

# Agenda Packet

## NORFOLK PLANNING COMMISSION

Wednesday, January 3, 2024  
7:30 a.m.

Created 12/28/2023 11:55 AM

**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 Wednesday, January 3, 2024, 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 5<sup>th</sup> Street, Norfolk, Nebraska during normal business hours.

AGENDA  
NORFOLK PLANNING COMMISSION  
January 03, 2024

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

4. Approval of full agenda. **Motion**
5. Consideration of approval of the minutes of the December 19, 2023 Planning Commission meeting.
6. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly schedule Planning Commission meeting for a Watchman's permit on the property generally located at 2001 S. 1st Street. This item was postponed at the December 5, 2023 Planning Commission meeting. **Motion**
7. Consideration of Resolution No. 2024PC-1, approving a Conditional Use Permit for storage and warehousing of nonhazardous products on property generally located 1/2 mile west of S. 37th St. and south of North Airport Road. **Resolution 2024PC-1**

PUBLIC HEARINGS

8. Public hearing at the request of T T K Investments Inc., to consider a zoning change from R-3 (Multiple Family Residential) to C-2 (Central Business District) on property addressed as 301 N. 1st St.
9. Consideration of recommendation of a zoning change from R-3 (Multiple Family Residential) to C-2 (Central Business District) on property addressed as 301 N. 1st St. **Motion**

OTHER BUSINESS

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

For Office Use Only	Date Rec'd	9-5-23
	Fee	\$ 325.00
	Rec'd by	kp

**CONDITIONAL USE PERMIT APPLICATION**

**Applicant:** Monroe Storage LLC 2001 S 1st Norfolk, NE  
Name Address  
402-640-3380 ColbyLegate@Ymail.com  
Phone Email

\*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

**Contact:** Jennifer Legate 84204 545<sup>th</sup> Ave Battle Creek, Ne 68715  
(other than Name Address  
applicant) 402-640-3380 ColbyLegate@Ymail.com  
Phone Email

**Present Use of Property:** Storage

**Desired Use of Property:** Storage with watchman residential

**Timeframe of Request:**  Perpetual  Issued for \_\_\_\_\_ years

**Location of Property:** 2001 S. 1st Street, Norfolk, NE 68701

**Legal Description:** maple creek Veterinary Services Inc's Addition  
Lot 1 (35-24-1) Norfolk, Madison County, NE

**Property Area, Square feet and/or Acres:** 4 Acres

**General Character of the area:** NW residential, The rest industrial

  
Signature of Owner  
COLBY LEGATE  
Printed Name of Owner

OR

\_\_\_\_\_  
Authorized Agent  
\_\_\_\_\_  
Printed Name of Authorized Agent

**CONDITIONAL USE PERMIT  
JUSTIFICATION FORM**

1. What is the current zoning district?

I-1 CUP

2. For what specific use are you requesting the permit?

Watchmans residential permit

3. Will it be necessary to build a new structure?  Yes  No

4. What makes the location of the proposed permit appropriate in relation to the adjacent properties?

residential across the Street on 2 sides, rest will be used according to zoning had a watchmans permit before we bought it.

5. Is screening or buffering required?  Yes  No

If yes, explain type \_\_\_\_\_

6. Is the ingress & egress to the property and proposed structure adequate?  Yes  No

If no, explain traffic flow solutions \_\_\_\_\_

7. Are off-street parking and/or loading areas required?  Yes  No

If yes, explain traffic flow \_\_\_\_\_

8. Describe the current traffic of the area and the effect the proposed permit will have on traffic patterns.

no effect

9. Are any signs or exterior lighting required?  Yes  No

If yes, explain \_\_\_\_\_

10. Are utilities property located?  Yes  No

Explain location and closest availability \_\_\_\_\_

11. Adequate water and sewer available?  Yes  No

12. Will required yards & other open spaces be observed with the permit?  Yes  No

**CONSENT STATEMENT**

I (We) the undersigned hereby designate and appoint Monroe Storage LLC to represent me (us) for the:

