

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, May 2, 2023
7:30 a.m.

Created 4/28/2023 1:40 PM

**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, May 2, 2023, 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
May 02, 2023

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 April 18, 2023 Planning Commission meeting. **Motion**

PUBLIC HEARINGS

6. Public hearing at the request of Brooke N. Sherbeck, to consider a zoning change from A (Agricultural District) and R-R (Rural Residential District) to R-R (Rural Residential District) on property addressed as 2005 Crown Road.
7. Consideration of recommendation of a zoning change from A (Agricultural District) and R-R (Rural Residential District) to R-R (Rural Residential District) on property addressed as 2005 Crown Road. **Motion**

PLATS/SUBDIVISIONS

8. Consideration of recommendation of the final plat of Sherbeck Subdivision. **Motion**
9. Consideration of recommendation of the final plat of Big Red Keno Subdivision. **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.

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 April, 2023, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Dan Spray, Kayla Ramsay, Chad Bryant, Dirk Waite, Kaycee Kube, Martin Griffith, and Jacob Thone. Absent: Brandon Franklin, and Cody Ronnfeldt.

Staff members present were: Val Grimes, City Planner; Steven Rames, City Engineer; Randy Gates, Finance Officer; and Katelyn Palmer.

Planning Commission Chair, Dan Spray presided and the Planning Commission Secretary Elizabeth Lienemann digitally recorded the audio of the proceedings.

Chair Spray 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.

Notice of the meeting was given in advance thereof by publication in the Norfolk Daily News, Norfolk, Nebraska, the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Chair and all members of the Commission and a copy of their acknowledgement of receipt of notice and agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chair and Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was opened to the public.

Current Business

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

Roll Call: Commission Members: Ayes: Spray, Ramsay, Bryant, Waite, Kube, Griffith, and Thone.
Nays: None. Absent: Franklin, and Ronnfeldt. Motion carried (7-0).

Commissioner Waite moved, seconded by Commissioner Bryant to approve the March 21, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Spray, Ramsay, Bryant, Waite, Kube, Griffith, and Thone.
Nays: None. Absent: Franklin, and Ronnfeldt. Motion carried (7-0).

Public Hearings

Public Hearing

Redevelopment Plan for the Phillip Avenue Apartments Redevelopment Project

Chair Spray opened the public hearing at 7:30 a.m. to consider the Redevelopment Plan for the Phillip Avenue Apartments Redevelopment Project.

Randy Gates, Finance Officer, explained that the property is located at the northeast corner of Phillip Avenue and 5th Street and is approximately 8/10 of an acre. The redevelopment project will consist of demolishing the existing building and concrete and the construction of a 30-unit apartment complex. The Comprehensive Plan designates the area for mixed-use which encompasses a wide variety of uses. The property is zoned R-3 which is appropriate for an apartment building.

Kelby Herman, explained that it will be a 3-story, 30-unit apartment building with part of it being used for the WSC Growing Together program and part will be market-rate housing.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:35 a.m.

Commissioner Waite moved, seconded by Commissioner Griffith to recommend approval of the Redevelopment Plan for the Phillip Avenue Apartments Redevelopment Project.

Roll Call: Commission Members: Ayes: Spray, Ramsay, Bryant, Waite, Kube, Griffith, and Thone. Nays: None. Absent: Franklin, and Ronnfeldt. Motion carried (7-0).

Waivers

Sidewalk Waiver

3414 W. Nucor Road | Trevor & Elizabeth Osten

Trevor Osten, applicant, explained that he is requesting a sidewalk waiver on his property. The area where the sidewalk would be required is about 10 feet on the east part of the property. The property is located off a county road and he would like the requirement waived.

Chair Spray asked if there was any other sidewalks in the area near the property. Planner Grimes stated that there are currently no other sidewalks in that area.

Commissioner Waite moved, seconded by Commissioner Thone to recommend approval of the sidewalk waiver requested by Trevor and Elizabeth Osten for property located at 3414 W. Nucor Road with the following conditions:

Roll Call: Commission Members: Ayes: Spray, Ramsay, Bryant, Waite, Kube, Griffith, and Thone.
Nays: None. Absent: Franklin, and Ronnfeldt. Motion carried (7-0).

Other Business

City Planner Valerie Grimes presented the March 2023 Building Permit Report.

There was no other discussion and Chair Spray declared the meeting adjourned at 7:39 a.m.

