

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, May 16, 2023
7:30 a.m.

Created 5/12/2023 10:21 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 Tuesday, May 16, 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 16, 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 May 2, 2023 Planning Commission meeting. **Motion**

PUBLIC HEARINGS

6. Public hearing at the request of Norfolk Rentals, LLC, for a Preliminary Planned Development on property generally located at the northwest corner of E. Norfolk Avenue and N. Victory Road.
7. Consideration of recommendation of a Preliminary Planned Development on property generally located at the northwest corner of E. Norfolk Avenue and N. Victory Road. **Motion**
8. Public hearing to consider the "Redevelopment Plan for the Cornhusker Auto Redevelopment Project."
9. Consideration of recommendation of the "Redevelopment Plan for the Cornhusker Auto Redevelopment Project." **Motion**
10. Public hearing at the request of Matteo Sand and Gravel Company, Inc., for a Conditional Use Permit for sand and gravel mining on property generally located at 2410 N. Airport Road.
11. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for sand and gravel mining on property generally located at 2410 N. Airport Road. **Motion**

PLATS/SUBDIVISIONS

12. Consideration of recommendation of the final plat of Sudbeck's Second Subdivision. **Motion**

OTHER BUSINESS

13. April 2023 Building Permit Report
14. 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 2nd day of May, 2023, beginning at 7:30 a.m.

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

Staff members present were: Val Grimes, City Planner; Steven Rames, City Engineer; Anna Allen, Assistant City Engineer; Nick Stevenson, Communications Manager; and Katelyn Palmer.

Planning Commission Vice-Chair, Dirk Waite presided and the Planning Commission Secretary Elizabeth Lienemann digitally recorded the audio of the proceedings.

Vice-Chair Waite 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 Thone to approve the full agenda.

Roll Call: Commission Members: Ayes: Ramsay, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray. Motion carried (8-0).

Commissioner Kube moved, seconded by Commissioner Bryant to approve the April 18, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Ramsay, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray. Motion carried (8-0).

Public Hearings

Public Hearing

Zoning Change – A (Agricultural District) & R-R (Rural Residential District) to R-R
2005 Crown Road | Brooke Sherbeck

Vice-Chair Waite opened the public hearing at 7:30 a.m. to consider a zoning change from A and R-R to R-R on property addressed as 2005 Crown Road.

City Planner, Val Grimes, explained that the property is in Stanton County and the request would be cleaning up the property. There are a couple of chunks of R-R and the rest is Ag. The request is to re-zone it all to R-R.

Randy Anderson (3301 E. Hwy 24), expressed concerns about whether the request will affect his property and whether he will have to apply for permits through the City for things he wants to do on his property. He also inquired about drainage in the area.

Planner Grimes explained that he is already in the City's jurisdiction and would have to apply for a permit through the City. She also explained the zoning of his property and that the request from Sherbeck would not affect his property.

Anderson noted that Sherbeck had begun work without applying for a building permit for the property. Planner Grimes explained that the Sherbeck's have been working with the City for a while and had pulled permits for their project.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 7:39 a.m.

Commissioner Griffith asked how close the property is to the edge of the ETJ. Planner Grimes explained that the property is right on the ETJ line.

Commissioner Kube asked if there have been discussions or concerns brought up about the water flow issue. Planner Grimes stated that she was not aware of any. She added that the floodplain is changing, probably, in the next couple of years and the applicants are aware of that. They currently don't need a floodplain permit, but they will be building up in preparation of the floodplain changing.

Commissioner Thone moved, seconded by Commissioner Griffith to recommend approval of a zoning change from A and R-R to R-R on property addressed as 2005 Crown Road

Roll Call: Commission Members: Ayes: Ramsay, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray. Motion carried (8-0).

Plats/Subdivisions

Sherbeck Subdivision – Final Plat

Planner Grimes explained that the plat goes along with the prior zoning change. There is an existing house on Lot 3 and a house being built on Lot 1. There are currently no plans to build on the center parcel.

Commissioner Kube moved, seconded by Commissioner Thone to recommend approval of the final plat of Sherbeck Subdivision.

Roll Call: Commission Members: Ayes: Ramsay, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray. Motion carried (8-0).

Big Red Keno Subdivision – Final Plat

Jeff Ray (JEO), representing the applicant, explained that the property is currently one big piece of land that is partially built upon. There are development plans for the rear nine-acre piece. The intention is to split off the smaller piece due to different ownership. He noted that it is a bit of a complicated site – from an access perspective and wetlands on the site – and the applicant will be coming back later as the project progresses.

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to recommend approval of the final plat of Big Red Keno Subdivision.

Roll Call: Commission Members: Ayes: Ramsay, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Spray. Motion carried (8-0).

Other Business

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 7:47 a.m.

Elizabeth Lienemann, Norfolk Planning Commission Secretary

Dirk Waite, Norfolk Planning Commission Vice-Chair

For Office Use Only	Date Rec'd	<u>4-18-23</u>
	Fee	\$ <u>325</u> <u>4-18</u>
	Rec'd by	<u>EF</u>

PLANNED DEVELOPMENT APPLICATION

Applicant: Norfolk Rentals, LLC 813 Forest Drive, Norfolk, NE 68701
 Name Address
402-860-0643 cmcarter81@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


Underlying Zoning District: R-1
Location of Property: NW Corner of E Norfolk Ave and N Victory Road
Legal Description: TAX LOTS SE 1/4 SE 1/4 23-24-1 TAX LOT 6 LESS PT TO STATE

Property Area, Square feet and/or Acres: 1.67 AC

Use of Adjoining Properties:
 North: Single Family R-1 East: Commercial C-1 South: Church R-1 West: Single Family R-1


 Signature of Owner
Chad Carter
 Printed Name of Owner

OR


 Authorized Agent
Joe T. DeVall
 Printed Name of Authorized Agent

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

**PLANNED DEVELOPMENT
JUSTIFICATION FORM**

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

Commercial Reserve

2. Does the planned development request conform to the Comprehensive Plan?

No

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

No

4. What is the reason for the planned development?

To put multiple primary buildings on one lot (3 buildings)

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

Mixture of residential, commercial, public (churches)

6. What is the general character of the area?

Vacant Lot

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

Yes

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

CARTER COMPLEX
located in Tax Lot 6 in the Southeast ¼ of the Southeast ¼ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska

R3 Planned Development Overlay District Requirements								
	Max Height	Min. Front Yard	Min. Side Yard	Min. Rear Yard	Min. Lot Width	Min. Site Area Per Unit	Min. Lot Size	Max. Building Coverage
Multiple-Family Permitted Uses	45'	25'	7'	30'	50'	2,000 Sq. Ft.	6,000 Sq. Ft.	60%

