

HASTINGS PLANNING COMMISSION

A meeting of the Hastings Planning Commission has been scheduled for Tuesday, December 17, 2024 at 4:00 PM At the Hastings Municipal Airport 3300 W 12th St, 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, December 7, 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 October 15, 2024
7. Public Hearings.
 - a. **2024-613.** Public hearing for a change of zoning for a 3.91-acre tract of land commonly addressed as 410 North Adams Central Avenue, Adams County, Nebraska, from A, Agricultural District to I-1, Light Industrial District, and to amend the Official Zoning District Map.

Motion to recommend approval for an ordinance and the amendment to the Official Zoning District Map to rezone property commonly addressed as 410 North Adams Central Avenue, Adams County, Nebraska, from A, Agricultural District to I-1, Light Industrial District.
8. Subdivisions
 - a. **2024-614.** Preliminary/Final Plat for Kevin Burr Subdivision, in the Southwest Quarter of Section 9, Township 7 North, Range 10 West of the 6th P.M., within the extraterritorial jurisdiction of the City of Hastings, Adams County, Nebraska.
 - b. **2024-615.** Preliminary/Final Plat for Gartner Farms Third Subdivision, in the Southwest Quarter of the Southeast Quarter of Section 20, Township 8 North, Range 9 West of the 6th P.M., within the extraterritorial jurisdiction of the City of Hastings, Adams County, Nebraska.
9. Reports
 - a. Committee Reports
 - b. Chairman Comments
 - c. Staff Reports

Adjourn

CITY OF HASTINGS, NEBRASKA
MINUTES OF PLANNING COMMISSION
TUESDAY, OCTOBER 15, 2024

Pursuant to due call and notice thereof, a meeting of the Hastings Planning Commission was conducted in the Hastings Municipal Airport, 3300 W 12th Street, Hastings, Nebraska on October 15, 2024.

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

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

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

First Vice Chair Hinton called for a motion to adopt the current agenda for the October 15, 2024, meeting. Moved by Sinner, seconded by Srivastava, to adopt the current agenda. Ayes: Hoffman, Sinner Stutzman, Hinton, Rosenberg, Srivastava and Rossi. Nays: None. Motion carried: 7-0.

PUBLIC NOTICE - Official Notice of the Regular Meeting was published in the Hastings Tribune on Saturday, October 12, 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 September 17, 2024

First Chair Hinton called for a motion to approve the September 17, 2024, minutes. Moved by Hoffman, seconded by Rosenberg. Roll Call: Ayes: Hoffman, Stutzman, Hinton, Srivastava, Rosenberg, and Rossi. Nays: None. Abstain: Sinner. Motion Carried: 6-0-1.

First Chair Hinton read the Public Hearing Rules.

First Chair Hinton opened the Public Hearing.

a. 2024-394 Public hearing for a change of zoning for Lot 1, Block 4, Lochland Meadows Subdivision Number Two, generally located to the

northwest of the intersection of West Lochland Road and Pintail Avenue, from R-1, Urban Single-Family District to R-2, Mixed Density Neighborhood District, and to amend the Official Zoning District Map. Batelaan gave the Staff Report to consider the request for a change of zoning from R-1, Urban Single-Family Residential District to R-2, Mixed Density Neighborhood District on Lot 1, Block 4, of Subdivision Number 2, and to amend the Official Zoning District Map. The Staff is recommending that the Planning Commission recommend approval to the City Council based on the findings in the staff report.

With no one speaking, First Chair Hinton declared the public hearing closed and called for a motion to consider the request for a change of zoning from R-1 Urban Single Family Residential District to R-2, Mixed Density Neighborhood District, and to amend the Official Zoning District Map and recommend it to the City Council. Sinner moved to recommend approval. Hoffman seconded the motion. Roll Call: Ayes: Rosenberg, Rossi, Hoffman, Stutzman, Sinner, Srivastava and Hinton. Nays: None. Motion carried: 7-0.

First Chair Hinton opened the Public Hearing.

b. 2024-407 Public hearing to consider a request for Plan Modification No. 2024-8 to Redevelopment Area #5 for the Cedar Park Redevelopment project. The area of redevelopment is approximately 3.67 acres and is generally located to the southeast of the intersection of East D Street and South Cedar Avenue in the City of Hastings, Adams County, Nebraska. Batelaan provided the Staff Report to consider a request for Plan Modification No. 2024-8 to Redevelopment Area #5. This project is in the long-term best interest of the community. The Staff is recommending that the Planning Commission recommend approval to the City Council based on the findings in the staff report for the Redevelopment Plan Modification.

Ed Fleharty, 511 S. Rhode Island, asked if there was an artist rendering of the project and what it would look like. Will they look like properties on E Street and H Street, it seems like they are the same owners as those townhomes, and would they be locally managed?

Evan Clark, Developer-Hoppe Development, 3224 Greta Dr, Roca, NE. The development on Cedar and D Street will be a mixed-income project. There will be 58 total units and two co-located projects. One individual must be 55 or older. Clark also discussed the second project on the right, the workforce housing project. The majority would be without any income requirements. Clark gave a general overview of the project and appreciated the questions. Clark answered Fleharty's question by saying they do not have any projects or properties in the City of Hastings. They do have similar projects in the area, being a developer out of Lincoln, most of their projects are statewide. Some are in Grand Island and Lexington. Clark stated their projects have their own property management

and construction team, so they are involved from day one through construction, management, and compliance, having management on-site with maintenance for any issues. Clark said they take pride in their projects and their looks as well.

Hinton asked Clark if they would have basements. Clark said no, just slabs. Hinton said Clark mentioned a clubhouse, will it have a basement? Clark said there are no basements, they typically have a safe area in their developments. With the Commission's recommendation, they can incorporate something like that. Hinton said her concern was a safe area, living in Nebraska.

Rosenberg said there is some paving in your budget and asked Clark would South Cedar Avenue be paved as well. Clark said yes, it will be paved.

Hoffman asked what the timeline was for Project A and B. Clark said Project A and B would be done at the same time. Construction will start in the Spring of 2025 and then probably a 12–14-month completion, available for occupancy in the Spring of 2026.

Stutzman's question to either Chick or Bunger, was can you explain what the standard is for how many Tax Increment Financing Projects the community could sustain? She feels it's a piece that leads to misunderstanding.

Randy Chick, 520 W 2nd St #200, on behalf of the Community Redevelopment Authority, Director. Chick thanked the Commission for the opportunity to talk about Tax Increment Financing again, saying it's interesting, how occasionally, we have a flurry of activity, and this year has been a flurry. 2024-8 represents the 8th TIF Project we brought to the Commission in 2024. Last year, there was one. Over 36-plus years, they averaged about three a year, and in 1994, there were twelve. Chick spoke on the percentages for each community, Hastings using the least. As a community we always talk about growth, and communities around us are utilizing TIF more than we are, or at least at a higher percentage, maybe that is one of the reasons we aren't growing, we haven't been utilizing it enough. This year is an exception, he doesn't anticipate this same kind of activity next year.

Hoffman asked Vrooman if there were any reasons to look at traffic with this development. Vrooman stated that with the highway project coming through, there is no way to know which direction people will leave from the development. If they see something, they will address it then.

Sinner said he knew where Mr. Fleharty was going, and asked Clark if they contract the management or do, they have it in-house. Clark answered that it was in-house. Sinner said so, you know what is going on in Hastings, on any given day through your manager. Clark clarified yes.

Rosenberg asked Vrooman about the State project that is going to happen at D and Elm, has the state considered a traffic signal there with Good Samaritan and

everything?

Vrooman said to his understanding, until it warrants the need for a traffic signal, the State would be reluctant to put one up.

First Chair Hinton declared the public hearing closed and called for a motion to consider the request for Plan Modification No. 2024-8 to Redevelopment Area #5 and recommend it to the City Council. Rosenberg moved to approve Plan Modification No 2024-8, seconded by Sinner. Roll Call: Ayes: Rosenberg, Rossi, Hoffman, Stutzman, Sinner, Srivastava and Hinton. Nays: None. Motion carried: 7-0.

Work Session

- a. **Work Session to discuss draft of Zoning Regulations Updates. The draft regulations include a rewrite of Sec. 34-309.Signs., Sec. 34-314. Small wind energy systems, and Article VI-Nonconformities.** Bunger discussed the staff's work of updating three of areas of the Zoning Code, including the Sign Code (Sec. 34-309), Nonconformities (Art. VI), and Small Wind Energy Systems (Sec. 34-314). The Commission provided feedback for each the proposed draft regulations.

b. Presentation of One and Six-Year Street Improvement Plan.

Vrooman provided a brief overview of the One and Six-Year Street Improvement Plan. The Commission asked questions about upcoming projects and provided feedback on the engineering project plan.

Reports

- a. **Committee Reports:** Hoffman asked how Bunger felt recent open house for the Comprehensive Plan. Bunger said that they received good comments and feedback from those in attendance. Bunger also mentioned that the adoption of the Comprehensive Plan will be delayed until after the first of the year to allow the new City Council to be seated and informed.
- b. **Chairman Comments:** None.
- c. **–Staff Reports:** Bunger said we are busy with Grants, including grant applications for an EPA Brownfields Cleanup Grant for the former Hastings Middle School, a US DOT grant for multi-modal connectivity, and the City should hear back soon about the CDBG Infrastructure grant for K & K Manufactured Home Park.

Bunger noted that several of the planning projects approved this spring and summer have applied for building permits and construction is set to begin in the upcoming month.

Hoffman asked if the school districts were informed of the recent residential developments approved? Bunger noted the public hearing requirements for the redevelopment plan modification process for tax increment financing includes notifying the school district the site is within, as well as other taxing entities. Bunger also noted recent comments made by a School Superintendent at a recent public hearing about the plan modification.

Rosenberg asked about the delay of the Elm 26 rezoning ordinance at the City Council. Bunger responded that there was a technical issue with the legal description that needed time to get corrected. The item should pass at the next Council meeting.

Hoffman noted that the City Council Meeting seemed receptive to the 180-day validation period for conditional use. Hoffman reiterated his support for the validation period to make sure projects move along.

Batelaan spoke about the Downtown Creative District Project that is nearing completion, hoping to submit it in the upcoming week.

Murphy reported a brief update on Delegated Authority and construction projects happening throughout the City.

Bunger let the Commission know that after 32 ½ great years working for the City of Hastings, Teri Schelkopf retired on October 4th. Bunger thanked her dedication to the City of Hastings and the Development Services Department. Sinner also thanked Teri as he worked with her from day one, and she was very dedicated.

Adjourn

First Chair Hinton called for a motion to adjourn at 5:15 p.m. Moved by Sinner to adjourn, seconded by Hoffman. Roll Call: Ayes: Rosenberg, Rossi, Hoffman, Hinton, Sinner, Srivastava, and Stutzman. Nays: None. Motion carried 7-0.

First Vice Chair Hinton

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 12/17/2024
File No: 2024-613
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicants, Kevin and Todd Burr have applied to rezone a 3.91-acre tract of land, commonly addressed as 410 N. Adams Central Avenue, from A, Agricultural District, to I-1, Light Industrial District, to prepare for a subdivision to divide the land dedicated to an existing contractor business from the rest of the large agricultural parent tract. The property is outside of the City limits but within the City's Extraterritorial Jurisdiction. The property is not proposed to be annexed.

Names of People/Business affected by this action:

The applicants, 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 January 13, 2025.

Department head comments:

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

Recommendation:

Staff recommends that the Planning Commission recommend **APPROVAL** of the request to **REZONE** the 3.91-acre tract of land, commonly addressed as 410 North Adams Central Avenue, Adams County, Nebraska from A, Agricultural District, to I-1, Light Industrial District, to the City Council, based on the findings in the staff report.



City of Hastings Planning Commission

STAFF REPORT

Request to Rezone: From A, Agricultural District to I-1, Light Industrial District

File No. #2024-613

Applicant Kevin and Todd Burr

Property Location: 410 North Adams Central Avenue

Lot Size: 3.91 acres

Date of Public Hearing: December 17, 2024

Current Zoning A, Agricultural District

Adjacent Zoning: North: A District
East: A District
South: A District
West: A District



DESCRIPTION OF REZONING REQUESTS: The applicants have proposed subdividing the 3.91-acre tract from the larger parent tract (68.8 acres) used for agriculture. The new lot is the location of Burr Dirt, LLC, a local contractor, present on the site since the 1960s.

As part of the subdivision process, the site must be rezoned to accommodate the existing industrial use. The applicant has selected the I-1, Light Industrial District, which generally permits industrial uses. Please see the corresponding staff report for more information about the Preliminary/Final Plat.

The site is within the City of Hastings Extraterritorial Jurisdiction but will not be annexed into the City limits.

Property Description: The rezoning site is generally flat with a large (~8,000 square foot) metal building, smaller accessory buildings, and a large gravel parking lot for trucks, earth-moving equipment, and material storage.

At the north end of the new lot and along its east side is a mapped Floodway and Zone AE, 1% Annual Chance Floodplain (100-year flood), that follows Pawnee Creek. Generally, no development is allowed in the Floodway per Section 34-216 of the Zoning Regulations. The existing development appears to have remained outside this high-risk flood area.

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 applicants wish to subdivide the industrial land from the larger agricultural tract as described. The new 3.91-acre lot will continue to be used for its industrial use as a contractor business. The existing building was constructed in the late 1960s for the Burr Dirt, LLC business.

The site is generally flat with a FEMA mapped Floodway and Zone AE, 1% Annual Change Floodplain to the north and east sides of the new lot. The existing development appears to have remained outside of these mapped flood zones.

The site appears to have been zoned A District since the County and City established its zoning regulations. As part of the larger agricultural tract, the use conforms with the zoning regulations. However, when subdivided, as proposed, the site must be rezoned. The minimum lot size in the A District is 5 acres. The proposed rezoning better aligns with

the existing use of the 3.91-acre property and meets the minimum lot size requirements of the I-1 District.