Elizabeth Lienemann, Norfolk Planning Commission Secretary

Dan Spray, Norfolk Planning Commission Chair

For Office Use Only	Date Rec'd <u>11/09/22</u>
	Fee \$ <u>325</u>
	Rec'd by <u>ES</u>

ZONING CHANGE APPLICATION

Applicant: Brooke Sherbeck 2005 Crown Rd
 Name Address
402-326-4883 absherbeck@gmail.com
 Phone Email

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

Contact: _____
 (other than Name Address
 applicant) _____
 Phone Email

Current Zoning: A9 Proposed Zoning: PK

Location of Property: 2005 Crown Rd

Legal Description: 31.24 1E PT SE 3124-1

Property Area, Square feet and/or Acres: 41 +

Use of Adjoining Properties:

North: _____ East: _____ South: _____ West: _____

X Brooke Sherbeck
 Signature of Owner

 Authorized Agent

OR

 Printed Name of Owner

 Printed Name of Authorized Agent

**ZONING CHANGE
JUSTIFICATION FORM**

1. What type of development does the Norfolk Comprehensive Plan recommend for this area?
its not a development its a single family home.
2. Does the zone change request conform to the Comprehensive Plan?
It appears so
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?
To build a single family home
5. How would this zoning district conform with adjacent properties' zoning?
Currently ag and adjoining is also ag
6. What is the general character of the area?
Feed lot to the north 1/4 mile. Farm land on one side.
7. Is adequate sewer and water available? How do you propose to provide adequate public utilities?
This is only a single family home with no public utilities in the plan

90632332300

U. S. 275

WAGNER'S
SUBDIVISION
WAGNERS
2nd
PLATTING



NOT TO SCALE

S:\DEPT\ENG\DEAN\FIREPLOT\31SE241E-012423

CREW-ROAD

SEC
131

HWY. 24

300'
BOUNDARY

BOYCE E
PREWLEYS
SUBDIVISION

TRACT

WAITES
ADDITION

Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, May 2, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Brooke N. Sherbeck, to consider a zoning change from A (Agricultural District) and R-R (Rural Residential District) to R-R (Rural Residential District) on property addressed as 2005 Crown Road, legally described as follows:

Lot 1, Joyce E. Crowley's Subdivision and a tract of land located in the Southeast 1/4 of Section 31, T24N, R1E of the 6th P.M., Stanton County, Nebraska, more particularly described as follows:

Beginning at the Southwest corner of the Southeast 1/4 of Section 31, T24N, R1E of the 6th P.M., Stanton County, Nebraska; thence N 88°01'30" E on the South line of the Southwest 1/4 of said Southeast 1/4, 1322.25 feet to the Southeast corner of the Southwest 1/4 of said Southeast 1/4; thence N 88°04'18" E on the South line of the Southeast 1/4 of said Southeast 1/4, 588.97 feet to a point on the East Right-of-Way line of the Chicago & Northwestern Railroad Right-of-Way, now abandoned; thence N 42°28'36" W on said East Right-of-Way line, 726.93 feet to a point of curvature; thence Northwesterly on a 3869.83 foot radius curve to the left, 974.87 feet of which said curve has a chord bearing of N 49°42'07" W, 972.31 feet; thence N 56°54'29" W, 850.21 feet to a point on the West line of said Southeast 1/4; thence S 01°10'18" E on said West line, 1694.95 feet to the Point of Beginning, containing 41.62 acres more or less.

Publish (April 21, 2023)
1 P.O.P

Name of Subdivision: SHERBECK SUBDIVISION

Preliminary Final

Applicant: BROOKE SHERBECK 2005 CROWN ROAD, NORFOLK

Name Address

402-326-4823 Absherbeck@gmail.com

Phone Email

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

Contact: _____

(other than Name Address
Applicant)

Phone Email

Current Zoning: _____

General Location/Address: Lot 1, Joyce E. Crowley's Subdivision & Pt. SE 1/4, S31, T24N, R1E