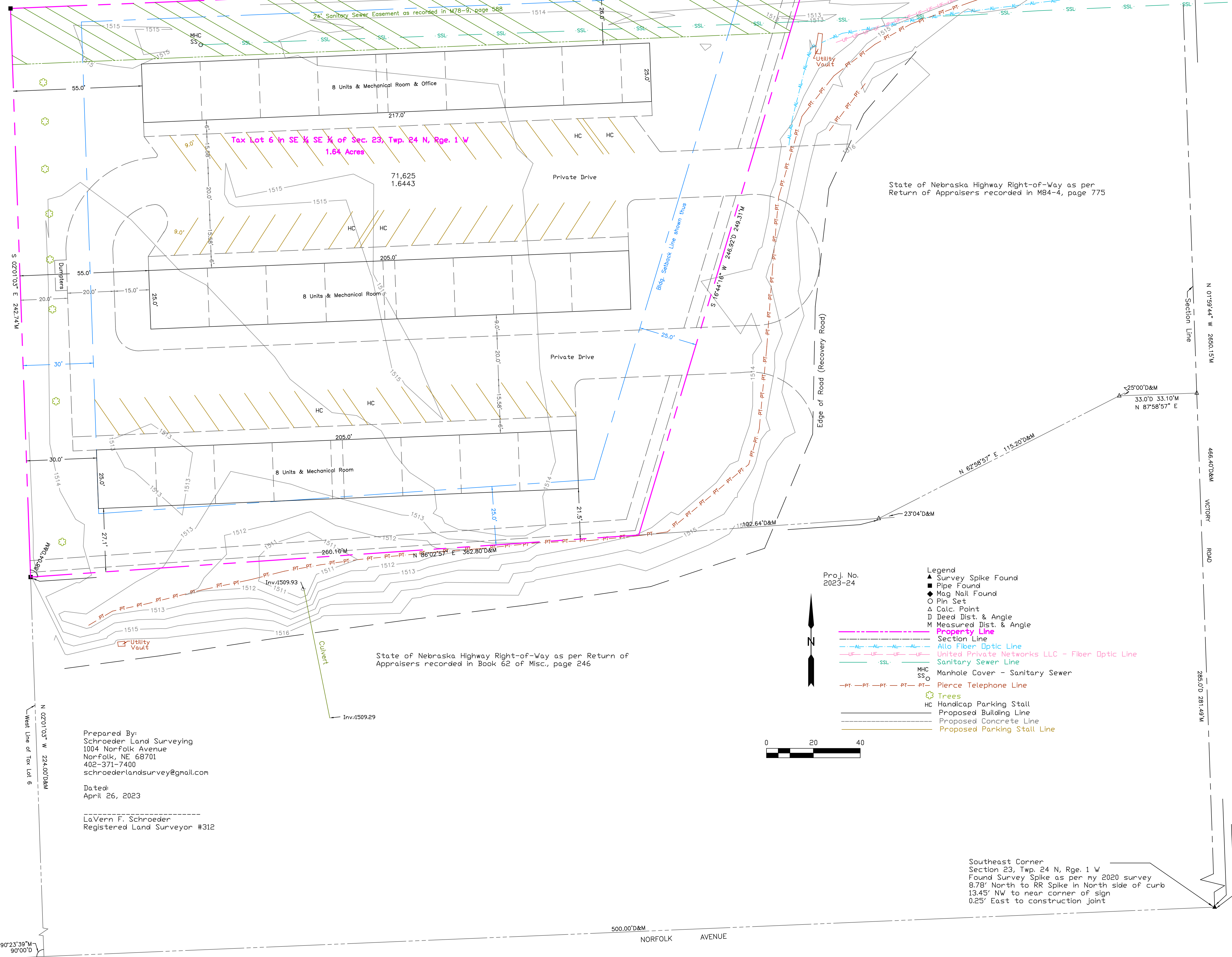
Variations Requested Summary:
 1) Having multiple buildings on the property.
 2) Minimum Front Yard setback on the South side of the property to be 20'.
 3) Each living unit is 625 sq. ft. The North building includes a mechanical area and an office, while the South 2 buildings include a mechanical area - these areas are not included in the living space.

Utility Companies:
 1) Digger's Hotline of Nebraska 800-331-5666
 2) Allo Communications - Telephone 855-632-3154
 3) Black Hills Energy - Natural Gas 800-890-5554
 4) Nebraska Public Power District - Electricity 877-275-6773
 5) Pierce Telephone Company - Telephone 402-329-6225
 6) Unite Private Networks LLC - Fiber Optics 866-963-4237

East ¼ Corner
 Found Mag Nail in asphalt as per my 2020 survey
 7.25' East to West face of curb inlet
 34.7' West to East face of curb inlet
 61.95' NE to SE corner of light pole base
 80.38' SE to lower left corner of Number '2' of stamped NDDR marker number 2310 on face of concrete curb

Legal Description:
 Tax Lot 6 in the Southeast ¼ of the Southeast ¼ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska
 EXCLUDING the following tract as per Return of Appraisers recorded in Book 62 of Misc., page 246:
 Located in Tax Lot 6 in the Southeast ¼ of the Southeast ¼ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:
 Beginning at the Southeast Corner of said Section 23; thence westerly on the South Line of the Southeast ¼ of the Southeast ¼ of said Section 23 a distance of 500.0 feet to a point on the West Line of said Tax Lot 6; thence northerly 90 degrees 00 minutes right and on said West Line a distance of 224.0 feet; thence easterly 88 degrees 04 minutes right a distance of 362.8 feet; thence northeasterly 23 degrees 04 minutes left a distance of 115.2 feet; thence easterly 25 degrees 00 minutes right a distance of 33.0 feet to a point on the East Line of said Southeast ¼ of the Southeast ¼; thence southerly on said East Line a distance of 285.0 feet to the point of beginning, containing 2.76 acres, more or less
 AND EXCLUDING the following tract as per Return of Appraisers recorded in M84-8, page 775:
 Located in Tax Lot 6 of the Southeast ¼ of the Southeast ¼ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:
 Referring to the Southeast Corner of said Quarter Quarter Section; thence Northerly a distance of 466.40 feet along the East line of said Quarter Quarter Section; thence Westerly deflecting 090 degrees, 00 minutes, 00 seconds left, a distance of 33.00 feet along the North line of the property owned by the condemnee(s) to the point of beginning; thence Westerly deflecting 000 degrees, 00 minutes, 00 seconds a distance of 127.00 feet along said line; thence Southerly deflecting 071 degrees, 05 minutes, 44 seconds left, a distance of 246.92 feet; thence Easterly deflecting 110 degrees, 50 minutes, 32 seconds left, a distance of 102.64 feet along the Northerly existing Highway Right of Way Line; thence Northeasterly deflecting 023 degrees, 04 minutes, 00 seconds left, a distance of 115.22 feet along said Right of Way Line; thence Northerly deflecting 064 degrees, 59 minutes, 44 seconds left, a distance of 181.43 feet along the Westerly existing County Road Right of Way to the point of beginning containing 0.82 acres, more or less.
 The total area of the tract is 1.64 acres more or less.

