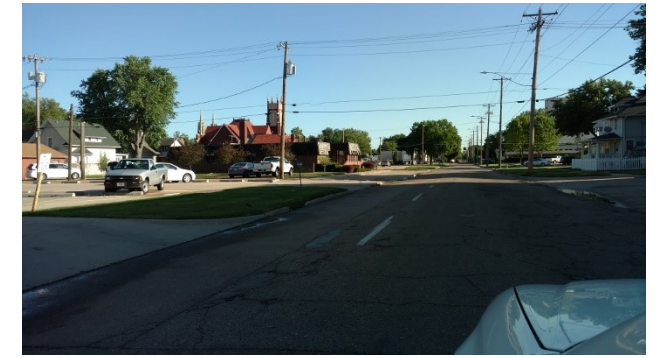
- Good:** Typically no major defects or aging conditions showing up in the physical analysis.
- Average:** Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a panel.
- Poor:** Represents a streets with considerable issues and is in need of an overlay or complete replacement in the near future.
- Closed:** Just as it implies, there is no street present at that location.

Within the study area there is approximately 50,765 lineal feet or 9.6 miles of streets and alleys possible. After reviewing the conditions in the field, the following is how the street conditions breakdown within the study area:

- 3,308 ( 6.5%) lineal feet of good street
- 13,934 (27.5%) lineal feet of average street
- 30,514 (60.1%) lineal feet of poor street
- 3,009 ( 5.9%) of closed streets

In total, 93.5% of the streets are in a average condition or worse, thus making them in a deteriorating state. However, if you remove the average condition streets from the calculation, Area 1 still has 66.0% of the streets in a state of deterioration. See Figure 5 for the locations of these streets.

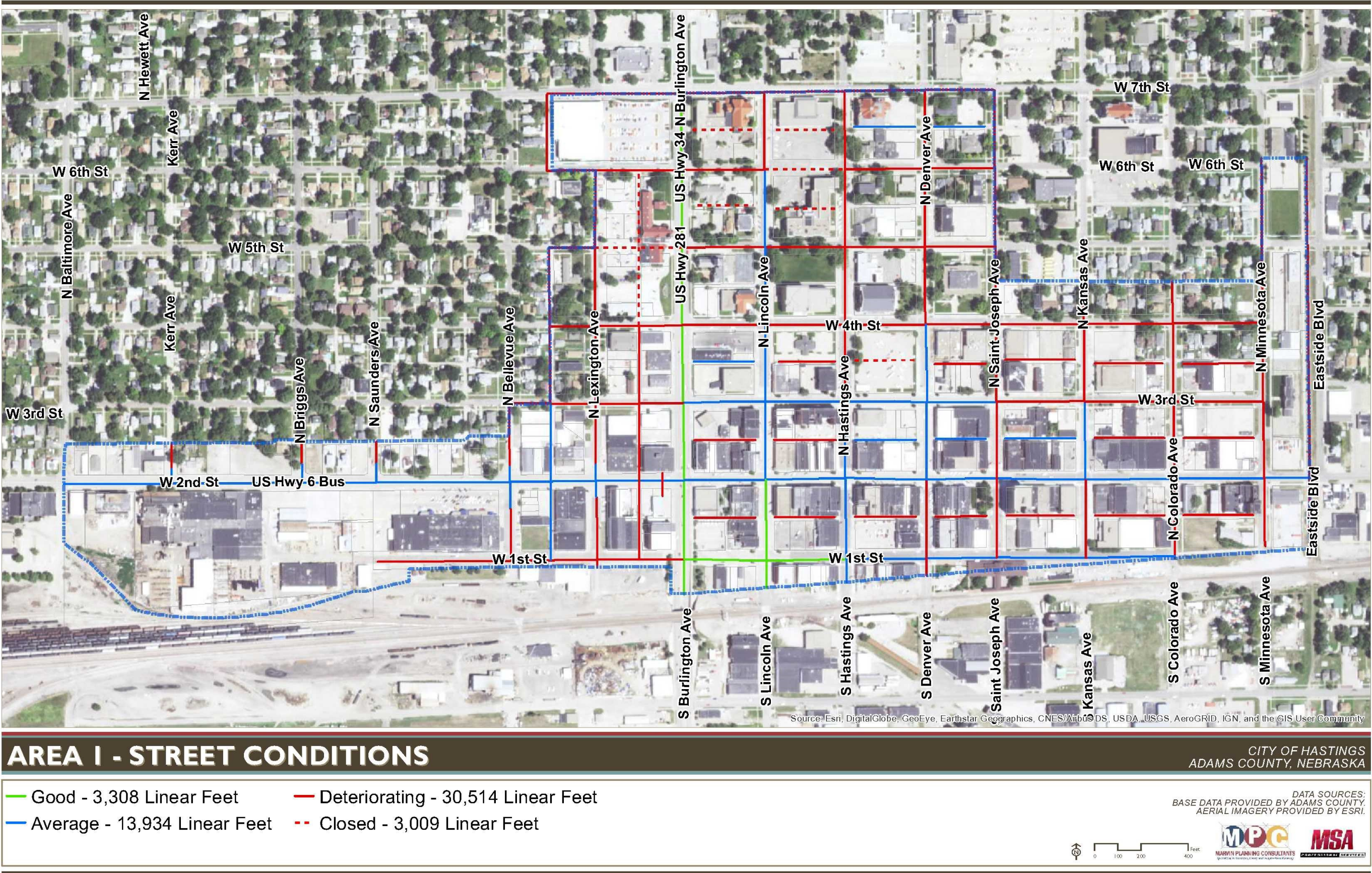
Due to the large amount of deteriorating streets, the street conditions would be a direct contributing factor.



Examples of Street Conditions within the Study Area



Figure 5  
Street Conditions





Deterioration of Site or Other Improvements, continued

Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in neighborhoods. Their primary functions is to be a barrier and a collection and direction system for moving water to storm drains or other drainage systems so the storm water can be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

The curb and gutter conditions, similar to the others, were analyzed throughout the Study Area. The curb and gutter were rated on the same four categories; good, average, poor, and missing. In most cases, if a few panels/sections of curb and gutter were showing signs of deterioration and if the remaining sections were not newer, than an entire run was deemed to match the areas of concern. In addition, where there were streets and curb and gutter meet, any spawling, breakups, or other noticeable issues, these were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the streets and sidewalks conditions, once a curb and gutter section begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

The different rating terms used in this section are defined as follows:

- Good:** Typically no major defects or aging conditions showing up in the physical analysis.
- Average:** Typically minor defects may be showing up, including: stress cracks, slight chipping of concrete edges, small amount of spawling, and slight heaving of a section.
- Poor:** Represents curbs and gutter with considerable issues and is in need of a complete replacement in the future.
- Missing:** Just as it implies, there is no curb and gutter present at that location.

Within the study area there is approximately 56,230 lineal feet or 10.6 miles of curb and gutter possible. If comparing the total lineal feet of curb and gutter to streets, the numbers do not match due to the fact alley ways were included in the street section. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the study area:

- 5,705 (10.1%) lineal feet of good curb and gutter
- 3,762 ( 6.7%) lineal feet of average curb and gutter
- 38,381 (68.3%) lineal feet of poor curb and gutter
- 8,383 (14.9%) of missing curb and gutter

In total, 89.9% of the curb and gutter are in a average condition or worse, thus placing them in a deteriorating state. However, if you remove the average condition curb and gutter from the calculation, Area 1 still has 83.2% of the curb and gutter in a state of deterioration. See Figure 6 for the locations of these curb and gutter.

Due to the large amount of deteriorating curb and gutter, the curb and gutter conditions are a direct contributing factor.



Examples of Curb and Gutter Conditions within the Study Area







## Deterioration of Site or Other Improvements, continued

### Drainage Conditions

Hastings, especially in Area 1, is relatively flat. No matter how well the stormwater system is designed there is a point where water will have difficulty draining. The City within the past 30 years has rebuilt key pieces of the downtown infrastructure, including the stormwater system. Typically, the stormwater system will not deteriorate nearly as fast as the streets, curb and gutter, and sidewalks due to a lack of direct exposure.

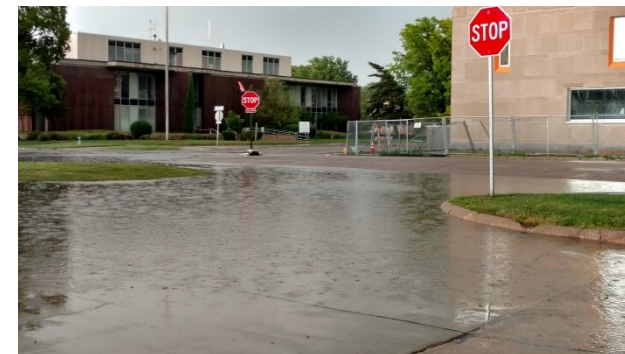
The study area was observed during an evening thunderstorm on June 13th. The storms that evening allowed a direct observation of how the drainage system handled a larger than normal storm. Due to the above average rainfall, the stormwater system had a short term failure to keep pace with the rain accumulations, resulting in short-term flash flood/urbanized flooding incident.

Observations the next morning indicated a number of areas where standing water was still present in the study area. Most of the standing water was due to deterioration of the curb and gutter system in the area. Over time, several key locations in the actual gutter flowline have settled and created a failure in the ability to drain water completely. Therefore, the drainage conditions in Area 1 is impacted directly by the deteriorating/poor curb and gutters throughout.

The study area drops 20 feet west to east along 2nd and 3rd Streets (approximately 6,470 feet), or approximately a 0.3% slope over the west to east length of the study area. In addition, the basic north to south slope is essentially flat along Burlington Avenue. Standing water within the study area is likely to continue in the future.

Standing water from poor drainage can be a catalyst for health issues like West Nile and other diseases due to the potential mosquito breeding during the summer months. It is important that drainage is adequate to rid the area of standing water, thus eliminating potentials for these diseases.

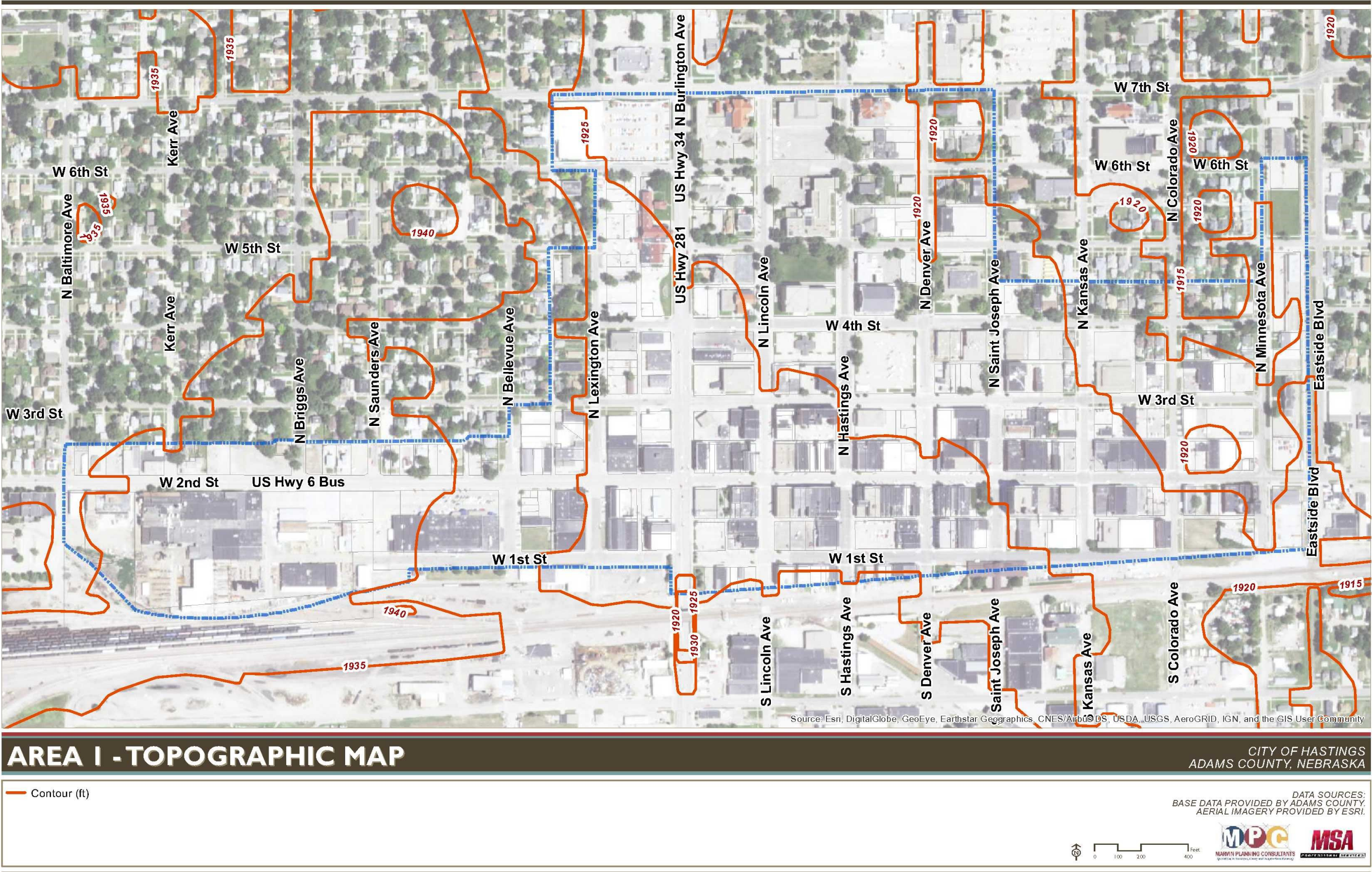
Due to the drainage issues and in combination with the curb and gutter conditions, drainage issues are a direct contributing factor towards blighting the area.



Examples of Drainage Conditions within the Study Area



Figure 7  
Drainage/Contours



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## Deterioration of Site or Other Improvements, continued

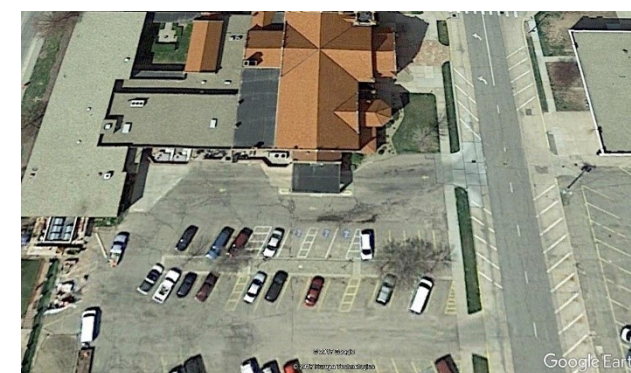
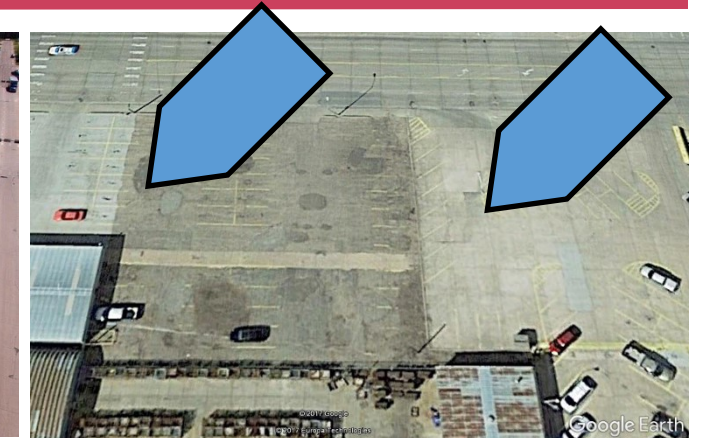
### Site Improvement Conditions

Throughout Area 1 there are a number of public parking lots and private parking areas for the various commercial entities in the area. One of the keys to creating a positive image of an area is how well the exterior portions of the lots are maintained. Even a perfectly maintained structure can be seen as a deteriorating part of the community if the exterior or curb appeal is less than desirable.

Part of developing a blight study for any community centers around how well different site improvements are maintained and what type of image these improvements create of the property and study area. Part of this analysis examines the actual condition of the site improvements; plus, the drainage issue if they exist.

Within Area 1 there are 44 areas where the site improvements were deemed to be in poor condition. Some of these areas are far worse than others and should be improved. One of the most visible locations is the City Parking Area immediately north of City Hall (site of old Adams County Courthouse). The City parking area is seeing surface breakup in places and the photo to the right shows the drainage issues on the site from the June 13th rain event.

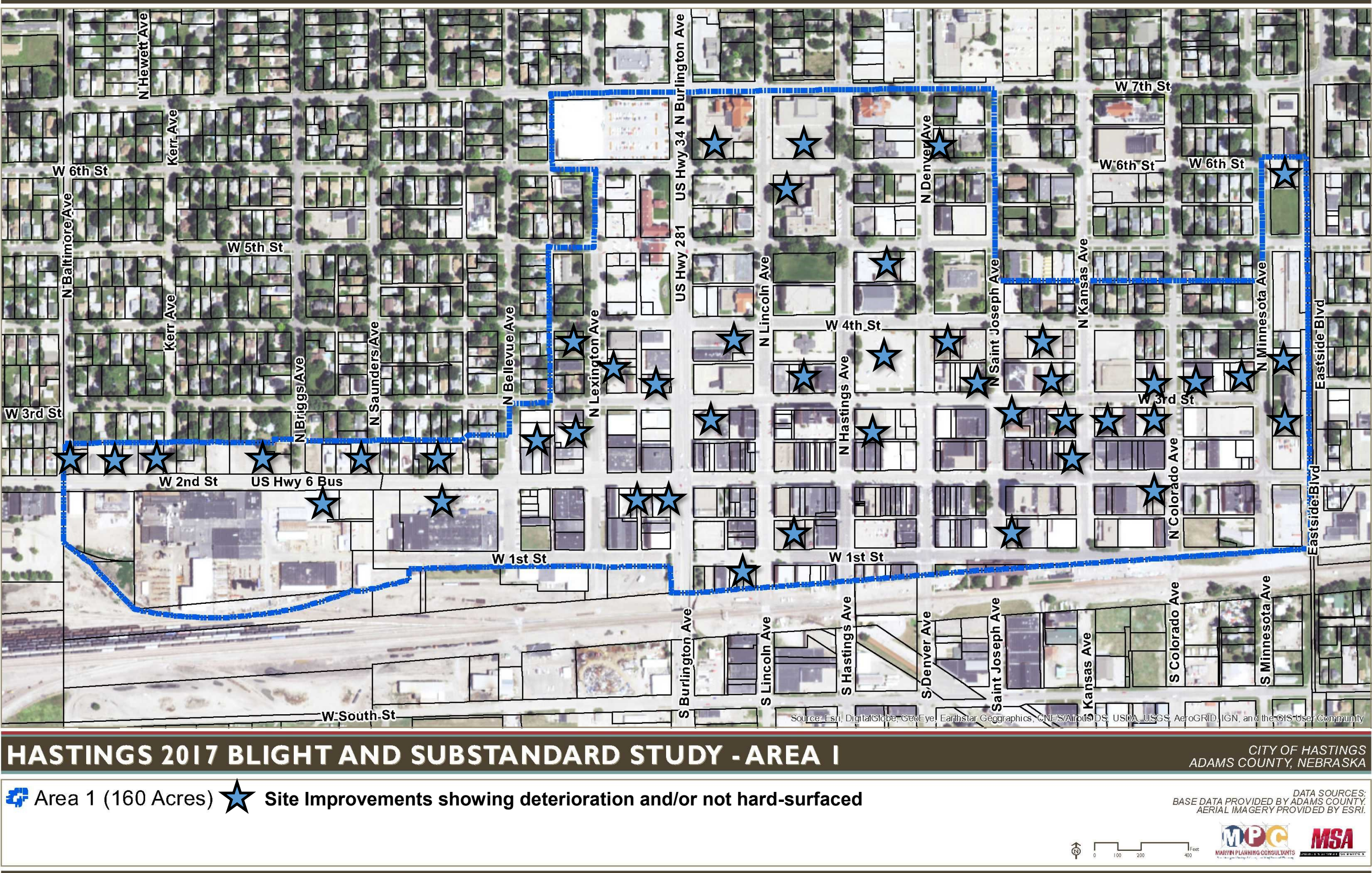
Due to the condition of multiple sites and the lack of improvements, specifically the condition and type of the paving, Site Improvements issues are a direct contributing factor towards blighting the area.



Examples of Site Improvement issues within the Study Area



Figure 8  
Site Improvements—Deterioration





Faulty Lot Layout

Size of Lot and Configuration

Area 1 contains the heart of Hastings, the downtown area. In most communities, downtowns are comprised of numerous lots with minimal lot frontages; therefore, those items are not the basis for the discussion on Size of Lot and Configuration (Faulty Lot Layout). The issue behind this discussion is the odd configurations which may have been done initially or at some point between the founding of the downtown area and now.

Overall, there have been 37 areas within the study area that have this type of issue. The following listing coordinates with Figure 9 and details specifically what caused the inclusion.

- 1. Area 1 is on the far west side of the study area and has two lots. This area is substantially narrow and may not be buildable or capable of being redeveloped in future without being part of another lot.
- 2. Number 2 is similar to 1, but is substantially small in both its width and depth and be difficult to redevelop on its own.
- 3. Another narrow and shallow lot, but in this case, it is also an odd shaped lot.
- 4. This area has an extremely small sliver lot cut in between two standard lots; however, the shape of the sliver lot has created two odd shaped lots.
- 5. Area 5 has allowed two lots to be platted out of one normal lot (it appears). This type of subdivision creates lots that are extremely shallow and difficult to redevelop in the future.
- 6. Area 6 includes a portion of Allen's and neighboring properties. The overall layout of this area is oddly divided and there are, technically, two landlocked lots/pieces in this configuration.
- 7. This area is smaller, but one lot is wrapping around the neighboring lot. It appears this can be attributed to the sidetracks from the BNSF Railroad.
- 8. Area 8 is along W. 2nd Street just west of N. Burlington Avenue. This set of lots appear to be subdivided lots from an older lot configured in an opposite manner than today. These lots are extremely shallow and narrow, even by downtown standards.
- 9. Area 9 has a number of smaller divisions, as well as one diagonal division.
- 10. Area 10 also appears to have two narrow and shallow lots divided out of a larger more typical lot in the past.
- 11. Area 11 is a combination of issues including, smaller lots used as parking and a closed street. This is one large use covering two blocks and a closed street right-of-way. With the smaller lots still in place, it opens up opportunities for these to be sold away; thus, creating potential conflicts.
- 12. Area 12 is the new Russ' Supermarket site. The primary note here is the street closure which dead ends neighborhood traffic.
- 13. This area is similar to the other sites, several small, narrow, and shallow lots, creating potential redevelopment issues.
- 14. Area 14 is similar to Area 12, a closed street which diverts neighborhood traffic.
- 15. This area contains several narrow, shallow and oddly configured lots.
- 16. Area contains a shallow and narrow lot.
- 17. Area contains a shallow and narrow lot.
- 18. Appears one normal lot divided into two shallow and narrow lots.
- 19. Appears one normal lot divided into two shallow and narrow lots.
- 20. Several lots which are very narrow and laid out in an odd configuration
- 21. Several lots which are very narrow and laid out in an odd configuration

- 22. Several lots which are very narrow and laid out in an odd configuration. Some lots only have direct access along the alley way.
- 23. Several lots which are very narrow and laid out in an odd configuration.
- 24. Several lots which are very narrow and laid out in an odd configuration.
- 25. Several lots which are very narrow and shallow manner and laid out in an odd configuration.
- 26. Several lots which are very narrow and laid out in an odd configuration
- 27. Several lots which are very narrow and laid out in an odd configuration
- 28. Several lots which are very narrow and laid out in an odd configuration
- 29. Several lots which are very narrow and laid out in an odd configuration
- 30. Appears one normal lot divided into two shallow and narrow lots.
- 31. Appears one normal lot divided into two shallow and narrow lots.
- 32. Appears one normal lot divided into two shallow and narrow lots.
- 33. Appears two lots were divided into three smaller narrow and shallow lots.
- 34. Appears two lots were divided into three smaller narrow and shallow lots.
- 35. Several lots which are very narrow and shallow manner and laid out in an odd configuration.
- 36. Area 36 is similar to Area 12 and 14, a closed street which diverts neighborhood traffic.
- 37. Area 36 is similar to Area 12 and 14, a closed street which diverts neighborhood traffic.

