

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, July 2, 2019
7:30 a.m.

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**NOTICE OF MEETING
CITY OF NORFOLK, NEBRASKA**

NOTICE IS HEREBY GIVEN that a meeting of the Norfolk Planning Commission of the City of Norfolk, Nebraska, will be held at 7:30 a.m. on Tuesday, July 2, 2019, in the Council Chambers, 309 N. 5th Street, which meeting will be open to the public.

An agenda for such meeting, kept continually current, is available at the City of Norfolk Administration Building, located at 309 N 5th Street, Norfolk, Nebraska during normal business hours.

AGENDA
NORFOLK PLANNING COMMISSION
July 02, 2019

CALL TO ORDER

1. 7:30 a.m. Call meeting to order.
2. Inform the public about the location of the Open Meetings Act posted in the Council Chambers and accessible to members of the public
3. Roll call.

CURRENT BUSINESS

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| 4. Approval of full agenda. | Motion |
| 5. Consideration of approval of the minutes of the June 18, 2019 Planning Commission meeting. | Motion |
| 6. Consideration of Resolution No. 2019PC-2 approving a conditional use permit for an RV park and off-road leisure riding on property addressed as 2900 Old Highway 8. | Resolution 2019PC-2 |

OTHER BUSINESS

7. Open topics on any concerns the Commission has towards current and future planning for the City; no action can be taken on matters discussed.

PLANNING COMMISSION MEETING

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 18th day of June, 2019, beginning at 7:30 a.m.

The Planning Commission Vice-Chair, Frank Arens, called the meeting to order and informed the public about the location of the current copy of the Open Meetings Act posted in the meeting room and accessible to members of the public.

Roll call found the following Commission Members present: Frank Arens, Kyle Deets, Zackary Gangwer, Dirk Waite, Mary Hammond, Martin Griffith, Jacob Thone, and Matt Gilmore. Absent: Dan Spray.

Staff members present were: City Planner Val Grimes, City Engineer Steven Rames, Staff Engineer John Cahill, and Stacey Hansen.

Vice-Chair Frank Arens presided and the Planning Commission Secretary Brianna Duerst digitally recorded the audio of the proceedings.

Current Business

Commissioner Gilmore moved, seconded by Commissioner Waite to approve the full agenda.

Roll Call: Commission Members: Ayes: Arens, Deets, Gangwer, Waite, Hammond, Griffith, Thone, and Gilmore. Nays: None. Absent: Spray. Motion carried (8-0).

Commissioner Waite moved, seconded by Commissioner Deets to approve the June 4, 2019 meeting minutes.

Roll Call: Commission Members: Ayes: Arens, Deets, Gangwer, Waite, Hammond, Griffith, Thone, and Gilmore. Nays: None. Absent: Spray. Motion carried (8-0).

Public Hearing

Public Hearing

Conditional Use Permit for an RV park and off-road leisure riding
2900 Old Highway 8 – Off Road Ranch, LLC

Vice-Chair Arens opened the public hearing at 7:31 a.m. to consider a conditional use permit for an RV park and off-road leisure riding on property addressed as 2900 Old Highway 8.

Kevin Signor, applicant, stated the request is for a renewal of the current conditional use permit, and the only change would be to allow more temporary RV parking spots if the need arose. The current permit allows 60 spots, in an attempt to be proactive Signor would like the opportunity to increase that number if a large project were to come to the City and contractors would need a place to bring campers while working. Signor explained there is room for another 140 spots and reiterated that he would only go to the expense to add more spots if there was a specific need as the park has never been at full capacity.

City Engineer Steven Rames asked if Signor had explored what would be needed in regard to the sanitary sewer holding tank. Signor explained he has contacted DEQ and that the park is currently in compliance with all DEQ regulations and he has looked into additional requirements if growth occurs.

Edwin Ferris spoke in opposition of the request stating the area the applicant is proposing to use for additional spaces was meant to be a buffer. Ferris stated there were trailers in the RV park that have been parked for an extended period of time, some up to two years, resulting in a trailer court atmosphere.

Commissioners asked about the origination of the original permit and the number of spots allowed. Signor explained that initially, due to a project coming through the City, he was asked to construct an RV park, which consisted of 4 rows of 15 spots. The conditional use permit was granted after that construction occurred, since 60 spots had been constructed that is the number that was put in the permit.

Vice-Chair Arens asked about floodplain regulations. City Planner Val Grimes explained that the property is in the floodplain and one of the regulations is that campers and trailers be moved every 180 days. Grimes explained a condition could be added to renewed permit to require the campers be moved every March and September to meet that regulation. It would be proof that the campers are in proper condition that they could be moved if a flood were to occur.

Ferris stated that he was unaware of the 180 moving requirement and that there was a trailer that had been parked at the RV park and lived in for over two years. Arens explained that the 180 requirement is not part of the current permit, it was simply being discussed as an added condition of the renewed permit, and that no current condition has been violated. Signor explained that there was a student that lived at the RV park during the school year but not during the summer months.