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

The 2009 Imagine Hastings Comprehensive Plan Future Land Use Map shows the site as Rural Residential. The policy statements for this land use classification are:

This category provides for large-lot and estate residential development. This category is intended to allow for flexibility of choice for individuals preferring a rural residential environment. Densities associated with this type of development are generally in the 1 unit per 5 acres and greater range. This category can be adjacent to the higher intensity residential uses including suburban and urban. Development in this area should not expect the full range of municipal services (water, sewer, paved streets, etc.) to be delivered, unless located adjacent to existing or planned services that can logically and cost-effectively be expanded in the future. Ultimately, the development pattern in this area is intended to retain its rural character and in areas close to urban services should not hinder the future growth and development of the city at greater intensities. A “build through” methodology to address currently rural areas that are identified for future suburban and/or urban development should be used. This methodology allows for interim residential development to occur until a property is ready for its ultimate development pattern as defined by this plan. Cluster development within rural areas can also be accommodated under the build through development methodology. (Clustering is defined in the Development section of this Chapter.) The build through development approach will be defined in the zoning ordinance.

The rural residential category can accommodate a higher intensity of residential development known as “cluster development.” Net densities of 1+ unit(s)/acre can be achieved through clustering residential units on a portion of land and leaving the remaining land undeveloped. Clustering can assist in protecting the natural and rural character of portions of Adams County through environmentally sensitive development. The key to clustering is the provision/availability of utilities to serve the development. This is a particularly useful practice in areas where the agricultural uses, floodplains and other inherent environmental qualities impact the amount of developable land.

The land use classification reflects the anticipated growth around the City of Hastings by accommodating large estate lots or exurban residential developments usually found on the city's outskirts. However, this land use designation does not accommodate the existing industrial use of the site. The 2009 Comprehensive Plan did not account for the fine-grained land uses in this area.

Although the proposed rezoning does not exactly match the Comprehensive Plan, it does reflect the use that has been on the site since the late 1960s.

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

The site is served by private water and septic systems. Public electricity is provided along North Adams Central Avenue and serves the site. Natural gas is in the general area but is not provided to the site. The site is accessed from North Adams Central Avenue via an existing driveway.

The private and public infrastructure appears to appropriately serve the site.

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

The nearby properties can be characterized as a mix of ag land, industrial uses, and large lots or exurban residential uses. The Adams County Public Works Department building is west of the site. To the south, east, and north of the site are agriculture uses consisting of row crops and pastureland. Further to the north and the southwest of the site are large lot single-family homes.

The surrounding area is currently zoned A, Agricultural District.

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

The proposed zoning change should be compatible with the surrounding properties. As previously described, the industrial use as a contractor business on the site was established in the late 1960s. The Adams County Public Works Department site to the west is a similar use.

The other surrounding properties are either large tracts of agricultural land or single-family estate lots. Most of the single-family homes in the area were built in the mid- to late-1980s. The existing use on the site does not adversely affect the surrounding properties.

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

STAFF COMMENTS: Staff recommends the Planning Commission **APPROVE** the Request to Rezone the property at 410 North Adams Central Avenue, from A, Agricultural District to I-1, Light Industrial District.

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

DATE: December 3, 2024

ATTACHMENTS:

1. Rezoning Application
2. Preliminary/Final Plat of the Kevin Burr Subdivision
3. 2009 Imagine Hastings Comprehensive Plan Future Land Use Map
4. FEMA Digital Flood Insurance Rate Map of the area



Permit #: 23108

Permit Date: 11/15/24

Permit Type:

GROUP: Planning

Permit Type: Preliminary / Final Plat

Title: Burr Subdivision

Site Address: 410 N ADAMS CENTRAL AVE

Parcel Number: 010003134

Owner Name:

Owner Address:

City State Zip:

Owner Phone:

Owner Email:

Applicant Name: TODD BURR

Applicant Address: 4785 HIGHLAND ROAD

City, State, Zip: HASTINGS, NE 68901

Phone Number: 402-460-0162

Applicant Email: burrrpad@gmail.com; burrdirtllc@gmail.com

Proposed Use: COMMERCIAL

Description: SEPARATE BUILDINGS FROM REMAINING PROPERTY

Number of Cases: 0

Project Cost: 0

Square Feet: 0

Within City Limits: No

Current Zoning: A, Agriculture

Current Zoning Explained:**Proposed Zoning:** I-1, Light Industrial**Conditions:****Conditions Defined:****1st PN & Agenda Send By (11:30):****1st PN & Agenda Due Date:****1st PN & Agenda Sent:****2nd PN & Agenda Send By (11:30):****2nd PN & Agenda Due Date:****2nd PN & Agenda Sent:****Sign / Website Posting - Post By:****Sign / Website Posting - Posted:****APO Letter - Send By:****APO Letter - Sent:****PC Approval - Date Approved:****PC Outcome Letter - Due:****PC Outcome - Completed:****CRA Approval - Meeting Date:****CRA Approval - Approved:****CC Packet - Goal Load Date:****CC Packet - Due Date:****CC Out/Admin Due Date:****CC Packet - Completed:****Stage:****CC Out/Admin - Completed:****ENG Meeting:****ENG Email:****Plat Track Review Email:****Communication Preferences:** call**Status:** Open**Assigned To:** Chad Bunger**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010003134			BURR DEANNE K		

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
11/21/2024	Public Works	Public Works & Streets have no concerns with the proposed subdivision.	Steve Riehle	Assigned

Fees

Fee	Description	Notes	Amount
Final Subdivision Plat Submitted with the Preliminary Plat	# of Lots		\$540.00
Subdivision Plats - 11" x 17"	Input # of Pages		\$28.00

Total**\$568.00****Attached Letters**

Date	Letter	Description
11/15/2024	Web Form - Plats Application	

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
11/22/2024	Todd Burr	1073422			\$568.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
12/05/2024	23406278-20241126_174105.pdf
12/05/2024	23406279-KEVIN BURR SUB PG 1 REV-120524.pdf
12/05/2024	23406280-KEVIN BURR SUB PG 2 REV-120524.pdf
12/05/2024	23406281-LEGAL DESCRIPTION.docx
12/05/2024	23406282-LETTER OF INTENT.docx
12/05/2024	23406277-KEVIN BURR SUB REV-120524_combined.pdf
11/27/2024	23341001-Burr Subdivision_City Edits.pdf
11/21/2024	23267659-Taxes Paid_Shari Brei_11-20-24.pdf
11/20/2024	23261983-24-11-14 Merged Preliminary-Final Burr Subdivision.pdf
11/15/2024	2467e185f2a32a1bd48f39eca69a272b_preliminary-final-plat-checklist_-_rev_1-13-23.pdf
11/15/2024	b8fa663468335725b8e7439ac29b8fc5_kevin_burr_sub_pg_2.pdf
11/15/2024	b621bec00dca9bf0ea56a66474e2850c_plats_application_-_city_of_hastings_nebraska.pdf
11/15/2024	29a12f54c06fc7e948395e2091b42668_kevin_burr_sub_pg_1.pdf

KEVIN BURR SUBDIVISION

PRELIMINARY/FINAL PLAT

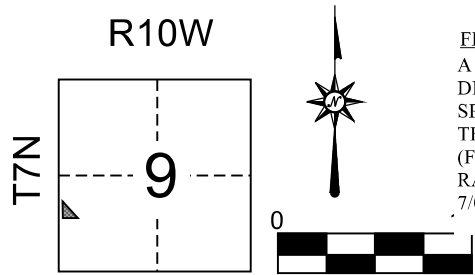
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

NW COR SW ¼ SEC 9-T7N-R10W
FOUND A SURVEY SPIKE IN THE ASPHALT

E 0.5' TO THE CENTERLINE OF THE ASPHALT OF ADAMS
CENTRAL AVENUE AS DRIVEN NORTH AND SOUTH
SE 84.52' TO A NAIL FOUND 3-FOOT ABOVE GROUND IN THE WEST
FACE OF A POWER POLE
SW 81.30' TO A NAIL IN A SHINER FOUND 6-FOOT ABOVE GROUND
IN THE SOUTHEAST FACE OF A POWER POLE
NW 43.35' TO A ¼-INCH DRILL HOLE SET IN THE WEST END OF A
36-INCH CORRUGATED METAL PIPE
NE 40.90' TO A ¼-INCH DRILL HOLE SET IN THE CENTER OF A
CONCRETE ABUTMENT ABOVE THE CENTER OF A
36-INCH CORRUGATED METAL PIPE

SW COR SEC 9-T7N-R9W
FOUND A SURVEY SPIKE IN THE ASPHALT

W 0.6 TO THE CENTERLINE OF THE ASPHALT OF ADAMS CENTRAL
AVENUE AS DRIVEN NORTH AND SOUTH
SE 61.19' TO A NAIL IN A BOTTLE CAP SET 2-FOOT ABOVE
GROUND IN THE NORTHEAST FACE OF A POWER POLE
SW 51.76' TO A NAIL (BENT) IN A SHINER FOUND 1-FOOT ABOVE
GROUND IN THE SOUTHEAST FACE OF A POWER POLE
NW 66.74' TO THE SOUTHEAST CORNER OF THE BASE OF A
TELEPHONE RISER
NE 70.05' TO A ¼-INCH DRILL HOLE SET IN THE EAST END OF A
CORRUGATED METAL PIPE

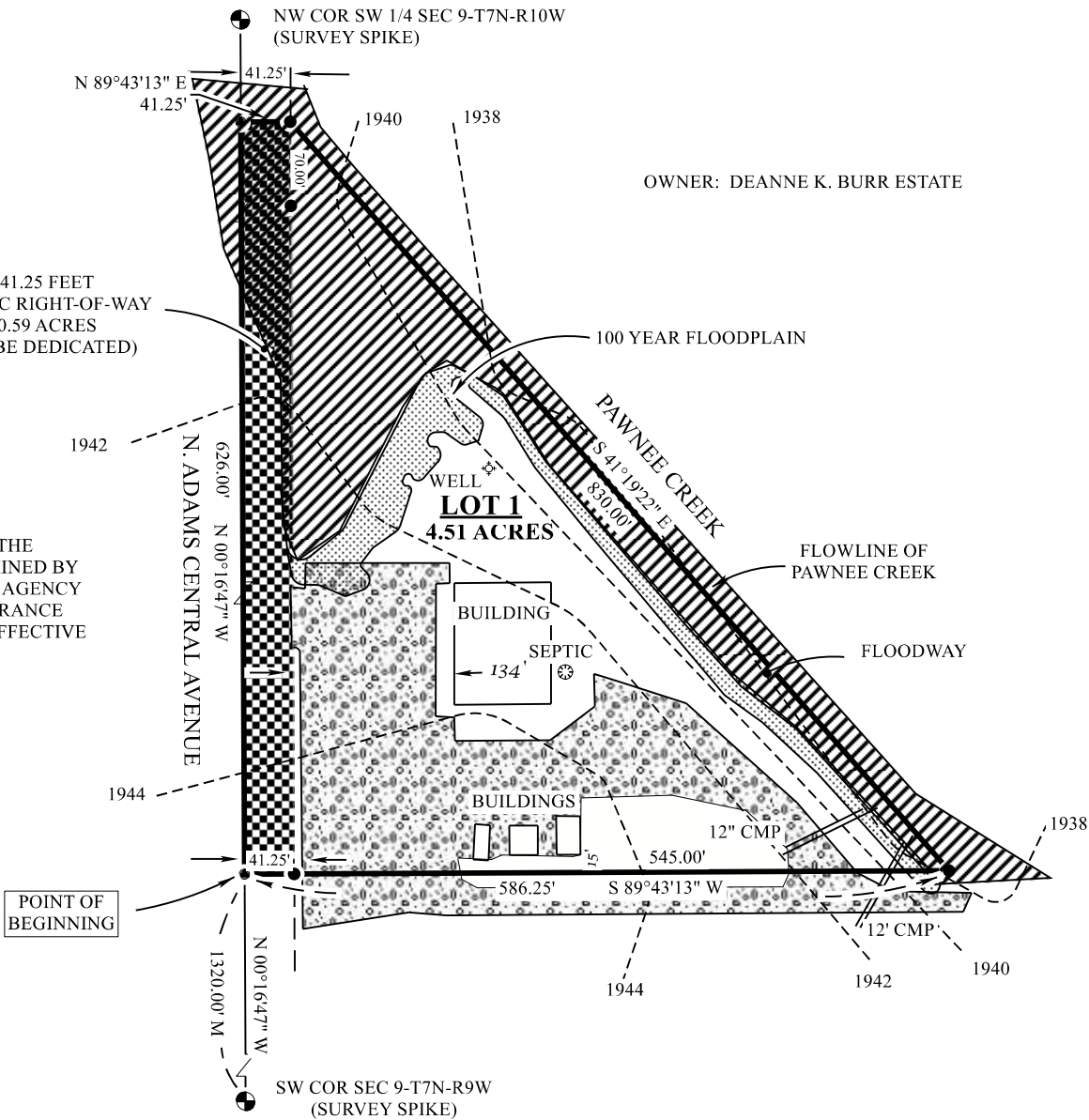


FLOOD PLAIN STATEMENT

A PORTION OF THE PROPERTY AS LEGALLY
DESCRIBED ON THIS PLAT MAY BE WITHIN THE
SPECIAL FLOOD HAZARD AREA AS DETERMINED BY
THE FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) AS INDICATED ON THE FLOOD INSURANCE
RATE MAP (FIRM) PANEL NO. 31001C0175C EFFECTIVE
7/05/2018.

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON ½" REBAR
⊙	SET MAGNETIC NAIL
⊕	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE
⊙	WELL
⊕	SEPTIC
+	CALCULATED CORNER - NOT MONUMENTED
▨	FLOODWAY
▨	100-YEAR FLOOD PLAIN
▨	CRUSHED ROCK
---	CONTOUR 88 DATUM
▨	DEDICATED RIGHT-OF-WAY



LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M., WITHIN THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS
COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT
THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE N00°16'47"W
(ASSUMED BEARING), ON THE WEST LINE OF THE SOUTHWEST QUARTER
OF SAID SECTION 9, A DISTANCE OF 1320.00 FEET TO THE POINT OF
BEGINNING; THENCE CONTINUING N00°16'47"W, ON SAID WEST LINE, A
DISTANCE OF 626.00 FEET; THENCE N89°43.13"E, PERPENDICULAR TO SAID
WEST LINE, A DISTANCE OF 41.25 FEET; THENCE S41°19'22"E, A DISTANCE
OF 830.00 FEET; THENCE S89°43'13"W, PERPENDICULAR TO THE WEST LINE
OF SAID SOUTHWEST QUARTER, A DISTANCE OF 586.25 FEET TO THE
POINT OF BEGINNING CONTAINING 4.51 ACRES, MORE OR LESS,
INCLUDING 0.59 ACRES, MORE OR LESS, OF RIGHT-OF-WAY TO BE
DEDICATED TO THE PUBLIC.