- Conditional Use Permit
- Zone change
- Subdivision platting
- Other \_\_\_\_\_

On the following property:

2001 S. 1st Street, Norfolk, NE 68701

I (We) further certify that, except as set forth below, I (we) have no knowledge of any other person(s) who have an ownership, encumbrance, interest, mortgage, lien interest or any restriction in said property through any instrument or contract not of public record. The names, addresses, and descriptions of the interest of any party having any ownership interest or restriction is as follows:

Name	Address	Description of Interest
<u>Colby Legate</u>	<u>84204 545<sup>th</sup> Ave Battle</u>	<u>Owner</u>
<u>Jennifer Legate</u>	<u>" " creek ne 68715</u>	

  
Signature of Owner  
Colby LEGATE  
Printed Name of Owner

  
Signature of Owner  
Jennifer Legate  
Printed Name of Owner

Return Completed forms to: Norfolk Planning Department; 309 N 5<sup>th</sup> Street; Norfolk, NE 68701 Rev. 1-2018

Print Form

Clear Form

By the City of Norfolk, 309 N. 5<sup>th</sup> Street, Norfolk, NE 68701

CONDITIONAL USE PERMIT  
RESOLUTION NO. 2024PC-1

WHEREAS, Robert A. Uecker, trustee of Richard Uecker Trust, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for storage and warehousing of nonhazardous products on property generally located ½ mile west of S. 37<sup>th</sup> Street and south of North Airport Rd.

A TRACT OF LAND LYING WHOLLY IN THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 6, TOWNSHIP 23 NORTH, RANGE 1 WEST OF THE 6<sup>TH</sup> P.M., MADISON COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER 1/4 CORNER OF SAID SECTION 6; THENCE EAST, ON THE NORTH LINE OF THE SOUTHEAST ¼, ON AN ASSUMED BEARING OF N 87°28'04" E A DISTANCE OF 980.17 FEET; THENCE S 01°35'19" E, PARALLEL TO THE WEST LINE OF THE SOUTHEAST ¼, A DISTANCE OF 33.00 FEET TO A POINT ON A 1340.00 FOOT RADIUS CURVE, THE CENTER OF WHICH BEARS S 15°26'01" E; THENCE IN A SOUTHWESTERLY DIRECT, ON SAID CURVE, AN ARC LENGTH OF 1455.72 FEET, THE CHORD OF WHICH BEARS S 43°26'40" W, WITH A CHORD LENGTH OF 1385.19 FEET TO A POINT ON SAID WEST LINE OF THE SOUTHEAST ¼; THENCE N 01°35'19" W, ON SAID WEST LINE OF THE SOUTHEAST ¼, A DISTANCE OF 995.77 FEET TO THE POINT OF BEGINNING AND CONTAINING 7.42 ACRES MORE OR LESS.

WHEREAS, the property described above is presently included in Zoning District C-1 (Local Business District); and

WHEREAS, the Planning Commission of the City of Norfolk, Nebraska has conducted a public hearing on December 19, 2023 receiving input and data from the APPLICANT and the general public concerning the 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 Robert A. Uecker, trustee of Richard Uecker Trust, is hereby granted a Conditional Use Permit for storage and warehousing of nonhazardous products subject to the following terms and conditions:

1. There shall be no outdoor storage;

2. There shall be no storage of hazardous materials;
3. There shall be no residential occupancy/living quarters in any storage unit;
4. There shall be no commercial uses operated out of the storage units;
5. The Conditional Use Permit shall be for ten (10) years;
6. Pursuant to the Norfolk City Code, the Conditional Use Permit shall be personal privilege granted to the APPLICANT and shall not be subject to transfer;
7. 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 including alteration or termination of the permit;
8. 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;
9. There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 3<sup>rd</sup> day of January, 2024.