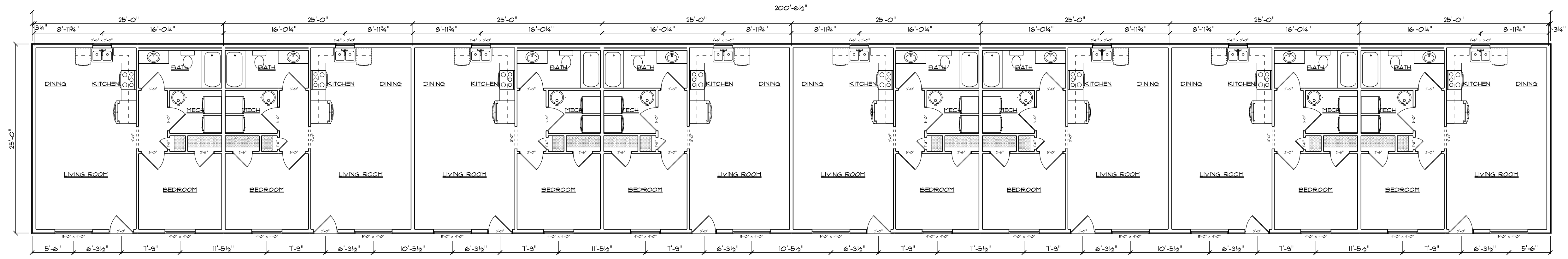
Existing Zoning:
R-1, Single-Family Residential District.
Proposed Zoning:
R-3, Multiple Family Residential District with a Planned Development Overlay.
Proposed Density:
2976.6 sq. ft. of site area per dwelling unit



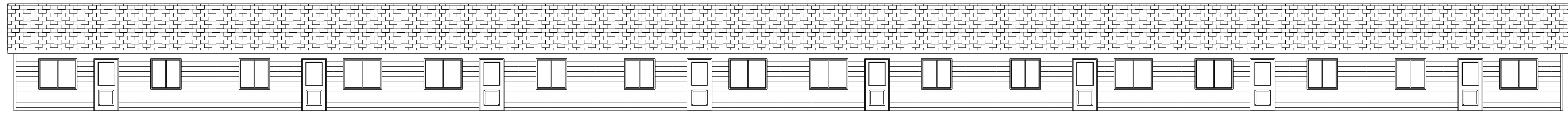
Current Owners:
James A. and Stacey S. Gardels

Prepared By:
Schroeder Land Surveying
1004 Norfolk Avenue
Norfolk, NE 68701
402-371-7400
schroederlandsurvey@gmail.com
 Dated:
April 26, 2023
 LaVern F. Schroeder
Registered Land Surveyor #312

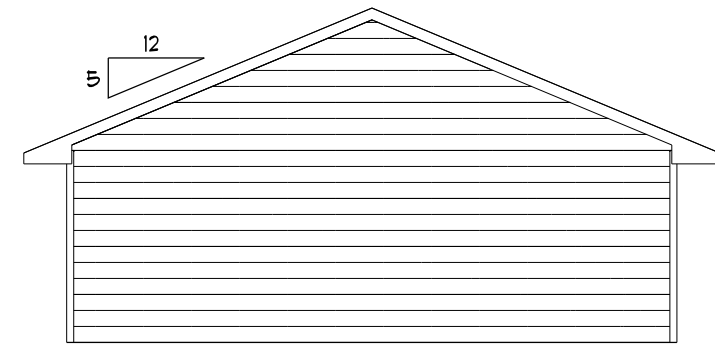
Southeast Corner
 Section 23, Twp. 24 N, Rge. 1 W
 Found Survey Spike as per my 2020 survey
 8.78' North to RR Spike in North side of curb
 13.45' NW to near corner of sign
 0.25' East to construction joint



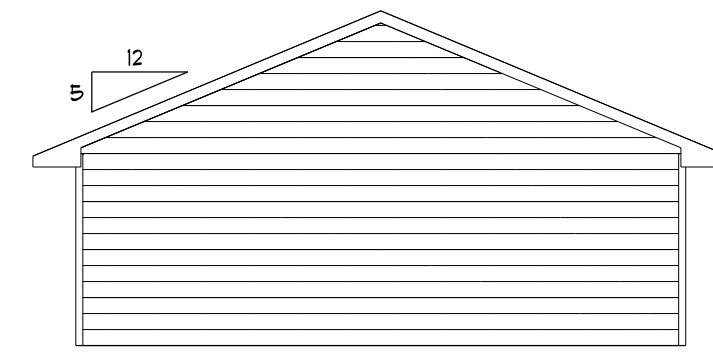
MAIN FLOOR PLAN
NOTE: 8'-0" CEILING\$ UNLESS NOTED