SURVEYOR'S CERTIFICATE

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

THOMAS L. KRUEGER | LS-448

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

FILE NAME		
SEC 9-T7N-R10W - ADAMS COUNTY		
SCALE 150 Ft/In	DATE 12-10-2024	DRAWN BY T. KRUEGER
JOB KLS-24078	FIELD WORK TK	SHEET 1 OF 2

KEVIN BURR SUBDIVISION
PRELIMINARY/FINAL PLAT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT TODD A. BURR, EXECUTOR OF THE DEANNE K. BURR ESTATE, OWNER(S) OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER, AND THAT THE FOREGOING ACTIONS ARE DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S),

SIGNED THIS _____ DAY OF _____, 20_____.

TODD A. BURR, EXECUTOR OF THE
DEANNE K. BURR ESTATE

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2024, BY
TODD A. BURR, EXECUTOR OF THE DEANNE K. BURR ESTATE.

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

NOTARY

CITY ENGINEER'S CERTIFICATE

THIS PLAT OF KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, 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

PLANNING COMMISSION RECOMMENDATION

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

CHAIRMAN

DIRECTOR

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

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_____.

TODD A. BURR, EXECUTOR OF THE
DEANNE K. BURR ESTATE

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED

THIS _____ DAY OF _____, 20_____.

MAYOR

CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
COUNTY OF ADAMS)

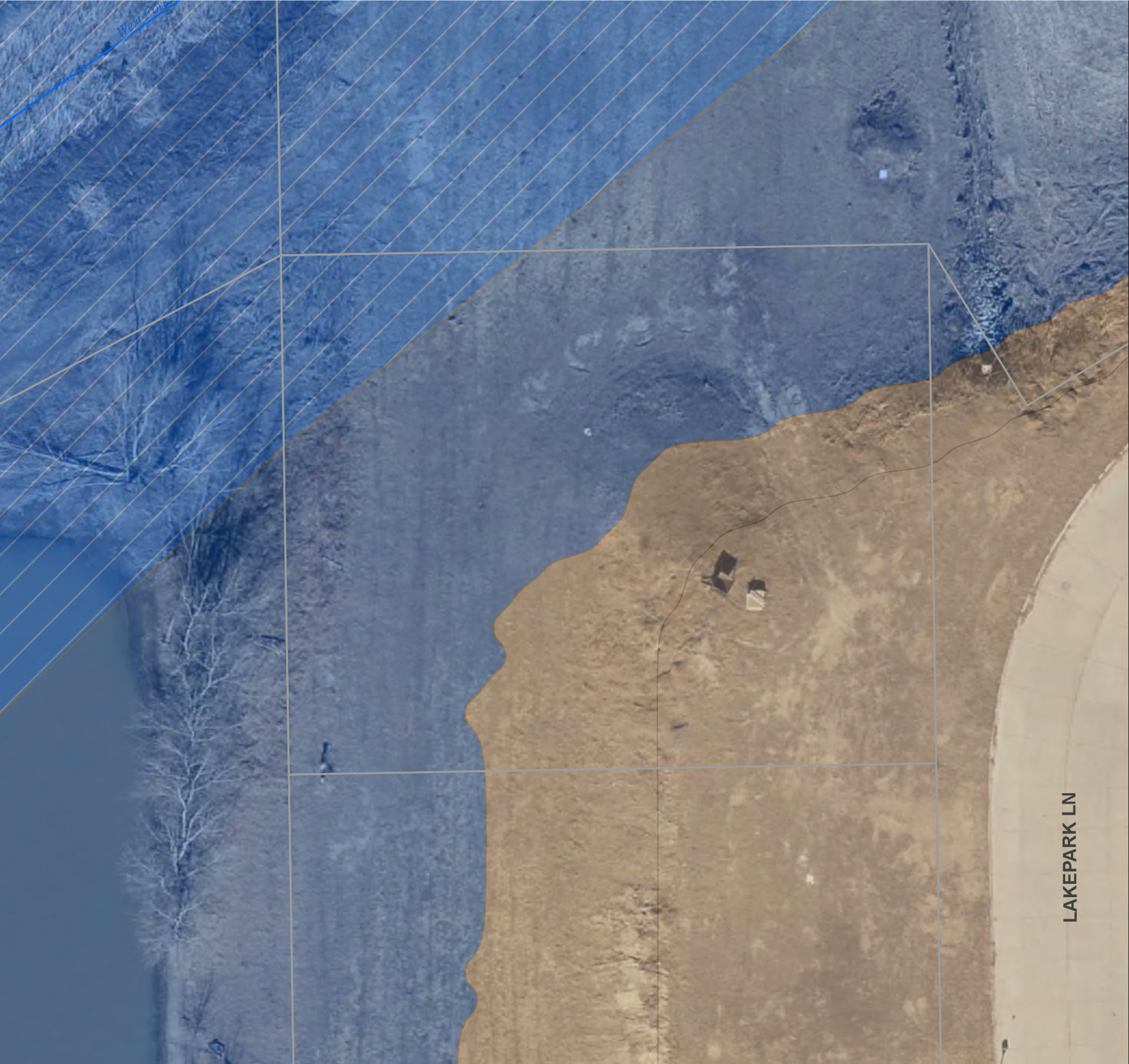
THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.

DATE: _____ TIME: _____ INSTRUMENT NO: _____

REGISTER OF DEEDS

FILE NAME SEC 9-T7N-R10W - ADAMS COUNTY		
SCALE 500 Ft/In	DATE 12-10-2024	DRAWN BY T. KRUEGER
JOB KLS-24078	FIELD WORK TK	SHEET 2 OF 2

Floodplain Information



 Lot 1

Special Flood Hazard Area

 1% Annual Chance Floodplain (approximate)

 1% Annual Chance Floodplain

 0.2% Annual Chance Floodplain

 FLOODWAY

Kevin Burr Subdivision



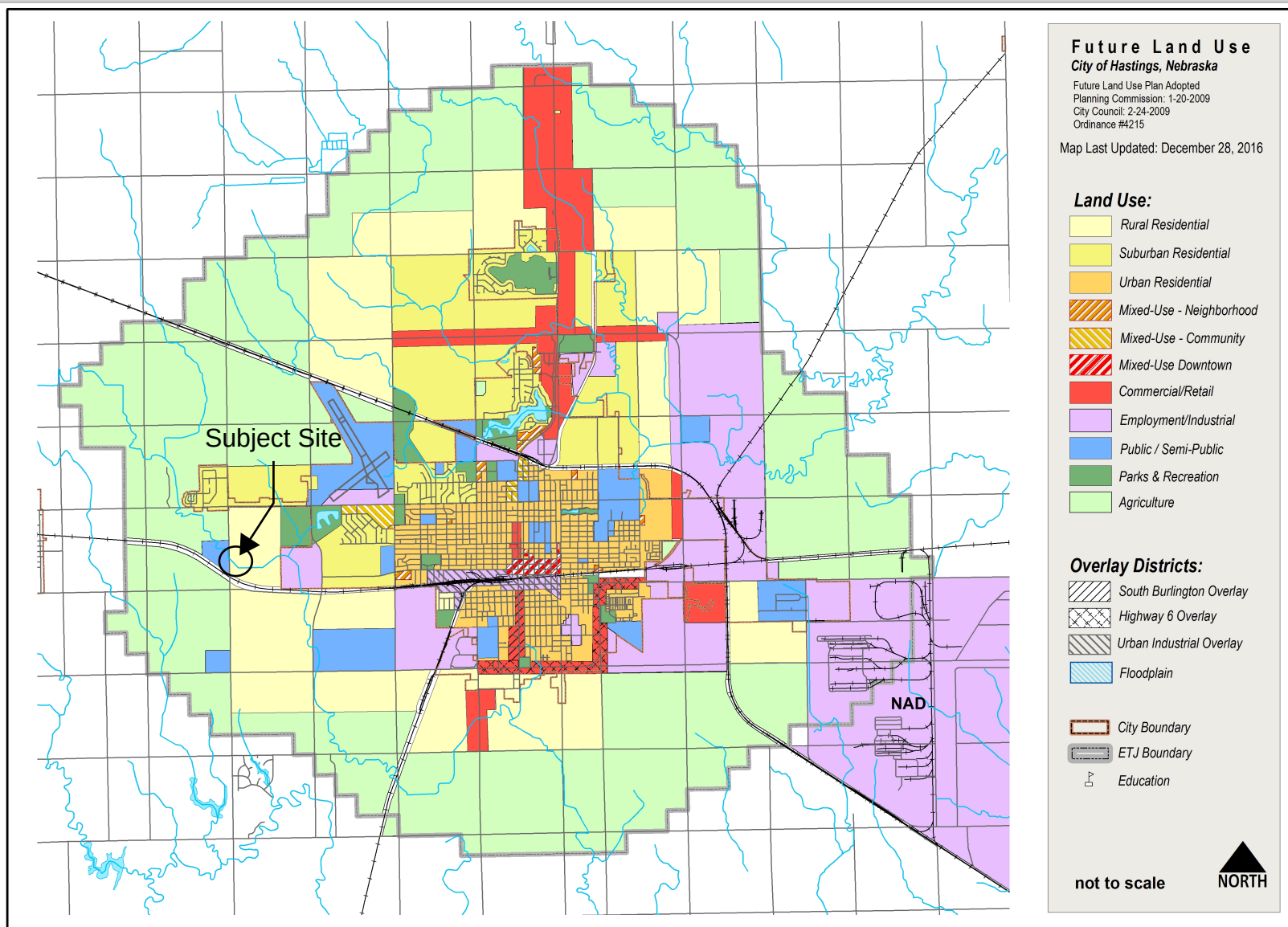


Figure 2.2: Future Land Use Plan



File Nos.