ATTEST:

\_\_\_\_\_  
 Dan Spray  
 Planning Commission Chair

\_\_\_\_\_  
 Sarah Wortmann  
 Planning Commission Secretary

Approved as to form:

\_\_\_\_\_  
 Danielle Myers-Noelle  
 City Attorney

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2024 by Dan Spray, Planning Commission Chair and Sarah Wortmann, Planning Commission Secretary of the City of Norfolk.

\_\_\_\_\_  
 Notary Public Signature

\_\_\_\_\_  
 Notary Public Printed



For Office Use Only	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**ZONING CHANGE APPLICATION**

**Applicant:** Jason Tollefson 1408 Verges Ave, 68701  
Name Address  
402-817-8941 tollefson-jason@yahoo.com  
Phone Email

\*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.

**Contact:** Jason Tollefson 1408 Verges Ave, 68701  
(other than Name Address  
applicant) 402-817-8941 tollefson-jason@yahoo.com  
Phone Email

**Current Zoning:** R3 **Proposed Zoning:** ~~ST~~ C2

\*If applying for M-U (Mixed Use) District, a copy of the plan must be submitted with the application.

**Location of Property:** 301 N 1<sup>st</sup> St. Norfolk, NE 68701

**Legal Description:** see attached

**Property Area, Square feet and/or Acres:** 0.9 acres

**Use of Adjoining Properties:**  
North: vacant trailer park East: park South: city/Geary West: city/Geary

[Signature], president TTK  
Signature of Owner

Jason Tollefson  
Printed Name of Owner

\_\_\_\_\_  
Authorized Agent

\_\_\_\_\_  
Printed Name of Authorized Agent

Return Completed forms to: Norfolk Planning Department; 309 N 5<sup>th</sup> Street; Norfolk, NE 68701

**ZONING CHANGE  
JUSTIFICATION FORM**

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?

mixed use

2. Does the zone change request conform to the Comprehensive Plan?

yes

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?