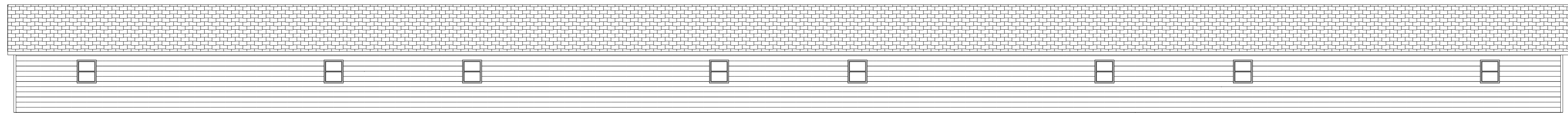
FRONT ELEVATION



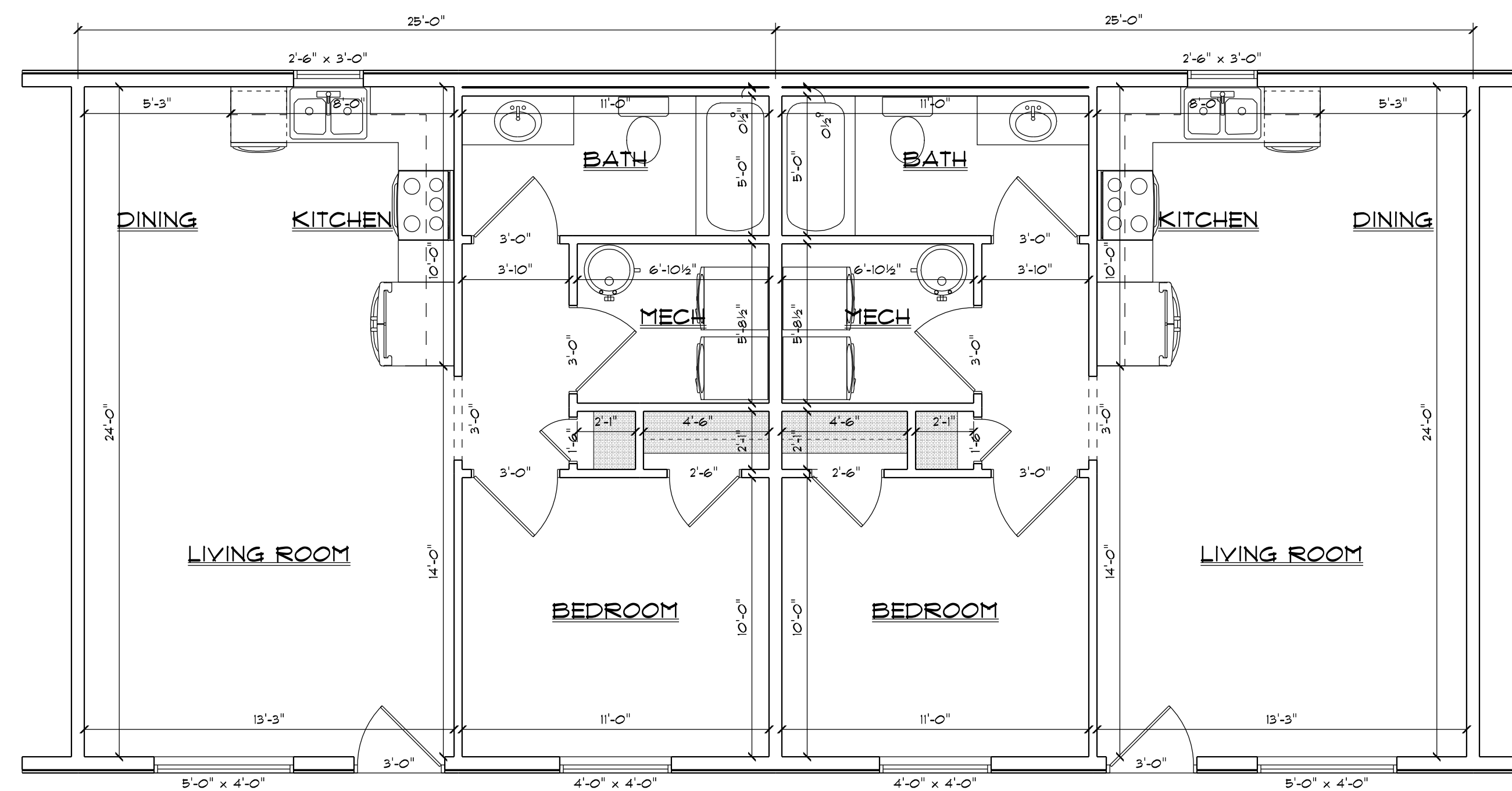
LEFT ELEVATION



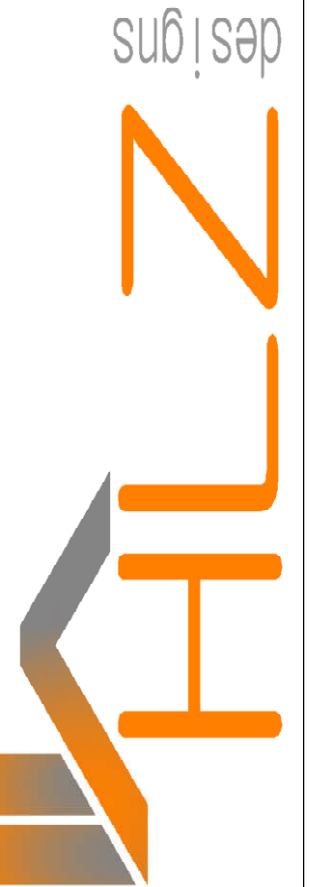
RIGHT ELEVATION



REAR ELEVATION



UNIT PLAN
SCALE: 1/4" = 1'-0"

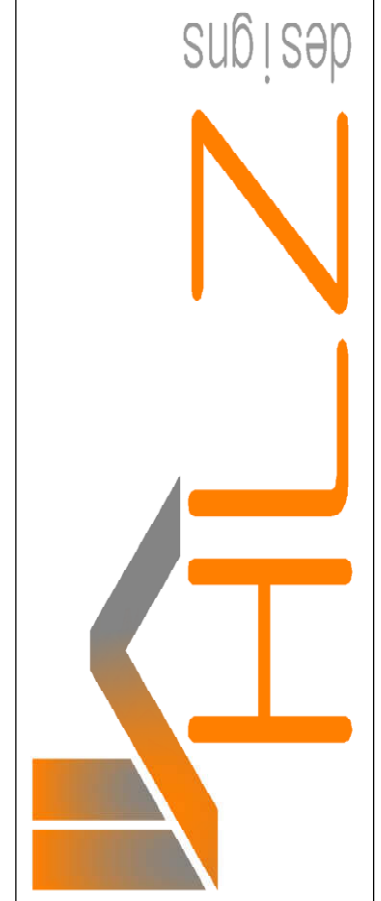


THESE DRAWINGS PROPERTY OF HLZ DESIGNS CREATED FOR MATERIAL ESTIMATING PURPOSES AND ARE NOT DESIGNED TO SATISFY CURRENT GOVERNING BUILDING CODES, STRUCTURAL REQUIREMENTS, SITE CONDITIONS AND INSTALLATION REQUIREMENTS. HLZ DESIGNS ASSUMES NO RESPONSIBILITY FOR CLAIMS OR DAMAGES ARISING FROM ERRORS, OMISSIONS, DEFICIENCIES OR DEFECTS OF THE DRAWINGS.

WALL SCHEDULE
EXT. WALL: 6" STUD/SHEETING
INT. WALL: 3.5" STUD ONLY

CARTER COMPLEX

SCALE: 1/8" = 1'-0" DRAWN BY: ADH
DRAWN DATE: 10-17-22 PROJECT: 220924
PLOT DATE: 10-24-22 REVISION: 1



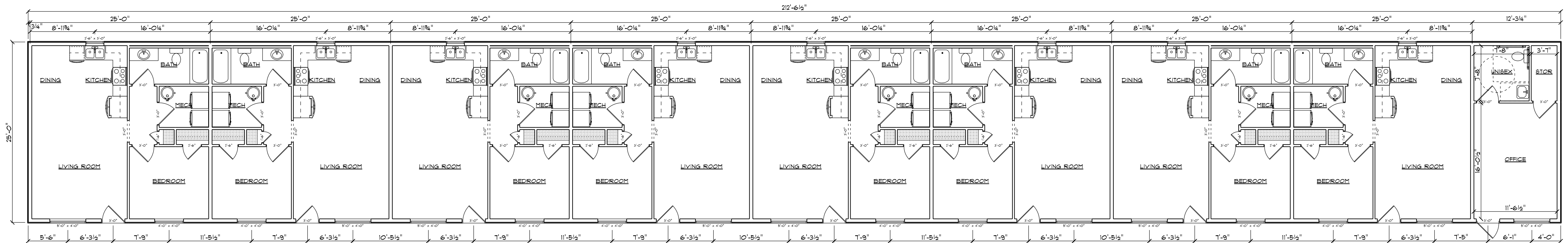
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WALL SCHEDULE
 EXT. WALL: 6" STUD/SHEETING
 INT. WALL: 3.5" STUD ONLY