A number of these platted lots have a single use built over the top of the lot lines. However, as long as some of these lot lines continue into the future, there could become a point where someone may attempt to build on these individual lots. Two things of note:

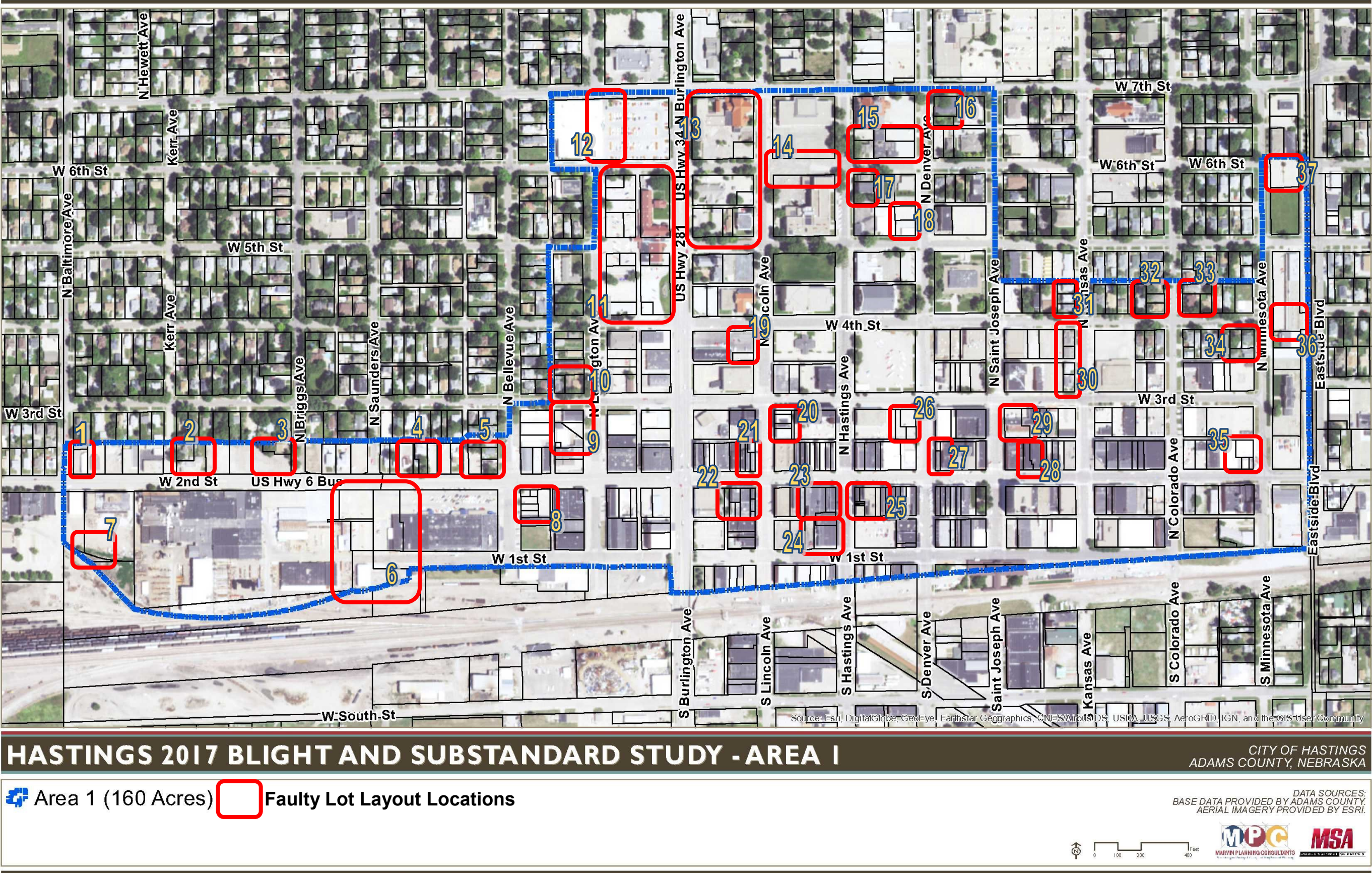
- Where buildings are built over lot lines, these lots could be and should be combined; and
- This practice should be discontinued if it is currently used.

Due to the number of blocks containing different platting conditions, Fault Lot Configuration is a direct contributing factor towards blighting the area.





Figure 9  
Faulty Lot Layout





Insanitary and Unsafe Conditions

Standing Water

As discussed in the drainage section, the study area was observed during a major thunderstorm on June 13, 2017. In addition, the area was observed the next morning. The observations during the next morning included numerous areas of standing water within the study area.

The remaining water, in the morning, is a good indicator as to where standing water can be found throughout the spring and summer months. Although it is likely the standing water along the curb and gutters will dry up and disappear in a day or so, this is still a solid indicator of possible areas in the study area which may not dry up and go away. It is important to eliminate standing water since it has a direct bearing on mosquito breeding. Mosquito in this part of the country can carry and transmit West Nile.

Standing water and its ability to attract mosquitoes, which could be carrying known diseases is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.

BNSF Railroad Mainline

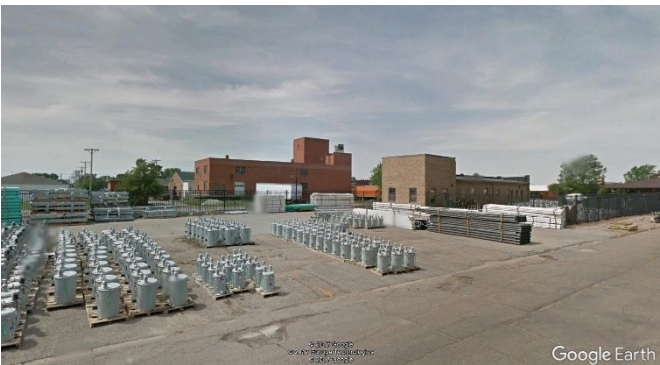
The BNSF Railroad's mainline runs the entire southern boundary of Area 1. In a large number of locations, the railroad right-of-way is not separated from the public rights-of-way by any sort of fencing. The lack of fencing and security allows people to gain direct access to the rails in places other than the rail crossings. The lack of security fencing is an unsafe situation. The only security fencing along the railroad R.O.W. is east of the Burlington Depot, some of which is encloses materials owned by Dutton Lainson.

The BNSF Railroad line is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.

Dutton Lainson Storage Areas

Another issue considered to be Insanitary and Unsafe is the unsecured storage of transformers from Dutton Lainson along 1st Street, east of the BNSF Depot. Transformers when they are ready for use contain numerous chemicals which can be hazardous. The unsafe part of this centers on the need for these to be secured inside an area with a gate. As of the present time, anyone could drive up and begin messing with the transformers.

The Dutton Lainson open transformer storage is a direct contributing factor towards Insanitary and Unsafe Conditions of the area.



Examples of Insanitary and Unsafe Conditions within the Study Area



Diversity of Ownership

Within the Area 1, there are 386 total properties, based upon the Adams County Assessors data. Within the area these properties are owned by a total of 221 different property owners. Included in these property owners, are several public entities, including the City of Hastings and Adams County; plus, several different religious denominations. Completing and continuing with future redevelopment efforts in this study area will require a coordinated effort. It is necessary that some organization similar to the Hastings Community Redevelopment Authority continue to lead efforts in redeveloping the Area 1 within the corporate limits of Hastings.

Based upon the number of different properties and property owners within the study area, it is determined that the Diversity of Ownership within Area 1 is a barrier to redevelopment.

Existence of Conditions endangering life or property due to fire or other causes

Located within the study area there are factors present that are a danger to life or property due to fire or other causes. A number of these factors have been previously discussed in this report.

These factors include:

- Unsecured materials
- The BNSF Railroad corridor is unsecured along most of the study area and enables someone to walk along the tracks of one of the busiest railroad corridors in the United States.
- Standing water

Based upon the review of the study area, there are sufficient elements present to meet the definition of dangerous conditions within the area.

Combination of factors which are impairing and/or arresting sound growth

Impairing and/or arresting sound growth can be an element in the study area that is positive but has a major impact on how uses develop or properties are redeveloped in the future. Within Area 1 there are two factors have a major impact on the development and redevelopment opportunities., thus impairing and/or arresting some growth.

These elements are:

- The BNSF Railroad corridor lies on the southern edge of the study area and acts as a major wall for further growth south from the traditional downtown area.
- In addition to safety concerns, the railroad also produces considerable noise. The noise levels within the corridor can be heard throughout the study area and is a an impairment toward sound growth.
- Even though it is a positive influence on the community, since it pulls the majority of traffic through the community, US Highway 281/Burlington Avenue impairs growth. The primary issue involving sound growth is the number of lanes along the route, the State and Federal regulations for driveways, and the setbacks required from the thoroughfare.

Based upon the review of the study area, there are sufficient elements present to meet the definition of combination of factors which are impairing and/or arresting sound growth within the study area.

Part B of the Blight Definition

Age of Units

Age of units is a contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the units within the Study Area. Note the age of units came from the Assessors data within the Adams County website data.

Within the study area, there are 277 units in some form or another. The age of structure has been determined by researching the structural age on the Adams County Assessor's websites and reviewing older documents, as well as, a land survey completed on the entire site.

The following breakdown was determined:

- 253 (91.3%) units were determined to be 40 years of age or older
- 24 (8.7%) units were determined to be less than 40 years of age

Table 1:  
Age of Units

|  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|--|-----------------|------------|-----------|----------------------|
|  | 1               | 1875       | 142       | 142                  |
|  | 13              | 1880       | 137       | 1,781                |
|  | 1               | 1881       | 136       | 136                  |
|  | 1               | 1883       | 134       | 134                  |
|  | 1               | 1884       | 133       | 133                  |
|  | 8               | 1885       | 132       | 1,056                |
|  | 1               | 1889       | 128       | 128                  |
|  | 17              | 1890       | 127       | 2,159                |
|  | 1               | 1895       | 122       | 122                  |
|  | 1               | 1899       | 118       | 118                  |
|  | 35              | 1900       | 117       | 4,095                |
|  | 1               | 1901       | 116       | 116                  |
|  | 1               | 1903       | 114       | 114                  |
|  | 2               | 1904       | 113       | 226                  |
|  | 3               | 1905       | 112       | 336                  |
|  | 2               | 1906       | 111       | 222                  |
|  | 1               | 1907       | 110       | 110                  |
|  | 1               | 1908       | 109       | 109                  |
|  | 15              | 1910       | 107       | 1,605                |
|  | 1               | 1911       | 106       | 106                  |
|  | 1               | 1912       | 105       | 105                  |
|  | 3               | 1914       | 103       | 309                  |
|  | 12              | 1915       | 102       | 1,224                |



|  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|--|-----------------|------------|-----------|----------------------|
|  | 3               | 1916       | 101       | 303                  |
|  | 1               | 1917       | 100       | 100                  |
|  | 2               | 1918       | 99        | 198                  |
|  | 1               | 1919       | 98        | 98                   |
|  | 21              | 1920       | 97        | 2,037                |
|  | 1               | 1921       | 96        | 96                   |
|  | 5               | 1922       | 95        | 475                  |
|  | 2               | 1923       | 94        | 188                  |
|  | 11              | 1925       | 92        | 1,012                |
|  | 3               | 1926       | 91        | 273                  |
|  | 2               | 1928       | 89        | 178                  |
|  | 2               | 1929       | 88        | 176                  |
|  | 10              | 1930       | 87        | 870                  |
|  | 2               | 1932       | 85        | 170                  |
|  | 7               | 1935       | 82        | 574                  |
|  | 1               | 1936       | 81        | 81                   |
|  | 1               | 1938       | 79        | 79                   |
|  | 1               | 1939       | 78        | 78                   |
|  | 4               | 1940       | 77        | 308                  |
|  | 1               | 1942       | 75        | 75                   |
|  | 1               | 1945       | 72        | 72                   |
|  | 3               | 1946       | 71        | 213                  |
|  | 1               | 1947       | 70        | 70                   |
|  | 1               | 1949       | 68        | 68                   |
|  | 9               | 1950       | 67        | 603                  |
|  | 2               | 1951       | 66        | 132                  |
|  | 1               | 1954       | 63        | 63                   |
|  | 4               | 1955       | 62        | 248                  |
|  | 7               | 1956       | 61        | 427                  |
|  | 1               | 1957       | 60        | 60                   |
|  | 1               | 1958       | 59        | 59                   |
|  | 6               | 1960       | 57        | 342                  |
|  | 3               | 1961       | 56        | 168                  |
|  | 5               | 1962       | 55        | 275                  |
|  | 3               | 1965       | 52        | 156                  |
|  | 2               | 1968       | 49        | 98                   |
|  | 1               | 1969       | 48        | 48                   |
|  | 1               | 1970       | 47        | 47                   |
|  | 2               | 1971       | 46        | 92                   |
|  | 1               | 1972       | 45        | 45                   |
|  | 1               | 1973       | 44        | 44                   |

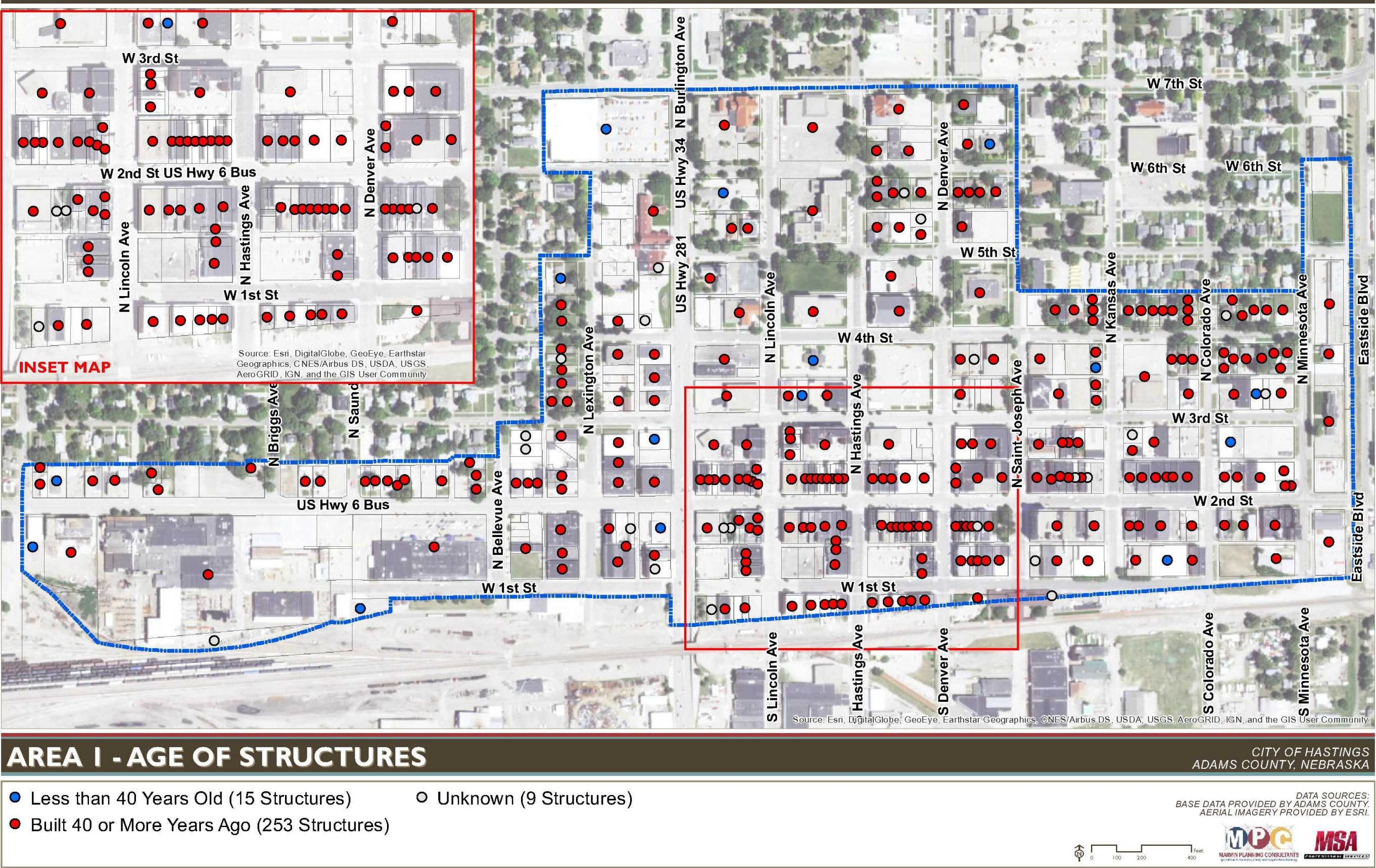
|                  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|------------------|-----------------|------------|-----------|----------------------|
|                  | 2               | 1975       | 42        | 84                   |
|                  | 1               | 1977       | 40        | 40                   |
|                  | 1               | 1981       | 36        | 36                   |
|                  | 1               | 1982       | 35        | 35                   |
|                  | 1               | 1984       | 33        | 33                   |
|                  | 1               | 1985       | 32        | 32                   |
|                  | 1               | 1989       | 28        | 28                   |
|                  | 1               | 1990       | 27        | 27                   |
|                  | 1               | 1995       | 22        | 22                   |
|                  | 1               | 1996       | 21        | 21                   |
|                  | 1               | 1999       | 18        | 18                   |
|                  | 1               | 2001       | 16        | 16                   |
|                  | 1               | 2002       | 15        | 15                   |
|                  | 1               | 2003       | 14        | 14                   |
|                  | 1               | 2005       | 12        | 12                   |
|                  | 1               | 2008       | 9         | 9                    |
|                  | 1               | 2010       | 7         | 7                    |
|                  | 2               | 2011       | 6         | 12                   |
|                  | 1               | 2012       | 5         | 5                    |
|                  | 1               | 2013       | 4         | 4                    |
|                  | 1               | 2014       | 3         | 3                    |
|                  | 2               | 2015       | 2         | 4                    |
|                  |                 |            |           |                      |
| Total Cumulative | 285             |            |           | 25,762               |
| Average Age      |                 |            |           | 90.39                |

Source: Adams County Assessor

Also, Table 1, above, examined the units within the study area and calculated a cumulative age and divided by the total number of commercial units to get a mean age. The mean age of all of the commercial units in the study area is 90.39 years.



Figure 9  
Faulty Lot Layout





### **Blighting Summary**

These conditions are contributing to the blighted conditions of the study area.

#### **Substantial number of deteriorating structures**

- Based upon the review of Adams County Assessor data, field observations, drone observations and other aerals there are a substantial number of deteriorating structures within the Study Area:
  - ◊ 2 (0.8%) structures rated as Excellent.
  - ◊ 25 (8.8%) structures rated as Good.
  - ◊ 216 (76.0%) structures rated as Average.
  - ◊ 33 (11.6%) structures rated as Fair.
  - ◊ 8 (2.8%) structures rated as Poor.

#### **Deterioration of site or other improvements**

- Large amounts ( 78%) of sidewalk in an Average to Poor condition; 54.9% in a Fair to Poor condition.
- Large portions (93.5%) of the street network in an average to poor condition; 66% in a Fair to Poor condition.
- Majority (89.9%) of Curb and Gutter is in an Average to Poor condition; 83.2% in a Fair to Poor condition.
- Drainage is an issue during larger spring and summer storm events.
- Standing water remains after storm events occur in certain places throughout the Study Area.
- There are considerable number of private and public parking lots either in a deteriorating state or simply are not hard-surfaced.

#### **Faulty Lot Layout**

- There are 38 locations in the Study Area where the lots were originally platted in a faulty manner or have been replatted over time.

#### **Insanitary or Unsafe Conditions**

- Standing water in various locations after storm event.
- BNSF Railroad is not secure along most of the southern boundary of the Study Area.
- Dutton Lainson has unsecured storage along the south side of 1st Street including transformers.

#### **Diversity of Ownership**

- The Study Area contains 386 different Property Identification Number (PIN) on the Assessor's website; within the 386 different properties there are a total of 221 different property owners including different governmental and religious entities.

#### **Existence of Conditions endangering life or property due to fire or other causes**

- Unsecured materials within the Study Area.
- The BNSF Railroad corridor is unsecured along most of the study area.
- Standing water in part of the study area.

#### **Combination of factors which are impairing and/or arresting sound growth**

- The BNSF Railroad corridor lies on the southern edge and is a major deterrent to further downtown growth to the south. In addition, the trains create considerable noise when passing through the corridor.

- US Highway 281/Burlington Avenue splits the study area and due to its control by State and Federal departments and the volume of vehicles impairs the development and redevelopment of the area.

#### **Criteria under Part B of the Blight Definition**

##### **Average age of units is over 40 years of age**

- Within the Study Area 91.3% of the units meet the criteria of 40 years of age or older.
- Based upon the county assessor's assessment records, the average age of the units within the study area is 90.39 years.

#### **Other criteria for Blight not present in the area include:**

- Improper Subdivision or Obsolete Platting
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title
- Unemployment in the designated area is at least 120% of the state or national average.
- Over one-half of the property is unimproved and has been within the City for over 40 years.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area.



Substandard Conditions

“Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or

Predominance of Deteriorating Buildings or Improvements

Structural conditions were evaluated, structures were either rated as: Excellent, Good, Average, Fair, and Poor. The data and rating system comes from the Adams County Assessor's database and is the same database used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 2 (0.8%) structures rated as Excellent
- 25 (8.8%) structures rated as Good
- 216 ( 76.0%) structure rated as Average
- 33 ( 11.6%) structures rated as Fair
- 8 (2.8%) structure rated as Poor

The different rating terms used in this section are defined as follows:

- Excellent:** Typically newer construction or property that recently has been completely upgraded.
- Good:** Typically no major defects or aging conditions showing up in the physical analysis.
- Average:** Typically minor defects may be showing up, including: degrading roof materials (limited to 25%), masonry joints needing tuckpointed (25% or less), painted surfaces beginning to peel and flake, small cracks in the foundation, broken glass, and other similar conditions.
- Fair:** Similar to Average but conditions are worsening and covering a greater percentage of the structure.
- Poor:** Represents structures likely showing several of the conditions mentioned above as well as the extent of the aging and deterioration is at a point where demolition may be necessary to eliminate the conditions.

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 90.4% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Adams County Assessor's data, the condition of the structure is a contributing factor.

Age of Units

Age of units is a contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the units within the Study Area. Note the age of units came from the Assessors data within the Adams County website data.

Within the study area, there are 277 units in some form or another. The age of structure has been determined by researching the structural age on the Adams County Assessor's websites and reviewing older documents, as well as, a land survey completed on the entire site.

The following breakdown was determined:

- 253 (91.3%) units were determined to be 40 years of age or older
- 24 (8.7%) units were determined to be less than 40 years of age

Table 1:  
Age of Units

|  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|--|-----------------|------------|-----------|----------------------|
|  | 1               | 1875       | 142       | 142                  |
|  | 13              | 1880       | 137       | 1,781                |
|  | 1               | 1881       | 136       | 136                  |
|  | 1               | 1883       | 134       | 134                  |
|  | 1               | 1884       | 133       | 133                  |
|  | 8               | 1885       | 132       | 1,056                |
|  | 1               | 1889       | 128       | 128                  |
|  | 17              | 1890       | 127       | 2,159                |
|  | 1               | 1895       | 122       | 122                  |
|  | 1               | 1899       | 118       | 118                  |
|  | 35              | 1900       | 117       | 4,095                |
|  | 1               | 1901       | 116       | 116                  |
|  | 1               | 1903       | 114       | 114                  |
|  | 2               | 1904       | 113       | 226                  |
|  | 3               | 1905       | 112       | 336                  |
|  | 2               | 1906       | 111       | 222                  |
|  | 1               | 1907       | 110       | 110                  |
|  | 1               | 1908       | 109       | 109                  |
|  | 15              | 1910       | 107       | 1,605                |
|  | 1               | 1911       | 106       | 106                  |
|  | 1               | 1912       | 105       | 105                  |
|  | 3               | 1914       | 103       | 309                  |
|  | 12              | 1915       | 102       | 1,224                |



|  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|--|-----------------|------------|-----------|----------------------|
|  | 3               | 1916       | 101       | 303                  |
|  | 1               | 1917       | 100       | 100                  |
|  | 2               | 1918       | 99        | 198                  |
|  | 1               | 1919       | 98        | 98                   |
|  | 21              | 1920       | 97        | 2,037                |
|  | 1               | 1921       | 96        | 96                   |
|  | 5               | 1922       | 95        | 475                  |
|  | 2               | 1923       | 94        | 188                  |
|  | 11              | 1925       | 92        | 1,012                |
|  | 3               | 1926       | 91        | 273                  |
|  | 2               | 1928       | 89        | 178                  |
|  | 2               | 1929       | 88        | 176                  |
|  | 10              | 1930       | 87        | 870                  |
|  | 2               | 1932       | 85        | 170                  |
|  | 7               | 1935       | 82        | 574                  |
|  | 1               | 1936       | 81        | 81                   |
|  | 1               | 1938       | 79        | 79                   |
|  | 1               | 1939       | 78        | 78                   |
|  | 4               | 1940       | 77        | 308                  |
|  | 1               | 1942       | 75        | 75                   |
|  | 1               | 1945       | 72        | 72                   |
|  | 3               | 1946       | 71        | 213                  |
|  | 1               | 1947       | 70        | 70                   |
|  | 1               | 1949       | 68        | 68                   |
|  | 9               | 1950       | 67        | 603                  |
|  | 2               | 1951       | 66        | 132                  |
|  | 1               | 1954       | 63        | 63                   |
|  | 4               | 1955       | 62        | 248                  |
|  | 7               | 1956       | 61        | 427                  |
|  | 1               | 1957       | 60        | 60                   |
|  | 1               | 1958       | 59        | 59                   |
|  | 6               | 1960       | 57        | 342                  |
|  | 3               | 1961       | 56        | 168                  |
|  | 5               | 1962       | 55        | 275                  |
|  | 3               | 1965       | 52        | 156                  |
|  | 2               | 1968       | 49        | 98                   |
|  | 1               | 1969       | 48        | 48                   |
|  | 1               | 1970       | 47        | 47                   |
|  | 2               | 1971       | 46        | 92                   |
|  | 1               | 1972       | 45        | 45                   |
|  | 1               | 1973       | 44        | 44                   |

|                  | Number of Units | Year Built | Total Age | Total Cumulative Age |
|------------------|-----------------|------------|-----------|----------------------|
|                  | 2               | 1975       | 42        | 84                   |
|                  | 1               | 1977       | 40        | 40                   |
|                  | 1               | 1981       | 36        | 36                   |
|                  | 1               | 1982       | 35        | 35                   |
|                  | 1               | 1984       | 33        | 33                   |
|                  | 1               | 1985       | 32        | 32                   |
|                  | 1               | 1989       | 28        | 28                   |
|                  | 1               | 1990       | 27        | 27                   |
|                  | 1               | 1995       | 22        | 22                   |
|                  | 1               | 1996       | 21        | 21                   |
|                  | 1               | 1999       | 18        | 18                   |
|                  | 1               | 2001       | 16        | 16                   |
|                  | 1               | 2002       | 15        | 15                   |
|                  | 1               | 2003       | 14        | 14                   |
|                  | 1               | 2005       | 12        | 12                   |
|                  | 1               | 2008       | 9         | 9                    |
|                  | 1               | 2010       | 7         | 7                    |
|                  | 2               | 2011       | 6         | 12                   |
|                  | 1               | 2012       | 5         | 5                    |
|                  | 1               | 2013       | 4         | 4                    |
|                  | 1               | 2014       | 3         | 3                    |
|                  | 2               | 2015       | 2         | 4                    |
|                  |                 |            |           |                      |
| Total Cumulative | 285             |            |           | 25,762               |
| Average Age      |                 |            |           | 90.39                |

Source: Adams County Assessor

Also, Table 1, above, examined the units within the study area and calculated a cumulative age and divided by the total number of commercial units to get a mean age. The mean age of all of the commercial units in the study area is 90.39 years.



