



## City Council Memorandum

**To:** Mayor Fasbender and City Council  
**From:** John Hinzman, Community Development Director  
**Date:** February 22, 2022  
**Item:** Stencil Addition - 1<sup>st</sup> Reading\Order Public Hearing - Rezoning I-1 to DC

### **Council Action Requested:**

Consider 1<sup>st</sup> Reading and Order a Public Hearing of an Ordinance Amendment to rezone property from I-1 Industrial Park to DC Downtown Core. Upon action by the Council, the public hearing, 2<sup>nd</sup> reading and final adoption would be scheduled for the March 7, 2022 City Council Meeting along with remaining land use actions.

A simple majority is necessary for action.

### **Background Information:**

The request is submitted in conjunction with a proposal to construct an 89 unit apartment building between 3<sup>rd</sup> and 4<sup>th</sup> Street, west of Bailey Street by Nathan Stencil (NJS Development LLC). The proposal includes both land owned by Stencil and land owned by the Hastings Economic Development and Redevelopment Authority (HEDRA).

### **Financial Impact:**

The addition of 89 apartments will add to the tax base and create needed housing opportunities.

### **Advisory Commission Discussion:**

- **Planning Commission** - The Planning Commission voted 7-0 to recommend approval of the Rezoning along with Special Use Permit, Preliminary Plat, Final Plat, and Site Plan at the February 14, 2022 meeting with limited discussion. One resident spoke during the public hearing concerning building height.
- **HEDRA** - HEDRA voted 5-0 to authorize sale of the property to Stencil at the September 9, 2021 meeting.

### **Attachments:**

- Resolution
- Planning Commission Staff Report - September 13, 2021

**1<sup>st</sup> READING DRAFT**

**ORDINANCE NO. 2021-\_\_\_\_, THIRD SERIES**

**AN ORDINANCE OF THE CITY OF HASTINGS, MINNESOTA AMENDING  
SECTION 155.01, ZONING CODE OF THE CITY CODE HAVING TO DO  
WITH:**

**OFFICIAL ZONING MAP**

**BE IT ORDAINED** by the City Council of the City of Hastings that approximately 1.13 acres of property generally located west of Bailey Street between 3<sup>rd</sup> Street and 4<sup>th</sup> Street is rezoned from I-1 Industrial Park to DC Downtown Core. The property is legally described as Lots 1,2,3,7, and 8, Block 17, TOWN OF HASTINGS, Dakota County, Minnesota.

**EFFECTIVE DATE:** This Ordinance shall be in full force and effect from and after its passage and approval and publication, as required by law and/or charter.

**ADOPTED** by the Hastings City Council on this 7<sup>th</sup> day of March, 2022.

\_\_\_\_\_

Mary Fasbender, Mayor

ATTEST:

\_\_\_\_\_

Kelly Murtaugh, City Clerk

I HEREBY CERTIFY that the above is a true and correct copy of an ordinance presented to and adopted by the City of Hastings, County of Dakota, Minnesota, on the 7<sup>th</sup> day of March, 2022, as disclosed by the records of the City of Hastings on file and of record in the office.

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Kelly Murtaugh, City Clerk

**(SEAL)**

This instrument drafted by:  
City of Hastings (JH)  
101 4th St. East  
Hastings, MN 55033



### *Planning Commission Memorandum*

**To: Planning Commissioners**

**From: John Hinzman, Community Development Director**

**Date: February 14, 2022**

**Item: Nathan Stencil - Rezoning, Special Use Permit, Preliminary Plat, and Final Plat, Site Plan #2021-50 - Stencil Addition-Flats on 3rd**

#### **Planning Commission Action Requested**

Review the following actions for development of Stencil Addition - Flats on 3<sup>rd</sup>, an 89 unit apartment building as proposed by Nathan Stencil of NJS Development LLC. The 1.13 acre property is currently owned by Stencil and the Hastings Economic Development and Redevelopment Authority (HEDRA). The site is generally located west of Bailey Street, between 3<sup>rd</sup> and 4<sup>th</sup> Streets:

- 1) Rezone Property from I-1 Industrial Park and to DC - Downtown Core
- 2) Special Use Permit - Shoreland Ordinance
  - a. Building over five units in size
  - b. Impervious surface coverage exceeding 25%.
- 3) Preliminary and Final Plat of STENCIL ADDITION a replat of three existing lots and partial vacation of an alley into a single lot of record.
- 4) Site Plan for construction of an 89 unit apartment building with ground floor covered parking and atop four stories of residential apartments (five stories total).

#### **BACKGROUND INFORMATION**

##### **Comprehensive Plan**

The property is guided Mixed Use High Residential within the 2040 Comprehensive Plans. The proposed use is consistent with the Comprehensive Plan. An amendment to reguide the land from Mixed Use to Mixed Use High Residential was approved by the City Council on November 15, 2021.

##### **Zoning**

The property is currently zoned I-1 Industrial Park. The planned use and density are permitted under the proposed DC Zoning District.

