

HASTINGS PLANNING COMMISSION

MINUTES

November 16 2015

A meeting of the Hastings Planning Commission was called to order by Chairman Keith Napier, Monday, November 16, 2015 at 4:00 p.m. in the City Building, 220 North Hastings Avenue, City Council Chambers, Hastings, Nebraska.

ROLL CALL

Mr. Gaines
Mr. Stutte
Mr. Hamelink, absent
Mr. Rosenberg
Mr. Napier, Chairman
Mr. Kully
Mr. Johnson
Mr. Hamburger
Mrs. Shutt, absent

STAFF

Mark Evans, Building Inspector
Linda Waldron, Fire Prevention Officer
Dave Ptak, City Attorney
Teri Schelkopf, Recording Secretary
Joe Patterson, City Administrator &
Interim DS Director
Al Meyer, Hastings Utilities
Lance A. Lang, City Planner

It was stated that a quorum was present.

The Pledge of Allegiance was recited by all present.

The Chair asked for a motion to adopt the current agenda. It was moved by Mr. Hamburger, seconded by Mr. Johnson to adopt the current agenda.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

The Chair stated that the Open Meetings Act is posted on the southeast wall of the City Council Chambers and that prior to this meeting a notice was placed in the Hastings Tribune on November 9, 2015, that notice was posted in three public places, that each Planning Commission member received a copy of the proposed agenda and that an agenda for such meeting, kept continuously current, is available for public inspection.

The Chair asked for comments or changes to the minutes of the October 19, 2015, meeting.

There being none, the Chair asked for a motion to approve the minutes of the October 19, 2015, meeting.

It was moved by Mr. Kully to approve the minutes. Seconded by Mr. Hamburger.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

Motion carried unanimously.

The first item on the agenda was request number **15-039**. Application from Paul Hamelink representing Evangelical Lutheran Good Samaritan Society, Hastings Village, for a Conditional Use Permit to develop group housing for senior citizens on property zoned R-3, Multiple Family Residential District located at 901-1117 East C Street.

The Chair asked for comments from Staff.

Mr. Lang stated the code requires a Conditional Use Permit (CUP) for group housing in R-3 zones. Recently discussion has been held between City Staff and representatives from Good Samaritan regarding viewing the entire Hastings Village development as a Campus. With higher density housing, staff felt it appropriate to look at this project as a conditional use. This is a tri-plex project. Each of 16 buildings will contain three living units for a total of 48 living units. This project is targeted for senior housing. There are eight free standing garage buildings along East B Street frontage containing sixty (60) parking stalls.

Phase One consists of the first two tri-plex buildings for a total of six living units, shown as Buildings 7 and 8, and one garage building accommodating six vehicles.

There is an issue with adequate fire flow. The utilities would be privately operated and owned, with Miller & Associates, an engineering firm, to redesign and upgrade the water mains so they will have adequate fire flow. The applicants have requested building permits to get started this fall. As the infrastructure is completed, the other units will be built in phases. Other requirements for Conditional Use Permits include site plan, landscape plan, drainage plan, and architectural elevations, are included in the packet and meet the standards for a complete CUP submittal. The buildings will be constructed with siding with asphalt shingles with a hip roof and building materials for the garage buildings will match the primary buildings. There was some discussion that a vehicular gate may be installed on the west end of the project for security purposes. Staff recommends approval of the Conditional Use Permit.

The Chair asked if anyone else would like to speak to the application.

There being no one, the Chair declared the public hearing closed.

The Chair asked for a motion on application 15-039.

Moved by Mr. Hamburger to approve 15-039. Seconded by Mr. Kully.

The Chair asked for further questions or discussion.

There being none, the Chair asked for the vote.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

Motion carried unanimously.

The next item on the agenda was request number **15-040**. Application from Kara Tharp, on behalf of Pat's Auto Repair and Towing, requesting to vacate the eighty-foot wide public right-of-way for that portion of South St. Joseph Avenue extending from the north line of the east-west alley between B Street

and vacated A Street, extending north to the north line of the intersection of vacated A Street and South St. Joseph Avenue.