Mary Haas spoke in opposition due to the incremental advances that have taken place over the years. Haase stated the RV park is an undesirable element that the neighbors don't want.

No one else spoke in favor or opposition of the request and Vice-Chair Arens closed the public hearing at 7:47 a.m.

Commissioners discussed the increase in allowed spaces and questioned the process to request additional spaces if or when the need arose. Grimes explained that the conditional use permit would need to be completely redone to make any changes which would take approximately a couple of months. Commissioner Griffith noted that construction time would need to be considered as well, and suggested an increase to 100 spots so if the need arose construction could begin right away.

Commissioners discussed the current park never being at capacity with its current 60 spots and if there were other areas in town where workers with trailers can stay. The trailer court on Bonita Drive was mentioned. Grimes clarified that there are trailers parked in the Bonita Drive trailer court, but they should not be there as the property is zoned R-M (Mobile Home Residential District) and an RV park is not a permitted use. Off Road Ranch is the only legal long-term RV park in the City's jurisdiction.

Commissioner Waite moved, seconded by Commissioner Thone to have City staff prepare a conditional use permit for discussion and action at the next regularly scheduled Planning Commission meeting and to add the 180 day floodplain movement requirement and allow for 100 spots.

Roll Call: Commission Members: Commission Members: Ayes: Arens, Deets, Gangwer, Waite, Hammond, Griffith, Thone, and Gilmore. Nays: None. Absent: Spray. Motion carried (8-0).

Other Business

City Planner Valerie Grimes presented the May 2019 Building Permit Report.

There was no other discussion and Vice-Chair Arens declared the meeting adjourned at 8:09 a.m.



Brianna Duerst, Norfolk Planning Commission Secretary

Frank Arens, Norfolk Planning Commission Vice-Chair

By the City of Norfolk, 309 N. 5th Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT
RESOLUTION NO. 2019PC-2

WHEREAS, Off Road Ranch, LLC, A Nebraska Limited Liability Company, hereinafter referred to as “APPLICANT”, has filed an application for a Conditional Use Permit seeking a permit to operate a private off-road membership leisure riding operation and a recreational vehicle park on property addressed as 2900 Old Highway 8 and legally described as follows:

6th The N ½ of the S ½ of the NW ¼ and all that part of the N ½ of the NW ¼ lying and being South of the County Road commonly known and referred to as “the Stanton Road” and as “Old Highway No. 8”, all in Section 6, Township 23 North, Range 1 East of the P.M., Stanton County, Nebraska.; and

and WHEREAS, the property described above is presently included in Zoning District I-1;

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on June 18, 2019 receiving input and data from the APPLICANT and the general public concerning the proposed Conditional Use Permit;

NOW THEREFORE, in consideration of the foregoing recitals, the Planning Commission of the City of Norfolk, Nebraska hereby adopts the following Resolution:

BE IT RESOLVED by the Planning Commission of the City of Norfolk, Nebraska that Off Road Ranch, LLC is hereby granted a Conditional Use Permit to operate a private off-road membership leisure riding operation and a recreational vehicle park subject to the following terms and conditions:

1. That the site be used as a go-cart, motocross, snowmobile and ATV track seven days a week from 9:00 am until 9:00 pm;
2. That the site be policed and picked up for litter the night of racing prior to closing the track for the evening;
3. That the dust on the track be controlled by consistent watering and dust kept to a minimum;
4. That the lighting of the track be kept to a minimum during hours of operation, and should lighting be provided, it shall be directed away from adjacent properties;

5. One hundred (100) permanent recreation vehicle parking spots are permitted;
6. As the campground is in the regulated floodplain, every year on March 1st and September 1st all recreational vehicles shall move, and a confirmation letter will be provided to the city's floodplain administrator by the owners that this action took place;
7. All waste disposal systems shall comply fully with the Nebraska State Department of Environmental Quality requirements;
8. All water wells shall comply fully with the Nebraska State Department of Health and Human Services requirements;
9. The Conditional Use Permit shall be for ten (10) years and issued to Off Road Ranch, LLC;
10. Failure to observe and maintain the conditions and restrictions of the conditional use permit shall be considered a violation of The Code of the City of Norfolk, Nebraska subject to penalty as provided herein and may be grounds for review of the permit;
11. All procedures and standards outlined in Section 27-56 of the Norfolk City Code pertaining to Conditional Use Permits shall be observed and the Conditional Use Permit granted herein shall be subject to the provisions of the Norfolk City Code that provide for an appeal to be taken within 15 days of the decision of the Planning Commission, and;
12. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 2nd day of July, 2019.

ATTEST:

 Dan Spray
 Planning Commission Chair

 Brianna Duerst
 Planning Commission Secretary

Approved as to form: _____
 Danielle Myers-Noelle, City Attorney

The foregoing instrument was acknowledged before me this ____ day of _____, 2019 by Dan Spray, Planning Commission Chair and Brianna Duerst, Planning Commission Secretary of the City of Norfolk.

 Notary Public Signature

 Notary Public Printed