Legal Description: SEE ATTACHMENT

Property Area, Square Feet and/or Acres: 41.62 ACRES

Brooke Sherbeck
Signature of Owner

BROOKE SHERBECK

Printed Name of Owner

OR

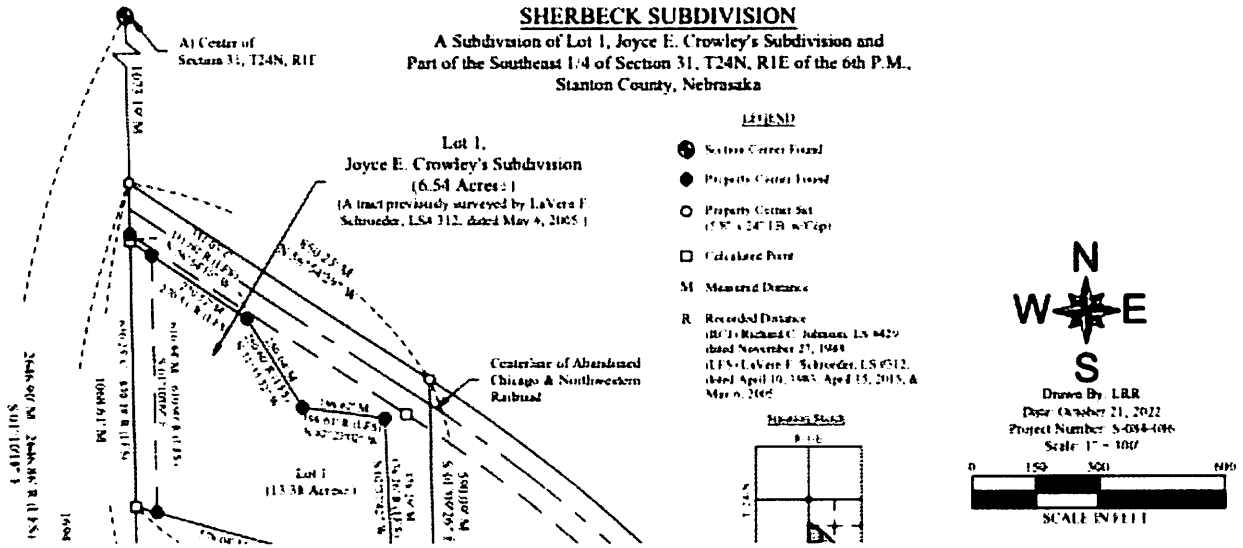
Authorized Agent

Printed Name of Authorized Agent

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

Print Form

Clear Form



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

SUBDIVISION APPLICATION

Name of Subdivision: Big Red Keno Subdivision

Preliminary Final

Applicant: Endgame, LLC 11248 John Galt Blvd., Omaha, NE 68137

Name (402) 339-7776 Address wharvey@ehpv.com

Phone _____ Email _____

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

Contact: Jeffrey B Ray 11213 Davenport St, STE 200, Omaha, NE 68154

(other than Name Address
Applicant) 402-779-1070 jray@jeo.com

Phone _____ Email _____

Current Zoning: C-3

General Location/Address: 2101 W Pasewalk Ave, Norfolk, NE 68701

Legal Description: see Attached

Property Area, Square Feet and/or Acres: 12.2 Ac

Gary L Vander Woude
Signature of Owner

Authorized Agent

Gary L Vander Woude OR
Printed Name of Owner CFO Endgame LLC

Printed Name of Authorized Agent

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

FINAL PLAT BIG RED KENO SUBDIVISION

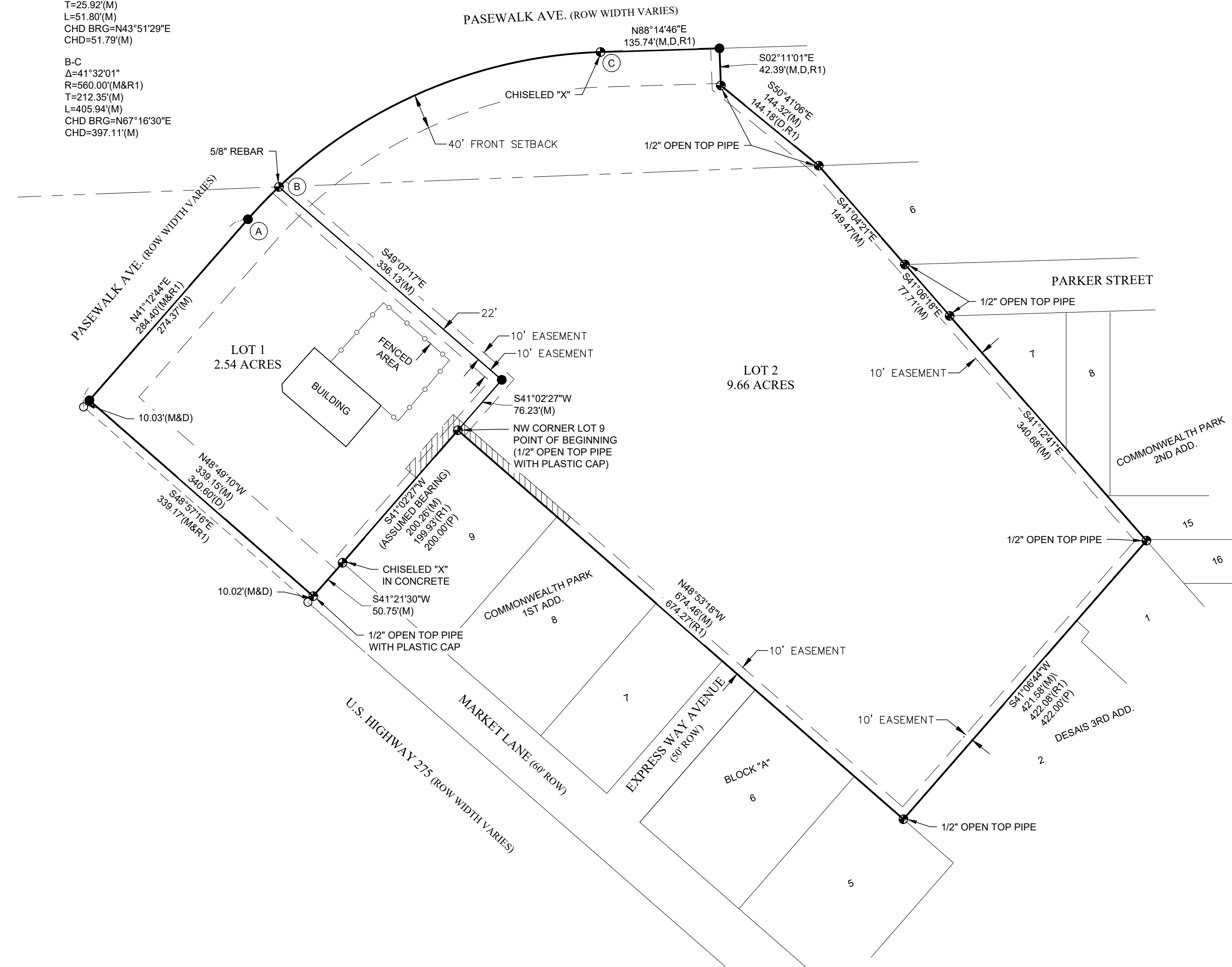
PART OF THE WEST HALF OF SECTION 28,
TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE SIXTH P.M., IN THE CITY OF NORFOLK
MADISON COUNTY, NEBRASKA

CURVE DATA

A-C
Δ=46°50'02"