**Existing Condition**

The site contains a house recently purchased by Stencil (404 3<sup>rd</sup> St E). The steel building located at 415 4<sup>th</sup> Street E has been sold to a private party and is currently being removed. The remaining site is generally flat and treeless.

**Adjacent Zoning and Land Use**

The following land uses abut the property:

Direction	Use	Comp Plan District	Zoning District
North	3 <sup>rd</sup> Street Red Rock Corridor Parking Lot	Mixed Use High Residential	DC - Downtown Core
East	Mississippi River Trail (Bailey St) CP Railroad	Highway\ROW	DC - Downtown Core
South	4 <sup>th</sup> Street City Storage Garage (Police)	Medium Residential	C-3 - Community Regional Commerce
West	Residential - Single Family	Medium Residential	I-1 - Industrial Park

**History**

The home located at 404 3<sup>rd</sup> Street E was constructed in 1900 and was most recently used as an apartment. The remaining site was formerly part of the UBC Lumberyard and was acquired by the Hastings Housing and Redevelopment Authority (HRA) in 2006 and transferred to HEDRA in 2009. The former UBC building was used for City storage. The steel building was recently sold at auction and is being removed by a private party.

**HEDRA Purchase and Development Agreement**

HEDRA has executed a Purchase and Development Agreement to sell the its portion of the development to Stencil upon development approvals.

**Neighborhood Meeting**

Stencil held a meeting on December 7, 2021 to introduce the proposal to the neighborhood. About five neighbors attended sharing concerns about height of building, balconies, setback to residential area, and long-term ownership of the property.

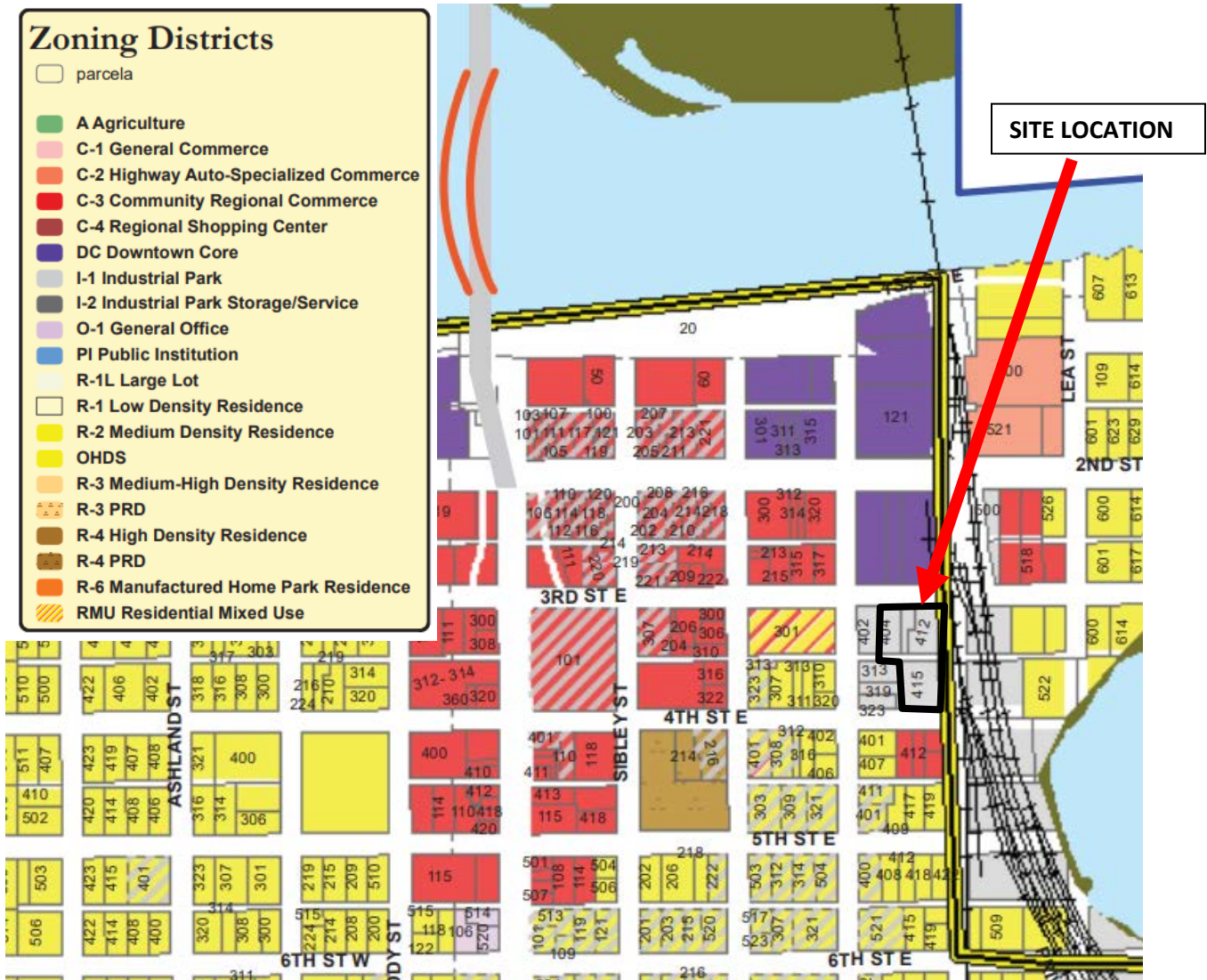
**Notification of Adjacent Owners**

All property owners within 350 feet of the site were provided notification of the meeting. One email in support of the application submitted by Amy Fox is attached.