## Substandard Summary

Nebraska State Statute requires that “...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by **reason of dilapidation, deterioration, age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;”

This Study Area meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

## FINDINGS FOR HASTINGS BLIGHT STUDY AREA #1

Blight Study Area #1 has several items contributing to the Blight and Substandard Conditions. These conditions include:

### **Blighted Conditions**

- **Substantial number of deteriorated or deteriorating structures**
- **Deterioration of site or other improvements**
- **Faulty Lot Layout**
- **Insanitary and Unsafe Conditions**
- **Diversity of Ownership**
- **Dangerous conditions to life or property due to fire or other causes**
- **Combination of factors which are impairing and/or arresting sound growth**
- **Average age of structures is over 40 years of age**

### **Substandard Conditions**

- **Predominance of structures meeting the dilapidation or deterioration criteria**
- **Average age of the structures in the area is at least forty years**



## EXECUTIVE SUMMARY

This Redevelopment Plan (the "Redevelopment Plan" or the "Plan") is intended to provide a guide for the implementation of redevelopment activities within the previously examined Redevelopment Area #1 in Hastings, Nebraska (the "City"), pursuant to the provisions of the Nebraska Community Development Law and sections 18-2145 to 18-2154 (together, the "Act").

The Hastings Redevelopment Authority (the "CRA"), acting as a redevelopment authority pursuant to the Act, intends to undertake or provide for the redevelopment within the study area, as shown on Figure 1 (the "Redevelopment Plan Area") in the Blight and Substandard Study. Redevelopment activities shall be utilized to promote the general welfare, the enhancement of the tax base, the economic and social well-being, the development of any public activities and promotion of public events in the Area, along with all other purposes, as outlined in the Act.

A Community Development Authority Redevelopment Plan must contain the general planning elements set out by section 18-2111 of the Act as items (1) through (6), as follows:

"(1) the boundaries of the redevelopment area with a map showing the existing uses and condition of the real property therein; (2) a land-use plan showing proposed uses of the area; (3) information showing the standards of population densities, land coverage and building intensities in the area after redevelopment; (4) a statement of the proposed changes, if any, in zoning ordinances or maps, street layouts, street levels or grades, or building codes and ordinances; (5) a site plan of the area; and (6) a statement as to the kind and number of additional public facilities or utilities which will be required to support the new land uses in the area after redevelopment.

Section 18-2113 of the Act, provides that a Community Redevelopment Authority must consider certain planning matters prior to recommending a redevelopment plan to the City Council for adoption. These considerations are defined therein, as follows:

"...whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the City and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewage, and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations, or conditions of blight."

## CONCLUSION

While this Redevelopment Plan establishes overall policies and intentions toward the comprehensive redevelopment of the Area, additional phases may require subsequent project plans and redevelopment agreements consistent with this Redevelopment Plan



## **REDEVELOPMENT PLAN**

The planning process for the Redevelopment Area has resulted in a listing of general planning and implementation recommendations. As previously discussed in the Blight and Substandard Determination Study, there are several structural and substandard conditions which are detrimental to the health, safety and general welfare of the community and generally obsolete in respect to the development and living environment expectations of Nebraska communities, including the City of Hastings. To eliminate these conditions and enhance private development activities within the Redevelopment Area, the City of Hastings will need to consider the following planning and redevelopment actions:

- rehabilitation of residential, commercial, industrial and public/quasi-public properties;
- maintain and/or replace, as necessary, the current infrastructure in the Area;
- code enforcement program for the clean-up of areas in violation and detrimental to health, safety and general welfare of the community;
- screening and/or buffering of adjacent industrial areas (beyond the Redevelopment Area) from residential uses, including the use of berms and, or, landscaping to partially screen parking or storage areas and enhance vehicular and pedestrian rights-of-way; and,
- condemnation of un-safe structures, acquisition where necessary and demolition of substantially deteriorated structures, and replacement with appropriate residential, commercial or industrial development.

Both a timeline and budget should be developed for the Redevelopment Plan. Each of these processes should be designed in conformance with the resources and time available to the CRA and the City. A reasonable timeline to complete the redevelopment activities identified in the Redevelopment Plan would be 10 to 15 years.

Various funding sources exist for the preparation and implementation of a capital improvement budget designed to meet the funding needs of proposed redevelopment activities. These include, in addition to city and federal funds commonly utilized, Community Development Block Grant funding, HOME funding, special assessments, general obligation bonds, redevelopment bonds, occupation taxes and tax increment financing.

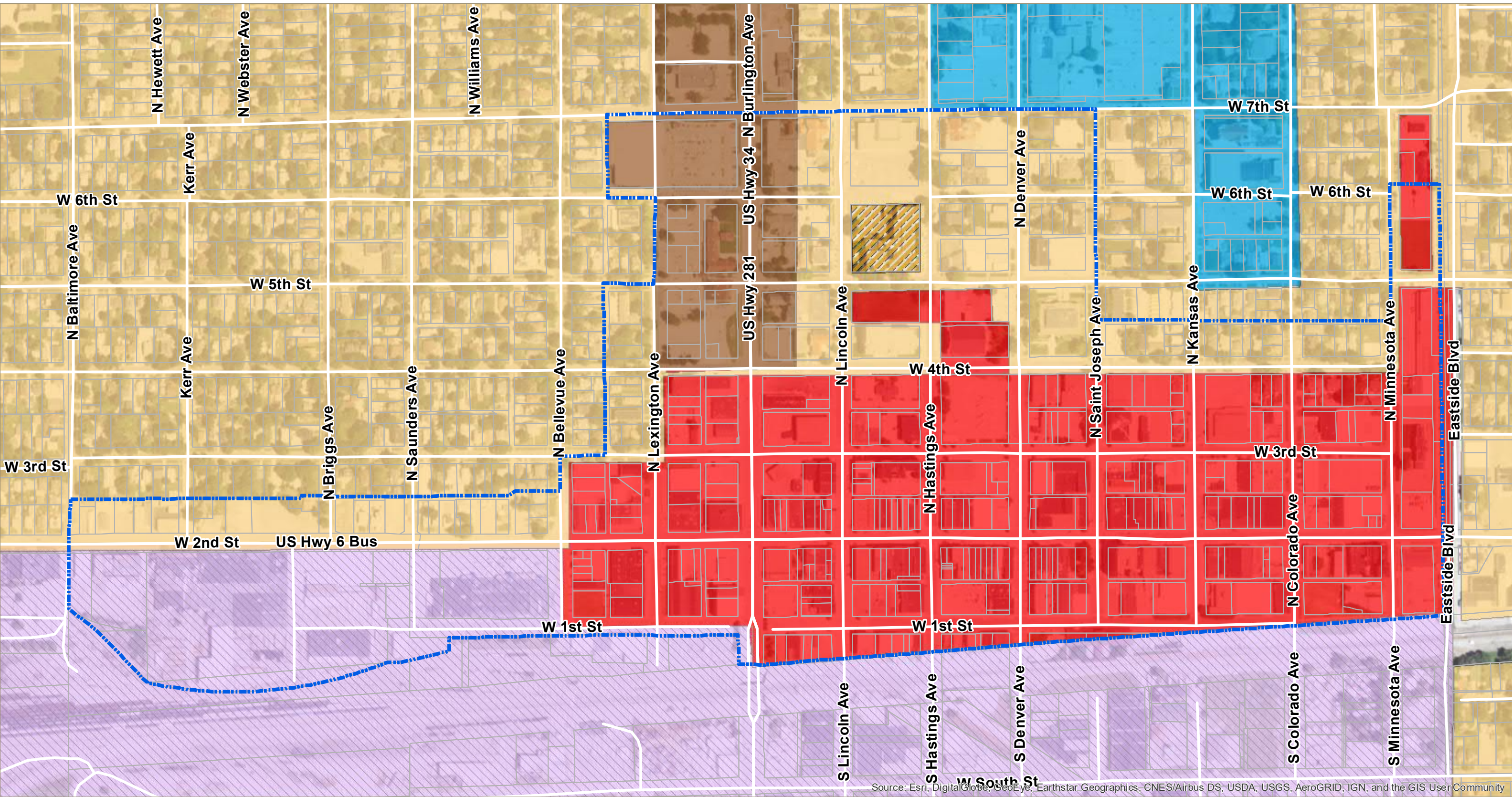
### **Future Land Use Pattern**

The existing land use patterns within Redevelopment Area were described in the Blight and Substandard Determination Study portion of this document. In general, the Redevelopment Area contains four distinct land uses. The primary developed uses include commercial, single-family residential, public and quasi-public use.

Future land uses recommended for Redevelopment Area are planned to be in general conformance with the current zoning patterns for the community. However, continued redevelopment of the commercial uses within the study area is recommended, including the redevelopment single-family residential on the north and east sides of the study area.

Infill development in conformance with the associated future land use and zoning criteria are advocated throughout Redevelopment Area for vacant parcels. These lots, or parcels, are cost effective to develop as all required infrastructure is present.





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# AREA I - FUTURE LAND USE

CITY OF HASTINGS  
ADAMS COUNTY, NEBRASKA

Commercial/Retail

Mixed-Use Downtown

Mixed-Use Neighborhood

Public/Semi-Public

Urban Industrial Overlay

Urban Residential

Employment/Industrial

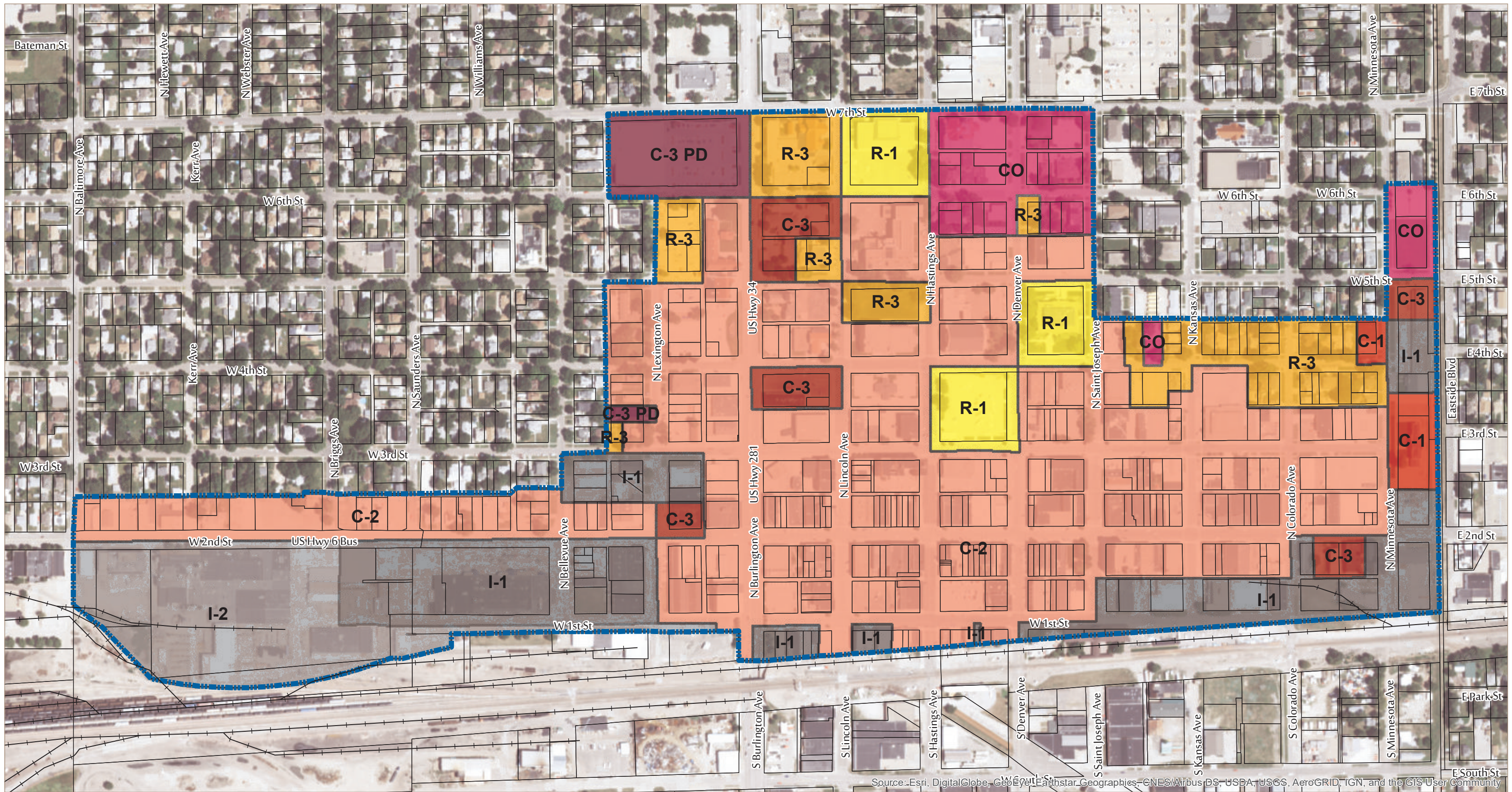
DATA SOURCES:  
BASE DATA PROVIDED BY ADAMS COUNTY.  
AERIAL IMAGERY PROVIDED BY ESRI.

MAYN PLANNING CONSULTANTS  
PLANNING & DESIGN FOR THE FUTURE

MAYN & SONS  
PLANNING & DESIGN FOR THE FUTURE

0 100 200 400 Feet





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# AREA I - UNOFFICIAL ZONING

CITY OF HASTINGS  
ADAMS COUNTY, NEBRASKA

- C-1 Local Business
- C-2 Central Business
- C-3 Commercial Business
- C-3 PD Commercial Planned Business
- C-O Commercial Office
- I-1 Light Industrial
- I-2 Heavy Industrial
- R-1 Urban Single Family Residential
- R-3 Multiple Family Residential
- Area 1 (160 Acres)

DATA SOURCES:  
BASE DATA PROVIDED BY ADAMS COUNTY.  
AERIAL IMAGERY PROVIDED BY ESRI.





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## Future Zoning Districts

A future zoning plan for Redevelopment Area is reflected in the existing zoning map contained in the Blight and Substandard Study. The map illustrates the future zoning classifications are in conformance with the City's Comprehensive Plan and current zoning classifications. However, as stated above, expansion of the industrial and commercial uses within the area is recommended, including the expansion of current industrial uses into other non-residential districts within the Redevelopment Area.

## Recommended Public Improvements

**Streets:** Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of streets and sidewalks is ongoing by the City through its various programs. The Blight and Substandard Study identified deteriorating, dilapidated and rural section curb and gutter, as well as sidewalks, as a major contributing substandard condition. An upgrade of these improvements is a primary and first step in the redevelopment of the Area. Gravel streets, which are to remain public streets, in the area should be improved to City standards.

**Storm Water:** Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of storm sewer lines and facilities is ongoing by the City through its various programs.

**Potable Water and Gas:** Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of water and gas lines is ongoing.

**Sanitary Sewer:** Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of sanitary sewer lines and facilities is ongoing by the City through its various programs.

**Electrical Power:** Although sufficient infrastructure generally exists in the Redevelopment Area the installation and upgrading of electrical power lines and facilities is ongoing by the City through its various programs.

## Residential District

Primary redevelopment focus should concentrate on housing rehabilitation and overall site condition improvements. Additionally, the City or CRA may improve certain lots by demolishing deteriorated structures on those lots. The City or CRA will market the acquired and improved lots to allow for the private construction of the replacement residential units. The lots selected to be acquired as part of an initial project, and each future project, need not be contiguous, but shall be selected on availability, funding and likelihood of successful development. The CRA may also develop a residential revolving fund to provide funding to owners to upgrade their property. Initial and on-going funding is discussed below.

## Commercial District

Overall upgrade of site conditions and structures are a primary focus. Expansion of such uses as well as a combination of properties is necessary for the redevelopment of the Area. Various public financing tools, as described in this Redevelopment Plan, may be made available for such commercial and industrial redevelopment. Public streets, where appropriate, may be vacated to encourage contiguous commercial or industrial redevelopment. Traffic patterns for commercial/industrial truck traffic should be studied to minimize the effect on the adjacent residential area.



## Financing

### Redevelopment Bonds

The Plan proposes the CRA issue a series of redevelopment bonds (the "Bonds") to be repaid from several sources as set out in each particular issuance. These sources include all or a portion of the excess *ad valorem* real estate taxes generated by a series of redevelopment projects pursuant to §18-2147 of the Nebraska Revised Statutes ("Tax Increment Financing" or "TIF") for a period of 15 years from the respective project effective dates, special assessments, *ad valorem* real estate taxes from the special redevelopment levy, grants and other income from the Redevelopment Area. The proceeds of the Bonds to assist in payment of project costs, as further defined in a subsequent redevelopment contract or contracts. The costs of adequate redevelopment of the Area is too great to be absorbed by either the Developer or public without the assistance of Tax Increment Financing, as further described in the cost benefit analysis to be provided with each project.

The Bonds issued for the commercial/industrial redevelopment would generally be purchased by the developer using such funds granted to it by the CRA. In addition to necessary public improvements, the Bond proceeds would be used to provide funding for allowable expenses incurred by the Developer.

Each of these subsequent redevelopment project plans may contain a provision for the division of *ad valorem* taxes for each respective project, thereby allowing the excess *ad valorem* taxes that are collected from each project to be available and pledged to the outstanding Bonds for the full statutory period. The effective date of each pledge, as described above, shall be the date determined either by contract or by modification of the outstanding Bond terms.

Any use of this financing source, including TIF, will require a project specific Redevelopment

### Loan/Grant Programs

The CRA and the City of Hastings have created a revolving loan and/or grant program for the rehabilitation and improvement of buildings and public uses in Redevelopment Area. The rehabilitation of residential, commercial and industrial buildings would prolong the life of the structures, create safe and decent living and shopping environments and enhance the pride of the community. As discussed above, funding may be available through the CRA levy or from the excess *ad valorem* taxes from each project as it develops.

### Façade Improvement Program

This program used only in Redevelopment Area #1 is appropriate for this Area. The program provides funding assistance to commercial properties to rehabilitate building frontages.

The purpose of the Façade Grant Program is to restore, improve or create historic architectural features to facades of commercial buildings anywhere within the downtown Central Business District. Applicants may be awarded up to \$15,000 per 22 feet of storefront for facades, storefronts and awnings or up to \$1,000 for signage with a matching dollar for dollar expenditure by the owner/tenant.



**Property Acquisition**

The CRA should utilize funds from their tax levy as well as ad valorem taxes from Area #1 projects to acquire and hold properties for future redevelopment. It may be necessary to improve said properties and provide other incentives to attract investor/developers to these buildings due to their age and condition"

**SUMMARY**

The recommendations listed above are to grant authority to the City of Hastings and the CRA in creating a viable and sustainable living environment in Hastings, through the full use of the Community Development Law.









File Nos.

2024-220

Projects

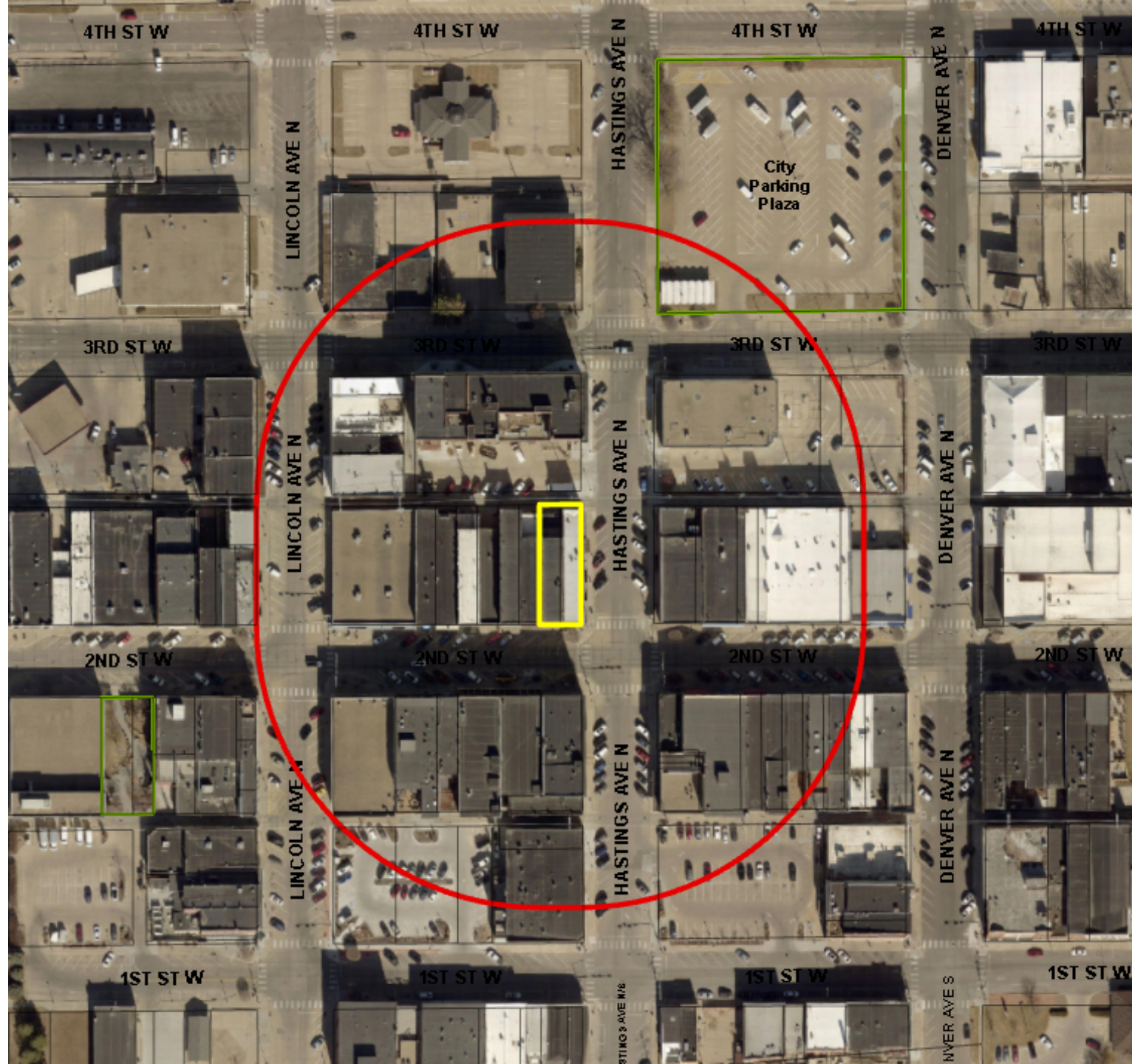
Magee Corner, LLC Redevelopment Project

- A public hearing to consider a request for a Plan Modification No. 2024-5 to Redevelopment Area #1 for the Magee Corner redevelopment.