R=560.00(M&R1)
T=242.53(M)
L=457.75(M)
CHD BRG=N64°37'30"E
CHD=445.11(M)

A-B
Δ=5°18'01"
R=560.00(M&R1)
T=25.92(M)
L=51.80(M)
CHD BRG=N43°51'29"E
CHD=51.79(M)

B-C
Δ=41°32'01"
R=560.00(M&R1)
T=212.35(M)
L=405.94(M)
CHD BRG=N67°16'30"E
CHD=397.11(M)



DEDICATION

WE, ENDGAME, LLC, ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED IN THE SURVEYOR'S STATEMENT AND EMBRACED WITHIN THIS PLAT, HAVE CAUSED SAID REAL ESTATE TO BE SUBDIVIDED. SAID TRACT SHALL BE HEREINAFTER KNOWN AS "BIG RED KENO SUBDIVISION", CONSISTING OF LOTS 1 AND 2. I HEREBY DEDICATE THE STREETS, ALLEYS, AVENUES, ROADS AND PUBLIC GROUNDS DESIGNATED UPON AND REFERRED TO IN THIS PLAT TO THE USE AND BENEFIT OF THE PUBLIC. WE ALSO HEREBY WAIVE ANY RIGHT OF CLAIMS AS A RESULT OF DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES OR ALTERATIONS OF THE SURFACE.

ENDGAME, LLC

GARY VANDER WOUDE, CHIEF FINANCIAL OFFICER

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF MADISON)SS

ON THIS ____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED FOR SAID COUNTY AND STATE, APPEARED _____, TO BE PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SIGNING THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE LAST WRITTEN

NOTARY PUBLIC _____

MY COMMISSION EXPIRES: _____

TREASURER'S CERTIFICATE : (TAX ID NUMBER: 590041428)

I CERTIFY THAT THERE ARE NO REGULAR OR SPECIAL TAXES DUE OR DELINQUENT AGAINST THE PROPERTY DESCRIBED IN THE SURVEYOR'S STATEMENT ON THE ____ DAY OF _____, 2023.