no

4. What is the justification for the zone change as it relates to the overall Land Use?

C2 / mixed use in general vicinity

5. How would this zoning district conform with adjacent properties' zoning?

C2 / mixed use in general vicinity

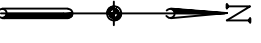
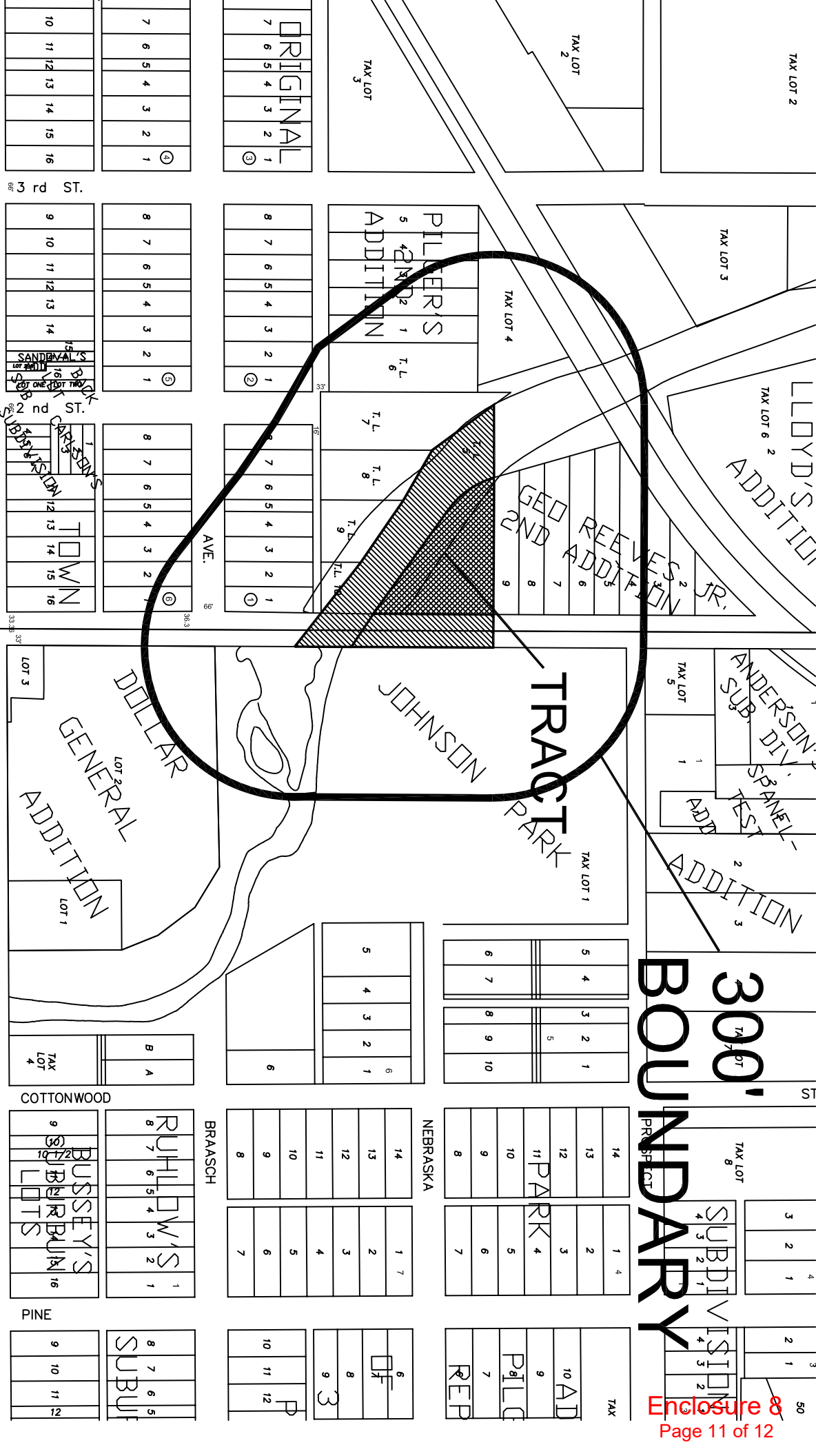
6. What is the general character of the area?

mix of retail + residential

7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?

Yes but a new service needs to be installed for the building to be used.  
new water line in front to be used + private sewer line

# 300' BOUNDARY



NOT TO SCALE  
S:\DEPT\ENG\DEAN\FIRE\LOT\225E241-041123.DWG

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Wednesday, January 3, 2024, at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of T T K Investments Inc., to consider a zoning change from R-3 (Multiple Family Residential District) to C-2 (Central Business District) on property addressed as 301 N. 1<sup>st</sup> St., legally described as follows:

A part of Tax Lot One (1) in the Southeast Quarter of the Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section Twenty-two (22), Township Twenty-four (24) North, Range One (1) West of the 6<sup>th</sup> P.M., Madison County, Nebraska, described as follows: Commencing at a point 33 feet West and 301.75 feet South of the Northeast Corner of the Southeast Quarter of Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of said Section Twenty-two (22), thence West 273.3 feet, thence in a Southeasterly direction on the arc of a curve whose radius is 176 feet, a distance of 112.2 feet, thence Southeasterly 260 feet to a point on the West right of way line of a public road, proceeding thence north on said right of way line 240 feet to the place of beginning. Said tract containing 0.9 acres and is a part of the Southeast Quarter of the Southeast Quarter (SE  $\frac{1}{4}$  SE  $\frac{1}{4}$ ) of Section Twenty-two (22), Township Twenty-four (24) North, Range One (1) West of the 6<sup>th</sup> P.M., Madison County, Nebraska.

Publish (December 22, 2023)  
1 P.O.P.