Applicant

CRA on behalf of Magee Corner, LLC





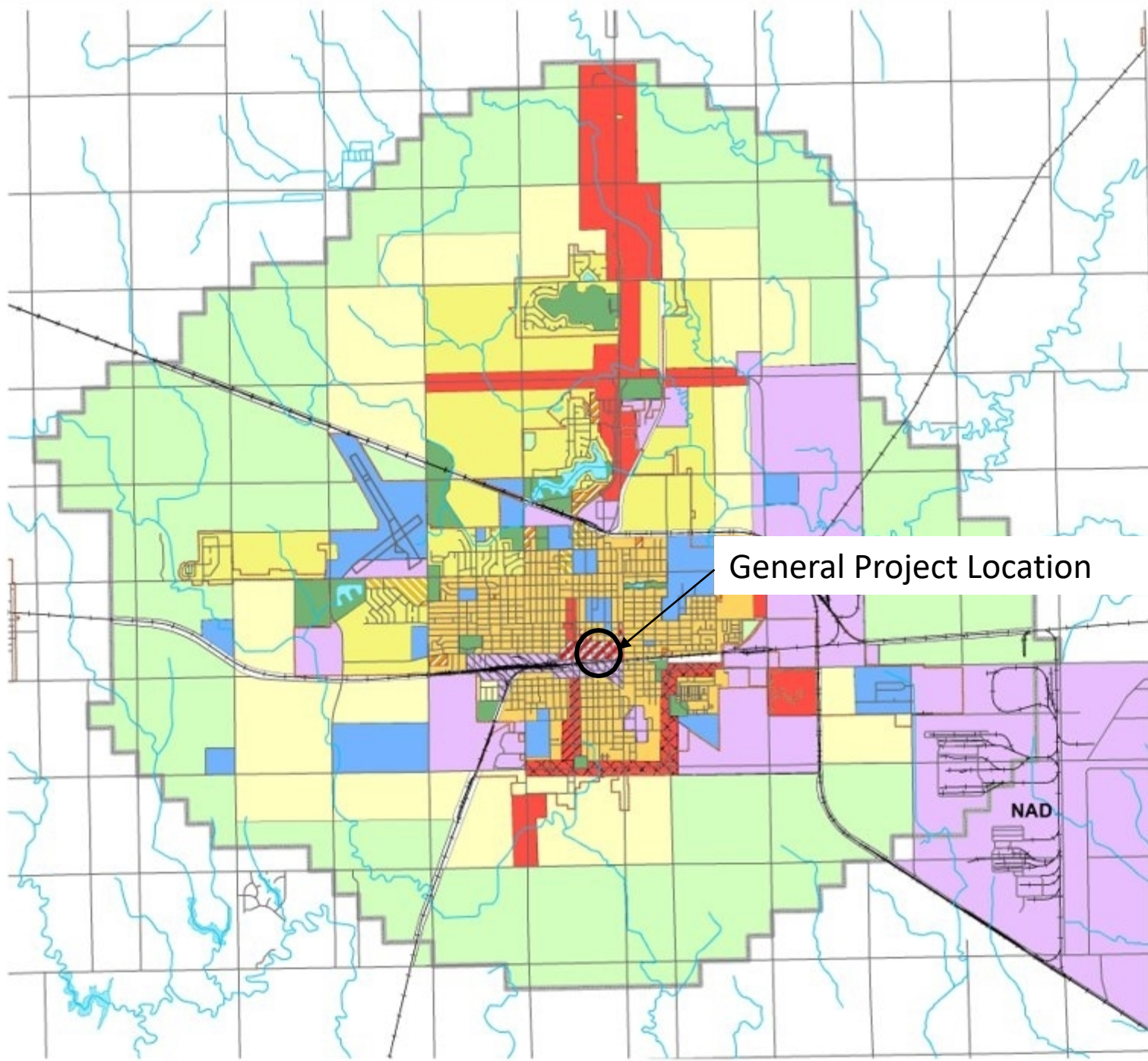


Redevelopment  
Area #1

Magee Corner  
Project







## 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







# Zoning Districts

## City of Hastings, Nebraska

Magee Corner LLC Plan  
Modification

### City Zoning

- A
- AG
- C-0
- C-1
- C-2
- C-3
- CMP
- CZ
- FS
- I-1
- I-2
- MU
- R-1
- R-1A
- R-15
- R-2
- R-3
- R-3G
- R-5
- TA

Boundaries

PARCELS

ETJ Boundary

City Boundary





# Project Costs and Funding Sources

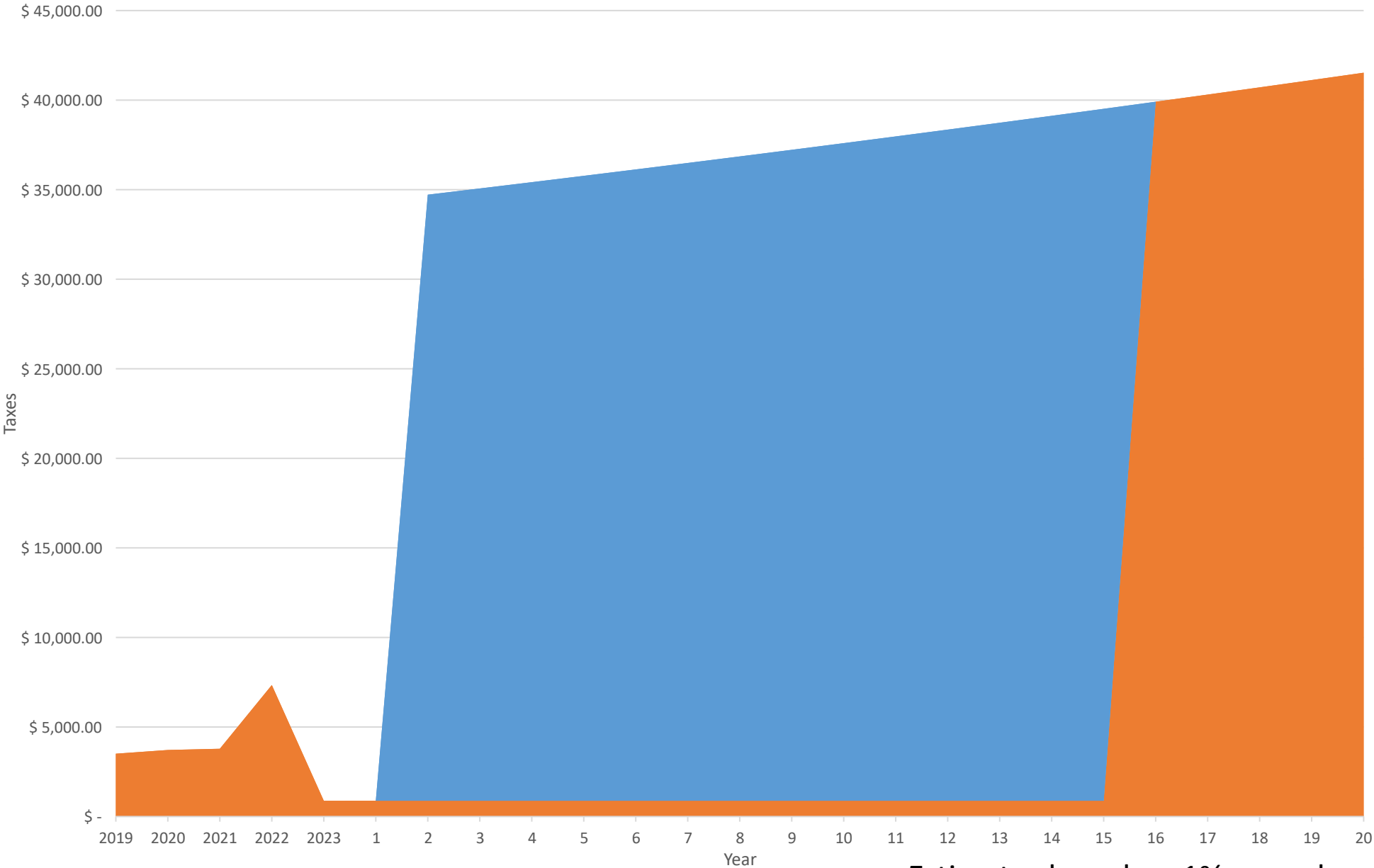
| USE OF FUNDS                         |             | SOURCE OF FUNDS                   |             |
|--------------------------------------|-------------|-----------------------------------|-------------|
| Site Acquisition                     | \$50,000    | Insurance Proceeds & Owner Equity | \$925,000   |
| Engineering & architecture           | \$50,000    | CRA Loan                          | \$50,000    |
| Exterior Structure Rehabilitation    | \$590,000   | TIF Loans                         | \$300,000   |
| Interior renovation & rehabilitation | \$1,010,000 | CDBG DTR Forgivable Façade Loan   | \$425,000   |
|                                      |             |                                   |             |
| TOTALS                               | \$1,700,000 | TOTALS                            | \$1,700,000 |

## Anticipated TIF Funding

|                                  |             |
|----------------------------------|-------------|
| January 1, 2024 assessed value:  | \$40,696    |
| Estimated value after completion | \$1,600,000 |
| Increment value                  | \$1,559,304 |
| Annual TIF generated (estimated) | \$33,910    |
| TIF bond issue                   | \$300,000   |



# Magee Corner Tax Increment Financing



Estimates based on 1% annual  
increase in value and 2023 tax rate

Collected Taxes Tax Increment



# Project Cost per Square Foot

| <b>Recent Sales of White Box renovated condos</b> | <b>Sq Ft</b>         | <b>Price</b>            | <b>PSF Cost</b>        |
|---------------------------------------------------|----------------------|-------------------------|------------------------|
|                                                   |                      |                         |                        |
|                                                   |                      |                         |                        |
| 733 W. 2nd Unit #3                                | 3,419                | \$175,000               | \$51.18                |
| 733 W. 2nd Unit #4                                | 1,800                | \$205,000               | \$113.88               |
| 734 W. 2nd Unit #5                                | 2,000                | \$210,000               | \$105.00               |
| 733 W. 2nd Unit #6                                | 4,000                | \$275,000               | \$61.00                |
|                                                   |                      |                         |                        |
| <b><u>Average Sale PSF</u></b>                    | <b><u>11,219</u></b> | <b><u>\$865,000</u></b> | <b><u>\$77.10</u></b>  |
|                                                   |                      |                         |                        |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF W/O Incentives</b>       | 5,920                | \$1,700,000             | \$287.16               |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF With CDBG funds</b>      | 5,920                | \$1,275,000             | \$215.37               |
|                                                   |                      |                         |                        |
| <b>Magee Corner Cost PSF With CDBG &amp; TIF</b>  | 5,920                | \$975,000               | <b>\$164.70</b>        |
| <b>Average Cost PSF Other Sales</b>               |                      |                         | <b><u>-\$77.10</u></b> |
|                                                   |                      |                         |                        |
| <b>PSF Gap With Incentives</b>                    |                      |                         | <b>\$87.60</b>         |



# Staff Findings Summary for Plan Modification

- The project is feasible and conforms with the Comprehensive Plan
- The project would not be economically feasible without the use of TIF funding. The project has high cost per square foot without TIF. Without TIF funding, the project is infeasible.
- Because of the infeasibility of the project without TIF funding, the project would most likely not happen without the use of the TIF tool.
- The cost/benefit of the project is in the long-term best interest of the community. The project rehabilitates a vacant lot and building that were damaged by fire in downtown.



# Staff Recommendation

Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the request for a **REDEVELOPMENT PLAN MODIFICATION** for the Magee Corner, LLC Redevelopment Project, generally located northwest of the intersection of West 2nd Street and North Hastings Avenue, on the west side of North Hastings Avenue, based on the findings in the staff report and the Redevelopment Plan Modification materials.





HASTINGS

*Nebraska*



Department: Development Services  
Staff Contact: Chad Bunker  
Planning Commission Meeting Date: 8/20/2024  
File No: 2024-221  
Prepared By: Chad Bunker, Director of Development Services

## **AGENDA ITEM SUMMARY SHEET**

### **Description of Item:**

The applicant, Jeffery Schutt, has applied to rezone Lot 1, Anderson Second Subdivision, an undeveloped lot approximately 350 feet north of the intersection of Cardinal Lane and South Shore Drive, from R-1, Urban Single-Family Residential District to C-1, Local Business District, to construct a retail business on the land.

### **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:**

### **Deadlines associated with action:**

The request to rezone is scheduled to be heard at the City Council Regular meeting on September 9, 2024.

### **Department head comments:**

Development Services staff has reviewed the application to rezone the property to C-1, Local Business District. The complete details of the staff review and recommendations are in the attached staff report.

### **Recommendation:**



Staff recommends the Planning Commission recommend **APPROVAL** of the Request to **REZONE** to the City Council for Lot 1, Anderson Second Subdivision from R-1, Urban Single-Family Residential District to C-1, Local Business District.





## City of Hastings Planning Commission

### STAFF REPORT

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Request to Rezone:</b> | <b>Rezone to C-1, Local Business District</b>                                                                                                                                                                                                                                                                                                                                                                        |
| File No.                  | 2024-221                                                                                                                                                                                                                                                                                                                                                                                                             |
| Applicant                 | Jeffery Schutt                                                                                                                                                                                                                                                                                                                                                                                                       |
| Property Location:        | Lot 1, Anderson Second Subdivision.<br>Generally located approximately 350 feet north of the intersection of Cardinal Lane and South Shore Drive                                                                                                                                                                                                                                                                     |
| Lot Size:                 | 31,188 square feet (0.72 acres)                                                                                                                                                                                                                                                                                                                                                                                      |
| Date of Public Hearing:   | August 20, 2024                                                                                                                                                                                                                                                                                                                                                                                                      |
| Current Zoning            | R-1, Urban Single-Family Residential District                                                                                                                                                                                                                                                                                                                                                                        |
| Adjacent Zoning:          | North: R-1 District; undeveloped land dedicated to Lake Hastings dam and spillway<br>East: R-1 District; Single-family detached homes and Lake Hastings<br>South: R-1 District and C-1, Local Business District; Single-family detached homes and professional business offices<br>West: C-3, General Business District; Osborne Drive West, Tom Osborne Expressway (U.S. Hwy 281/34), highway commercial businesses |





**DESCRIPTION OF REZONING REQUESTS:** The property is currently zoned R-1, Urban Single-Family Residential District.

The applicant recently purchased the undeveloped property. They would like to construct a retail business, which is permitted in the proposed rezoning to C-1, Local Business District. No specific site plans or building plans have been submitted to date.

The stated intent of the C-1 District is “to provide a wide range of small-scale commercial uses to meet the daily and frequent needs of urban and suburban residents.”

**Property Description:** The subject site is currently undeveloped. The site is relatively flat on its southern part and slopes quickly to the north towards the Lake Hastings spillway area that is adjacent to the property. Roughly the northern half of the property is in the FEMA Zone AE, 1% Annual Chance Floodplain (100-year floodplain), which requires additional regulations for development to ensure that the structure is at least one foot above the area’s base flood elevation ([Sec. 34-216 – F.D. Flood Hazard District regulations](#)). These regulations will be applied at the time of grading and building permits.

Lake Hastings is to the west of the site. A portion of the property is part of the Lake Hastings Dam structure. The Lake Hastings Dam was constructed in the late 1950s for flood control and recreation. The State Department of Natural Resources (NDNR) has classified the dam structure as a “Significant Hazard,” which is generally defined as “Failure would likely cause significant impacts to public infrastructure, but loss of life is unlikely.” Due to the dam safety classification, the City of Hastings has been working with a consultant team to determine improvements to the dam and regulation considerations for the surrounding area to protect the infrastructure and private property downstream of the Lake. More information about these improvements and the potential impact on the subject site is noted below in Item F.

#### **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 is zoned R-1, Urban Single-Family Residential District, and is currently undeveloped. The southern half is generally flat and the north half slopes towards the Lake Hastings spillway. The northern half corresponds with a high-risk flood zone, FEMA Zone AE (1% Annual Chance Floodplain).



Most of the site has been zoned single-family for several years. In 2015, Ordinance No. 4439 rezoned a small portion on the east side of the site from C-3, Commercial Business District to R-1, Urban Single-Family Residential District. The 2015 rezoning ordinance designated the entire property as R-1 District.

Also in 2015, the site was platted as part of Anderson Second Subdivision. The Final Plat (attached), vacated Cardinal Lane and added it to the land to the north to create Lot 1, a 31,188 square-foot lot for a single family. A 20-foot utility easement runs along the southern boundary of the lot.

The lot currently gains access from Cardinal Lane, a narrow single-lane road that dead-ends at the site. The asphalt roadway varies in width from 20 feet to 24 feet. One home and one commercial office for an insurance business gains access from Cardinal Lane. The business uses Cardinal Lane as a secondary access point to the building parking lot. Past roadway designs and access agreements with the Nebraska Department of Transportation (NDOT) would allow a curb cut for a driveway or the extension of Cardinal Lane to Osborne Drive West.

The lot area and lot width meet the minimum requirements in the R-1 District. As described in Item f below, any new developments must meet requirements to protect the integrity of the Lake Hastings Dam.

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

The 2009 Imagine Hastings Comprehensive Plan Future Land Use Map (attached) shows the property as a combination of Suburban Residential and Parks/Recreation & Open Space land use designation. The Suburban Residential designation generally follows the Cardinal Lane right-of-way vacation, and the remaining portion of the property is the Parks & Recreation designation. The policy statements for these use designations are:

*Suburban Residential*

*This residential category represents the most common development standards in housing and neighborhood design in Hastings. Development in this category is typically in the 2 to 5 units per acre range with lots ranging in size from 8,750 to 20,000 square feet. Suburban residential development is primarily reserved for single family uses, but may include a mixture of housing types subject to the residential location guidelines listed below. In areas of suburban residential development where sensitive land forms or environmental constraints exist, cluster developments are encouraged. (Clustering is defined in the Development Section of this Chapter.) Like urban neighborhoods, suburban neighborhoods are strengthened by the presence of community services (churches, schools and parks) that are permitted in this category.*

Parks/Recreation & Open Space

*This category includes public park land and publicly-owned open space. These areas may be used for recreational purposes or may be held for future public use. Recreational corridors (trails) are included in this category. Open space includes those areas that are not suitable for development or recreational activities, like the land adjacent to the Hastings Airport at the end of the runways. Parks and Recreation development Location Guidelines can be found in the Development Section of this chapter.*

The Comprehensive Plan envisioned the site to be a single-family, as is the property generally to the west of the site along Lake Hastings. The Park/Recreation & Open Space designation was most likely related to the Lake Hastings Dam spillway. The park and recreation designation were likely a mistake, as the City has not owned this property.

Similarly, the commercial property to the south, zoned C-1, Local Business District, is also designated as Suburban Residential District. This property was rezoned to the C-1 District in 2004. The business building was also constructed in 2004.

Although the proposed rezoning does not strictly conform to the Comprehensive Plan, or the 15-year-old plan's future land use map, it is evident that the map does not consider the fine-grained character of the neighborhood. This is evident by the rezoning of the area for the office building property from a residential district to the C-1 District.

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

Utilities

Adequate water is present to the south of the property to serve the site. A six-inch water main provides water throughout the area.

No sanitary sewer service is available in the immediate area. Approximately 400 feet of private sewer service will need to be installed to the sewer main that runs along South Shore Drive. A private sewer pump most likely will be necessary because of the existing grades to make the service operate properly.

Electrical and gas services are available in the immediate area to serve the development.



Access

The site currently gains access from Cardinal Lane, a narrow, single-lane roadway (ranging in width from 20 feet to 24 feet). Today, Cardinal Lane does not extend to Osborne Drive West. The Nebraska Department of Transportation would allow a driveway to be from Osborne Drive West, or Cardinal Lane could be extended to the road to the east.

To develop the site, the Fire Department will require an appropriate fire department access road within 50 feet of the structure. This could be from Cardinal Lane or by a new driveway off of Osborne Drive West.

The applicant will need to verify that Cardinal Lane meets fire department access road requirements for roadway width and design to handle the weight of a fire apparatus. Similarly, a new driveway designed and constructed to meet the Fire Department's requirements would be needed. Additionally, an approved fire apparatus turnaround will need to be provided on or immediately adjacent to the site. These requirements will be addressed at the time of the building permit to ensure compliance.

Depending on the type of business and the number of customers that will frequent the store, the one-lane roadway may be inadequate to safely handle the traffic generated by the business. The preferred improvement would be to construct a driveway off of Osborne Drive West. This driveway will need to be designed and constructed appropriately to address the existing multi-use path next and the geometry of the roadway to the east.

These limitations of infrastructure and access and their impacts on development have been shared with the developer.

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

Much of the area is single-family homes surrounding Lake Hastings. These homes are fairly large homes on lots of 0.40 acres or more in size.

To the south of the site are properties devoted to an insurance agency that is zoned C-1, Local Business District. The proposed rezoning would match the neighboring property.

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

As mentioned, the adjacent property to the south of the site and east of Cardinal Lane is zoned C-1 District, which is identical to this rezoning request. The C-1 District has an extensive list of permitted and conditional uses (attached),

including limited automotive service stations, banks, offices, neighborhood retail (less than 5,000 square feet in building size), and restaurants.

Many of these permitted uses noted above may generate vehicle traffic that would be inappropriate for the one-lane roadway and the surrounding residential neighborhood. The 20- to 24-foot-wide roadway would not be wide enough to safely allow two-way traffic, caused by a typical need for a retail business that attracts customers to the site. Additionally, the narrow roadway may not meet the Hastings Fire Department access requirements.

The most logical improvement would be to construct a new driveway off of Osborne Drive West that meets the requirements of the fire department access. This condition would be similar to the neighboring property that has immediate access to Osborne Drive West. The access to Cardinal Lane is only a secondary access for the business. Osborne Drive West provides adequate roadway capacity for similar commercial traffic and for fire access.

**f) Additional matters as might apply in individual cases.**

As previously mentioned, the west side of the subject site is part of the Lake Hastings Dam structure. The Dam, built in the 1950s, provides community recreation and flood control on the Big Blue River. This reduces flooding downstream for U.S. Hwy 281/34, and the private properties east of the site.

The Dam is currently categorized as a “significant hazard” dam, which is defined as “Failure would likely cause significant impacts to public infrastructure, but loss of life is unlikely.” This classification is largely due to the relatively low height of the dam and the small amount of development downstream of the site that would be negatively impacted by a dam breach.

Because of the Dam’s significance to flood protection and recreation for the surrounding neighborhood and community, the City of Hastings applied for and secured a FEMA Hazard Mitigation Assistance (HMA) Building Resilient Infrastructure and Communities (BRIC) grant to review the flood risks and develop viable alternatives to lessen the flood risk for the Lake Hastings Dam, and two other areas of the community that would be candidates for future grant funding. Due to the Dam’s significance to flood protection and recreation for the surrounding neighborhood and community, the City of Hastings applied for and secured a FEMA Hazard Mitigation Assistance (HMA) Building Resilient Infrastructure and Communities (BRIC) grant to review the flood risks and develop viable alternatives to lessen the flood risk for the Lake Hastings Dam, and two other areas of the community that would be candidates for future grant funding.



The initial draft of the study, which is not completed for public viewing at this time, recognizes the importance of the Dam to the community for flood protection and recreation and provides alternatives to protecting the integrity of the Dam and the properties adjacent to and downstream of the Lake. Some of the initial recommendations from the draft study are:

- Require that the Nebraska Department of Natural Resources review development plans for new developments on Lots 1, 3, and 4, Anderson Second Subdivision. Each of these lots are adjacent to the Dam and is impacted by the overtopping of the dam (Lots 3 & 4) and/or could impact the structural integrity of the Dam. Each of the lots are adjacent to the Dam and is impacted by the overtopping of the dam (Lots 3 & 4) and/or could impact the structural integrity of the Dam.
- Have a licensed engineer with experience in Dam designs and geotechnical engineering study and design the foundation of any proposed developments on Lots 1, 3, and 4, Anderson Second Subdivision.
- Armor the dry side of the dam with appropriate boulders and earth covering to protect against erosion in the event of a significant outflow or overtopping. (Note: This may impact the subject site by requiring a temporary construction easement or permanent easement to place the needed armoring).

Although these alternatives to the project against dam failure may not be directly related to the rezoning request, they should be noted by the developer, at least, to the added challenges of developing the site.

**STAFF COMMENTS:** As noted, in the staff report, there are several challenges to developing the subject site, including:

- The need to install a private sanitary sewer line to the nearest sewer main, approximately 400 feet away.
- The need to provide access to the structure that meet the fire department access requirements.
- The high-risk flood area on the northern part of the property limits the developable area without requiring additional standards to reduce flood damage.
- Nebraska Department of Natural Resources approval of development of the site.
- A licensed geotechnical engineer with experience with dam stability to study and design the building's foundation.

Although these are significant development challenges, they do not directly relate to the potential of the land, as is related to the rezoning request. These challenges can be overcome through the site design, development, and building process.

Staff recommends that the Planning Commission recommend **APPROVAL** of the Request to Rezone the property at Lot 1, Anderson Second Subdivision from R-1, Urban Single-Family

Residential District to C-1, Local Business District to the City Council, based on the findings in the staff report.

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

**DATE:** August 12, 2024

**ATTACHMENTS:**

1. Application Materials
2. Final Plat of Anderson Second Subdivision
3. 2009 Comprehensive Plan Future Land Use Map





# Zoning Application

Date: 07/12/2024

## Project

|                   |                                     |                  |                                 |
|-------------------|-------------------------------------|------------------|---------------------------------|
| Permit Type:      | Comprehensive Plan Amendment        | Existing Zoning: | R-2, Mixed-density Neighborhood |
| Project Name:     | Lake Side wine and spirits and More | Proposed Zoning: | C-1, Local Business             |
| Project Address:  | Lot 1 Anderson Second Sub Division  | Gross Area:      | 875                             |
| City, State, Zip: | HASTINGS, NE 68901                  | # of Lots:       | 1                               |
| In City Limits:   | Yes                                 | Proposed Use:    | Commercial Bussiness            |
| Legal:            | LOT 1 ANDERSON SECOND SUB-DIV       |                  |                                 |

Reason for Request: This property in question is currently neighboring multiple businesses to the North, South, And Directly east of its location. We believe this change will align with the Comprehensive Development Plan.