2024-613 & 2024-614

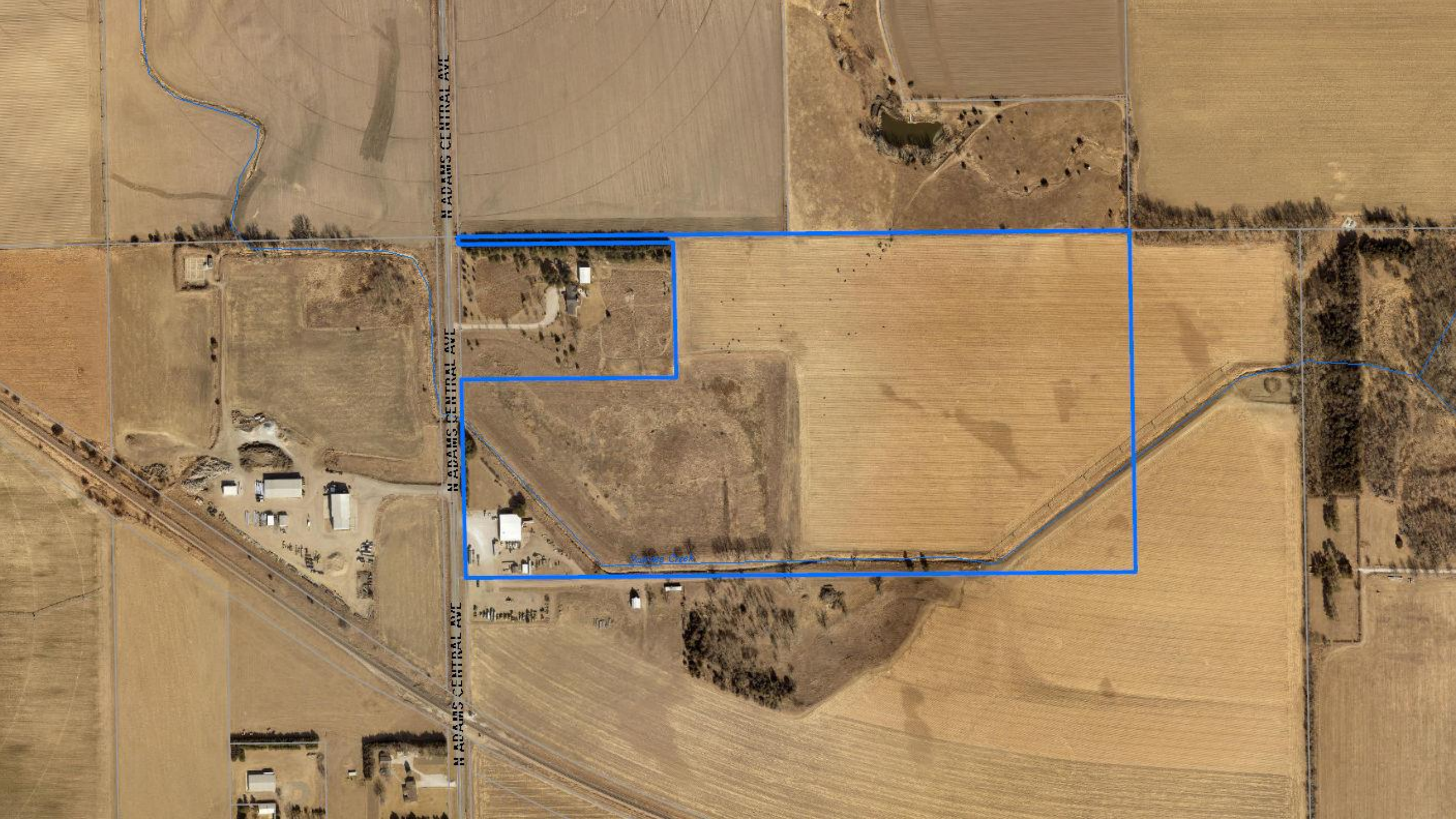
Projects

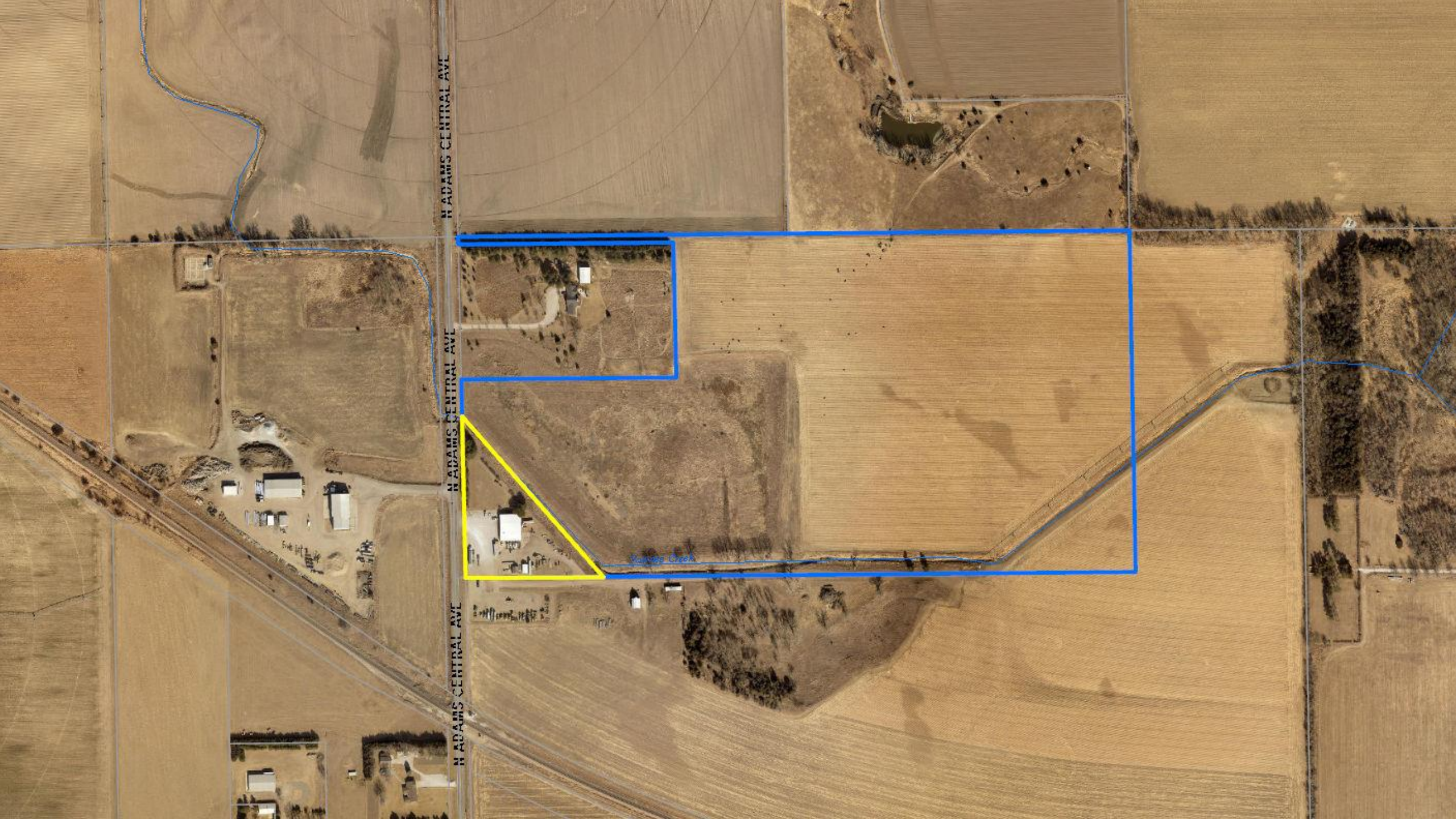
Kevin Burr Subdivision

- Rezoning from A District to I-1 District
- Preliminary/Final Plat

Applicants

Kevin and Todd Burr





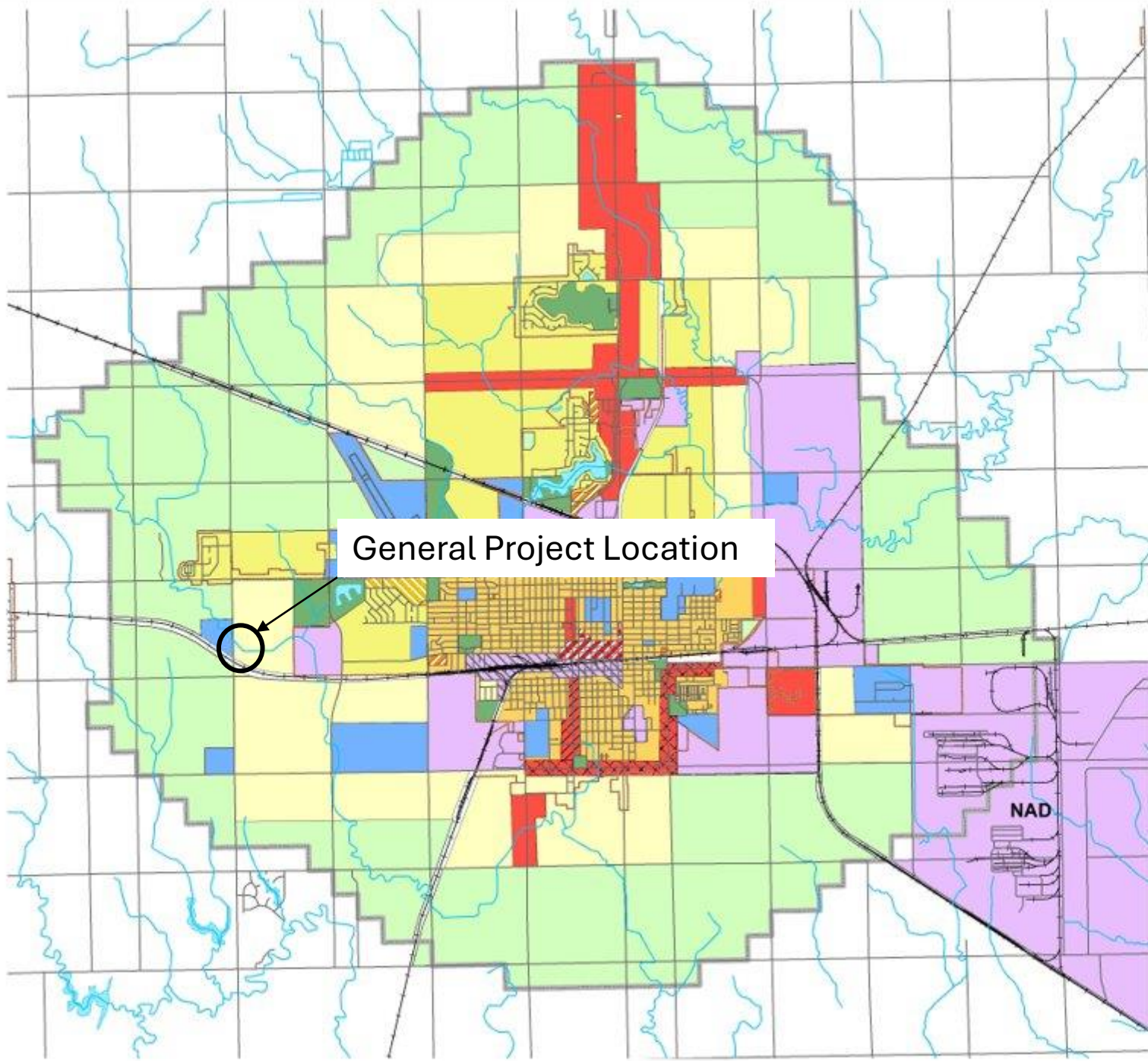


N ADAMS CENTRAL AVE

N ADAMS CENTRAL AVE

N ADAMS CENTRAL AVE

Peters Creek



Future Land Use City of Hastings, Nebraska

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

Map Last Updated: December 28, 2016

Land Use:

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

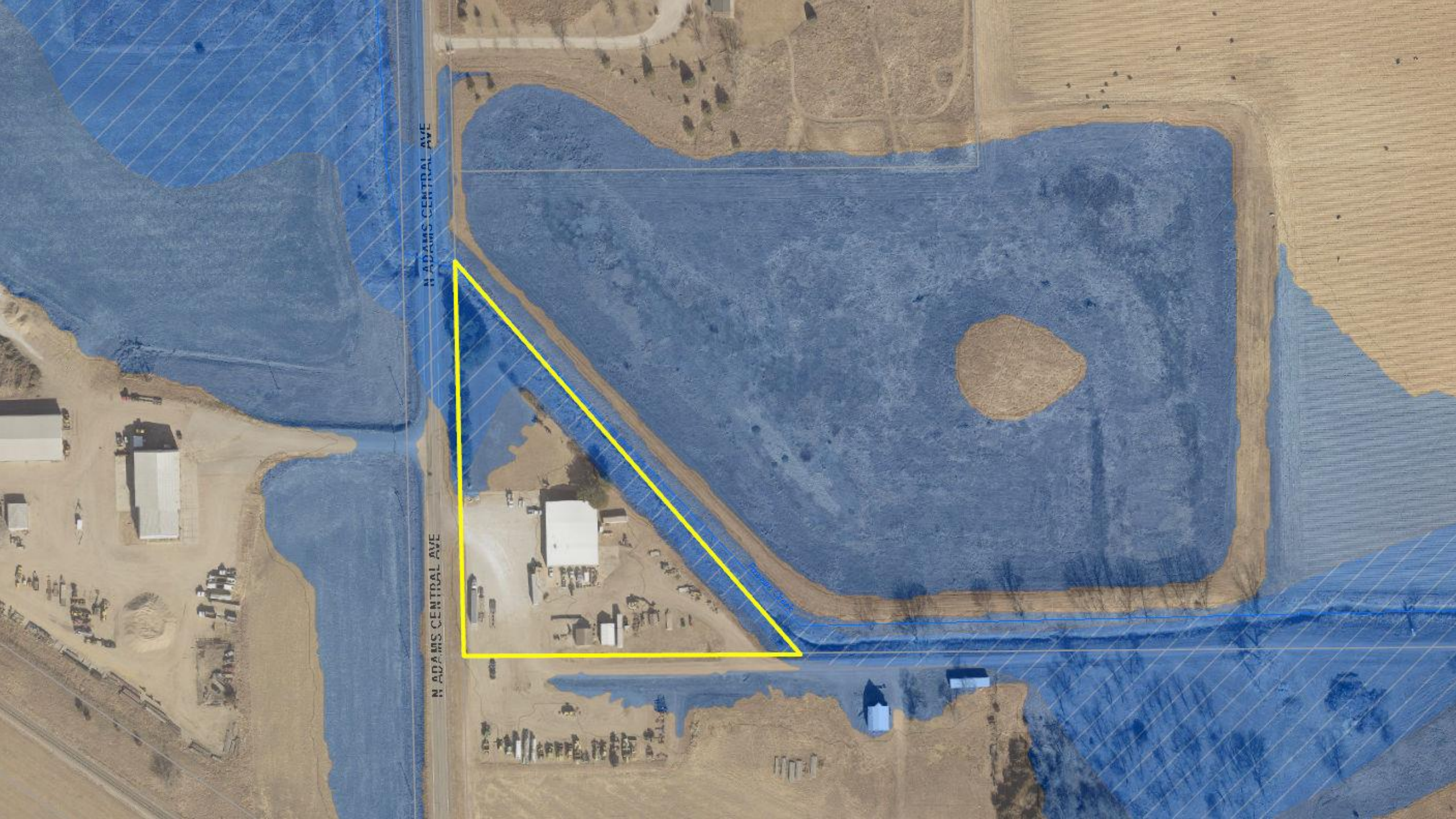
Overlay Districts:

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

- City Boundary
- ETJ Boundary
- Education

not to scale









Looking East



Looking South



Looking West

Staff Findings Summary for Rezoning

- The property has an existing contractors business on it. The site has been zoned A District since the establishment of zoning in the County.
- The project generally conforms with the Comprehensive Plan.
- The property and existing use can be served by adequate public infrastructure commonly found in rural Adams County.
- The surrounding area is a mix agriculture, large lot single-family residential, and the County Public Works Department site.
- The proposed rezoning should be compatible with surrounding properties. The business has been on the site since 1960s.

Staff Recommendation

Staff recommends the Planning Commission **APPROVE** the Request to Rezone the property at 410 North Adams Central Avenue, from A, Agricultural District to I-1, Light Industrial District, generally located approximately 1,350 feet north of the intersection of West DLD Road and North Adams Central Avenue.

Staff Findings Summary for Preliminary/Final Plat

- The plat generally conforms to the Comprehensive Plan.
- The proposed lot meets the minimum zoning standards.
- The proposed lot and existing business has adequate and appropriate access.
- The proposed lot can be served by appropriate public infrastructure.
- The property does have mapped floodway and high-risk floodplains on it. This will be addressed with any future development.
- The subdivision conforms with the minimum requirements of the City's Subdivision Regulations.

Staff Recommendation

Staff recommends the Planning Commission recommend **APPROVAL** the **Kevin Burr Subdivision Preliminary/Final Plat** for the subdivision, which is generally located approximately 1,350 feet north of the intersection of West DLD Road and North Adams Central Avenue.



HASTINGS

Nebraska

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 12/17/2024
File No: 2024-614
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

The applicants, Kevin and Todd Burr, have proposed subdividing the 3.91-acre tract from the larger, unplatted parent tract (68.8 acres). The purpose of the subdivision is so the existing business, Burr Dirt, LLC can be on its own lot.

As a two-lot subdivision, the property can go through a combined process to review both the requirements of a Preliminary Plat and Final Plat to subdivide the unplatted land.

The site is within the City of Hastings Extraterritorial Jurisdiction but will not be annexed into the City limits.

Names of People/Business affected by this action:

The applicants, the City of Hastings and Adams County.

Why Planning Commission action is required:

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

Type of action requested:

Motion

Suggested motion:

Deadlines associated with action:

The Preliminary/Final Plat is scheduled for review by the City Council on their January 13, 2025 meeting.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in City Code Sections 38-202 and 38-203. All related utility easement locations have been reviewed and approved by the Utilities Coordinator as part of this plat process.