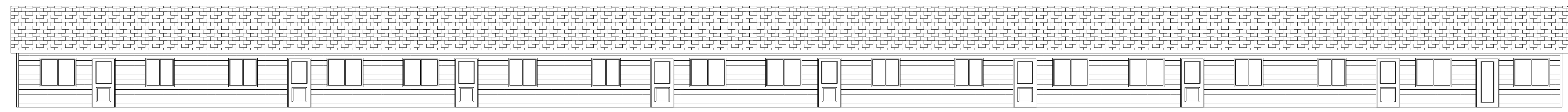
CARTER COMPLEX

SCALE: 1/8" = 1'-0"
 DRAWN BY: ADH
 DRAWN DATE: 10-17-22 PROJECT: 220924
 PLOT DATE: 10-24-22 REVISION: 1

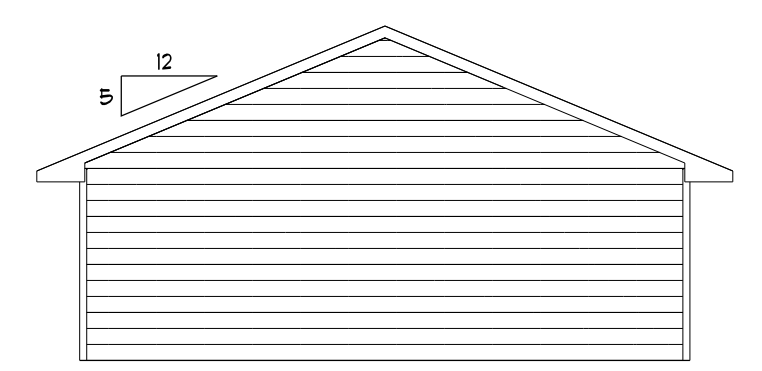
A2



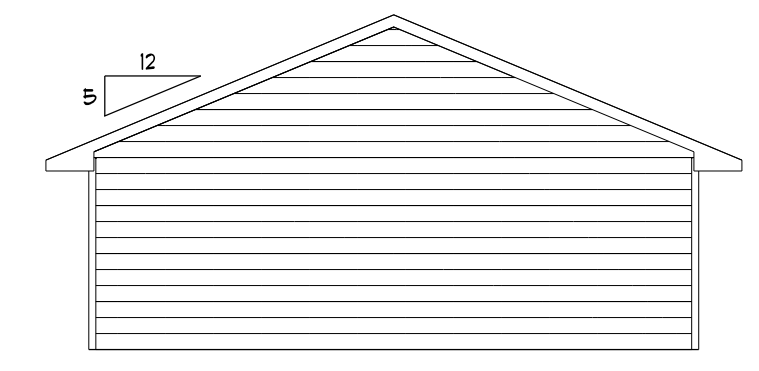
MAIN FLOOR PLAN
 NOTE: 8'-0" CEILING UNLESS NOTED