## Applicant / Owner

|                   |                      |                   |                            |
|-------------------|----------------------|-------------------|----------------------------|
| Applicant Name:   | Jeffrey Schutt       | Owner Name:       | RAMIREZ HERMES I & DUNIA Y |
| Company:          |                      | Address:          | 1203 E PARK ST LOT 50      |
| Address:          | 1118 W 8th St        | City, State, Zip: | HASTINGS, NE 68901-0000    |
| City, State, Zip: | Hastings             | Phone:            |                            |
| Phone:            | 402-363-9526         | Email:            |                            |
| Email:            | jschutt891@gmail.com |                   |                            |

## Key Contact

|              |                |                   |                      |
|--------------|----------------|-------------------|----------------------|
| Key Contact: | Jeffrey Schutt | Address:          | 1118 West 8th st     |
| Company:     |                | City, State, Zip: | Hastings             |
| Phone:       | 4023639526     | Email:            | jschutt891@gmail.com |

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

Jeffrey L Schutt

Applicant

07/12/2024

Date

07/12/2024

Owner

Date

[Public Comment](#)[Questions](#)

## Public Input - Lot 1, Anderson Second Subdivision Rezoning Request

The City of Hastings offers several ways for people to provide input on applications to the Hastings Planning Commission. Regardless of the method, all public input is considered, so people need to use only one method.

### Instructions for leaving a public comment are below:

- Your comment will be available to the Planning Commission, City Council, staff, and others to review immediately instead of waiting until the public hearing.
- Your comment will be posted and publicly viewable as soon as you hit 'Submit'.
- Please introduce yourself, your neighborhood, and your thoughts about this project.

**Example:** Barbara Smith, Ward 1. The project is two blocks from my home and my children would have to walk past it every day on their way to school. Please consider adding sidewalks to this project.

### Other ways to provide comment:

**1** - Send an email to the Development Services Staff. Your email will be provided to the Planning Commission. To have your comments provided in the Planning Commission packet, your comments must be received by noon, Wednesday before the Planning Commission Meeting. Otherwise, your email must be received by 12:00 pm the day of the Planning Commission to be given to them at the meeting.

**2** - Attend the meeting in person to give public input. The public hearing date, time, and meeting location is described above.



If you have any difficulties with participating, contact Development Services at 402-461-2331.

Leave your Feedback

**SUBMIT**

It would be helpful to know what the intended use is.

MLP, about 20 hours ago

*Page last updated: 14 Aug 2024, 02:12 PM*



**STAY INFORMED**

Subscribe for project updates

**SUBSCRIBE**



JEO CONSULTING GROUP INC  
Ph: 402.462.5657  
2837 West Hwy 6, Ste 204  
Hastings, NE 68901

ADMINISTRATIVE PLAT

ANDERSON SECOND SUBDIVISION  
A SUBDIVISION IN THE CITY OF HASTINGS,  
ADAMS COUNTY, NEBRASKA

# ANDERSON SECOND SUBDIVISION

A REPLAT OF LOTS 1 AND 2  
ANDERSON SUBDIVISION AND A REPLAT OF LOT 3,  
ROBERT HUNTER SUBDIVISION AND THAT PART OF VACATED CARDINAL LANE  
IN THE SOUTHEAST QUARTER OF SECTION 36, T8N, R10W  
OF THE SIXTH P.M., ADAMS COUNTY, NEBRASKA

## OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT COREY R. AND REBECCA M. ANDERSON, THE OWNERS OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "ANDERSON SECOND SUBDIVISION IN 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.

SIGNED THIS 2nd DAY OF April, 2015.

Corey R. Anderson  
COREY R. ANDERSON

Rebecca M. Anderson  
REBECCA M. ANDERSON

## ACKNOWLEDGEMENT

STATE OF Nebraska } SS  
COUNTY OF Adams }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 2nd DAY OF April, 2015, BY COREY R. AND REBECCA M. ANDERSON. MY COMMISSION EXPIRES THE 20th DAY OF October, 2018.

(SEAL)

Jana L. Schulte  
NOTARY

## WAIVER:

THE UNDERSIGNED HAVE FOUND AND DETERMINED THAT THE LOCATION OF EASEMENTS UPON THE FOREGOING PLAT IS UNNECESSARY AND THAT IT IS THEREFORE APPROPRIATE TO WAIVE, AND THEY DO HEREBY WAIVE THE EASEMENT REQUIREMENTS OF HASTINGS CITY CODE SECTION 38-308(4).

Marion L. Schulte  
MANAGER, HASTINGS UTILITIES

David J. Warner  
CITY ENGINEER

## CITY SURVEYOR'S APPROVAL

THIS PLAT OF ANDERSON SECOND SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, HAS BEEN RECEIVED AND REVIEWED BY ME AND IN ACCORDANCE WITH NEBRASKA STATUTE 19-917 AND I DO HEREBY approve SAID ADMINISTRATIVE PLAT. DATED THIS 2nd DAY OF April, 2015.

Robert G. Davison  
CITY SURVEYOR

## LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN LOTS 1 AND 2 OF ANDERSON SUBDIVISION, LOT 3, ROBERT HUNTER SUBDIVISION AND THE ADJACENT CARDINAL LANE (VACATED) IN THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE SIXTH P.M., IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 2 OF SAID ANDERSON SUBDIVISION; THENCE S68°23'59"E (ASSUMED BEARING) ON THE NORTH LINE OF LOT 3 OF SAID ROBERT HUNTER SUBDIVISION, A DISTANCE OF 105.32 FEET TO THE NORTHEAST CORNER OF SAID LOT 3 AND THE WEST RIGHT OF WAY LINE OF OSBORNE DRIVE WEST; THENCE S02°54'20"E ON THE EAST LINE OF SAID LOT 3 AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 115.00 FEET; THENCE S02°54'20"E ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 60.29 FEET; THENCE S10°51'51"E ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 203.96 FEET; THENCE S10°43'50"W ON SAID EAST LINE AND SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 262.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3 AND THE NORTH RIGHT OF WAY LINE OF CARDINAL LANE (VACATED); THENCE CONTINUING S10°33'55"W ON SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 40.87 FEET TO THE SOUTH LINE OF SAID VACATED STREET AND THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 36; THENCE S88°32'41"W ON SAID SOUTH LINE, A DISTANCE OF 223.98 FEET; THENCE N08°36'12"W, A DISTANCE OF 40.54 FEET TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE N08°44'45"W ON THE WEST LINE OF SAID LOT 3, A DISTANCE OF 626.74 FEET TO A LOT CORNER ON THE WESTERLY LINE OF LOT 1 OF SAID ANDERSON SUBDIVISION; THENCE S71°06'41"W, A DISTANCE OF 25.41 FEET; THENCE N37°06'39"W ON SAID WESTERLY LINE, A DISTANCE OF 62.75 FEET; THENCE N26°22'16"W ON SAID WESTERLY LINE, A DISTANCE OF 32.44 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N70°40'46"E ON THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 159.13 FEET; THENCE N32°04'24"E ON SAID NORTH LINE, A DISTANCE OF 7.25 FEET; THENCE S25°12'47"E ON THE EAST LINE OF SAID LOT 1, A DISTANCE OF 85.60 FEET; THENCE S65°35'21"E ON SAID EAST LINE, A DISTANCE OF 16.99 FEET TO THE NORTHWEST CORNER OF LOT 2 OF SAID ANDERSON SUBDIVISION; THENCE S68°23'59"E ON THE NORTH LINE OF SAID LOT 2, A DISTANCE OF 124.62 FEET TO THE POINT OF BEGINNING, CONTAINING 5.44 ACRES, MORE OR LESS.

## 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  
THOMAS L. KRUEGER, LS 448



## FLOOD PLAIN NOTE:

A PORTION OF THE PROPERTY SHOWN ON THIS FINAL PLAT IS LOCATED WITHIN ZONE "B", "C" AND THE FLOODWAY FRINGE ACCORDING TO THE FLOOD HAZARD BOUNDARY MAPS AS PROVIDED BY THE U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMIN., COMMUNITY PANEL NO. 3100010010B.

## CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT.

Barbara Adler  
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 2nd DAY OF April, 2015.

Seamus J. Shaw, Deputy  
ADAMS COUNTY TREASURER



## CITY ENGINEER'S APPROVAL

THIS PLAT OF ANDERSON SECOND SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA HAS BEEN RECEIVED AND REVIEWED BY ME AND IS IN COMPLIANCE WITH THE PROVISIONS OF ORDINANCE #2882 OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA PROVIDING FOR THE APPROVAL OF SUBDIVISIONS AND PLATS BY THE CITY ENGINEER UNDER CERTAIN CIRCUMSTANCES. APPROVED THIS 7 DAY OF April, 2015.

David J. Warner  
CITY ENGINEER

## SURVEYOR'S REPORT:

EXISTING MONUMENTS OF RECORD WERE FOUND AT LOCATIONS SHOWN ON THIS PLAT. ALL MONUMENTS FOUND ARE DESCRIBED ON THIS PLAT, UNLESS NOTED OTHERWISE. ALL MONUMENTS SET ARE A 5/8" BY 24" REBAR WITH A PLASTIC CAP STAMPED "L.S. 448", UNLESS NOTED OTHERWISE.

ALL LINES WERE PRODUCED AND ANGLES AND DISTANCES MEASURED WITH A TRIMBLE GPS R8, A TRIMBLE S6 ROBOTIC TOTAL STATION AND A 100 FOOT STEEL TAPE.

## 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: April 9, 2015 TIME: 3:30 PM INSTRUMENT NO.: 20151082

Rachel A. Gansky, Deputy  
REGISTER OF DEEDS

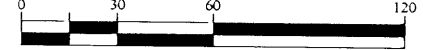


## ADMINISTRATIVE PLAT

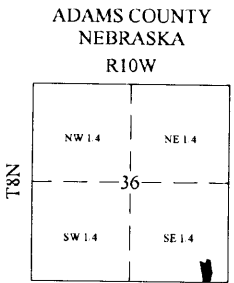
### LEGEND

- MONUMENT FOUND
- MONUMENT SET
- CALCULATED POINT
- DEEDED DISTANCE
- GOVERNMENT DISTANCE
- MEASURED DISTANCE
- PLATTED DISTANCE
- RECORDED DISTANCE

### GRAPHIC SCALE



### VICINITY SKETCH



NOTE: ALL BEARINGS ARE ASSUMED.



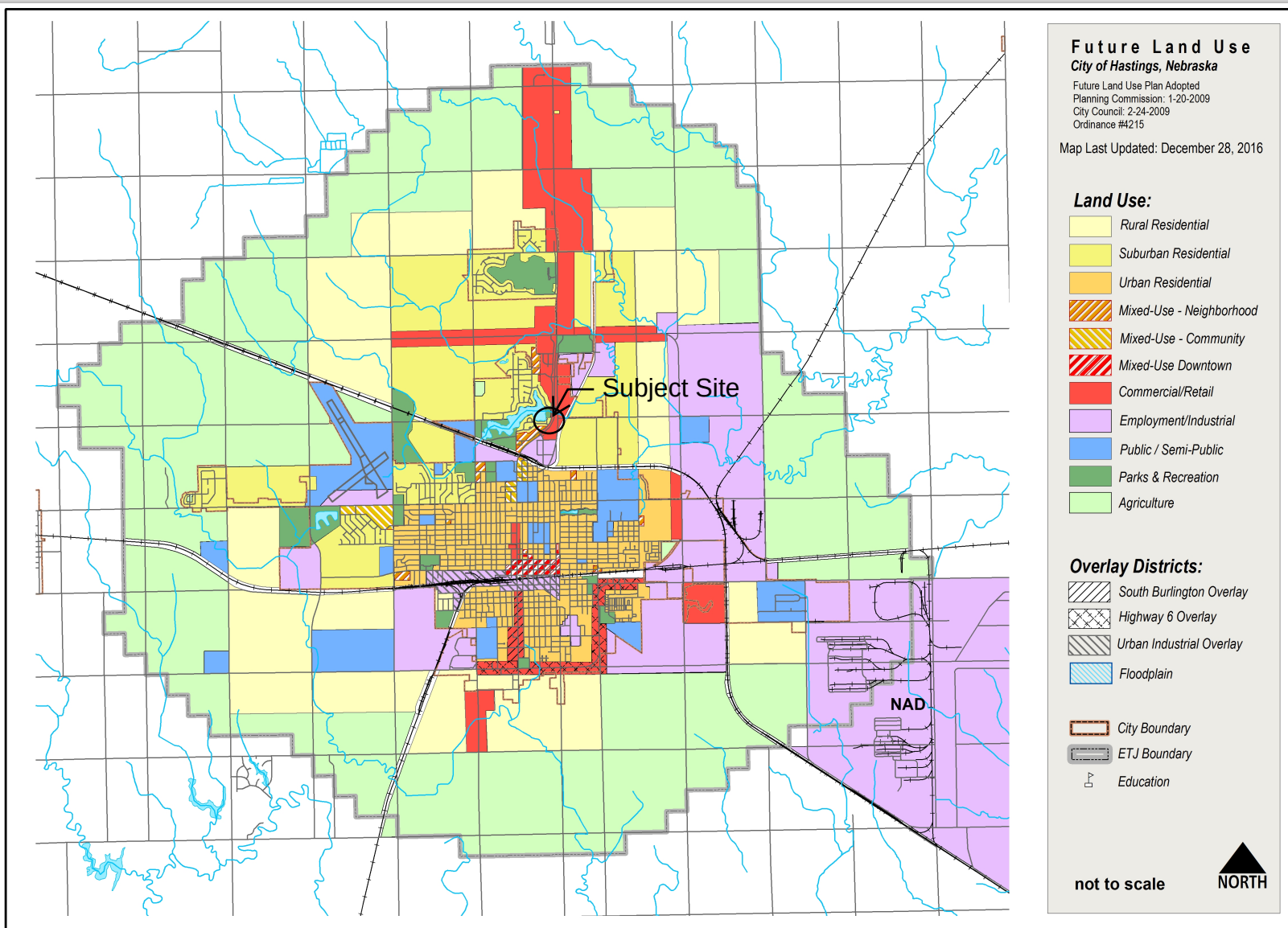


Figure 2.2: Future Land Use Plan



HASTINGS

*Nebraska*





File No. 2024-221

Project Public hearing to consider a change of zoning for Lot 1, Anderson Second Subdivision, from R-1, Single-Family Residential District to C-1, Local Business District

Applicant Jeffery Schutt





Lake Hastings

NORTH SHORE DR

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

26TH ST E

26TH ST E

26TH ST E

CARDINAL LN

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

OSBORNE DR E

SOUTH SHORE DR

SOUTH SHORE DR

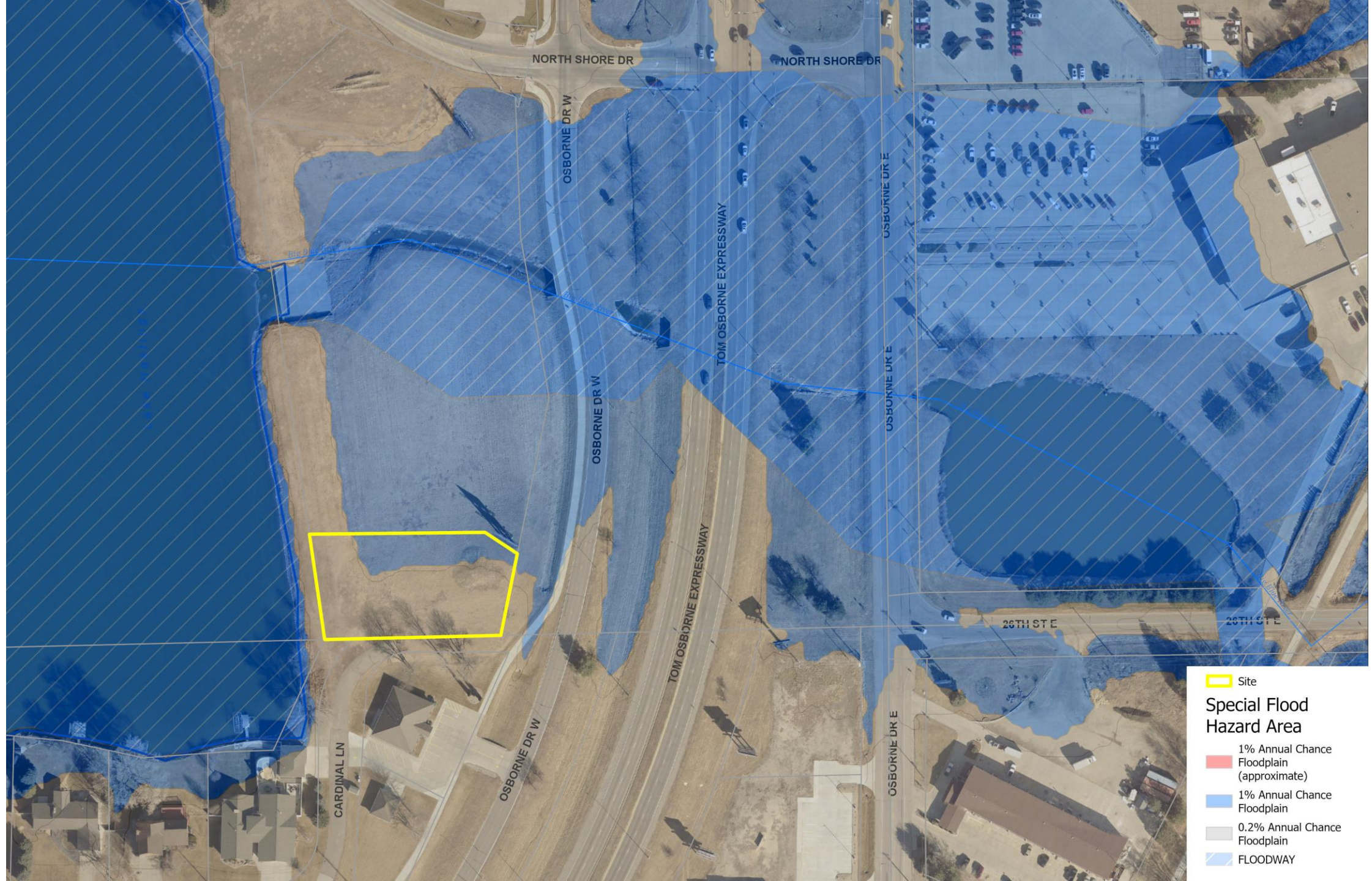
WATERFRONT DR

OSBORNE DR W







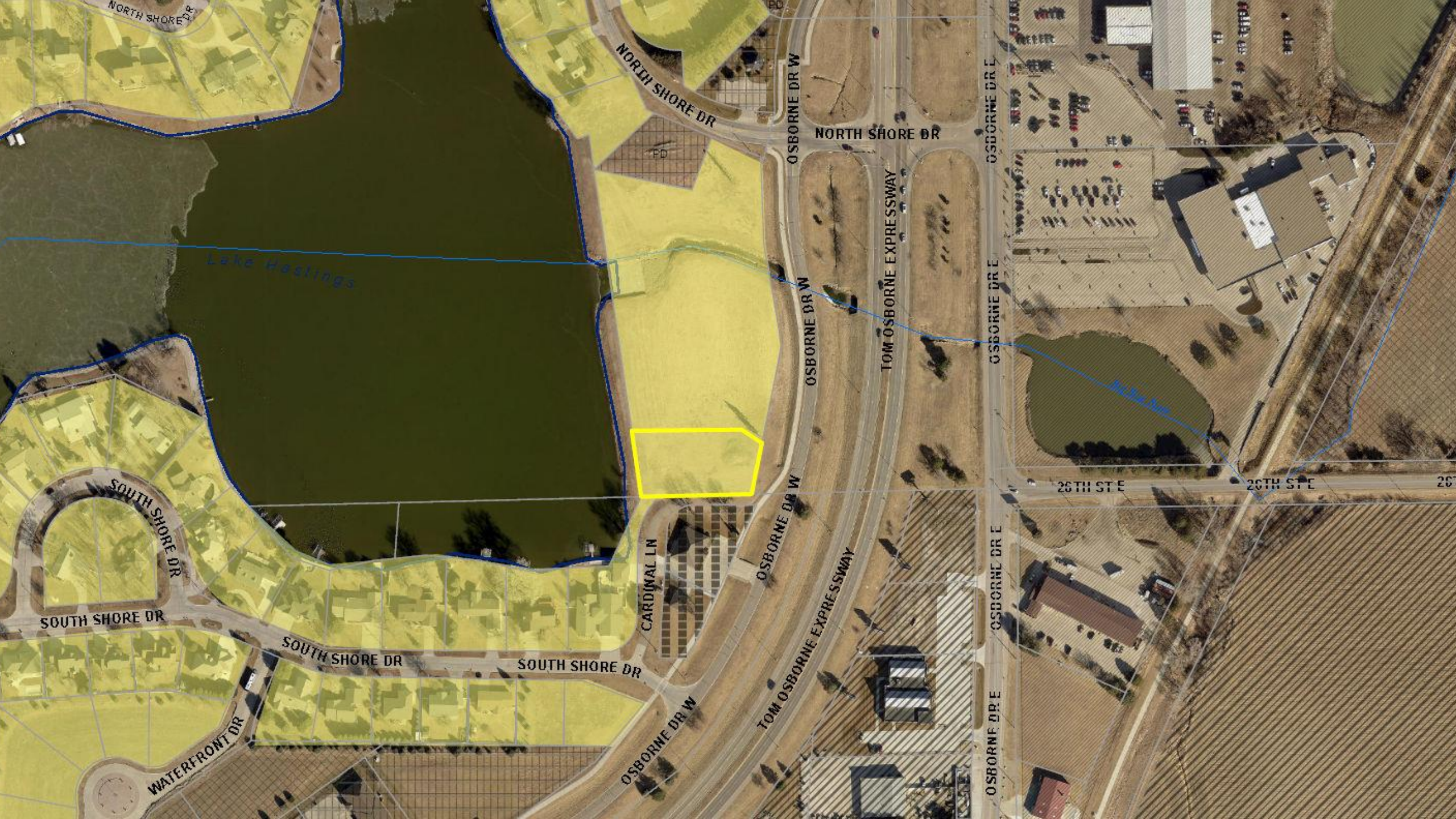


 Site

### Special Flood Hazard Area

-  1% Annual Chance Floodplain (approximate)
-  1% Annual Chance Floodplain
-  0.2% Annual Chance Floodplain
-  FLOODWAY