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

Recommendation:



City of Hastings Planning Commission

STAFF REPORT

Preliminary/Final Plat: Kevin Burr Subdivision

Case No. 2024-614

Applicant Kevin and Todd Burr

Property Location: 410 North Adams Central Avenue

Lot Size: Lot 1: 3.91 acres
Parent Tract: 68.8 acres

Date of Review: December 17, 2024

Zoning A, Agricultural District

Adjacent Zoning: North: A District
East: A District
South: A District
West: A District



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

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

DESCRIPTON OF PRELIMINARY/FINAL PLAT REQUESTED: The applicants have proposed subdividing the 3.91-acre tract from the larger parent tract (68.8 acres). The purpose of the subdivision is so the existing business, Burr Dirt, LLC can be on its own lot.

The site is unplatted. Per the Subdivision Regulations, a relatively simple subdivision like this may proceed as a Preliminary/Final Plat to address the topics required for the subdivision process.

As part of the process, the applicant is also requesting a rezoning from A, Agricultural District to I-1, Light Industrial District, to accommodate the existing use on the property. Please see the corresponding staff report for more information.

The site is within the City of Hastings Extraterritorial Jurisdiction but will not be annexed into the City limits.

Property Description:

The subdivision site is generally flat with a large, roughly 8,000 square foot metal building, smaller accessory buildings, and a large gravel parking lot for trucks, earth-moving equipment, and material storage. The business has been at the site since the late 1960s.

At the north end of the new lot and along its east side is a mapped Zone AE, 1% Annual Chance Floodplain (100-year flood), and the Floodway that follows Pawnee Creek. Generally, no development is allowed in the Floodway per Section 34-216 of the Zoning Regulations. The existing development appears to have remained outside this high-risk flood area.

CONSIDERATIONS OF THE PRELIMINARY PLAT:

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

plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.”

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

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

1. Conformance to the Comprehensive Plan

The 2009 Imagine Hastings Comprehensive Plan Future Land Use Map shows the site as Rural Residential. The policy statements for this land use classification are:

This category provides for large-lot and estate residential development. This category is intended to allow for flexibility of choice for individuals preferring a rural residential environment. Densities associated with this type of development are generally in the 1 unit per 5 acres and greater range. This category can be adjacent to the higher intensity residential uses including suburban and urban. Development in this area should not expect the full range of municipal services (water, sewer, paved streets, etc.) to be delivered, unless located adjacent to existing or planned services that can logically and cost-effectively be expanded in the future. Ultimately, the development pattern in this area is intended to retain its rural character and in areas close to urban services should not hinder the future growth and development of the city at greater intensities. A “build through” methodology to address currently rural areas that are identified for future suburban and/or urban development should be used. This methodology allows for interim residential development to occur until a property is ready for its ultimate development pattern as defined by this plan. Cluster development within rural areas can also be accommodated under the build through development methodology. (Clustering is defined in the Development section of this Chapter.) The build through development approach will be defined in the zoning ordinance.

The rural residential category can accommodate a higher intensity of residential development known as “cluster development.” Net densities of 1+ unit(s)/acre can be achieved through clustering residential units on a portion of land and leaving the remaining land undeveloped. Clustering can assist in protecting the natural and rural character of portions of Adams County through environmentally sensitive development. The key to clustering is the provision/availability of utilities to serve the development. This is a particularly useful practice in areas where the agricultural uses, floodplains and other inherent environmental qualities impact the amount of developable land.

The land use classification reflects the anticipated growth around the City of Hastings by accommodating large estate lots or exurban residential developments usually found on the city's outskirts. However, this land use designation does not accommodate the existing industrial use of the site. The 2009 Comprehensive Plan does not account for the fine-grained land uses in this area.

Although the proposed subdivision does not exactly match the Comprehensive Plan, it does reflect the use that has been on the site since the late 1960s.

2. Conformance with the Applicable Zoning Regulations

The proposed Preliminary Plat creates one lot that meets the minimum requirement in the I-1, Light Industrial District.

There is FEMA mapped Zone AE, 1% Annual Chance Floodplain (100-year flood), and Floodway on the north and east part of the property. Any development in these mapped flood boundaries will require conformance with Sec. 34-216 of the City Code.

3. Adequate and Appropriate Access

An existing driveway onto N. Adams Central Avenue is present. The driveway is roughly 50 feet wide measured at the edge of the public right-of-way (ROW) and leads to the existing gravel parking lot.

It appears that this driveway provides for adequate and appropriate access to the site.

The subdivision will dedicate a 41.25-foot-wide right-of-way to the public for Adams Central Avenue.

4. Design of Public Infrastructure

- a. *Access to public right-of-way.* The site gains access to N. Adams Central Avenue via an approximately 50-foot-wide driveway. As previously stated, the subdivision will dedicate a 41.25-foot-wide right-of-way for the N. Adams Central Avenue roadway.
- b. *Public utilities.* The site is served by private water and septic systems. Public electricity serves the site. A transmission gas main is in the immediate area to the site. No service lines for natural gas are available in the area to serve the site. This is a common situation for developments in rural parts of the City's extraterritorial jurisdiction (ETJ).

It appears that the site and the existing use is adequately served by public utilities.

- c. *Floodplain and stormwater management.* The north and east portions of the new lot is within the FEMA mapped Floodway and Zone AE, 1% Annual Chance Floodplain (100-year flood).

Any development in these mapped areas require to conform to the requirements of Sec. 34-216. Generally speaking, this includes prohibiting development in the Floodway and requiring all developments to be elevated so that the lowest enclosed floor is at least one foot above the base flood elevation.

It appears that the existing development has generally stayed out of these mapped high flood risk areas.

No changes are planned to the site for the existing development. The stormwater runoff generally flows to the east towards Pawnee Creek. Because no changes to the existing site are proposed, no new stormwater infrastructure is required.

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.

CONSIDERATIONS OF THE FINAL PLAT:

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

City staff reviews the following topics to ensure that the proposed final plat conforms to the minimum standards of Chapter 28, Article III. – Planning and Community Design Standards and

Chapter 38, Article IV. – Engineering and Technical Standards and to provide a recommendation to City of Hastings Planning Commission and Hastings City Council.

The City's Subdivision Review Committee, which includes staff from Adams County, has reviewed the proposed Preliminary/Final Plat and has approved of its subdivision layout as conforming with the City's Subdivision Regulations.

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** the **Kevin Burr Subdivision Preliminary/Final Plat** for the subdivision, which is generally located approximately 1,350 feet north of the intersection of West DLD Road and North Adams Central Avenue.

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

DATE: December 4, 2024

ATTACHMENTS:

1. Preliminary/Final Plat Application
2. Kevin Burr Subdivision Preliminary/Final Plat
3. 2009 Imagine Hastings Comprehensive Plan Future Land Use Map
4. FEMA Digital Flood Insurance Rate Map of the area



Permit #: 23108

Permit Date: 11/15/24

Permit Type:

GROUP: Planning

Permit Type: Preliminary / Final Plat

Title: Burr Subdivision

Site Address: 410 N ADAMS CENTRAL AVE

Parcel Number: 010003134

Owner Name:

Owner Address:

City State Zip:

Owner Phone:

Owner Email:

Applicant Name: TODD BURR

Applicant Address: 4785 HIGHLAND ROAD

City, State, Zip: HASTINGS, NE 68901

Phone Number: 402-460-0162

Applicant Email: burrpadd@gmail.com; burrdirtllc@gmail.com

Proposed Use: COMMERCIAL

Description: SEPARATE BUILDINGS FROM REMAINING PROPERTY

Number of Cases: 0

Project Cost: 0

Square Feet: 0

Within City Limits: No

Current Zoning: A, Agriculture

Current Zoning Explained:**Proposed Zoning:** I-1, Light Industrial**Conditions:****Conditions Defined:****1st PN & Agenda Send By (11:30):****1st PN & Agenda Due Date:****1st PN & Agenda Sent:****2nd PN & Agenda Send By (11:30):****2nd PN & Agenda Due Date:****2nd PN & Agenda Sent:****Sign / Website Posting - Post By:****Sign / Website Posting - Posted:****APO Letter - Send By:****APO Letter - Sent:****PC Approval - Date Approved:****PC Outcome Letter - Due:****PC Outcome - Completed:****CRA Approval - Meeting Date:****CRA Approval - Approved:****CC Packet - Goal Load Date:****CC Packet - Due Date:****CC Out/Admin Due Date:****CC Packet - Completed:****Stage:****CC Out/Admin - Completed:****ENG Meeting:****ENG Email:****Plat Track Review Email:****Communication Preferences:** call**Status:** Open**Assigned To:** Chad Bunger**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010003134			BURR DEANNE K		

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
11/21/2024	Public Works	Public Works & Streets have no concerns with the proposed subdivision.	Steve Riehle	Assigned

Fees

Fee	Description	Notes	Amount
Final Subdivision Plat Submitted with the Preliminary Plat	# of Lots		\$540.00
Subdivision Plats - 11" x 17"	Input # of Pages		\$28.00

Total**\$568.00****Attached Letters**

Date	Letter	Description
11/15/2024	Web Form - Plats Application	

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
11/22/2024	Todd Burr	1073422			\$568.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
12/05/2024	23406278-20241126_174105.pdf
12/05/2024	23406279-KEVIN BURR SUB PG 1 REV-120524.pdf
12/05/2024	23406280-KEVIN BURR SUB PG 2 REV-120524.pdf
12/05/2024	23406281-LEGAL DESCRIPTION.docx
12/05/2024	23406282-LETTER OF INTENT.docx
12/05/2024	23406277-KEVIN BURR SUB REV-120524_combined.pdf
11/27/2024	23341001-Burr Subdivision_City Edits.pdf
11/21/2024	23267659-Taxes Paid_Shari Brei_11-20-24.pdf
11/20/2024	23261983-24-11-14 Merged Preliminary-Final Burr Subdivision.pdf
11/15/2024	2467e185f2a32a1bd48f39eca69a272b_preliminary-final-plat-checklist_-_rev_1-13-23.pdf
11/15/2024	b8fa663468335725b8e7439ac29b8fc5_kevin_burr_sub_pg_2.pdf
11/15/2024	b621bec00dca9bf0ea56a66474e2850c_plats_application_-_city_of_hastings_nebraska.pdf
11/15/2024	29a12f54c06fc7e948395e2091b42668_kevin_burr_sub_pg_1.pdf

KEVIN BURR SUBDIVISION

PRELIMINARY/FINAL PLAT

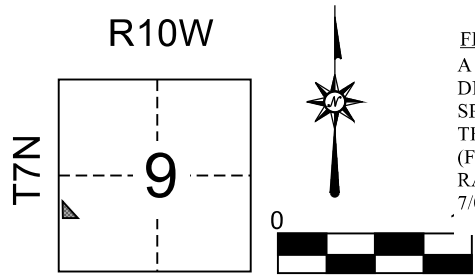
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

NW COR SW ¼ SEC 9-T7N-R10W
FOUND A SURVEY SPIKE IN THE ASPHALT

E 0.5' TO THE CENTERLINE OF THE ASPHALT OF ADAMS
CENTRAL AVENUE AS DRIVEN NORTH AND SOUTH
SE 84.52' TO A NAIL FOUND 3-FOOT ABOVE GROUND IN THE WEST
FACE OF A POWER POLE
SW 81.30' TO A NAIL IN A SHINER FOUND 6-FOOT ABOVE GROUND
IN THE SOUTHEAST FACE OF A POWER POLE
NW 43.35' TO A ¼-INCH DRILL HOLE SET IN THE WEST END OF A
36-INCH CORRUGATED METAL PIPE
NE 40.90' TO A ¼-INCH DRILL HOLE SET IN THE CENTER OF A
CONCRETE ABUTMENT ABOVE THE CENTER OF A
36-INCH CORRUGATED METAL PIPE

SW COR SEC 9-T7N-R9W
FOUND A SURVEY SPIKE IN THE ASPHALT

W 0.6 TO THE CENTERLINE OF THE ASPHALT OF ADAMS CENTRAL
AVENUE AS DRIVEN NORTH AND SOUTH
SE 61.19' TO A NAIL IN A BOTTLE CAP SET 2-FOOT ABOVE
GROUND IN THE NORTHEAST FACE OF A POWER POLE
SW 51.76' TO A NAIL (BENT) IN A SHINER FOUND 1-FOOT ABOVE
GROUND IN THE SOUTHEAST FACE OF A POWER POLE
NW 66.74' TO THE SOUTHEAST CORNER OF THE BASE OF A
TELEPHONE RISER
NE 70.05' TO A ¼-INCH DRILL HOLE SET IN THE EAST END OF A
CORRUGATED METAL PIPE