MADISON COUNTY TREASURER _____

APPROVAL

THE FOREGOING AND WITHIN PLAT, DEDICATION AND INSTRUMENT WERE APPROVED BY THE HONORABLE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA BY RESOLUTION DULY PASSED ON THE ____ DAY OF _____, 2023.

CITY CLERK
BRIANNA DUERST

MAYOR
JOSH MOENNING

APPROVAL

THE FOREGOING AND WITHIN PLAT, DEDICATION AND INSTRUMENT WERE APPROVED BY THE PLANNING COMMISSION OF THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, THIS ____ DAY OF _____, 2023.

CHAIRMAN
DAN SPRAY

SURVEYOR'S STATEMENT

I, BRIAN J. BENSON, A REGISTERED LAND SURVEYOR IN THE STATE OF NEBRASKA, HEREBY STATE THAT I HAVE CLOSELY SUPERVISED AND ACCURATELY SURVEYED "BIG RED KENO SUBDIVISION" A TRACT OF LAND LOCATED IN PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE SIXTH P.M., CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, HEREINAFTER KNOWN AS "BIG RED KENO SUBDIVISION"; THAT THE PLAT ATTACHED HERETO IS THE ORIGINAL, ACCURATE, TRUE AND CORRECT PLAT OF "BIG RED KENO SUBDIVISION"; THAT SAID PLAT ACCURATELY AND CORRECTLY REFLECTS ALL OF THE LOTS, BLOCKS, STREETS, AVENUES, ALLEYS, PARKS, COMMONS, AND OTHER GROUNDS IN SAID SUBDIVISION, ALL OF WHICH ARE CORRECTLY AND ACCURATELY STAKED OFF, MARKED, AND ARE CORRECTLY DESIGNATED AND SHOWN ON THE ATTACHED PLAT; THAT I SURVEYED AND PLATTED SAID "BIG RED KENO SUBDIVISION", CONSISTING OF LOTS 1 AND 2.

THE FOREGOING SUBDIVISION IS COMPRISED OF THE FOLLOWING DESCRIBED REAL ESTATE:

A PARCEL OF LAND LOCATED IN THE WEST HALF OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE SIXTH P.M., CITY OF NORFOLK, MADISON COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF LOT 9, BLOCK "A" COMMONWEALTH PARK FIRST ADDITION; THENCE S41°02'27"W (ASSUMED BEARING) ON THE WESTERLY LINE OF SAID LOT 9, A DISTANCE OF 200.26 FEET TO THE SOUTHWEST CORNER OF SAID LOT 9; THENCE S41°21'30"W ON THE WESTERLY LINE OF MARKET LANE, A DISTANCE OF 50.75 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF U.S. HIGHWAY 275; THENCE N48°49'10"W ON SAID NORTHERLY RIGHT OF WAY LINE, A DISTANCE OF 339.15 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF PASEAWLK AVENUE; THENCE N41°12'44"E ON SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 274.37 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE, ON A 560.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 457.75 FEET, THE CHORD OF SAID CURVE BEARS N64°37'30"E, A DISTANCE OF 445.11 FEET; THENCE N88°14'46"E CONTINUING ON SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 135.74 FEET; THENCE S02°11'01"E, A DISTANCE OF 42.39 FEET; THENCE S50°41'09"E, A DISTANCE OF 144.32 FEET TO THE NORTHWEST CORNER OF COMMONWEALTH PARK SECOND ADDITION; THENCE SOUTHEASTERLY ON THE WESTERLY LINE OF SAID COMMONWEALTH PARK SECOND ADDITION, THE FOLLOWING 3 COURSES: S41°04'21"E, 149.47 FEET; S41°06'18"E, 77.71 FEET; S41°12'24"E, 340.68 FEET TO THE NORTH CORNER OF DESAIS THIRD ADDITION; THENCE S41°06'44"W ON THE WESTERLY LINE OF SAID DESAIS THIRD ADDITION, A DISTANCE OF 421.58 FEET TO THE NORTHERLY LINE OF SAID COMMONWEALTH PARK FIRST ADDITION; THENCE N48°53'18"W ON SAID NORTHERLY LINE, A DISTANCE OF 674.46 FEET TO THE POINT OF BEGINNING, CONTAINING 12.20 ACRES, MORE OR LESS.