Lake Hastings

NORTH SHORE DR

OSBORNE DR W

NORTH SHORE DR

OSBORNE DR E

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

26TH ST E

26TH ST E

26TH ST E

CARDINAL LN

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

OSBORNE DR E

SOUTH SHORE DR

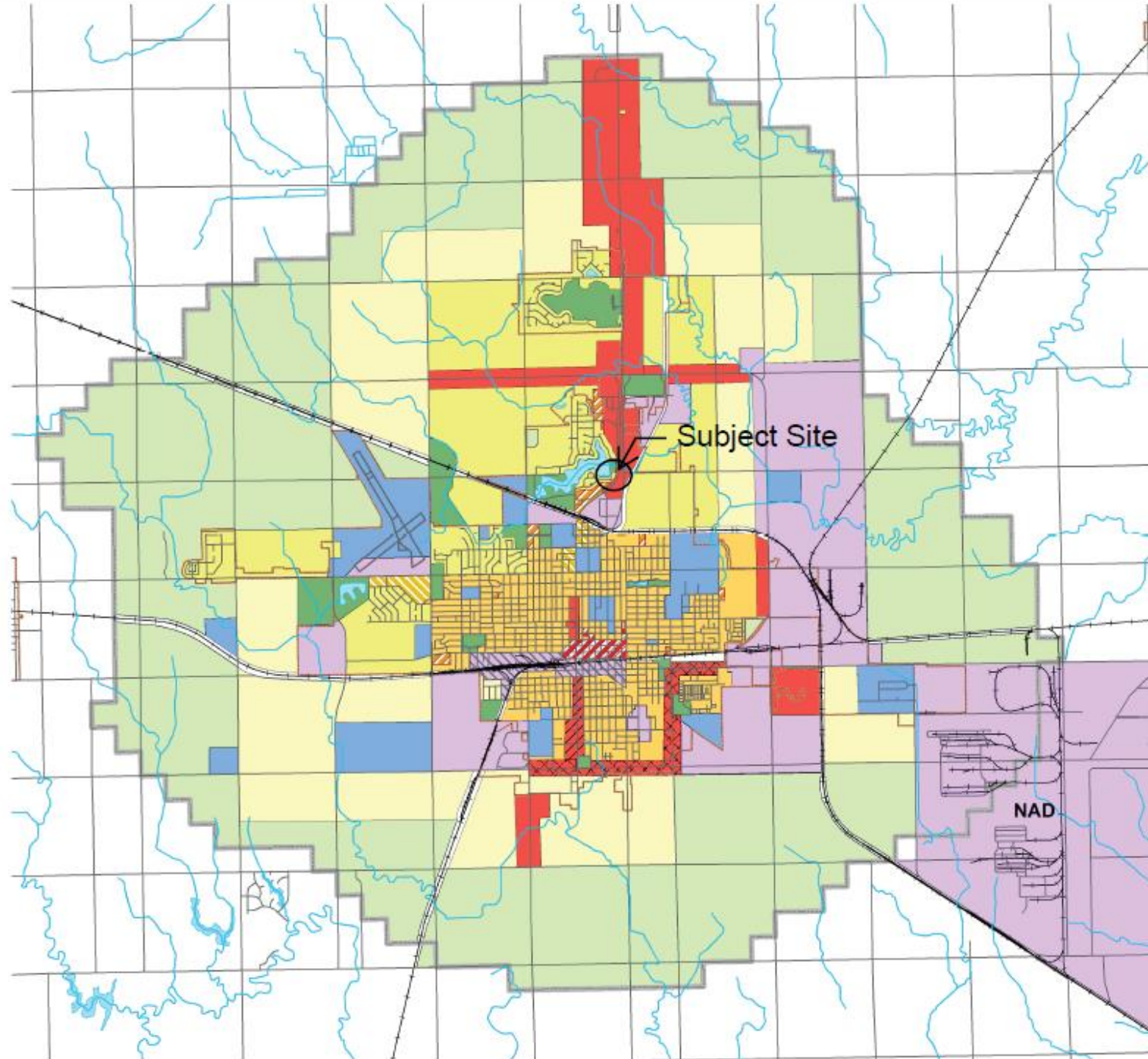
SOUTH SHORE DR

SOUTH SHORE DR

OSBORNE DR W

WATERFRONT DR





## 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:

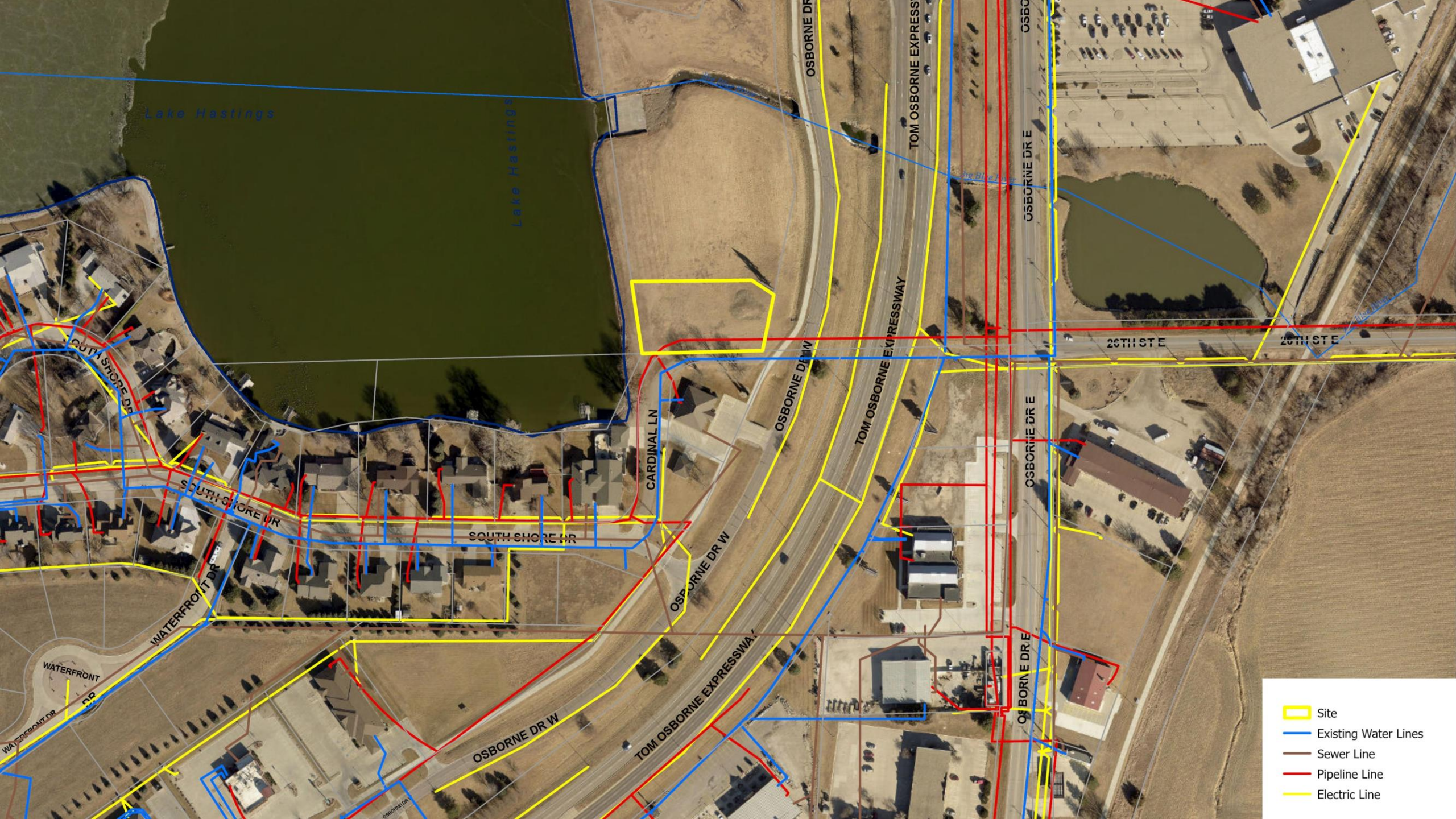
-  South Burlington Overlay
-  Highway 6 Overlay
-  Urban Industrial Overlay
-  Floodplain

-  City Boundary
-  ETJ Boundary
-  Education

not to scale







- Site
- Existing Water Lines
- Sewer Line
- Pipeline Line
- Electric Line





 Site

### Special Flood Hazard Area

-  1% Annual Chance Floodplain (approximate)
-  1% Annual Chance Floodplain
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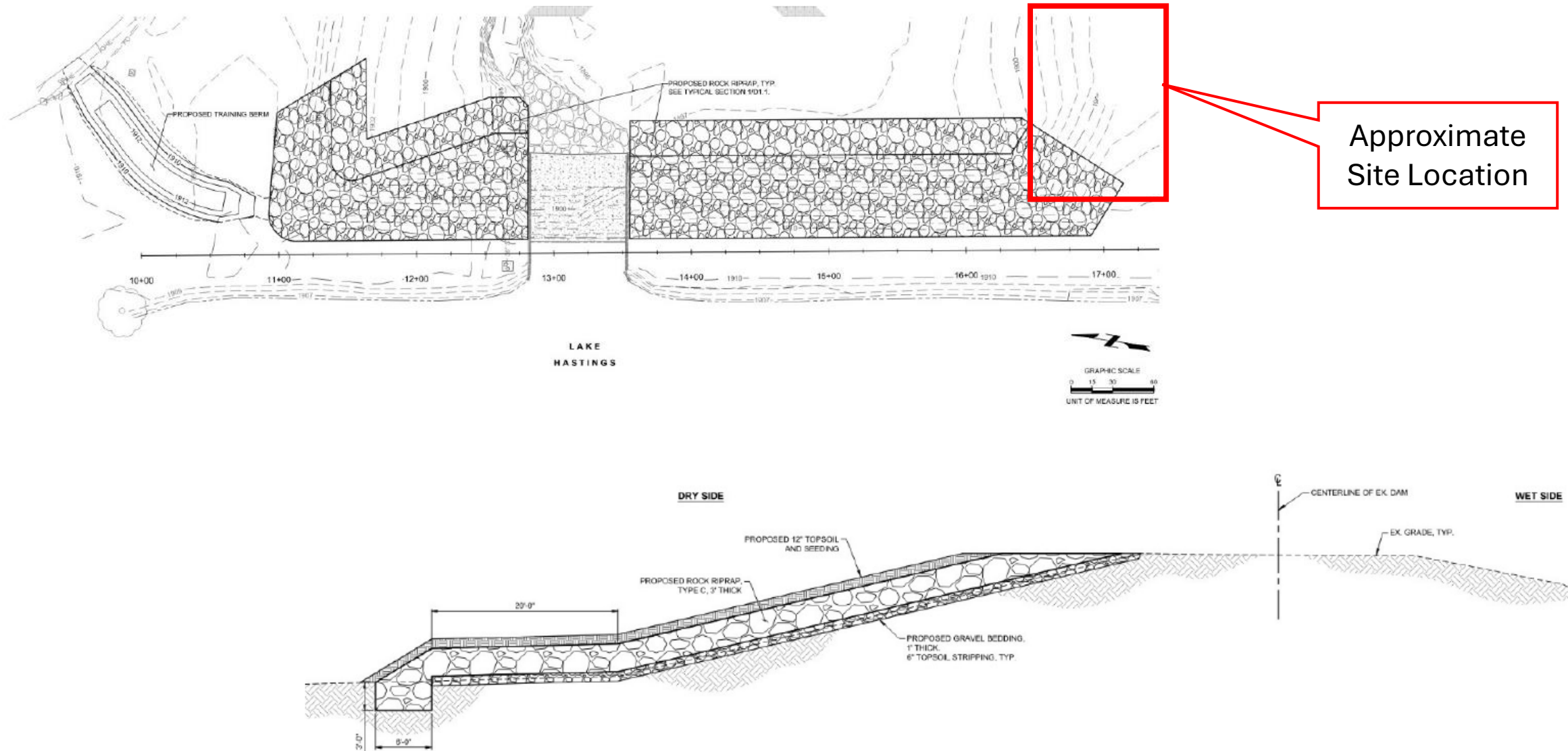


Figure 24: Typical Section of Proposed Riprap Overtopping Protection

# Staff Findings Summary

- a) The site is compatible with the existing zoning district. The land was platted and zoned to its current state in 2015.
- b) The site generally conforms to the Comprehensive Plan.
- c) Water, electric, and gas is readily available to serve the site. A private sewer line will need to be installed to the nearest sewer main (~400 feet)

Access to the site is currently limited for a commercial business. A new driveway onto Osborne Drive West or a substantial improvement to Cardinal Lane would be required to provide safe travel ways and comply with Fire Department Requirements.



# Staff Findings Summary (continued)

- d) The area is mostly residential. A commercial property (office) to the south is zoned C-1 District.
- e) The proposed rezoning is identical to the property to the south. The C-1 District allows for a variety of commercial uses. If the property were to have its main access from Osborne Drive West, the impacts to adjacent property should be minimal.
- f) A portion of the property has the Lake Hastings Dam on it. To maintain the integrity of the Dam, several design requirements for the structure will be required. This will include the NeDNR to approve the site and building plans.

# Staff Recommendation

City Staff recommends **approval** of the request for a change of zoning for Lot 1, Anderson Second Subdivision, from R-1, Single-Family Residential District to C-1, Local Business District

If the Planning Commission is inclined to approve the request, they provide specific findings to that end.





HASTINGS

*Nebraska*







File No. 2024-221

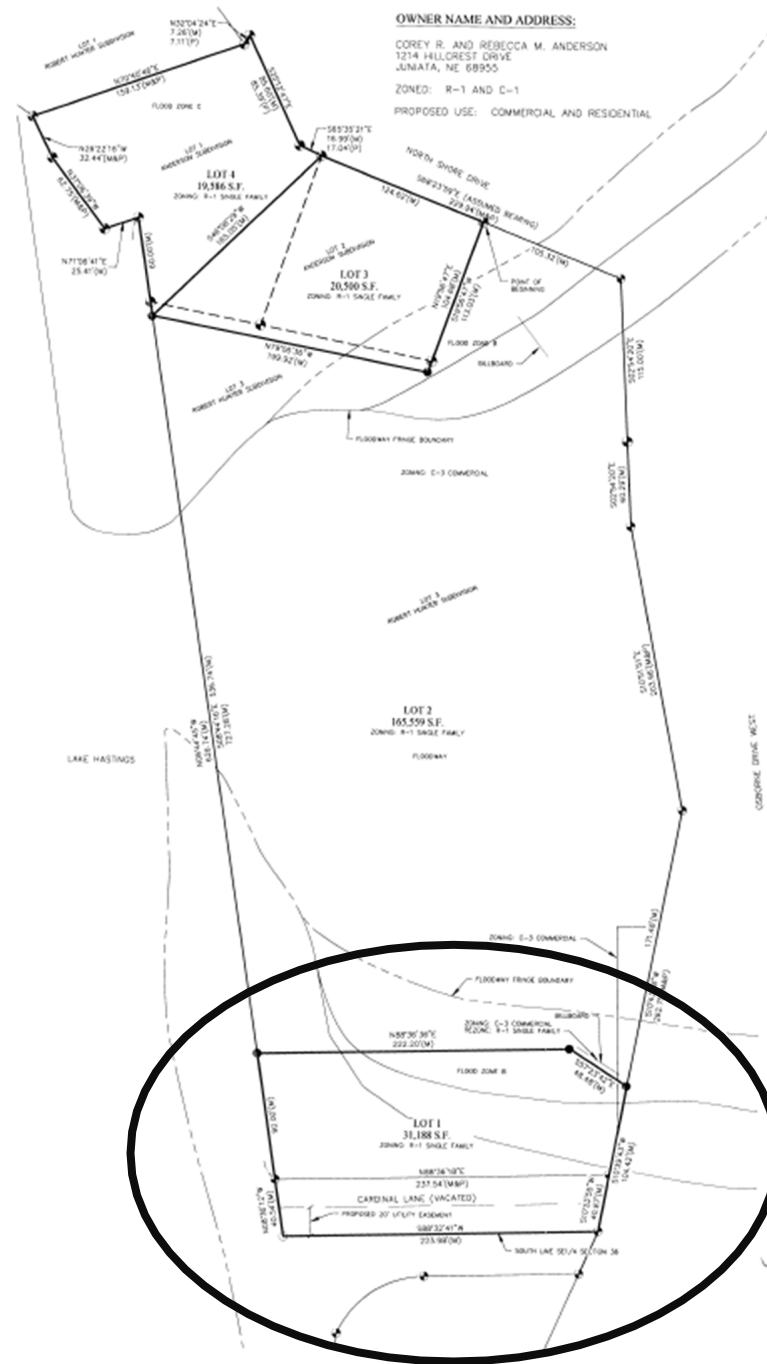
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Applicant Jeffery Schutt

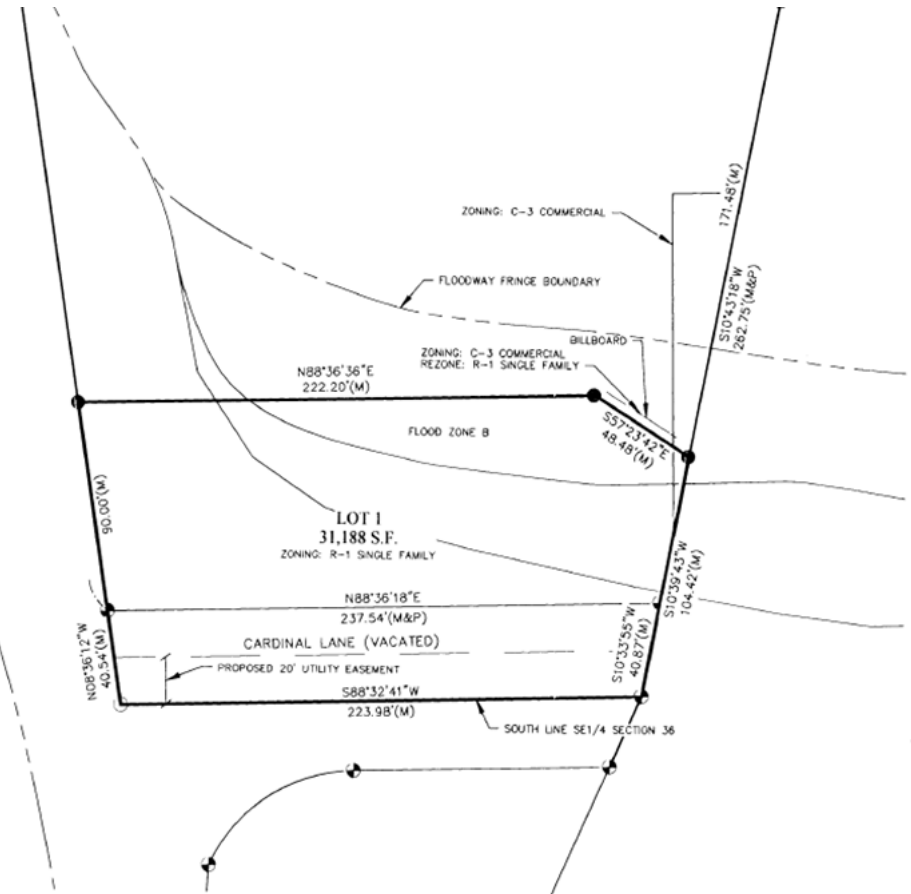




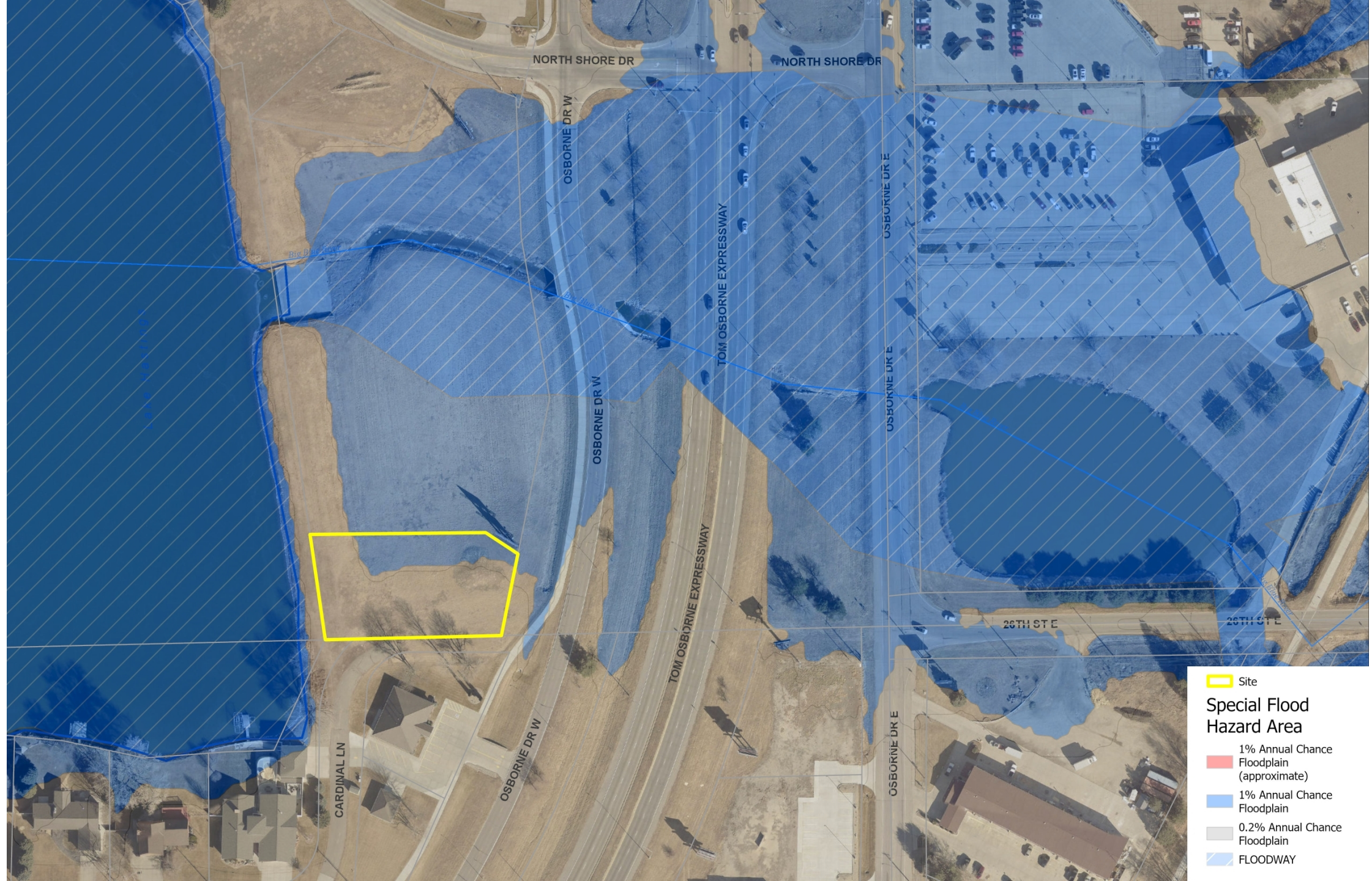




# **ANDERSON SECOND SUBDIVISION** A REPLAT OF LOTS 1 AND 2 ANDERSON SUBDIVISION AND A REPLAT OF LOT 3, ROBERT HUNTER SUBDIVISION AND THAT PART OF VACATED CARDINAL LANE IN THE SOUTHEAST QUARTER OF SECTION 36, T8N, R10W OF THE SIXTH P.M., ADAMS COUNTY, NEBRASKA





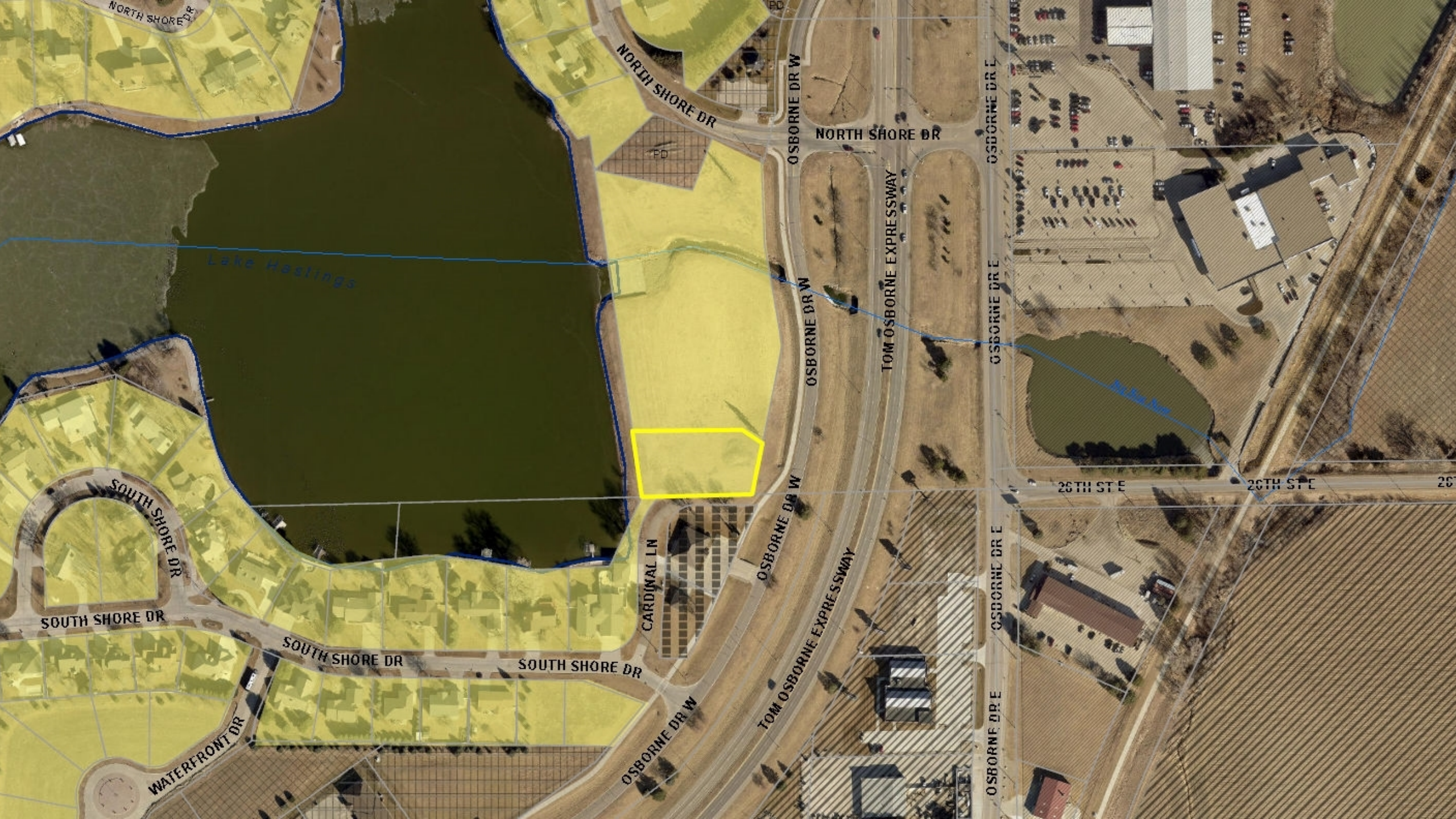


 Site

### Special Flood Hazard Area

-  1% Annual Chance Floodplain (approximate)
-  1% Annual Chance Floodplain
-  0.2% Annual Chance Floodplain
-  FLOODWAY