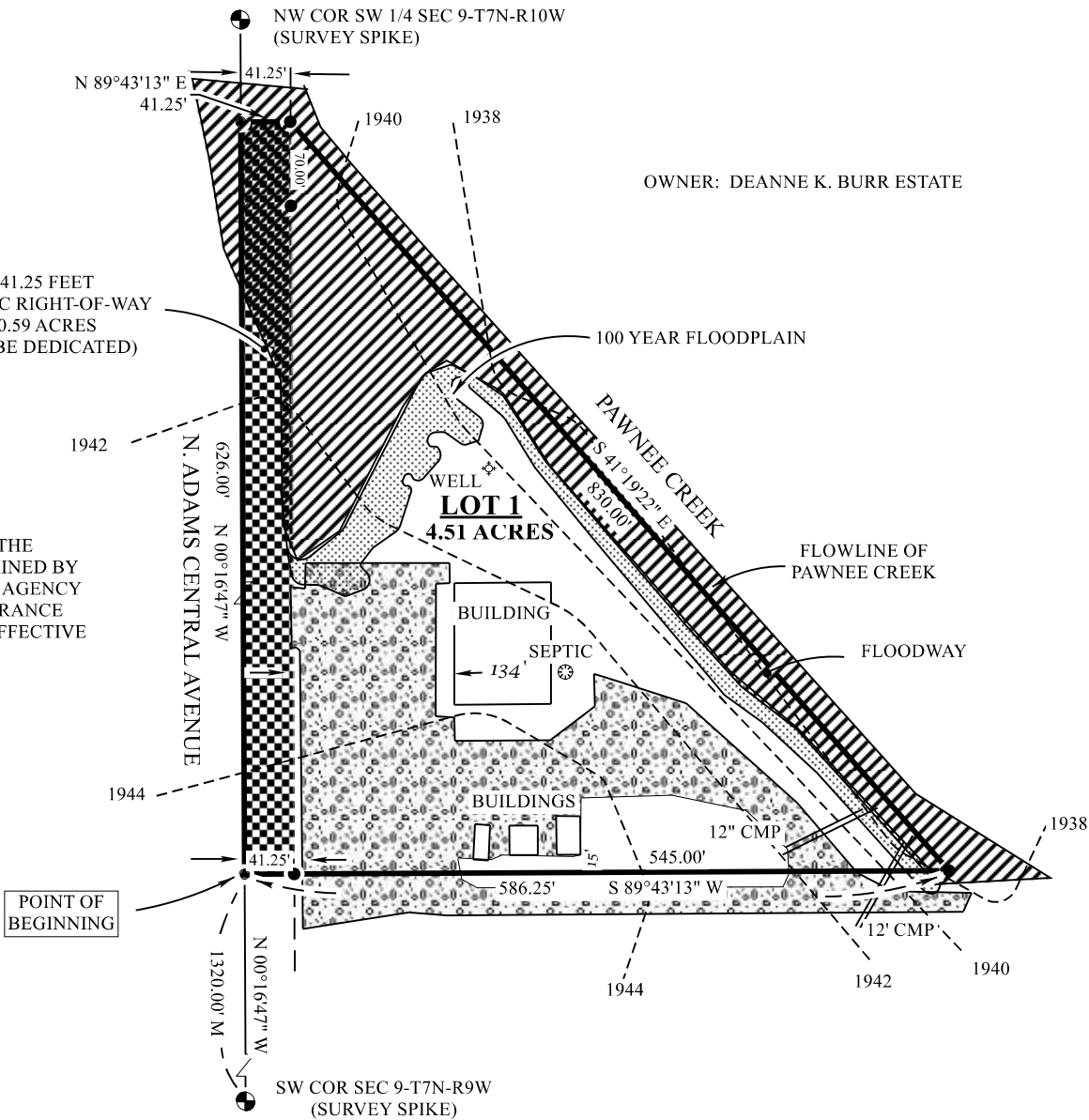


FLOOD PLAIN STATEMENT

A PORTION OF THE PROPERTY AS LEGALLY
DESCRIBED ON THIS PLAT MAY BE WITHIN THE
SPECIAL FLOOD HAZARD AREA AS DETERMINED BY
THE FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) AS INDICATED ON THE FLOOD INSURANCE
RATE MAP (FIRM) PANEL NO. 31001C0175C EFFECTIVE
7/05/2018.

NOTE: ALL BEARINGS ARE ASSUMED

LEGEND	
●	SET PLASTIC CAP (LS-448) ON ½" REBAR
⊙	SET MAGNETIC NAIL
⊕	CORNER FOUND
M	MEASURED DISTANCE
R	RECORD DISTANCE
⊙	WELL
⊙	SEPTIC
+	CALCULATED CORNER - NOT MONUMENTED
▨	FLOODWAY
▨	100-YEAR FLOOD PLAIN
▨	CRUSHED ROCK
---	CONTOUR 88 DATUM
▨	DEDICATED RIGHT-OF-WAY



OWNER: DEANNE K. BURR ESTATE

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M., WITHIN THE
EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS
COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT
THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE N00°16'47"W
(ASSUMED BEARING), ON THE WEST LINE OF THE SOUTHWEST QUARTER
OF SAID SECTION 9, A DISTANCE OF 1320.00 FEET TO THE POINT OF
BEGINNING; THENCE CONTINUING N00°16'47"W, ON SAID WEST LINE, A
DISTANCE OF 626.00 FEET; THENCE N89°43.13"E, PERPENDICULAR TO SAID
WEST LINE, A DISTANCE OF 41.25 FEET; THENCE S41°19'22"E, A DISTANCE
OF 830.00 FEET; THENCE S89°43'13"W, PERPENDICULAR TO THE WEST LINE
OF SAID SOUTHWEST QUARTER, A DISTANCE OF 586.25 FEET TO THE
POINT OF BEGINNING CONTAINING 4.51 ACRES, MORE OR LESS,
INCLUDING 0.59 ACRES, MORE OR LESS, OF RIGHT-OF-WAY TO BE
DEDICATED TO THE PUBLIC.

SURVEYOR'S CERTIFICATE

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

THOMAS L. KRUEGER | LS-448

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

FILE NAME		
SEC 9-T7N-R10W - ADAMS COUNTY		
SCALE 150 Ft/In	DATE 12-10-2024	DRAWN BY T. KRUEGER
JOB KLS-24078	FIELD WORK TK	SHEET 1 OF 2

KEVIN BURR SUBDIVISION
PRELIMINARY/FINAL PLAT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 9,
TOWNSHIP 7 NORTH, RANGE 10 WEST OF THE 6TH P.M.,
WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS,
ADAMS COUNTY, NEBRASKA

OWNERS CERTIFICATE

KNOW ALL MEN BY THESE PRESENT, THAT TODD A. BURR, EXECUTOR OF THE DEANNE K. BURR ESTATE, OWNER(S) OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON, HAVE CAUSED THE SAME TO BE SURVEYED, SUBDIVIDED, PLATTED, AND DESIGNATED AS KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER, AND THAT THE FOREGOING ACTIONS ARE DONE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER(S),

SIGNED THIS _____ DAY OF _____, 20_____.

TODD A. BURR, EXECUTOR OF THE
DEANNE K. BURR ESTATE

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
COUNTY OF ADAMS)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 2024, BY
TODD A. BURR, EXECUTOR OF THE DEANNE K. BURR ESTATE.

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

NOTARY

CITY ENGINEER'S CERTIFICATE

THIS PLAT OF KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA, 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

PLANNING COMMISSION RECOMMENDATION

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

CHAIRMAN

DIRECTOR

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

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_____.

TODD A. BURR, EXECUTOR OF THE
DEANNE K. BURR ESTATE

MAYOR AND CITY COUNCIL ACTION

THIS PLAT OF KEVIN BURR SUBDIVISION, WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF HASTINGS, ADAMS COUNTY, NEBRASKA IS HEREBY APPROVED

THIS _____ DAY OF _____, 20_____.

MAYOR

CLERK

REGISTER OF DEEDS CERTIFICATE

STATE OF NEBRASKA)
COUNTY OF ADAMS) SS

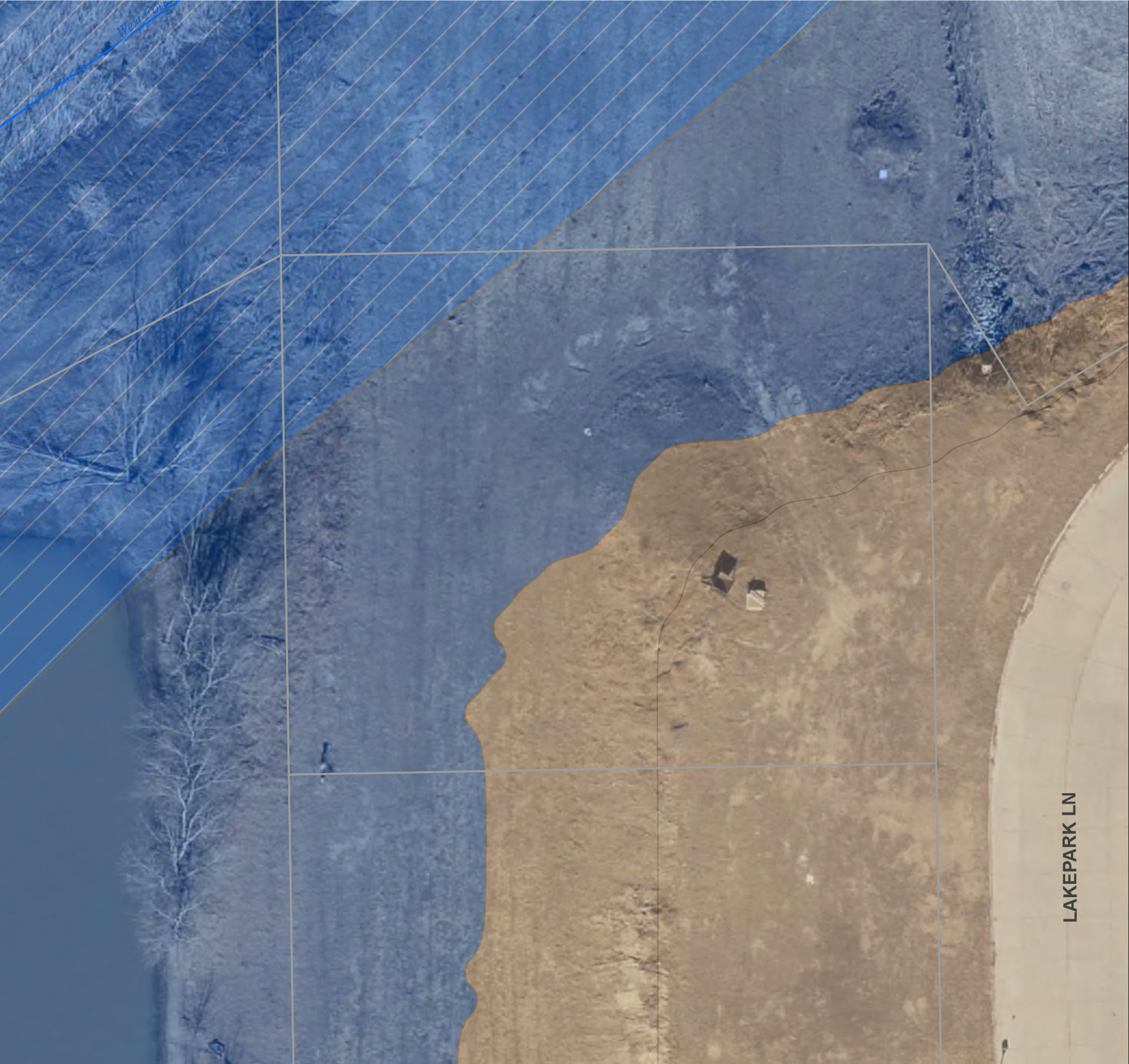
THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE OF ADAMS COUNTY, NEBRASKA.

DATE: _____ TIME: _____ INSTRUMENT NO: _____

REGISTER OF DEEDS

FILE NAME SEC 9-T7N-R10W - ADAMS COUNTY		
SCALE 500 Ft/In	DATE 12-10-2024	DRAWN BY T. KRUEGER
JOB KLS-24078	FIELD WORK TK	SHEET 2 OF 2

Floodplain Information



 Lot 1

Special Flood Hazard Area

 1% Annual Chance Floodplain (approximate)

 1% Annual Chance Floodplain

 0.2% Annual Chance Floodplain

 FLOODWAY

Kevin Burr Subdivision



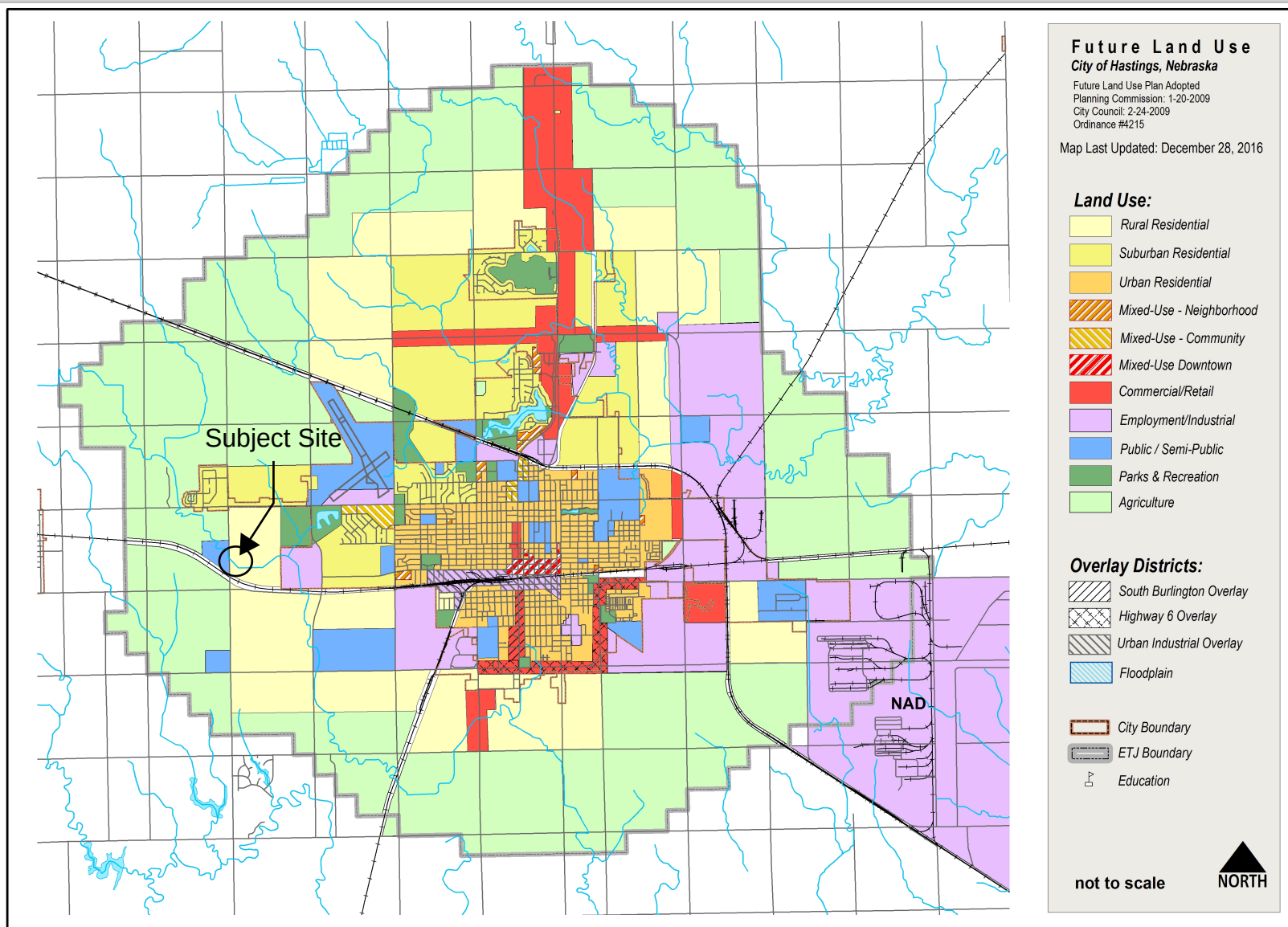


Figure 2.2: Future Land Use Plan

Department: Development Services
Staff Contact: Chad Bunger
Planning Commission Meeting Date: 12/17/2024
File No: 2024-615
Prepared By: Chad Bunger, Director of Development Services

AGENDA ITEM SUMMARY SHEET

Description of Item:

Names of People/Business affected by this action:

The applicants, 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:

Deadlines associated with action:

The Preliminary/Final Plat is scheduled for review by the City Council on their January 13, 2025 meeting.