The Chair stated that Mr. Kully has indicated he feels he has a conflict of interest. He will step down for this public hearing.

The legal notice was read into the record.

The Chair declared the public hearing open.

The Chair asked for comments from Staff.

Mr. Lang stated this is a partial street vacation for South St. Joseph Avenue right-of-way. "A" Street South was vacated from Denver to St. Joseph two months ago. Now some of the owners that abut St. Joseph have requested that the City look at vacating this particular section of the street. Exhibit "A" shows how the area that would be vacated from the alley north to "A" Street and Exhibit "B" would show how the property would revert to abutting property owners on each side of the street. By state law half of the right-of-way would revert to each of the abutting property owners on each side. In this case, the City does have utilities in the east half of the right-of-way, so the east 40' would need to be retained as a public access and utility easement. The street can still be vacated and the ownership revert to the owner but they could not build any structures over it. It could be used within the limits of the ordinance i.e. surface parking, outdoor storage.

The Chair asked if anyone else would like to speak to the application.

There being no one, the Chair declared the public hearing closed.

The Chair asked for a motion.

Moved by Mr. Stutte to approve 15-040. Seconded by Mr. Gaines.

The Chair asked for further questions or discussion.

There being none, the Chair asked for the vote.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

Motion carried unanimously.

The Chair asked that the record reflect Mr. Kully rejoined the meeting.

The next item on the agenda was request number **15-041**. Application from David H. Fisher representing Butler Machinery Company, applicant, and Jerry R. Haskin, owner, to rezone a 10.16 (revised to 11.120) acre tract located south of M Street and east of Highway 281 from A, Agricultural District to I-2, Heavy Industrial District.

The legal notice was read into the record.

The Chair declared the public hearing open.

The Chair asked for comments from Staff.

Mr. Lang stated this is a rezoning request for an area that has not been developed to date. It is currently zoned Agricultural and would be rezoned to Heavy Industrial. The proposed use is for a farm implement dealer. The parcel is 11.120 acres, and by state law, does not have to be subdivided since it exceeds 10 acres in size. A survey has been done for the rezoning. The location is the southeast corner of "M" Street and Highway 281. Butler Machinery would like to begin construction in the spring. Utilities are available, however, Hastings Utilities will be doing some major infrastructure work in this area next spring as well. The rezoning request before the Commission to act upon is from Agricultural to Heavy Industry. Staff is in support of the rezoning request.

The Chair asked if there was anyone else that would like to speak to the application.

David Fisher, 1131 N. St. Joseph Ave., Hastings, NE. Attorney with Dunmire, Fisher and Hastings, representing Butler Ag Equipment, a North Dakota Corporation stated they have 18 locations, including four in Nebraska. They will be locating an ag equipment business at "M" and Highway 281.

The Chair asked if there was anyone else that would like to speak to the application.

There being no one, the Chair declared the public hearing closed.

The Chair asked for a motion to approve.

Moved by Mr. Kully to approve application 15-041. Seconded by Mr. Rosenberg.

The Chair asked for further questions or discussion.

There being none, the Chair asked for the vote.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

Motion carried unanimously.

The Chair stated the last application has been withdrawn by the applicant.

The Chair stated the ad hoc committee did meet November 18. We have focused only on a couple of projects, but felt we wanted to get back into the original intent which was to sit and talk as two separate bodies about projects happening on the boundaries, county and city. The Committee is still working on a couple of specific projects and will meet with Mr. Lang and Mr. Ptak at a later date. The first Wednesday of the month ad hoc discussions will still be held and specific meetings can be scheduled when we have project work that needs addressed.

The Chair asked for any comments from Staff.

There being none, the Chair asked for a motion to adjourn.

Moved by Mr. Hamburger, seconded by Mr. Johnson.

The Chair asked for the vote.

VOTE – 7 - YES – Gaines, Stutte, Rosenberg, Napier, Kully, Johnson, Hamburger

Motion carried unanimously.


Chairman