NORTH SHORE DR

NORTH SHORE DR

OSBORNE DR W

NORTH SHORE DR

OSBORNE DR E

Lake Hastings

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

SOUTH SHORE DR

SOUTH SHORE DR

SOUTH SHORE DR

SOUTH SHORE DR

CARDINAL LN

OSBORNE DR W

TOM OSBORNE EXPRESSWAY

OSBORNE DR E

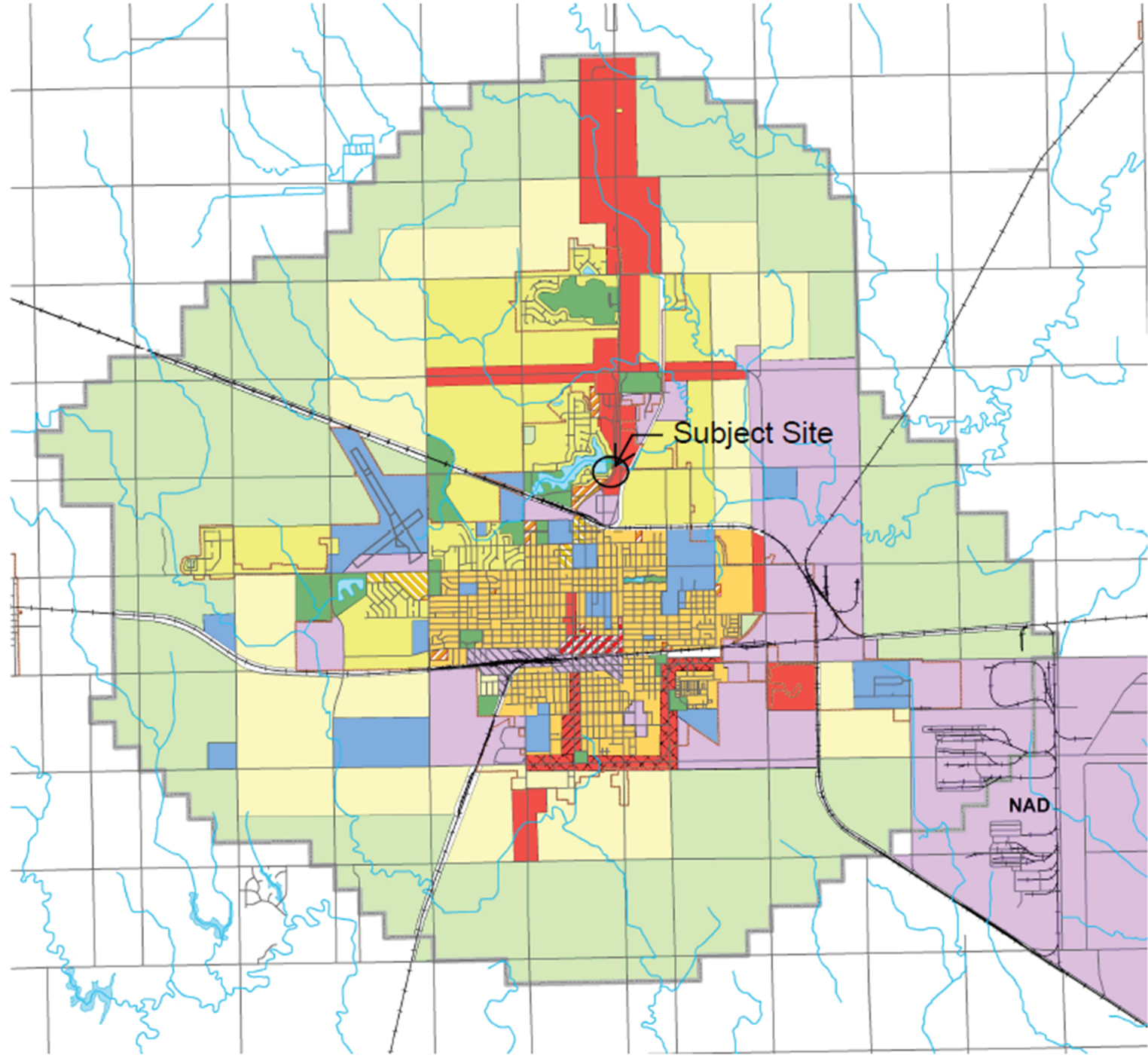
OSBORNE DR E

26TH ST E

26TH ST E

26TH ST E





# 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
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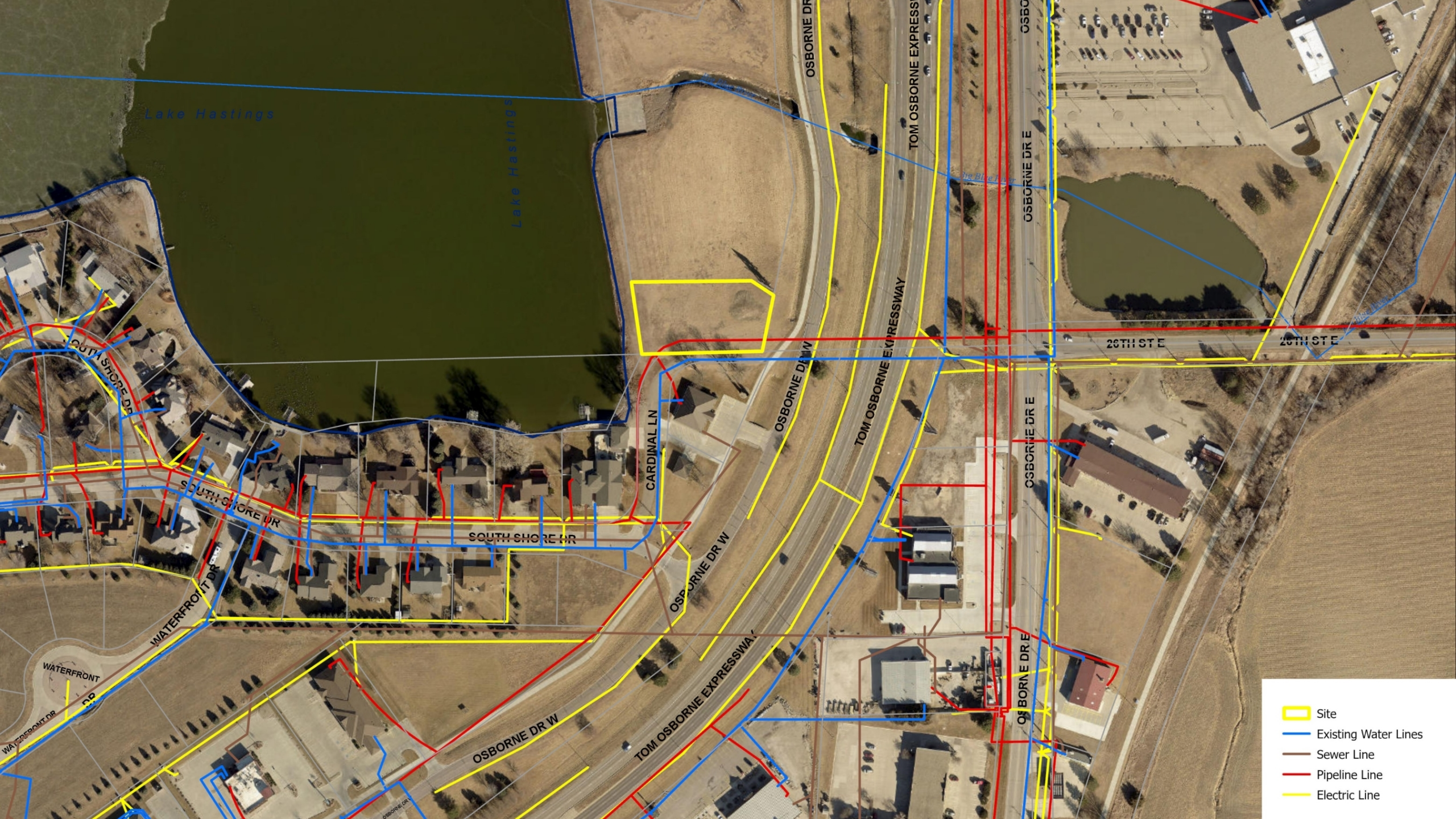
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not to scale







- Site
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- Sewer Line
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 Site

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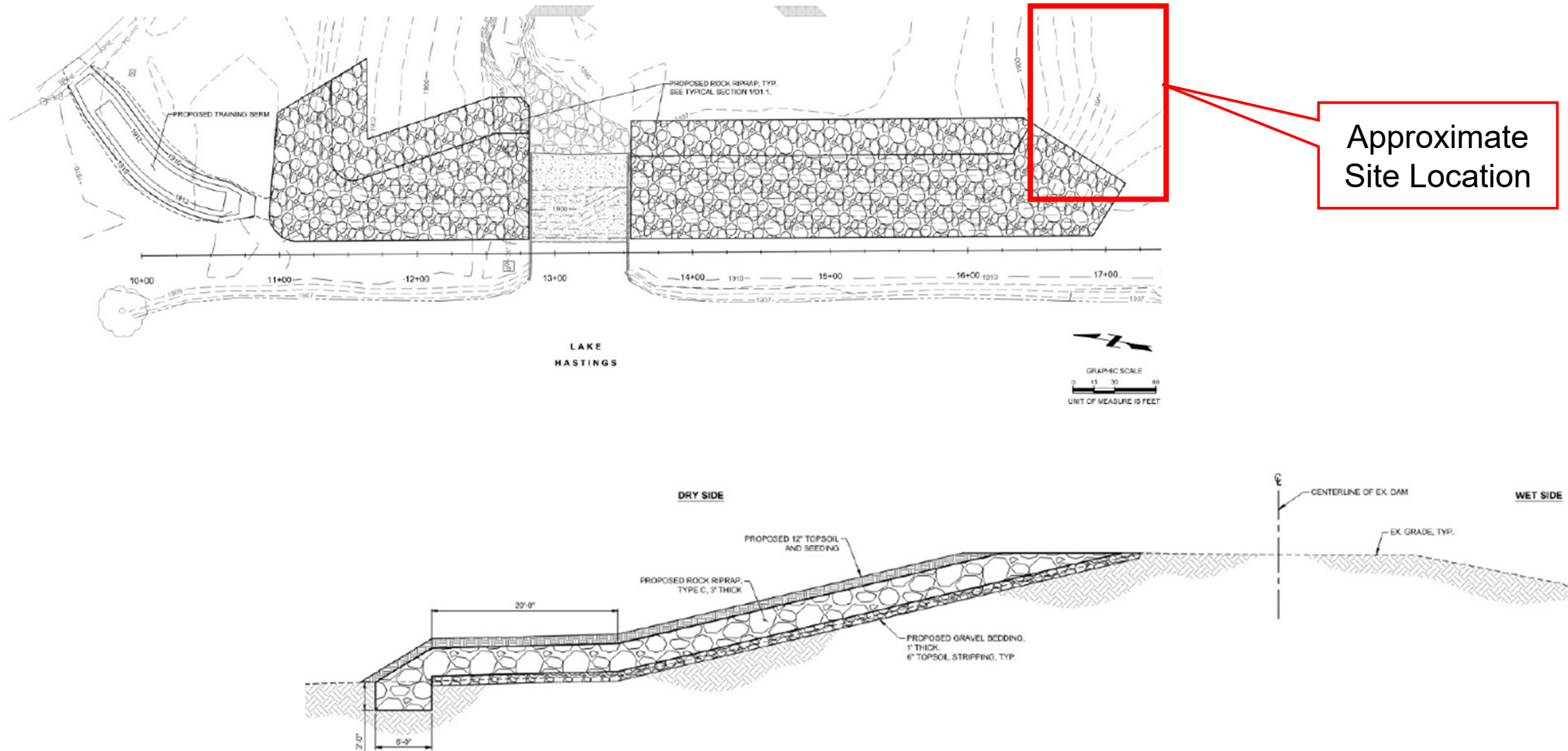


Figure 24: Typical Section of Proposed Riprap Overtopping Protection

# Staff Findings Summary

- a) The site is compatible with the existing zoning district. The land was platted and zoned to its current state in 2015.
- b) The site generally conforms to the Comprehensive Plan.
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# Staff Findings Summary (continued)

- d) The area is mostly residential. A commercial property (office) to the south is zoned C-1 District.
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# Staff Recommendation

City Staff recommends **approval** of the request for a change of zoning for Lot 1, Anderson Second Subdivision, from R-1, Single-Family Residential District to C-1, Local Business District

If the Planning Commission is inclined to approve the request, they provide specific findings to that end.





HASTINGS

*Nebraska*

Department: Development Services  
Staff Contact: Chad Bunger  
Planning Commission Meeting Date: 8/20/2024  
File No: 2024-251  
Prepared By: Chad Bunger, Director of Development Services

## **AGENDA ITEM SUMMARY SHEET**

### **Description of Item:**

Final Plat of the Sky Loch 18th Subdivision, located in the northwest quarter of Section 25, Township 8 North, Range 10 West of the 6th P.M. in the City of Hastings, Adams County, Nebraska.

The Final Plat creates 6 single-family lots. The Final Plat dedicated needed easements to serve the site and surrounding area.

A request to vacate Charlotte Drive right-of-way is proposed and related to the subdivision. The City Council will consider the road right-of-way vacation by Ordinance at their September 9, 2024 meeting.

### **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 the 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:**

Motion to recommend approval of the Sky Loch 19th Subdivision Final Plat to the City Council, with one condition of approval.

### **Deadlines associated with action:**

This case will be presented for approval at the City Council Regular Meeting to be held on September 9, 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 to 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 Final Plat can be found in the attached Staff Report.

**Recommendation:**

Staff recommends the Planning Commission approve the final plat of Sky Loch 18th Subdivision, with one condition of approval. The one condition is:

1. The Ordinance to vacate Charlotte Drive must be approved by the City Council.



## City of Hastings Planning Commission

### STAFF REPORT

|                                     |                                                                                                                                                                  |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Final Plat:</b>                  | <b>Sky Loch 18<sup>th</sup> Subdivision</b>                                                                                                                      |
| File No.                            | 2024-251                                                                                                                                                         |
| Applicant                           | Alejandro Gurerreio                                                                                                                                              |
| Property Location:                  | Approximately 150 feet east of the intersection of Madden Road and Jordan Way, on the south side of Madden Road                                                  |
| Lot Size:                           | 2.60 acres                                                                                                                                                       |
| Date of Planning Commission Meeting | August 20, 2024                                                                                                                                                  |
| Zoning                              | R-1, Urban Single-Family Residential District and R-3, Multiple-Family Residential District                                                                      |
| Adjacent Zoning:                    | North: R-1 District<br>East: R-3 District and R-1 District<br>South: A, Agricultural District, some of which is outside of the City limits<br>West: R-1 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:**

The Final Plat of the Sky Loch 18<sup>th</sup> Subdivision is designed to create six single-family lots to be accessed off of Madden Road. The lots will range in area from 15,799 square feet to 26,835 square feet. All utilities will be provided off of Madden Road.

The Charlotte Drive right-of-way is proposed to be vacated by ordinance by the City Council concurrently with this subdivision. The right-of-way was created by a previous subdivision of the Sky Loch development but never constructed. This future road was to provide access to the land to the south, if/when it is to develop. This access to the land to the south can be provided by Madden Road right-of-way to the east, as it connects to that land.

A 35-foot by 60-foot land-locked tract exists to the east of the site that was owned by the Lochland Sewer Improvement District. This was originally a well site devoted to the Lochland Neighborhood, however the well has since been abandoned. It is assumed that the land was converted to the City with the SID dissolved when the neighborhood was annexed into the City limits. The City is researching the ownership of the land and if it can be sold to the adjacent property owners. At this time, this land is not part of the proposed subdivision.

**Property Description:** The land is generally flat and has been previously graded for development.

**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 the City of Hastings Planning Commission and Hastings City Council.

**STAFF COMMENTS:** Staff recommends the Planning Commission **APPROVE** the **FINAL PLAT of Sky Loch 18<sup>th</sup> Subdivision**, with the following conditions:

1. The Ordinance to vacate Charlotte Drive must be approved by the City Council.

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

**DATE:** August 12, 2024

**ATTACHMENTS:**

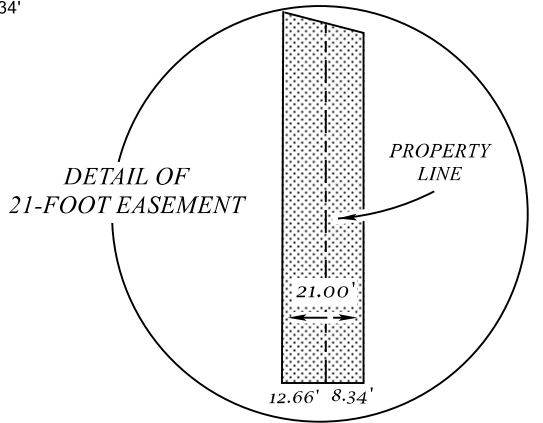
1. Application
2. Proposed Sky Loch 18<sup>th</sup> Subdivision
3. Sky Loch 12<sup>th</sup> Subdivision – approved 2008
4. Sky Loch 15<sup>th</sup> Subdivision – approved 2015



FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 25,  
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,

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. 31001C0070C EFFECTIVE 7/05/2018.



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.

|                                                           |                    |                        |
|-----------------------------------------------------------|--------------------|------------------------|
| FILE NAME<br>SKYE LOCH 18TH SUBDIVISION, CITY OF HASTINGS |                    |                        |
| SCALE<br>100 Ft/In                                        | DATE<br>07-23-2024 | DRAWN BY<br>T. KRUEGER |
| JOB<br>KLS-24054                                          | FIELD WORK<br>TK   | SHEET<br>1 OF 2        |

25

| LEGEND |                                      |
|--------|--------------------------------------|
| ●      | SET PLASTIC CAP (LS-448) ON ½" REBAR |
| ◐      | CORNER FOUND                         |
| M      | MEASURED DISTANCE                    |
| R      | RECORD DISTANCE                      |

A TRACT OF LAND LOCATED IN LOT ONE (1), BLOCK TWO (2), SKYE LOCH 15TH SUBDIVISION, THAT PART OF CHARLOTTE DRIVE SOUTH OF MADDEN ROAD VACATED BY ORDINANCE # \_\_\_\_\_, INST.NO. \_\_\_\_\_, AND LOT FIVE (5), SKYE LOCH 12TH SUBDIVISION, IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:

N00°17'38"W, ON THE EAST LINE OF SAID LOT FIVE (5), A DISTANCE OF 60.00 FEET; THENCE N89°42'22"E, ON THE SOUTH LINE OF SAID LOT FIVE (5), A DISTANCE OF 12.66 FEET ; THENCE N00°17'38"W, ON THE EAST LINE OF SAID LOT FIVE (5), A DISTANCE OF 97.30 FEET TO THE NORTH LINE OF SAID LOT FIVE (5), ALSO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH AND HAVING A RADIUS OF 200.00 FEET; THENCE WESTERLY ON SAID CURVE AND THE NORTH LINE OF SAID LOT FIVE (5), THE CHORD OF WHICH BEARS N76°32'55"W, AN ARC DISTANCE OF 86.43 FEET; THENCE S89°42'22"W, ON THE NORTH LINE OF SAID LOT FIVE (5), A DISTANCE OF 175.02 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 257.26 FEET; THENCE NORTHWESTERLY ON SAID CURVE AND THE NORTH LINE OF SAID LOT FIVE (5), THE NORTH LINE OF CHARLOTTE DRIVE AND THE NORTH LINE OF LOT ONE (1), BLOCK TWO (2), OF SAID SKYE LOCH 15TH SUBDIVISION, THE CHORD OF WHICH BEARS N69°40'06"W, AN ARC DISTANCE OF 188.40 FEET; THENCE N48°47'26"W, ON THE NORTH LINE OF LOT ONE (1), BLOCK (2), SAID SKYE LOCH 15TH SUBDIVISION, A DISTANCE OF 153.91 FEET; THENCE S00°18'55"W, ON THE WEST LINE OF SAID LOT ONE (1), A DISTANCE OF 345.24 FEET TO THE POINT OF BEGINNING CONTAINING 2.60 ACRES, MORE OR LESS.

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

# SKYE LOCH 18TH SUBDIVISION

## FINAL PLAT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 25,  
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M.,  
IN THE CITY OF HASTINGS  
ADAMS COUNTY, NEBRASKA

### OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT SKYE LOCH LLC, A NEBRASKA LIMITED LIABILITY COMPANY, OWNER(S) OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS SKYE LOCH 18TH SUBDIVISION, IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND THAT THE FOREGOING ACTIONS ARE DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S). BE IT FURTHER KNOW, THAT SAID OWNER DOES HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN O THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRSKA.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

SKYE LOCH, LLC

\_\_\_\_\_  
PATRICK J. RANDOLPH, HUSBAND

\_\_\_\_\_  
MARY JO RANDOLPH, WIFE

### ACKNOWLEDGEMENT

STATE OF NEBRASKA )  
                                  )  
COUNTY OF ADAMS )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024, BY  
PATRICK J. RANDOLPH AND MARY JO RANDOLPH, HUSBAND AND WIFE.

.

MY COMMISSION EXPIRES THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
NOTARY

### CITY ENGINEER'S APPROVAL

THIS PLAT OF SKYE LOCH 18TH SUBDIVISION, IN 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 SKYE LOCH 18TH SUBDIVISION, IN 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

### 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\_\_\_\_\_.

\_\_\_\_\_  
PATRICK J. RANDOLPH, HUSBAND

\_\_\_\_\_  
MARY JO RANDOLPH, WIFE

### MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF SKYE LOCH 18TH SUBDIVISION, IN 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<br>SKYE LOCH 18TH SUB, CITY OF HASTINGS |                    |                        |
| SCALE<br>1000 Ft/In                               | DATE<br>07-23-2024 | DRAWN BY<br>T. KRUEGER |
| JOB<br>KLS-24054                                  | FIELD WORK<br>TK   | SHEET<br>2 OF 2        |





# Plats Application

Date: 08/01/2024

## Project

|                   |                            |                  |                                      |
|-------------------|----------------------------|------------------|--------------------------------------|
| Permit Type:      | Final Plat                 | Existing Zoning: | R-1, Urban Single Family Residential |
| Plat Name:        | SKYE LOCH 18TH SUBDIVISION | Proposed Zoning: | R-1, Urban Single Family Residential |
| Project Address:  | 1013 Madden Road           | In City Limits:  | Yes                                  |
| City, State, Zip: | HASTINGS, NE 68901         | Proposed Use:    | Residential Housing                  |
| Legal:            |                            |                  |                                      |

Reason for Request: NEW HOUSING

## Applicant / Owner

|                   |                     |                   |                         |
|-------------------|---------------------|-------------------|-------------------------|
| Applicant Name:   | ALEJANDRO GURERREIO | Owner Name:       | SKYE LOCH LLC           |
| Company:          | N/A                 | Company:          |                         |
| Address:          | 1100 E South St     | Address:          | 1336 HIGHLAND DR        |
| City, State, Zip: | Hastings, NE 68901  | City, State, Zip: | HASTINGS, NE 68901-0000 |
| Phone:            | 402-705-9234        | Phone:            |                         |
| Email:            | N/A                 | Email:            |                         |

## Key Contact / Surveyor

|                   |                    |              |                             |
|-------------------|--------------------|--------------|-----------------------------|
| Key Contact:      | [Key Contact]      | Surveyor:    | TOM KRUEGER                 |
| Company:          |                    | Company:     | KRUEGER LAND SURVEYING, LLC |
| Address:          | [Address]          | Address:     | 2837 WEST HIGHWAY 6         |
| City, State, Zip: | Hastings, NE 68901 | City, State, | HASTINGS, NE 68901          |
| Phone:            | [Phone #]          | Zip:         |                             |
| Email:            | [Key Email]        | Phone:       | 402-984-2176                |
|                   |                    | Email:       | KRUEGER.LS448@CHARTER.NET   |

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

TOM KRUEGER

Applicant

08/01/2024

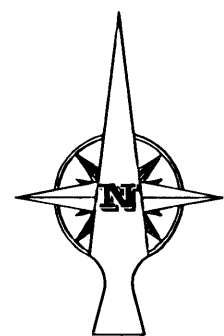
Date

ALEJANDRO GURERREIO

Owner

08/01/2024

Date



SCALE 1" = 100'

#### LEGEND

Corners Found =   
Corners Set =   
(1/2" Rebars w/yellow plastic caps)  
Recorded Distance = P  
Measured Distance = A or M

#### OWNER NAME AND ADDRESS

Skye Loch LLC  
c/o Ronald D. Ellermeier, and Patrick J. Randolph, Managers  
9835 S. Antioch Ave.  
Glenvil, NE 68941

PROPOSED USE = SINGLE FAMILY DWELLING  
ZONED R-3

#### LEGAL DESCRIPTION

A TRACT OF LAND COMPRISED OF ALL OF BLOCK 2 OF SKYE LOCH 8th SUBDIVISION IN THE CITY OF HASTINGS, NEBRASKA LOCATED IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE 6TH P.M., ADAMS COUNTY, NEBRASKA, AS PLATTED AND RECORDED, TO BE HEREAFTER KNOWN AS "SKYE LOCH 12TH SUBDIVISION."

#### CITY SURVEYOR'S APPROVAL

I hereby state that I have reviewed this plat of "SKYE LOCH 12TH SUBDIVISION" in the City of Hastings, Adams County, Nebraska, and in accordance with the provisions of Nebraska State Statute 19-917, do hereby Approve this Administrative Plat.

Signed this 28<sup>th</sup> day of August, 2006.

Rodney G. Davison  
Rodney G. Davison, City Surveyor

#### CITY ENGINEER'S APPROVAL

This plat of "SKYE LOCH 12TH SUBDIVISION", an Administrative Plat in the City of Hastings, Adams County, Nebraska, has been received and reviewed by me, and is in compliance with the provisions of Ordinance No. 2882 of the City of Hastings, Adams County Nebraska, providing for the approval of Subdivisions and Plats by the City Engineer under certain circumstances.