Department head comments:

The Development Department and Plat Track review teams (to include County officials) have reviewed this subdivision plat and the applicant has incorporated all recommendations found to be relevant with subdivision design standards and regulations in City Code Sections 38-202 and 38-203. All related utility easement locations have been reviewed and approved by the Utilities Coordinator as part of this plat process.

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

Recommendation:

Staff recommends the Planning Commission recommend **APPROVAL** to the City Council for the **PRELIMINARY/FINAL PLAT** of the Gartner Farms Third Subdivision, generally located, generally located to the northeast of the intersection of East Lochland Road and North Columbine Avenue.



City of Hastings Planning Commission

STAFF REPORT

Preliminary/Final Plat: Gartner Farms Third Subdivision

Case No. 2024-615

Applicant David & Patricia Gartner, and Edwin and Donna Gartner

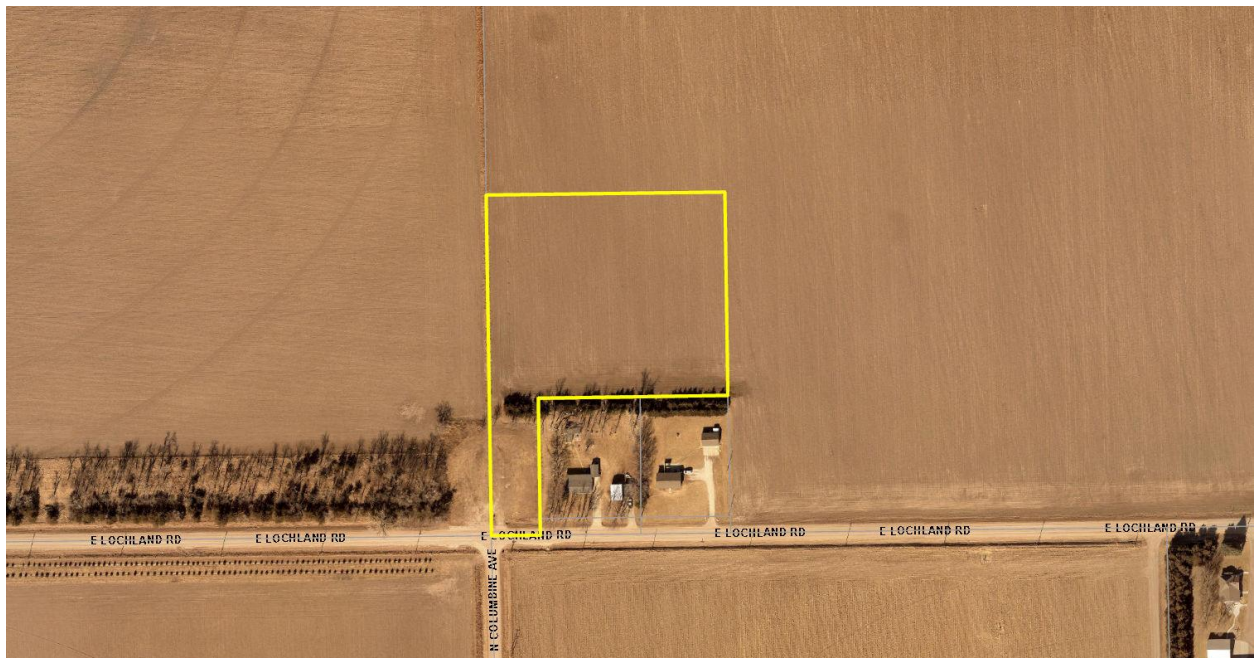
Property Location: Generally located to the northeast of the intersection of East Lochland Road and North Columbine Avenue

Lot Size: Lot 1: 5.00 acres
Parent Tract: 158.63 acres

Date of Review: December 17, 2024

Zoning A, Agricultural District

Adjacent Zoning: North: A District
East: A District
South: A District and R-1A, Single-Family Large Lot Residential District
West: A District



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

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

DESCRIPTON OF PRELIMINARY/FINAL PLAT REQUESTED: The applicants have proposed subdividing the 5.00-acre tract from the larger parent tract (158.63 acres). The site is within the City of Hastings Extraterritorial Jurisdiction but will not be annexed into the City limits.

The design of the lot is considered a flag lot. According to the City's Zoning and Subdivision Codes, a flag lot is permitted, as long as the "flag pole" is at least 20 feet wide and no more than 400 feet long when located within the City's Extraterritorial Jurisdiction (ETJ) and meets the City's Fire Code for fire apparatus access road. The flagpole portion of the lot measures roughly 99 feet wide and 237 feet long. The requirements of the fire access road will be confirmed at the time of future building permits. The layout of the lot generally conforms with the requirements.

The purpose of the subdivision is to sell the land to a new owner that intends to develop an agriculture related business on the new lot. No specific development plans have been presented at this time.

The site is unplatted. Lots 1 and 2, Gartner Farms Subdivision was previously subdivided from the larger agricultural parent tract in 2002 with approval by Adams County officials. This land was not a part of that subdivision.

Per the Subdivision Regulations, a relatively simple subdivision like this may proceed as a Preliminary/Final Plat to address the topics required for the subdivision process.

Property Description:

The subdivision site is generally flat piece of land that has historically be used for agriculture. A mature tree line is present along the adjoining property line of the site and the existing single-family homes to the south.

CONSIDERATIONS OF THE PRELIMINARY PLAT:

Subsection 38-201(1). – Approval of subdivision plats states No plat of or instruments effecting the subdivision of real property shall be recorded or have any force and effect unless the same

be approved by the City Council, subject however, to the exceptions set forth in [Section 34-106](#) of this code. The City Council shall hold no public meeting, nor take any action upon any plat or instrument effecting a subdivision until it has received the recommendation of the Hastings Planning Commission.

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

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

1. Conformance to the Comprehensive Plan

The 2009 Imagine Hastings Comprehensive Plan Future Land Use Map shows the site as Rural Residential. The policy statements for this land use classification are:

This category provides for large-lot and estate residential development. This category is intended to allow for flexibility of choice for individuals preferring a rural residential environment. Densities associated with this type of development are generally in the 1 unit per 5 acres and greater range. This category can be adjacent to the higher intensity residential uses including suburban and urban. Development in this area should not expect the full range of municipal services (water, sewer, paved streets, etc.) to be delivered, unless located adjacent to existing or planned services that can logically and cost-effectively be expanded in the future. Ultimately, the development pattern in this area is intended to retain its rural character and in areas close to urban services should not hinder the future growth and development of the city at greater intensities. A “build through” methodology to address currently rural areas that are identified for future suburban and/or urban development should be used. This methodology allows for interim residential development to occur until a property is ready for its ultimate development pattern as defined by this plan. Cluster development within rural areas can also be accommodated under the build through development methodology. (Clustering is defined in the Development section of this Chapter.) The build through development approach will be defined in the zoning ordinance.

The rural residential category can accommodate a higher intensity of residential development known as “cluster development.” Net densities of 1+ unit(s)/acre can be achieved through clustering residential units on a portion of land and leaving the remaining land undeveloped. Clustering can assist in protecting the natural and rural character of portions of Adams County through environmentally sensitive development. The key to clustering is the provision/availability of utilities to serve the development. This is a particularly useful practice in areas where the agricultural uses, floodplains and other inherent environmental qualities impact the amount of developable land.

The land use classification reflects the anticipated growth around the City of Hastings by accommodating large estate lots or exurban residential developments usually found on the city's outskirts, as well as agricultural business commonly found in rural areas of the county. The proposed subdivision conforms with the adopted Comprehensive Plan.

2. Conformance with the Applicable Zoning Regulations

The proposed subdivision creates one lot that meets the minimum requirement of the A, Agricultural District.

3. Adequate and Appropriate Access

The lot will gain access from East Lochland Road, a rural gravel roadway. The exact location of a new driveway for the future development has not been proposed. This will occur during the building permit process. It appears that the lot has adequate width to locate a suitable driveway that will meet minimum engineering standards and not impact the traffic on the gravel county roads.

The subdivision will dedicate a 33-foot-wide road right-of-way to the public for East Lochland Road. This ROW dedication was done for the adjacent platted lots to the east.

4. Design of Public Infrastructure

- a. *Access to public right-of-way.* The site will gain access to East Lochland Road. As previously stated, the subdivision will dedicate a 33-foot-wide right-of-way for the East Lochland Road roadway.
- b. *Public utilities.* The site can be served by public water and electricity. The site will be served by a non-City natural gas company. Public Sanitary Sewer is not in the immediate area. The proposed development will need to be served by a private septic system or have a sewer main extended to the site. This is a common situation for develops in rural parts of the City's extraterritorial jurisdiction (ETJ).

It appears that the site and the existing use is adequately served by public utilities.

- c. *Floodplain and stormwater management.* The site is outside of any FEMA mapped high-risk flood zones.

Any requirements for stormwater management will be determined and applied at the time of development with the building permit process.

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.

CONSIDERATIONS OF THE FINAL PLAT:

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

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

The City’s Subdivision Review Committee, which includes staff from Adams County, has reviewed the proposed Preliminary/Final Plat and has approved of its subdivision layout as conforming with the City’s Subdivision Regulations.

STAFF COMMENTS: Staff recommends the Planning Commission recommend **APPROVAL** of the **Gartner Farms Third Subdivision Preliminary/Final Plat** for the subdivision, which is generally located to the northeast of the intersection of East Lochland Road and North Columbine Avenue.

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

DATE: December 5, 2024

ATTACHMENTS:

1. Preliminary/Final Plat Application
2. Gartner Farms Third Subdivision Preliminary/Final Plat
3. 2009 Imagine Hastings Comprehensive Plan Future Land Use Map



Permit #: 23092

Permit Date: 08/05/24

Permit Type:

GROUP: Planning

Permit Type: Preliminary / Final Plat

Title: Gartner Farms Second Sub

Site Address:

Parcel Number: 010000077

Owner Name: Gartner David & Patricia & Edwin H & Donna Gartner

Owner Address: 8820 N Baltimore Ave

City State Zip: Hastings, NE 68901

Owner Phone:

Owner Email:

Applicant Name: Ed Gartner

Applicant Address: 8820 N Baltimore Ave

City, State, Zip: Hastings, NE 68901

Phone Number: 402-469-4903

Applicant Email: gartner8820@gmail.com

Proposed Use:

Description: Administrative Plat for two lots

Number of Cases: 0

Project Cost: 0

Square Feet: 0

Within City Limits: Yes

Current Zoning: A, Agriculture

Current Zoning Explained:**Proposed Zoning:** A, Agriculture**Conditions:** No**Conditions Defined:****1st PN & Agenda Send By (11:30):** 08/07/2024**1st PN & Agenda Due Date:****1st PN & Agenda Sent:****2nd PN & Agenda Send By (11:30):** 08/14/2024**2nd PN & Agenda Due Date:****2nd PN & Agenda Sent:****Sign / Website Posting - Post By:****Sign / Website Posting - Posted:****APO Letter - Send By:****APO Letter - Sent:****PC Approval - Date Approved:****PC Outcome Letter - Due:****PC Outcome - Completed:****CRA Approval - Meeting Date:****CRA Approval - Approved:****CC Packet - Goal Load Date:****CC Packet - Due Date:****CC Out/Admin Due Date:****CC Packet - Completed:****Stage:** In Review**CC Out/Admin - Completed:****ENG Meeting:****ENG Email:****Plat Track Review Email:****Communication Preferences:** Call**Status:** Open**Assigned To:** Chad Bunger**Property**

Parcel #	Address	Legal Description	Owner Name	Owner Phone	Zoning
010000077			GARTNER DAVID & PATRICIA & EDWIN H & DONNA GARTNER		

Plan Reviews

Date	Review Type	Description	Assigned To	Review Status
11/25/2024	Public Works	Public Works & Streets have no concerns with the proposed subdivision.		Approved
12/03/2024	Fire	No issues from FD.	Anthony Murphy	Approved

Fees

Fee	Description	Notes	Amount
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Subdivision Plats - 11" x 17"	Input # of Pages	\$28.00
Administrative Replat		\$225.00
Total		\$253.00

Payments

Date	Paid By	Description	Payment Type	Accepted By	Amount
08/27/2024	Edwin Gartner	Gartner Farms Second Sub. Plat	check	Teri Schelkopf	\$253.00
Outstanding Balance					\$0.00

Uploaded Files

Date	File Name
12/10/2024	23447197-GARTNER FARMS 3RD SUB FP - 2 PAGES.pdf
12/10/2024	23447195-27-410 GAS LINE EASEMENT.pdf
12/10/2024	23447196-20242965 - DEED.pdf
11/25/2024	23298318-GARTNER 3RD SUBDIVISION FP_v2_11-21-24.pdf
08/19/2024	22059407-Gartner Farms Second Sub_City edits_8-19-24.pdf
08/06/2024	21901870-Gartner Farms 2nd Sub - Checklist.pdf
08/05/2024	21870789-Gartner Farms Second Sub.pdf

Adams County, Nebraska

GARTNER FARMS THIRD SUBDIVISION

PRELIMINARY/FINAL PLAT

BEING PART of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4), of Section Twenty (20), Township Eight (8) North, Range Nine (9) West of the Sixth Principal Meridian (6th P.M.), Adams County, Nebraska, lying within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska.