PERMANENT MONUMENTS WERE FOUND OR SET ON ALL LOTS AND STREETS OF SAID PLAT.

DATED THIS ____ DAY OF _____, 2023.

BRIAN J. BENSON, L.S. 755

LOT	STREET ADDRESS	LOT SQUARE FOOTAGE
1	2101 W. PASEAWLK AVE.	110,671 S.F.
2	2045 W. PASEAWLK AVE.	421,099 S.F.

NOTES:
PRESENT ZONING IS C-3
A FIVE FOOT SIDEWALK SHALL BE CONSTRUCTED BY THE OWNER ON THE STREET SIDE OR SIDES OF EACH LOT IN THE ADDITION ABUTTING UPON A PLATTED STREET AS PROVIDED FOR IN ORDINANCE NO. 5617 IN THE CITY OF NORFOLK, PASSED AND APPROVED ON JUNE 3, 2019.
EXISTING NPPD EASEMENT BOOK 2010-05, PAGES 0963-0964
INDICATES THE BUILDING SETBACK; 40 FEET FROM THE PROPERTY LINE ON THE FRONT OF ALL LOTS, SIDE YARD SHALL BE 0 FEET, REAR YARD SHALL NOT BE LESS THAN 25 FEET OR 20% OF LOT DEPTH, WHICHEVER IS LESS.
PROPOSED UTILITY AND DRAINAGE EASEMENT

CONSENT OF LIENHOLDER

WE, FIRST NATIONAL BANK OF OMAHA, BEING LIENHOLDERS ON THE THE DESCRIBED TRACT OF LAND HEREBY APPROVE AND AGREE TO THE PLATTING OF BIG RED KENO SUBDIVISION, PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 24 NORTH, RANGE 1 WEST OF THE SIXTH P.M., MADISON COUNTY, NEBRASKA.

FIRST NATIONAL BANK OF OMAHA

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
COUNTY OF MADISON)SS

ON THIS ____ DAY OF _____, 2023, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, DULY COMMISSIONED AND QUALIFIED FOR SAID COUNTY AND STATE, APPEARED _____, TO BE PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SIGNING THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

WITNESS MY HAND AND OFFICIAL SEAL ON THE DATE LAST WRITTEN

NOTARY PUBLIC _____

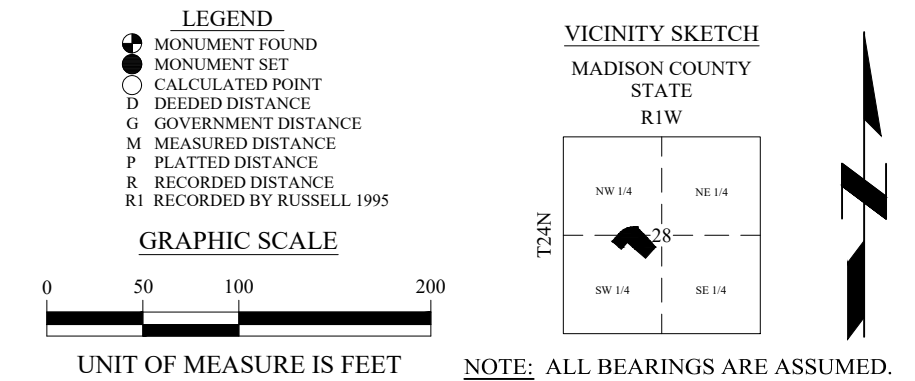
MY COMMISSION EXPIRES: _____

REGISTER OF DEEDS:

STATE OF NEBRASKA)
COUNTY OF MADISON)

THIS IS TO CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN THE REGISTER OF DEEDS OFFICE AT _____ M. ON THE ____ DAY OF _____, 2023.

REGISTER OF DEEDS _____



PART OF THE W1/2
SEC. 28-T24N-R1W OF THE SIXTH P.M.
CITY OF NORFOLK
MADISON COUNTY, NEBRASKA

FINAL PLAT
BIG RED KENO SUBDIVISION

PROJECT NO. 190175
DATE 4/28/2023
DRAWN BY AWH
FILE NAME SV-190175 final plat.dwg
FIELD BOOK NORFOLK N48
FIELD CREW BB/CP
SURVEY FILE NO. 2023-075
REVISIONS