Approved this 28<sup>th</sup> day of August, 2006.

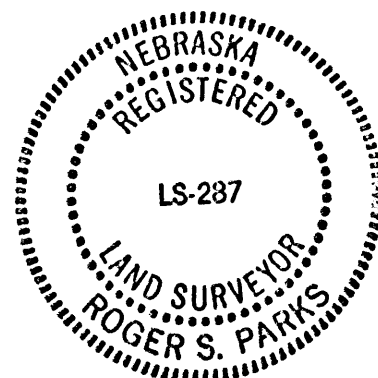
David L. Walker  
David L. Walker, City Engineer

#### SURVEYOR'S CERTIFICATE

I HEREBY STATE THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEBRASKA, AND THAT THIS FINAL PLAT OF "SKYE LOCH 12TH SUBDIVISION" WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION. ALL DISTANCES SHOWN ON THE PLAT ARE MEASURED IN FEET AND DECIMALS OF A FOOT, AND ALL PROPERTY AND LOT CORNERS ARE MARKED WITH IRON PINS OR IRON PIPES AS SHOWN ON THE PLAT.

SIGNED THIS 23<sup>rd</sup> DAY OF August, 2006.

Roger S. Parks  
ROGER S. PARKS L.S. 287



### ADMINISTRATIVE PLAT

# SKYE LOCH 12TH SUBDIVISION

A SUBDIVISION LOCATED IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA,  
IN THE NORTHWEST ONE QUARTER (1/4) OF SECTION 25, T8N, R10W OF THE 6TH P.M, ADAMS COUNTY, NEBRASKA.

#### OWNERS CERTIFICATE

Know all men by these presents, that Skye Loch LLC, a Nebraska Limited Liability Company, the Owners of Record of Block 2 of Skye Loch 8th Subdivision in the city of Hastings, Nebraska, as platted and recorded, in the Northwest Quarter of Section 25, T8N-R10W of the 6th P.M., Adams County, Nebraska, have caused the same to be surveyed, subdivided, replatted and designated as "SKYE LOCH 12TH SUBDIVISION", a subdivision in the City of Hastings, Adams County, Nebraska, and that said surveying, subdividing, replatting and designation was done with the free consent, and in accordance with the desires and wishes of we, the undersigned Owners.

Signed this 23<sup>rd</sup> day of August, 2006.

Ronald D. Ellermeier Patrick J. Randolph  
Skye Loch LLC Ronald D. Ellermeier, Manager Skye Loch LLC Patrick J. Randolph, Manager

#### ACKNOWLEDGMENT

STATE OF NEBRASKA } SS

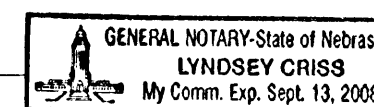
COUNTY OF ADAMS

KNOW ALL MEN BY THESE PRESENTS, that on this 23<sup>rd</sup> day of August, 2006, at Hastings, Nebraska, before me, a Notary Public in and for said County and State, personally came Ronald D. Ellermeier, Manager of Skye Loch LLC, and Patrick J. Randolph, Manager of Skye Loch LLC, known by me personally to be the identical persons whose names are affixed to the Owners Certificate and on the Waiver on this plat and acknowledged the execution thereof to be of their own free will and accord, and in accordance with their desires and wishes as said Owners of the property shown on this plat and described in the Legal Description hereon.

Signed and Acknowledged on the day and year last above written.

MY COMMISSION EXPIRES ON 9/13/08

Lyndsey Criss  
NOTARY PUBLIC



SEAL

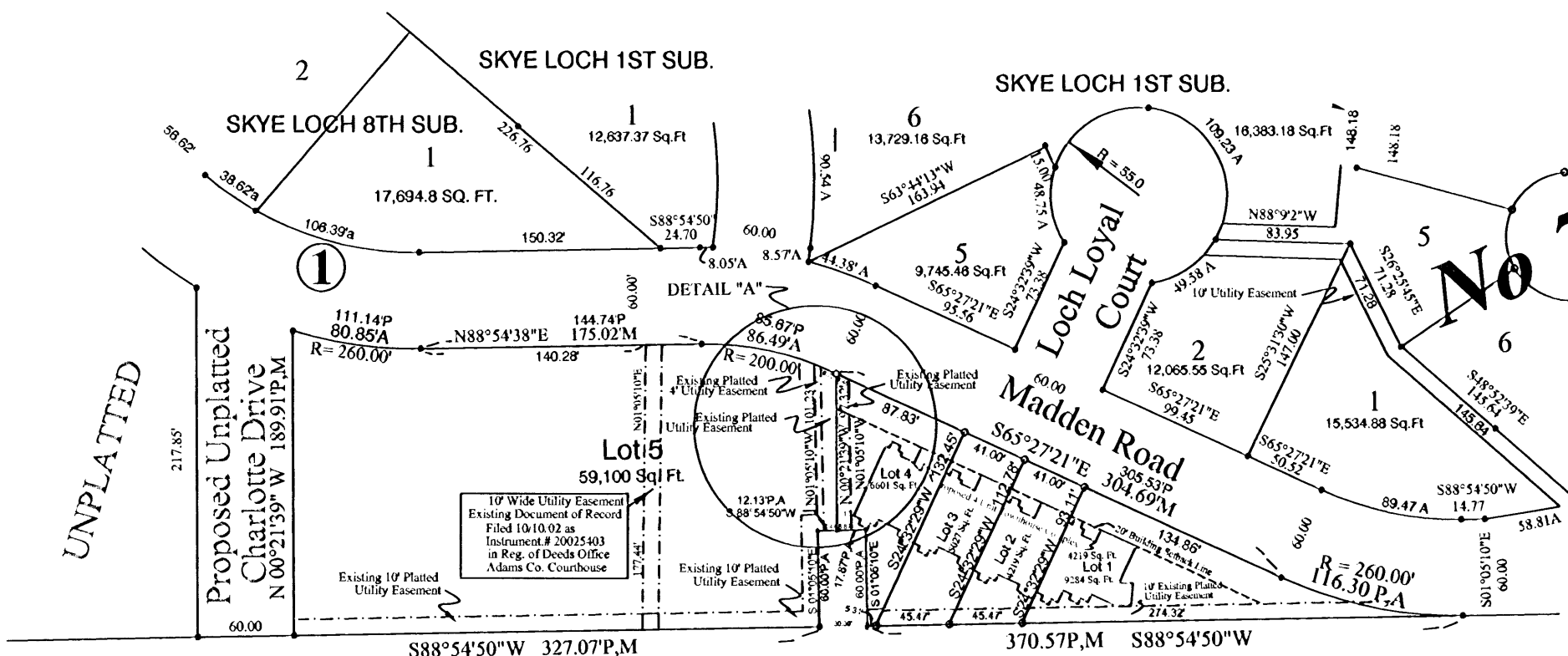
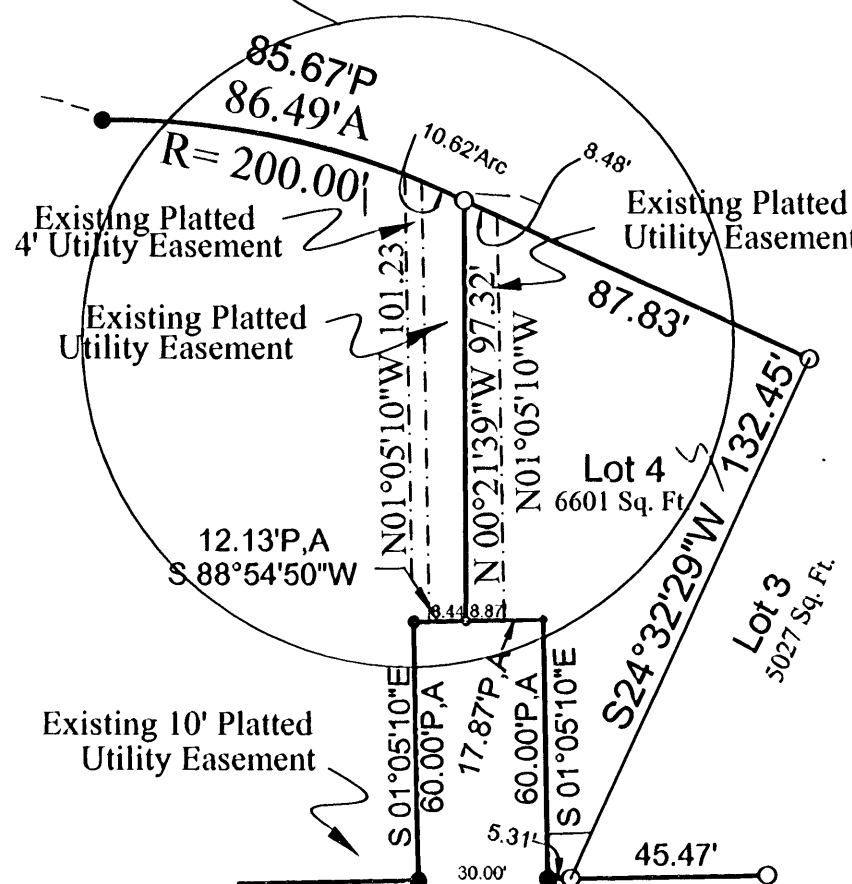
#### WAIVER

The undersigned have found and determined that the location of easements upon the foregoing plat is unnecessary and that it is appropriate to waive, and they do hereby waive the easement requirements of Hastings City code Section 38-114 ( Ordinance No. 2882)

By: Martin Schulteis  
Manager, Hastings Utilities

By: David L. Walker  
Hastings City Engineer

#### DETAIL "A"



SW 1/4 OF SEC. 25, T8N-R10W  
UNPLATTED

#### CITY TREASURER CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES OR SPECIAL ASSESSMENTS DELINQUENT ON THE PROPERTY DESCRIBED IN THE "LEGAL DESCRIPTION" ON THIS PLAT AS OF THIS 24<sup>th</sup> DAY OF August, 2006.

Barbara Adler  
HASTINGS CITY TREASURER

#### COUNTY TREASURER CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO TAXES DUE OR DELINQUENT ON THE PROPERTY DESCRIBED IN THE "LEGAL DESCRIPTION" ON THIS PLAT AS OF THIS 24<sup>th</sup> DAY OF August, 2006.

Roxie Davis  
ADAMS COUNTY TREASURER



#### REGISTRAR OF DEEDS CERTIFICATE

STATE OF NEBRASKA } SS

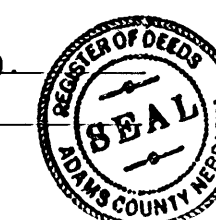
COUNTY OF ADAMS

THIS PLAT OF "SKYE LOCH 12TH SUBDIVISION" HAS BEEN FILED FOR RECORD ON:

DATE: August 28, 2006 TIME: 4:08 p.m.

INSTRUMENT NO: 20063879

Annie M. Hinton  
REGISTRAR OF DEEDS



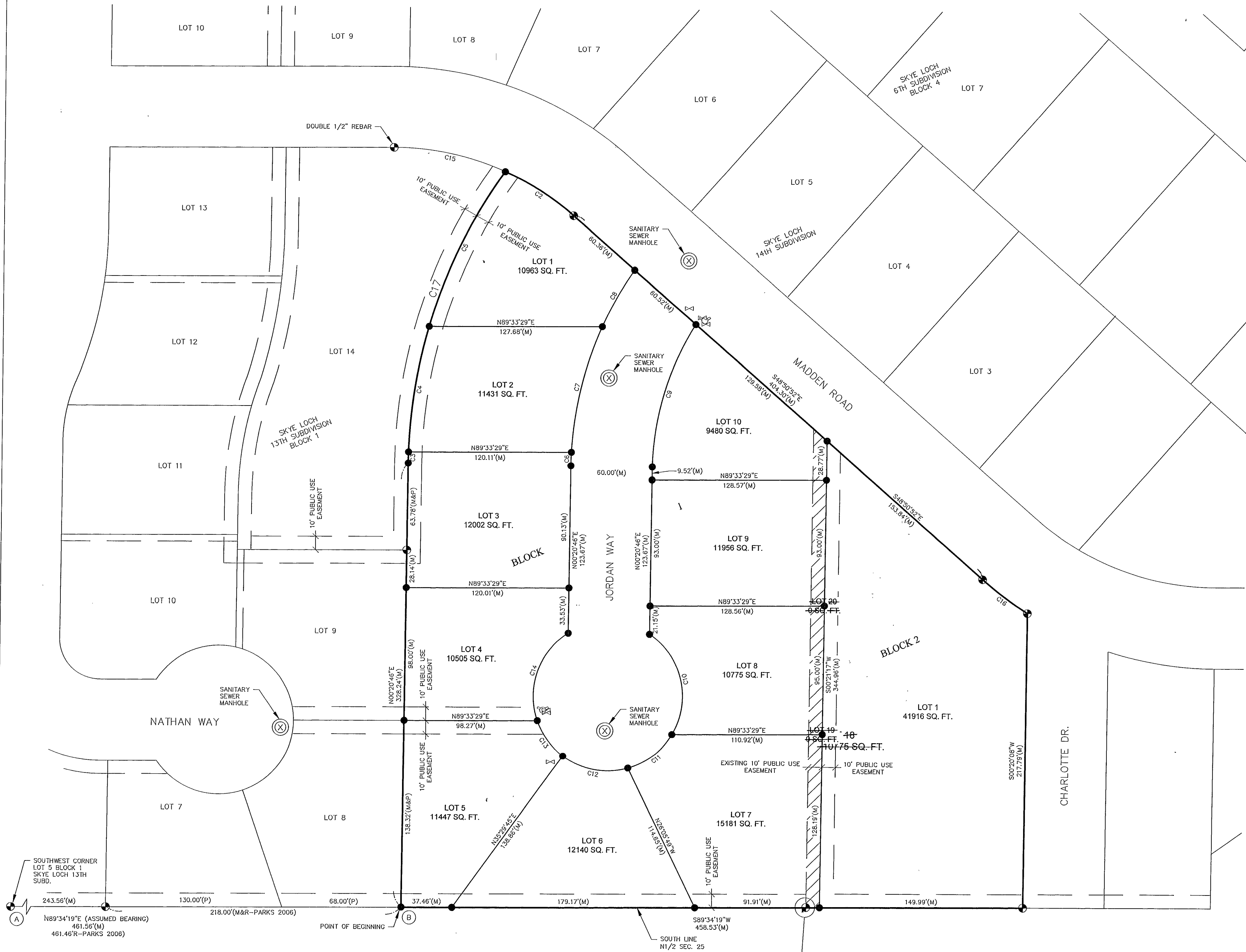
SEAL

SKYE LOCH 12TH SUB.  
ADMINISTRATIVE PLAT

BENCHMARK 2000 SURVEYING  
3211 Village Drive, Hastings, NE 68901  
Phone 402-463-3647 Cell 402-460-8431



FINAL PLAT  
SKYE LOCH 15TH SUBDIVISION  
A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA  
LOCATED IN THE NORTH ONE HALF (1/2) OF SECTION 25  
TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE SIXTH P.M., CITY OF HASTINGS,  
ADAMS COUNTY, NEBRASKA



| CURVE DATA |           |            |            |              |            |
|------------|-----------|------------|------------|--------------|------------|
| CURVE      | DELTA     | RADIUS     | LENGTH     | CHD BRC      | CHD        |
| C2         | 171°19'   | 200.00'(M) | 60.35'(M)  | S57°26'54\"E | 60.12'(M)  |
| C3         | 171°11'   | 378.56'(M) | 8.17'(M)   | S00°57'32\"W | 8.17'(M)   |
| C5         | 192°3'08' | 378.56'(M) | 128.08'(M) | S25°33'44\"W | 127.47'(M) |
| C6         | 2°06'36'  | 268.50'(M) | 9.89'(M)   | N01°26'32\"E | 9.89'(M)   |
| C8         | 10°16'03' | 268.50'(M) | 48.12'(M)  | N29°12'08\"E | 48.05'(M)  |
| C9         | 30°35'37' | 208.50'(M) | 111.33'(M) | S18°26'02\"W | 110.01'(M) |
| C10        | 86°57'24' | 55.00'(M)  | 83.47'(M)  | S13°07'11\"E | 75.69'(M)  |
| C11        | 43°33'59' | 55.00'(M)  | 41.82'(M)  | S52°08'31\"W | 40.82'(M)  |

| CURVE DATA |           |            |            |              |            |
|------------|-----------|------------|------------|--------------|------------|
| CURVE      | DELTA     | RADIUS     | LENGTH     | CHD BRC      | CHD        |
| C12        | 52°46'31' | 55.00'(M)  | 50.66'(M)  | N79°41'14\"W | 48.89'(M)  |
| C13        | 33°48'21' | 55.00'(M)  | 32.45'(M)  | N36°23'48\"W | 31.98'(M)  |
| C14        | 76°47'03' | 55.00'(M)  | 73.71'(M)  | N18°53'54\"E | 68.31'(M)  |
| C15        | 241°3'27' | 200.00'(M) | 84.56'(M)  | S78°12'17\"E | 83.93'(M)  |
| C16        | 9°15'22'  | 257.26'(M) | 41.56'(M)  | N53°17'58\"W | 41.52'(M)  |
| C17        | 34°54'11' | 378.56'(M) | 230.61'(M) | S17°46'12\"W | 227.06'(M) |

OWNER NAME AND ADDRESS:

SKYE LOCH LLC  
C/O PATRICK J. RANDOLPH, MANAGER  
1336 HIGHLAND DRIVE  
HASTINGS, NE 68901

ZONED R-1

PROPOSED USE: RESIDENTIAL HOUSING

LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN LOT 1, BLOCK 3, SKYE LOCH 8TH SUBDIVISION AND IN THE NORTH HALF OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE SIXTH P.M., CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 5, BLOCK 1, SKYE LOCH 13TH SUBDIVISION; THENCE N89°34'19\"E (ASSUMED BEARING) ON THE SOUTH LINE OF LOTS 5, 6, 7 AND 8 OF SAID SKYE LOCH 13TH SUBDIVISION, A DISTANCE OF 461.56 FEET TO THE SOUTHEAST CORNER OF LOT 8, BLOCK 1, SKYE LOCH 13TH SUBDIVISION AND THE POINT OF BEGINNING; THENCE N00°20'46\"E ON THE EAST LINE OF LOTS 8, 9 AND 14 OF SAID BLOCK 1, A DISTANCE OF 328.24 FEET TO A POINT OF CURVATURE; THENCE N00°20'46\"E ON THE EAST LINE OF SAID LOT 14, ON A 378.56 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 230.61 FEET TO THE NORTHEAST CORNER OF SAID LOT 14, THE CHORD OF SAID CURVE BEARS N17°48'12\"E, 227.06 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF MADDEN ROAD; THENCE SOUTHEASTERLY ON SAID SOUTHERLY RIGHT OF WAY LINE, ON A 200.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 60.35 FEET, THE CHORD OF SAID CURVE BEARS S57°26'54\"E, 60.12 FEET; THENCE S48°50'52\"E ON SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 404.30 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ON SAID SOUTHERLY RIGHT OF WAY, ON A 257.26 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 41.56 FEET, THE CHORD OF SAID CURVE BEARS S53°17'58\"E, 41.52 FEET; THENCE S00°20'08\"W ON THE WEST RIGHT OF WAY LINE OF CHARLOTTE DRIVE, A DISTANCE OF 217.79 FEET; THENCE S89°34'19\"W ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 25, A DISTANCE OF 458.53 FEET TO THE POINT OF BEGINNING, CONTAINING 4.19 ACRES, MORE OR LESS.

OWNER'S CERTIFICATE AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS, THAT SKYE LOCH LLC, A NEBRASKA LIMITED LIABILITY COMPANY, THE OWNER OF RECORD OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "SKYE LOCH 15TH SUBDIVISION", A SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, LOCATED IN THE NORTH ONE HALF (1/2) OF SECTION 25, TOWNSHIP 8 NORTH, RANGE 10 WEST OF THE SIXTH P.M., 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. BE IT FURTHER KNOWN, THAT SAID OWNER DOES HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

SIGNED THIS 2nd DAY OF July, 2015.

SKYE LOCH LLC

Mary Jo Randolph  
MARY JO RANDOLPH, WIFE

Patrick J. Randolph  
PATRICK J. RANDOLPH, HUSBAND

WAIVER:

APPLICANT HEREBY WAIVES 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 2nd DAY OF July, 2015.

SKYE LOCH LLC

Mary Jo Randolph  
MARY JO RANDOLPH, WIFE

Patrick J. Randolph  
PATRICK J. RANDOLPH, HUSBAND

ACKNOWLEDGEMENT

STATE OF Nebraska }  
COUNTY OF Adams } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE 2nd DAY OF July, 2015, BY MARY JO RANDOLPH, WIFE AND PATRICK J. RANDOLPH, HUSBAND, MANAGERS OF SKYE LOCH LLC, KNOWN BY ME PERSONALLY TO BE THE IDENTICAL PERSONS WHOSE NAMES ARE AFFIXED TO THE OWNERS CERTIFICATE AND ON THE WAIVER ON THIS PLAT AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE KNOWN, THAT SAID OWNER DOES HEREBY DEDICATE ALL STREETS AND EASEMENTS SHOWN ON THE PLAT TO THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

MY COMMISSION EXPIRES THE 8th DAY OF May, 2019.

GENERAL NOTARY - State of Nebraska  
Terry J. Schellkopf  
My Comm. Exp May 8, 2019

NOTARY PUBLIC

FLOOD PLAIN NOTE:

NO PORTION OF THE PROPERTY SHOWN ON THIS FINAL PLAT IS LOCATED WITHIN THE 100-YEAR FLOOD HAZARD ZONE "A" ACCORDING TO THE FLOOD HAZARD BOUNDARY MAPS AS PROVIDED BY THE U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT, FEDERAL INSURANCE ADMIN.

SURVEYOR'S REPORT:

EXISTING MONUMENTS OF RECORD WERE FOUND AT LOCATIONS SHOWN ON THIS PLAT. ALL MONUMENTS FOUND ARE A 1/2\" REBAR WITH A PLASTIC CAP STAMPED "RS PARKS LS 287", UNLESS NOTED OTHERWISE. ALL MONUMENTS SET ARE A 5/8\"x24\" REBAR WITH A PLASTIC CAP STAMPED "KRUEGER L.S. 448\".

ALL LINES WERE PRODUCED AND ANGLES AND DISTANCES MEASURED WITH A TRIMBLE GPS R8, A TRIMBLE S6 ROBOTIC TOTAL STATION, AND A 100 FOOT STEEL TAPE.

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  
THOMAS L. KRUEGER, 448



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 2nd DAY OF July, 2015.  
Barbara Shaw, Deputy  
ADAMS COUNTY TREASURER



MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF SKYE LOCH 15TH SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, IS HEREBY APPROVED.  
Dated this 2nd DAY OF July, 2015.  
Mayor: [Signature]  
City Clerk: [Signature]



CITY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE RECORDS OF MY OFFICE SHOW NO SPECIAL ASSESSMENTS ARE DELINQUENT UPON THE PROPERTY DESCRIBED IN THE LEGAL DESCRIPTION ON THIS PLAT.

Barbara Shaw  
CITY OF HASTINGS TREASURER

CITY PLANNING COMMISSION RECOMMENDATION

THIS PLAT OF SKYE LOCH 15TH SUBDIVISION IN 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 AS PROPOSED. DATED THIS 2nd DAY OF July, 2015.

Chairman: [Signature]  
Director: [Signature]

CITY SURVEYOR'S APPROVAL

I, THE UNDERSIGNED, DO HEREBY APPROVE THIS PLAT OF SKYE LOCH 15TH SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

Robert B. Harrison  
CITY SURVEYOR

CITY ENGINEER'S APPROVAL

I, THE UNDERSIGNED, DO HEREBY APPROVE THIS PLAT OF SKYE LOCH 15TH SUBDIVISION IN THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA.

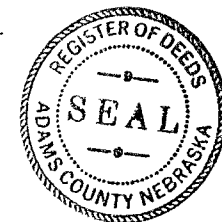
David J. Wacker  
CITY ENGINEER

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA }  
COUNTY OF ADAMS } SS

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.  
DATE: July 10, 2015 TIME: 1:50 PM INSTRUMENT NO: 20152232

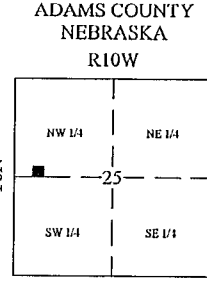
Chris M. Dinton  
REGISTER OF DEEDS



- LEGEND
- MONUMENT FOUND
  - MONUMENT SET
  - CALCULATED POINT
  - D DEEDED DISTANCE
  - G GOVERNMENT DISTANCE
  - M MEASURED DISTANCE
  - P PLATTED DISTANCE
  - R RECORDED DISTANCE

GRAPHIC SCALE

VICINITY SKETCH



NOTE: ALL BEARINGS ARE ASSUMED.

PROJECT NO. R150275  
DATE 3/11/2015  
DRAWN BY AJG  
FILE NAME 150275 Plat.dwg  
FIELD BOOK ADAMS CO #38  
FIELD CREW TKJG  
SURVEY FILE NO.  
REVIEW BY  
REVIEW DATE  
REVISIONS