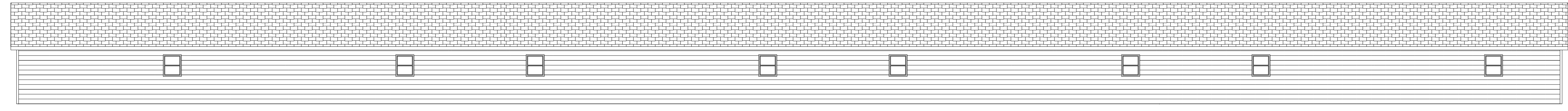
FRONT ELEVATION



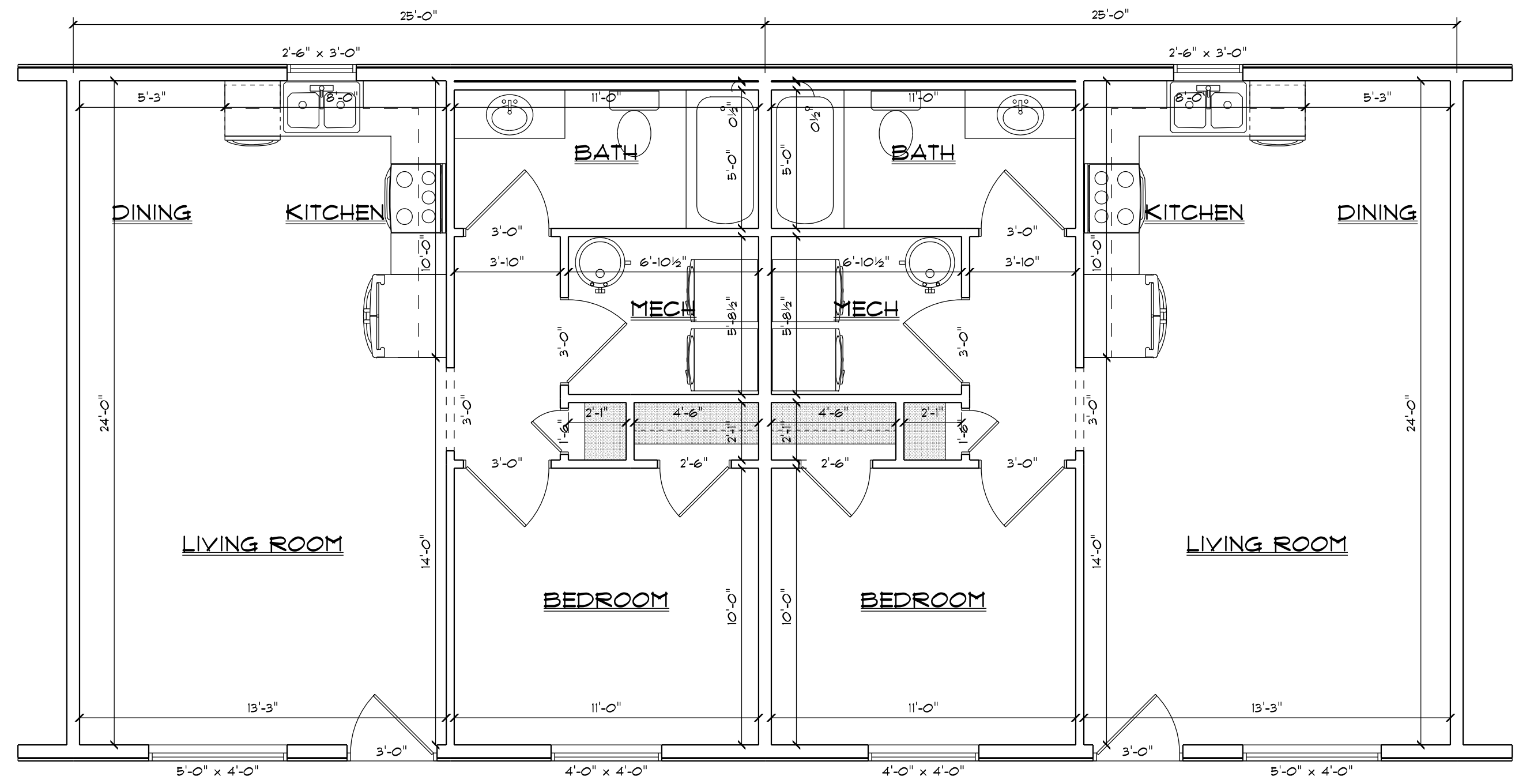
LEFT ELEVATION



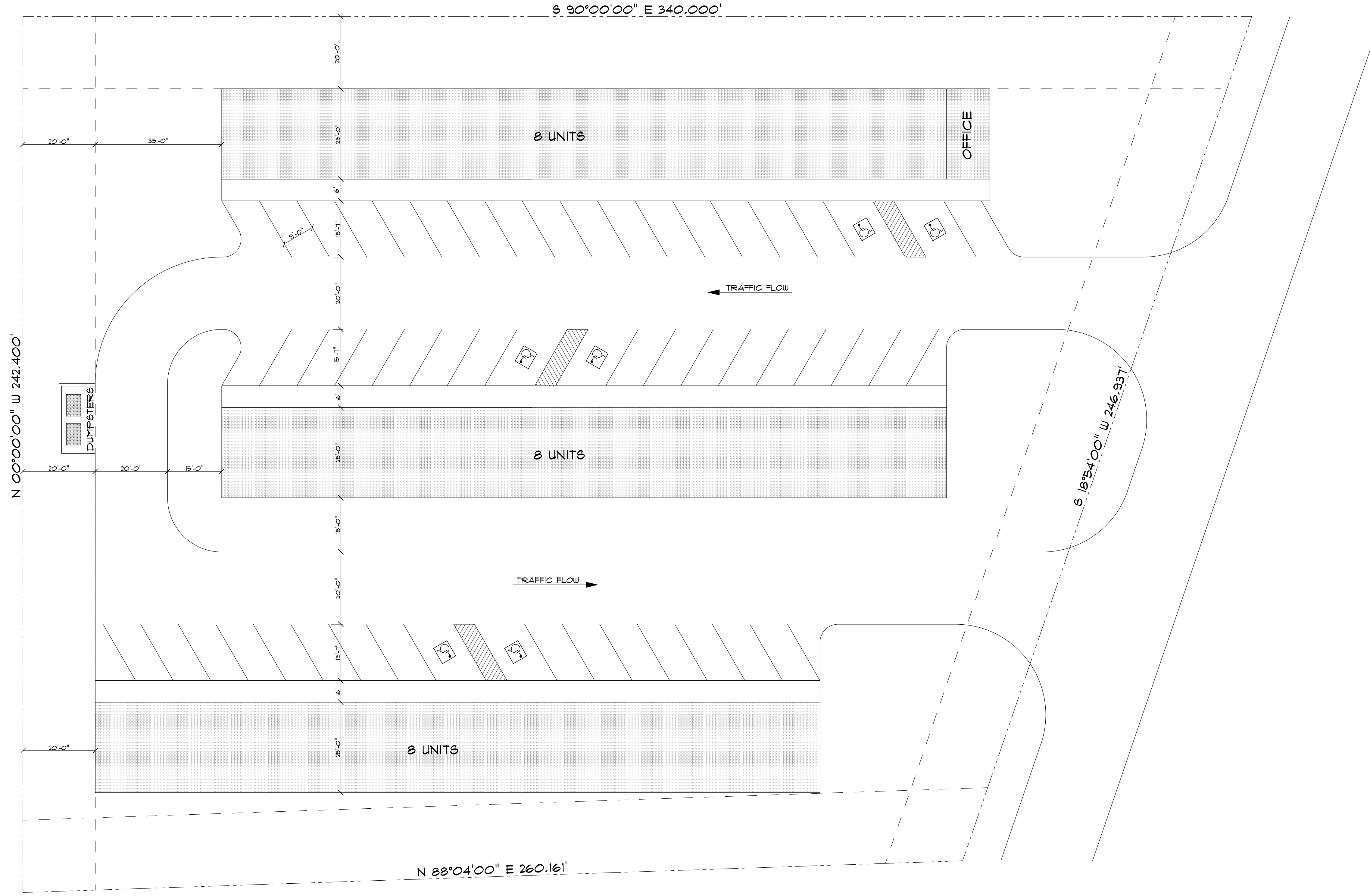
RIGHT ELEVATION



REAR ELEVATION



UNIT PLAN
 SCALE: 1/4" = 1'-0"



SITE PLAN

CARTER COMPLEX

WALL SCHEDULE
 EXT. WALL: 6"
 STUD/SHEETING
 INT. WALL: 3.5"
 STUD ONLY

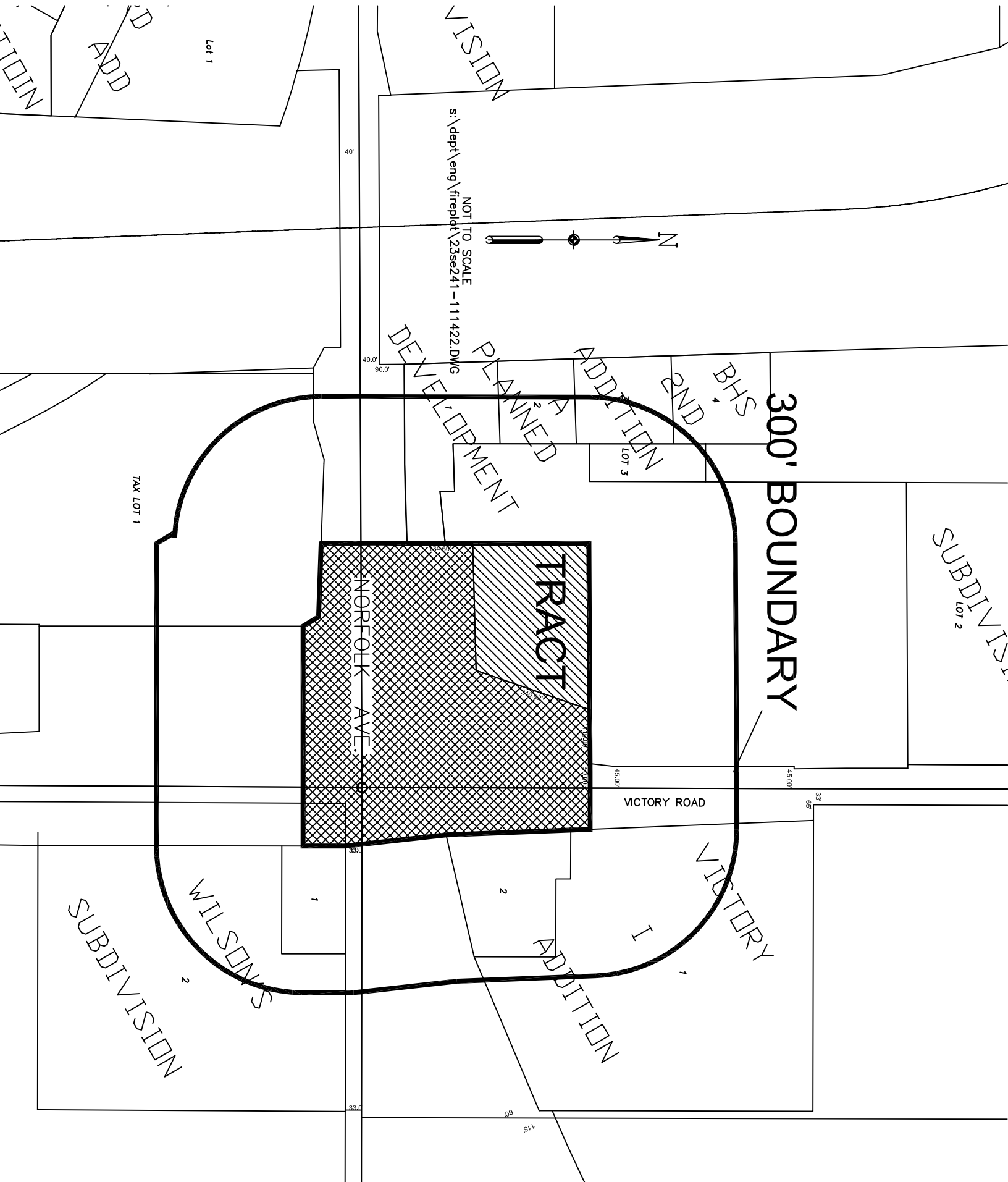
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HLZ designs
 COLUMBUS, NE 68601
 HLZdesigns@outlook.com
 402-370-9303

SCALE: 1/16" = 1'-0"
 DRAWN BY: ADH
 DRAWN DATE: 10-17-22 PROJECT: 220924
 PLOT DATE: 10-24-22 REVISION: 3

C1



Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, May 16, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Norfolk Rentals, LLC, for a Planned Development on property generally located at the northwest corner of E. Norfolk Avenue and N. Victory Road, legally described as follows:

Tax Lot 6 in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska
EXCLUDING the following tract as per Return of Appraisers recorded in Book 62 of Misc., page 246:

Located in Tax Lot 6 in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:

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AND EXCLUDING the following tract as per Return of Appraisers recorded in M84-8, page 775:

Located in Tax Lot 6 of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 23, Township 24 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows:

Referring to the southeast corner of said Quarter Quarter Section; thence Northerly a distance of 466.40 feet along the East line of said Quarter Quarter Section; thence Westerly deflecting 090 degrees, 00 minutes, 00 second left, a distance of 33.00 feet along the North line of the property owned by the condemnee(s) to the point of beginning; thence Westerly deflecting 000 degrees, 00 minutes, 00 second a distance of 127.00 feet along said line; thence Southerly deflecting 071 degrees, 05 minutes, 44 seconds left, a distance of 246.92 feet; thence Easterly deflecting 110 degrees, 50 minutes, 32 seconds left, a distance of 102.64 feet along the Northerly existing Highway Right of Way Line; thence Northeasterly deflecting 023 degrees, 04 minutes, 00 seconds left, a distance of 115.22 feet along said Right of Way Line; thence Northerly deflecting 064 degrees, 59 minutes, 44 seconds left, a distance of 181.43 feet along the Westerly

existing County Road Right of Way to the point of beginning containing 0.82 acres, more or less.

The total area of the tract is 1.64 acres more or less.

Publish (May 5, 2023)
1 P.O.P.

**REDEVELOPMENT PLAN FOR
THE CORNHUSKER AUTO REDEVELOPMENT PROJECT**

PREPARED MARCH, 2023

**BY THE COMMUNITY DEVELOPMENT AGENCY
OF THE CITY OF NORFOLK, NEBRASKA**

A. Introduction

This Redevelopment Plan for the Cornhusker Auto Redevelopment Project (this “Redevelopment Plan”) is a guide for redevelopment activities to remove or eliminate blight and substandard conditions within the City of Norfolk, Nebraska (“City”). The Mayor and City Council of the City (the "Council"), recognizing that blighted and substandard conditions are a threat to the continued stability and vitality of the City, designated certain areas of the City to be blighted and substandard and in need of redevelopment pursuant to the requirements of the Nebraska Community Development Law, sections 18-2101 et. seq., as amended (the "Act").

Prior to the preparation of this Redevelopment Plan by the Community Development Agency of the City (the “Agency”), and in compliance with the Act, the Mayor and Council designated a portion of the City as a blighted and substandard community redevelopment area, such area being commonly referred to as the “West Highway 275 Redevelopment Area” (hereinafter referred to as the “Redevelopment Area”). This Redevelopment Plan sets forth a proposed redevelopment project located within the Redevelopment Area to optimize the tax increment financing ("TIF") resources available to offset certain costs deemed eligible for reimbursement by TIF under the Act, and to remove existing and avoid future blighted and substandard conditions, all as further described herein. This Redevelopment Plan contemplates the renovation and rehabilitation of the former OfficeMax building for use as an automotive dealership, together with such public improvements associated therewith, undertaken by Cornhusker Auto Center, Inc. (“Redeveloper”), within the Redevelopment Area (such public and private improvements are collectively referred to herein as the "Redevelopment Project").

B. Redevelopment Area; Project Site; Existing Conditions

Exhibit "A", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the Redevelopment Area. The Redevelopment Area is identical to the "West Highway 275 Redevelopment Area," which the Mayor and Council previously declared blighted and substandard and in need of redevelopment. Exhibit "A-1", attached hereto and incorporated herein, sets forth the boundaries and existing conditions of the area to be redeveloped as part of the Redevelopment Project (the "Project Site"). The Project Site is located at 2125 Krenzien Drive, at the site formerly occupied by OfficeMax, in the City. The Project Site is completely engrossed within the blighted and substandard Redevelopment Area and is in need of redevelopment.

C. Conformance with the Comprehensive Plan

It is essential to the City’s comprehensive plan for development (the “Comprehensive Plan”) that dilapidated, inadequate, or deteriorating portions of the City conform to the current

and future needs of the City as it continues to grow and expand. Exhibit "B", attached hereto and incorporated herein, shows a portion of the future use map (showing the Redevelopment Area and surrounding areas) included within the City's Comprehensive Plan. The map sets forth a "Commercial" designation for future use of the Project Site, which conforms to the proposed Redevelopment Project.

The Comprehensive Plan further sets forth the following objectives for development within the Highway 275 corridor (inclusive of the Project Site):

- Retail and/or entertainment based development types should be encouraged to locate along the Highway 275 corridor.
- Commercial and office developments within the district should be built to accommodate typical auto-oriented development types.

The Redevelopment Project will assist in carrying out such objectives. Accordingly, the Redevelopment Project is in conformance with and furthers the objectives under the City's Comprehensive Plan.

D. Redevelopment Project Overview

The Redevelopment Project consists of the renovation and rehabilitation of the former OfficeMax building for use as an automotive dealership. Specifically, Redeveloper anticipates that it will move its current Nissan dealership to the Project Site following completion of the Redevelopment Project, facilitating the expansion and modernization of that business. Additionally, box stores such as OfficeMax (which previously occupied the Project Site) are closing within the City and all across the country. Finding occupants for such structures and/or retrofitting the same for other uses has proven to be difficult and has caused vacancy issues for municipalities across the country. The Redevelopment Project will prevent this and facilitate the renovation of the building for its highest and best (modern) use.

No public acquisition of the Project Site is anticipated. Additionally, no families will be displaced as a result of the Redevelopment Project. Redeveloper owns the Project Site, and formerly leased the same to OfficeMax. The lease with OfficeMax expired March 31, 2023. As such, no businesses will be displaced as a result of the Redevelopment Project.

Exhibit "C", attached hereto and incorporated herein, sets forth the proposed site plan for the Redevelopment Project.

E. Existing Conditions

1. Existing Land Use

The Project Site currently consists of a parking lot and vacant building.

2. Existing Zoning

The Project Site is currently zoned as C-1 (Local Business District).

3. Existing Public Improvements

Public access to the Project Site currently exists from W Michigan Ave and via shared internal access to Krenzien Dr. The Project Site contains all necessary paving, sewer, water, storm sewer, electrical service, public walks, and related infrastructure.

F. Proposed Redevelopment

1. Public Improvements

The Redevelopment Project requires minimal infrastructure improvements and other public improvements, as detailed below:

a. Public Access; Traffic Flow, Street Layouts and Street Grades

Public access to the Project Site currently exists from W Michigan Ave and via shared internal access to Krenzien Dr. To the extent applicable, the public improvements for the Redevelopment Project will address any traffic and street infrastructure concerns that would otherwise be created by the Redevelopment Project. All streets and other public infrastructure constructed by Redeveloper, if any, will be subject to review and approval by the City's engineer or other designee of the City.

b. Construction of Water and Sewer Improvements.