## REZONING REVIEW

### Request

Rezone property from I-1 Industrial Park to DC - Downtown Core. The actions serve as an amendment to Hastings City Code Chapter 155.01 - Official Zoning Map.



### Analysis

	DC Requirement	Site Proposal
Residential Use	Above 1 <sup>st</sup> Floor	Above 1 <sup>st</sup> Floor
Minimum Lot Width	22 feet	132 feet
Minimum Lot Depth	80 feet	302 feet
Maximum Building Height	57 feet	53 feet, 4 inches
Maximum Building Stories	N\A	5
Site Density	14 units per acre	78.8 units per acre

**RECOMMENDATION - REZONING**

The proposed development plan and rezoning is consistent with the Comprehensive Plan. The plan meets the requirements of the proposed zoning district and is adjacent to other properties of similar zoning. Approval of the Rezoning to DC Downtown Core is recommended subject to the following:

- 1) Conformance with the plans submitted with the Planning Commission Staff Report dated February 14, 2022

**ATTACHMENTS**

- Site Location Map
- Site Pictures
- Site Plan
- Application
- Comments



LOCATION MAP





Site Pictures



Looking North from 4<sup>th</sup> Street



Looking Northwest from Bailey Bike Trail



Looking East from Tyler Street at Alley



Looking East from Tyler Street





Looking South from 3<sup>rd</sup> Street



Looking Southwest from 3<sup>rd</sup> Street



Looking North from 3<sup>rd</sup> Street



Looking Southeast to Bailey Street Trail







**COMMENTS**

Amy Fox - Spiral Brewery - 2/7/22

I wanted to voice my excitement and support for the possibility of the construction of the 89 unit apartment building downtown - Flats on 3rd. Primarily as a business and building owner downtown, but also as a resident of our town, I'm thrilled by the new development downtown and cannot wait for more excitement and the increased foot traffic it will bring.

I know that the planning commission is reviewing this next week, so John please pass along my vote of support. And hopefully this will make it to the council the following week, so Tina, I wanted you to be aware of my support as well.

Please let me know if you have any questions or want more information.



**City of Hastings  
Community Development Department**

**Land Use Application**

Address or PID of Property: 19-32150-17-021, 19-32150-17-020, 19-32150-17-030, 19-32150-17-080

Applicant Name: Nathan Stencil  
 Address: P.O. Box 89624  
Sioux Falls, SD 57109  
 Phone: 605-940-6381  
 Fax: \_\_\_\_\_  
 Email: nstencil@stencil-group-com

Property Owner: Tim Rowan  
 Address: 1460 Tierney CT  
Hastings, MN 55033  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

Description of Request: 87 unit multi-family housing project consisting of studios, one-bedroom, and two-bedroom apartments. Units and common areas will offer high quality finishes and amenities. Building will be 5 stories. The first level will consist of garage parking and an entrance vestibule. On-site surface parking will be provided. Existing alley will be vacated, and property will be platted. Property will be rezoned from "I-1 Industrial Park" to "DC Downtown Core".

If requesting site plan review of multi-family units (three or more attached), are the units intended to be for sale or rental units? Rental Units

Check Applicable Line(s)	Please Note: All Fees and Escrows are due at time of application.		
<u>X</u> Rezone	\$500	_____	Minor Subdivision \$500
<u>X</u> Final Plat	\$600	<u>X</u>	Special Use Permit \$500
_____ Variance	\$250	_____	Comp Plan Amend. \$500
<u>X</u> Vacation	\$400	_____	Lot Split/Lot Line Adj. \$50
_____ House Move	\$500	_____	Annexation \$500 plus legal expenses
<u>X</u> Prelim Plat	\$500 + escrow	_____	EAW \$500 + \$1,000 escrow
<u>X</u> Site Plan	\$500 + escrow	_____	Interim Use Permit \$500

Total Amount Due: \$ 5,100

Make checks payable to City of Hastings.  
Credit cards also accepted.

Please ensure that all copies of required documents are attached.

[Signature]  
 Applicant Signature 11/12/21  
 Date

[Signature]  
 Owner Signature 11-12-2021  
 Date

Nathan Stencil - President  
 Applicant Name and Title – Please Print

Tim Rowan  
 Owner Name – Please Print

**OFFICIAL USE ONLY**

File # \_\_\_\_\_ Rec'd By: \_\_\_\_\_ Date Rec'd: \_\_\_\_\_  
 Fee Paid: \_\_\_\_\_ Receipt # \_\_\_\_\_ App. Complete \_\_\_\_\_