Legal Description:

A Tract of land, located in the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eight (8) North, Range Nine (9) West of the Sixth Principal Meridian (6th P.M.), Adams County Nebraska, being more particularly described as follows:
BEGINNING AT the Southwest corner of said SE 1/4 (found); thence on an assumed bearing of North 01°02'24" West a distance of 674.19 feet to a 5/8 inch capped rebar (set); thence North 89°17'29" East a distance of 472.86 feet to a 5/8 inch capped rebar (set); thence South 01°02'31" East a distance of 403.38 feet to a iron pipe (found); thence South 88°59'19" West a distance of 175.10 feet to a iron pipe (found); thence South 89°20'39" West a distance of 198.82 feet to a iron pipe (found); thence South 01°02'59" East a distance of 237.41 feet to a iron pipe (found); thence South 01°08'41" East a distance of 32.71 feet to a rebar (found); thence South 89°19'07" West, on said south line of said SE 1/4, a distance of 99.05 feet to a iron bar (found), also being the **Point of Beginning**.
Containing a calculated area of 5.00 acres, more or less. Subject to all conditions and restrictions of record.

FLOOD PLAIN STATEMENT
The Property as legally described on this plat is in Zone X, area of minimal flood hazard, and not within the special flood hazard area as determined by the Federal Emergency Management Agency (FEMA) as indicated on the flood insurance rate map (FIRM) panel No. 31001C0100C, effective date: 7-5-2018.

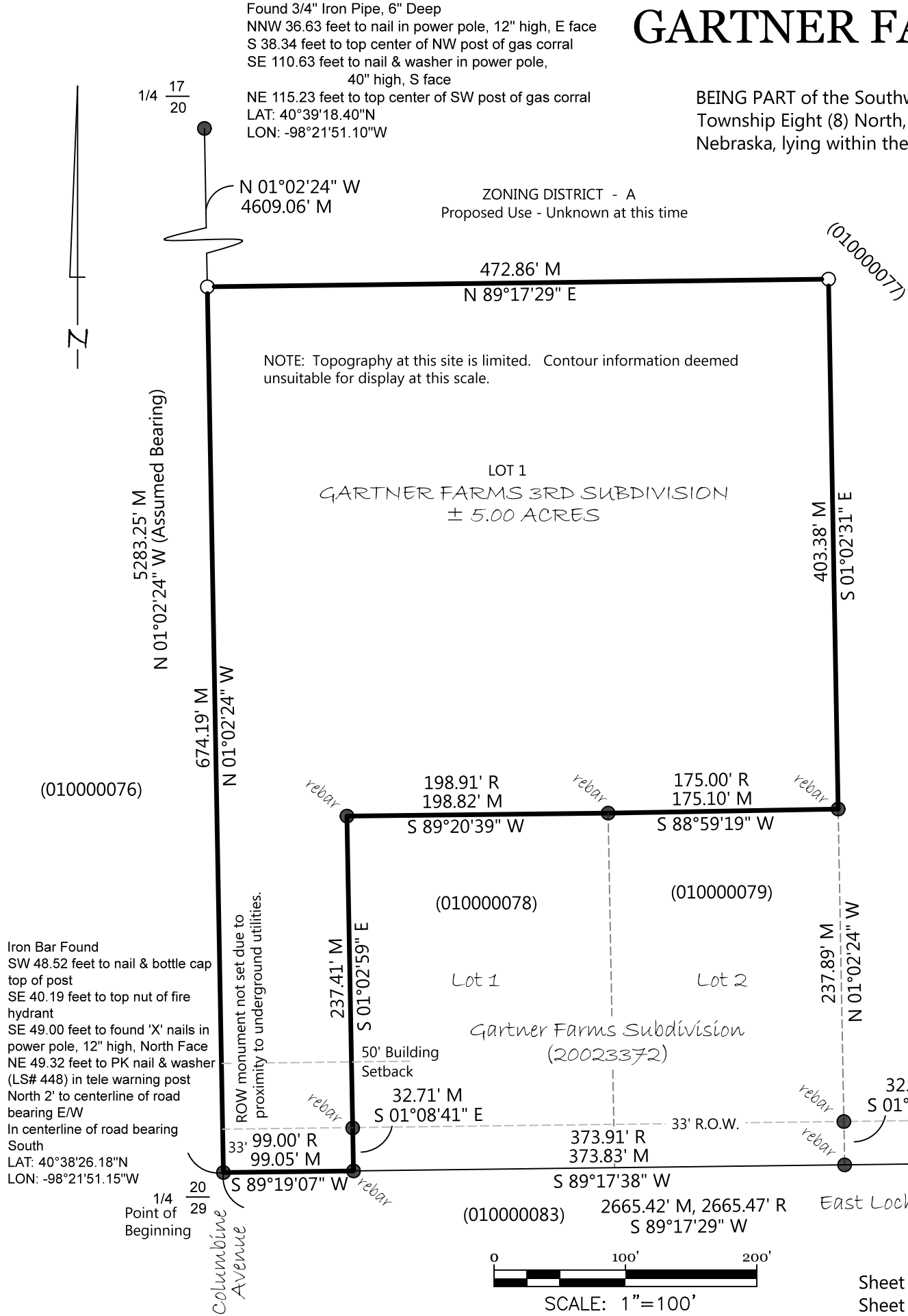
GENERAL NOTES

- RTK-GNSS USING BASE-ROVER SETUP COLLECTED DATA FOR THIS MAP
- GEOID: GRS 1980, PROJECTION: LAMBERT_CONFORMAL_CONIC_2SP
- THE BASIS FOR BEARING OF THIS SURVEY IS THE STATE PLANE GROUND COORDINATE BEARING (NAD 83) BEING THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 20 TOWNSHIP 8 NORTH RANGE 9 WEST OF THE SIXTH PRINCIPAL MERIDIAN, ADAMS COUNTY, NEBRASKA.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE REPORT.

PARCEL NUMBER/OWNERSHIP
010000077 - Edwin H. and Donna Gartner
010000076 - David A. and Marcy J. Luth
010000078 - Allen G. and Doris A. Kosters
010000079 - Eric F. and Lisa K. Wheeler
010000083 - Curry Family Farms, LLC
NOTE: Ownership list taken from Adams County GIS, 06072024

Virlyn S. Bolte PLS 631
Land Services LLC
302 Rd. 3
Henderson, NE 68371

I, Virlyn S. Bolte, a Professional Land Surveyor in the State of Nebraska, hereby certify that the above plat is from an accurate survey conducted under my direct supervision on May 14, 2024, in accordance with the Land Surveyors Regulation Act in effect at the time of this survey, Mr. Jack C. Reiman, Nebraska Surveyor in Training, #304, Crewchief. This survey is true and accurate to the best of my knowledge and I am a duly registered land surveyor under the laws of the State of Nebraska.



BEING PART of the Southwest Quarter of the Southeast Quarter (SW 1/4 SE 1/4), of Section Twenty (20), Township Eight (8) North, Range Nine (9) West of the Sixth Principal Meridian (6th P.M.), Adams County, Nebraska, lying within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska.

A Tract of land, located in the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eight (8) North, Range Nine (9) West of the Sixth Principal Meridian (6th P.M.), Adams County Nebraska, being more particularly described as follows: BEGINNING AT the Southwest corner of said SE 1/4 (found); thence on an assumed bearing of North 01°02'24" West a distance of 674.19 feet to a 5/8 inch capped rebar (set); thence North 89°17'29" East a distance of 472.86 feet to a 5/8 inch capped rebar (set); thence South 01°02'31" East a distance of 403.38 feet to a iron pipe (found); thence South 88°59'19" West a distance of 175.10 feet to a iron pipe (found); thence South 89°20'39" West a distance of 198.82 feet to a iron pipe (found); thence South 01°02'59" East a distance of 237.41 feet to a iron pipe (found); thence South 01°08'41" East a distance of 32.71 feet to a rebar (found); thence South 89°19'07" West, on said south line of said SE 1/4, a distance of 99.05 feet to a iron bar (found), also being the **Point of Beginning**. Containing a calculated area of 5.00 acres, more or less. Subject to all conditions and restrictions of record.

Know all men by these present, that we, Edwin H. and Donna J. Gartner, Husband and Wife, owners of record of the land shown on the plat and described in the legal description hereon, have caused the same to be surveyed, subdivided, platted and designated as GARTNER FARMS THIRD SUBDIVISION, within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska, and that said surveying, subdividing, platting and designation was done with the free consent and in accordance with the desires and wishes of the undersigned owners. Be it further known, that said owners do hereby dedicate all streets and easements shown on this plat to the public.

DONNA J. GARTNER (WIFE) EDWIN H. GARTNER, (HUSBAND)

STATE OF _____)
)
COUNTY OF _____)

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

NOTARY

This plat of GARTNER FARMS THIRD SUBDIVISION, within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska, has been submitted to and reviewed by the City Planning Commission for approval and is hereby transmitted to the governing body of the City of Hastings,

Adams County, Nebraska with the recommendation that said plat be APPROVED THIS ____ DAY OF _____, 20____.

DIRECTOR

This plat of GARTNER FARMS THIRD SUBDIVISION, within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska, is hereby APPROVED THIS _____ DAY OF _____, 20____.

CLERK

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 the plat as of this _____ day of _____, 20____.

Applicant(s) hereby waive any and all claims for damages occasioned by the establishment of grades of the alteration of the surface of any portion of the streets and alleys to conform to said grades as established.

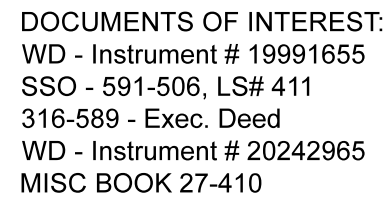
DONNA J. GARTNER (WIFE)

EDWIN H. GARTNER, (HUSBAND)

This plat of GARTNER FARMS THIRD SUBDIVISION, within the Extraterritorial Jurisdiction of the City of Hastings, Adams County, Nebraska, has been received and reviewed by me and is in compliance with the provisions of Chapter 38 of the City code for the City of Hastings, Adams County, Nebraska, providing for the approval of subdivisions and plats by the City Engineer under certain circumstances.

APPROVED THIS _____ DAY OF _____, 20____.

CITY ENGINEER



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.

SIGNED THIS _____ DAY OF _____, 20____.

STATE OF NEBRASKA)
)
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: _____

(SIGNED)

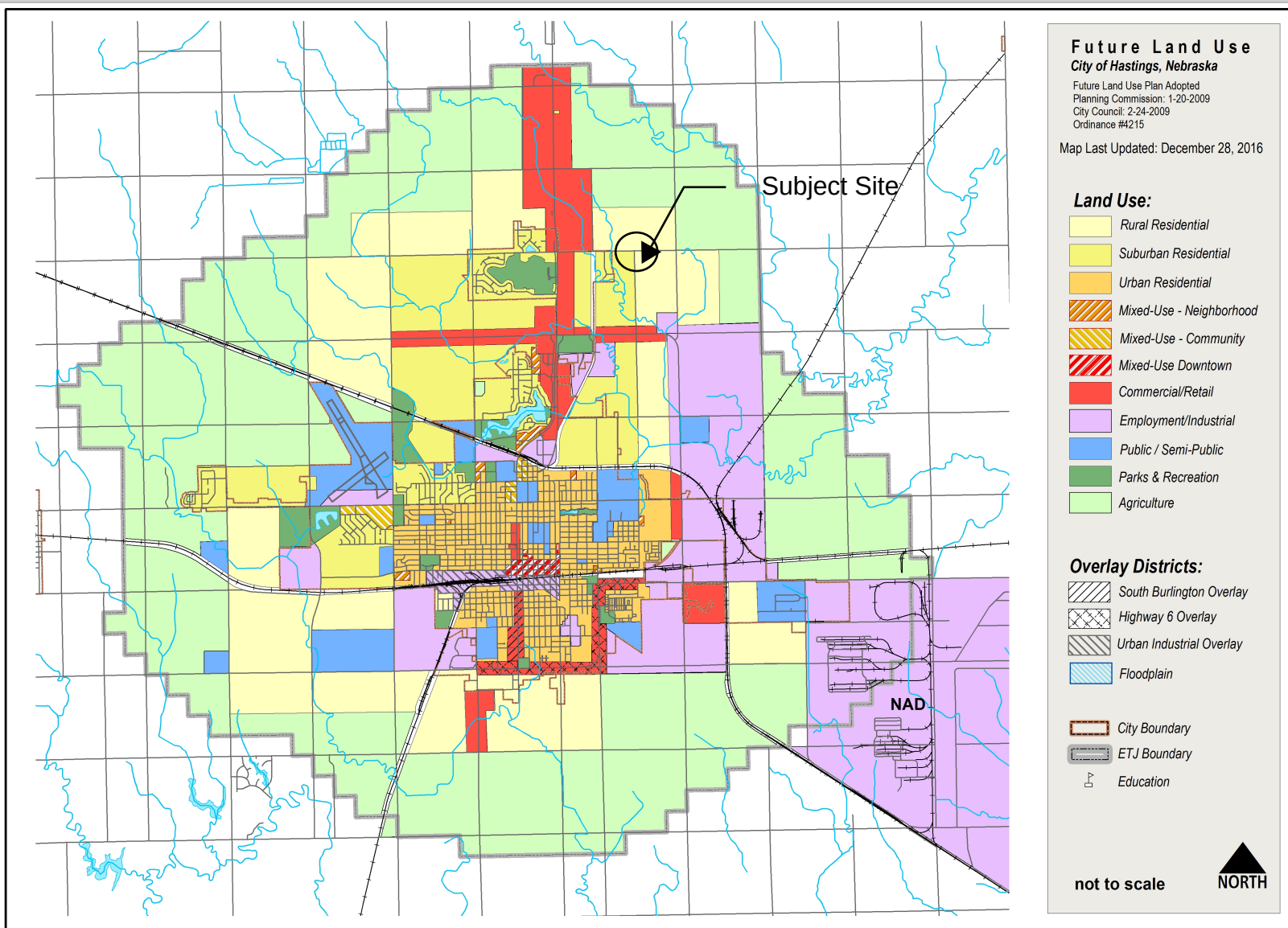


Figure 2.2: Future Land Use Plan