No construction or extension of water and sewer systems to the Project Site is necessary.

c. Other incidental improvements

Redeveloper and the City anticipate that the existing public facilities and utilities can adequately meet the demands of the Redevelopment Project.

d. Property Acquisition, Demolition and Disposal

No public acquisition of private property or relocation of families is necessary to accomplish the Redevelopment Project. Redeveloper owns the Project Site, and formerly leased the same to OfficeMax. The lease with OfficeMax expired March 31, 2023. As such, no businesses will be displaced as a result of the Redevelopment Project.

f. Population Density

The Project Site is currently utilized as a commercial/retail space. Likewise, the Redevelopment Project is commercial in nature and will not increase population density in the area.

g. Land Coverage

The Project Site is approximately 5.55 acres, consisting of paved parking areas and an approximately 30,670 square foot box store building. The Redevelopment Project primarily consists of the rehabilitation of the existing building. As such, land coverage is not anticipated to materially change. Notwithstanding, the Redevelopment Project is subject to and must comply with all applicable land coverage ratios required by the City.

h. Parking

With respect to automotive dealerships, the City's zoning ordinance requires one parking space for each two thousand (2,000) square feet of open sales lot area devoted to the sale, display and rental of vehicles, plus one parking space for each employee. Redeveloper anticipates the existing parking lot will satisfy such requirements, and will work with the City to ensure the same.

i. Zoning, Building Code and Ordinance

The Project Site is currently zoned as C-1 (Local Business District). It is anticipated the Redevelopment Project will require rezoning of the Project Site to C-3 (Service Commercial District), which specifically permits automotive dealerships. Accordingly, Redeveloper will be responsible for all zoning, building code, or ordinance changes that are necessary for the Redevelopment Project.

2. Private Improvements

Private improvements for the Redevelopment Project Area consist of the renovation and rehabilitation of the former OfficeMax building for use as an automotive dealership, in addition to the related facilities and improvements ancillary thereto. Redeveloper or other builders taking conveyance from Redeveloper will construct the private improvements. Paragraph H of this Redevelopment Plan details the anticipated construction schedule for the private improvements.

G. Project Costs

The total estimated cost of the Redevelopment Project is \$6,115,000. The estimated costs of the Redevelopment Project are attached and incorporated herein as Exhibit "D". Such figures are only estimates based upon 2023 pricing, and are subject to change without further amendment of this Redevelopment Plan.

H. Implementation

Redeveloper anticipates that construction of the Redevelopment Project will commence upon final approval of this Redevelopment Plan, and will be completed by spring of 2024. Notwithstanding the foregoing, Redeveloper's timely completion of the Redevelopment Project is subject to extraneous factors, which may necessitate that Redeveloper completes the Redevelopment Project later than the projected date. As such, the anticipated start and completion dates are preliminary and subject to change based upon market conditions, availability of materials, workforce availability and other extraneous factors.

I. Financing

The City and the Agency contemplate the use of TIF for the Redevelopment Project. Section 18-2147 of the Act authorizes the use of TIF. It provides that any ad valorem tax levied upon real property, or any portion thereof, in a redevelopment project shall be divided, for a period not to exceed fifteen years after the effective date as identified in the redevelopment contract, or amendment thereof, or in the resolution(s) of the authority authorizing the issuance of bonds pursuant to the Act, as follows:

- (a) That portion of the ad valorem tax the levy produces at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds of each such public body in the same proportion as are all other taxes collected by or for the body ("Base Tax Amount"); and

- (b) That portion of the ad valorem tax on real property, as provided in the redevelopment contract or bond/note resolution, in the redevelopment project in excess of the Base Tax Amount, if any, (referred to herein as “TIF Revenues”) shall be allocated to and, when collected, paid into a special fund of the authority to be used solely to pay the principal of, the interest on, and any premiums due in connection with the bonds of, loans, notes, or advances of money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such authority for financing or refinancing, in whole or in part, the redevelopment project.

With respect to the Redevelopment Project, the actual base tax year and Base Tax Amount for the Redevelopment Project will be set forth in the redevelopment contract and/or the resolution authorizing the TIF Indebtedness (defined below). All TIF Revenues generated by the Redevelopment Project shall only be divided and allocated over the statutory 15-year increment period or until full payment of the TIF Indebtedness, whichever occurs first.

1. Necessity of TIF

Redeveloper has represented and warranted to the City that it would not be economically feasible to develop the Redevelopment Project without TIF. In support thereof, Redeveloper stated the following in its TIF application:

“Without TIF, this project is not financially feasible. Redeveloper purchased the Project Site for \$2,100,000 which is higher than Redeveloper would spend for a comparable lot outside of the Redevelopment Area. Additionally, Redeveloper will need to spend approximately \$4,000,000 to renovate and rehabilitate the existing building on the site to make the site usable.

Without TIF, Redeveloper would need to look at different locations or a different design in order to make this project financially feasible. Redeveloper was willing to take the risk of acquiring the Project Site but cannot do any further work and will not proceed with the project unless TIF is approved to make the overall cost of the project more feasible.

The total anticipated project cost is approximately \$6,115,000 with acquisition (\$2,100,000) and renovation (\$4,015,000). TIF allows the Redeveloper to do more work within that budget (e.g., by reducing the purchase price by \$421,000 with TIF, Redeveloper can utilize an additional \$417,468 in construction and build-out. This allows Redeveloper to expand the building size by approximately 10-15%, which gives the business room for a bigger inventory and extra services

bays. This increases the projected profit for the business to a point that operation is feasible in this location. The smaller project – what could reasonably be built on the same budget without TIF – does not have the potential to generate sufficient revenue to justify the expense.”

In addition to the foregoing representations, Redeveloper submitted an anticipated return on investment analysis for the Redevelopment Project, both with and without TIF. Without TIF, the anticipated return on investment is approximately 8.2%. With TIF, the anticipated return on investment is approximately 10.4%. While the spread between the two projections is relatively narrow, the additional return (with TIF) allows Redeveloper to increase the size of the facility by 10% - 15%, which, according to Redeveloper, is a critical component of the Redevelopment Project’s viability. As such, without the additional margin (and space), Redeveloper represents that, without TIF, the Redevelopment Project is not economically feasible and Redeveloper would not move forward with the same.

In consideration of the foregoing, the City and Agency have determined that the Redevelopment Project, as proposed herein, is not economically viable without the assistance of TIF and Redeveloper would not construct the same without TIF.

2. Sources and Uses of Financing

Based upon the projections provided in Exhibit "E", attached hereto and incorporated herein, the Agency and Redeveloper contemplate issuance of one TIF bond or note (the "TIF Indebtedness") in the principal amount not to exceed \$417,468. The TIF Indebtedness shall bear interest at a rate not to exceed 6.00% per annum. The final principal and interest amount comprising the TIF Indebtedness shall be determined by the Agency and set forth in the redevelopment contract or resolution authorizing the issuance of the TIF Indebtedness.

The total estimated cost of the Redevelopment Project is \$6,115,000. Redeveloper anticipates that the balance of the public and private costs exceeding the TIF Indebtedness will be financed by a mix of equity and traditional bank financing. The above figures are only projections and are subject to change as a result of market conditions and other extraneous factors.

J. Cost-Benefit Analysis

A cost-benefit analysis for the Redevelopment Project is attached as Exhibit "F" and incorporated herein.

Exhibits:

Exhibit "A": Redevelopment Area and Existing Land Use

Exhibit "A-1": Project Site and Existing Land Use

Exhibit "B": Future Land Use Map

Exhibit "C": Site Plan and Future Land Use

Exhibit "D": Estimated Costs of Redevelopment Project

Exhibit "E": Sources and Uses of TIF

Exhibit "F": Cost-Benefit Analysis

EXHIBIT "A"

Redevelopment Area and Existing Land Use

Redevelopment Area and Existing Conditions:

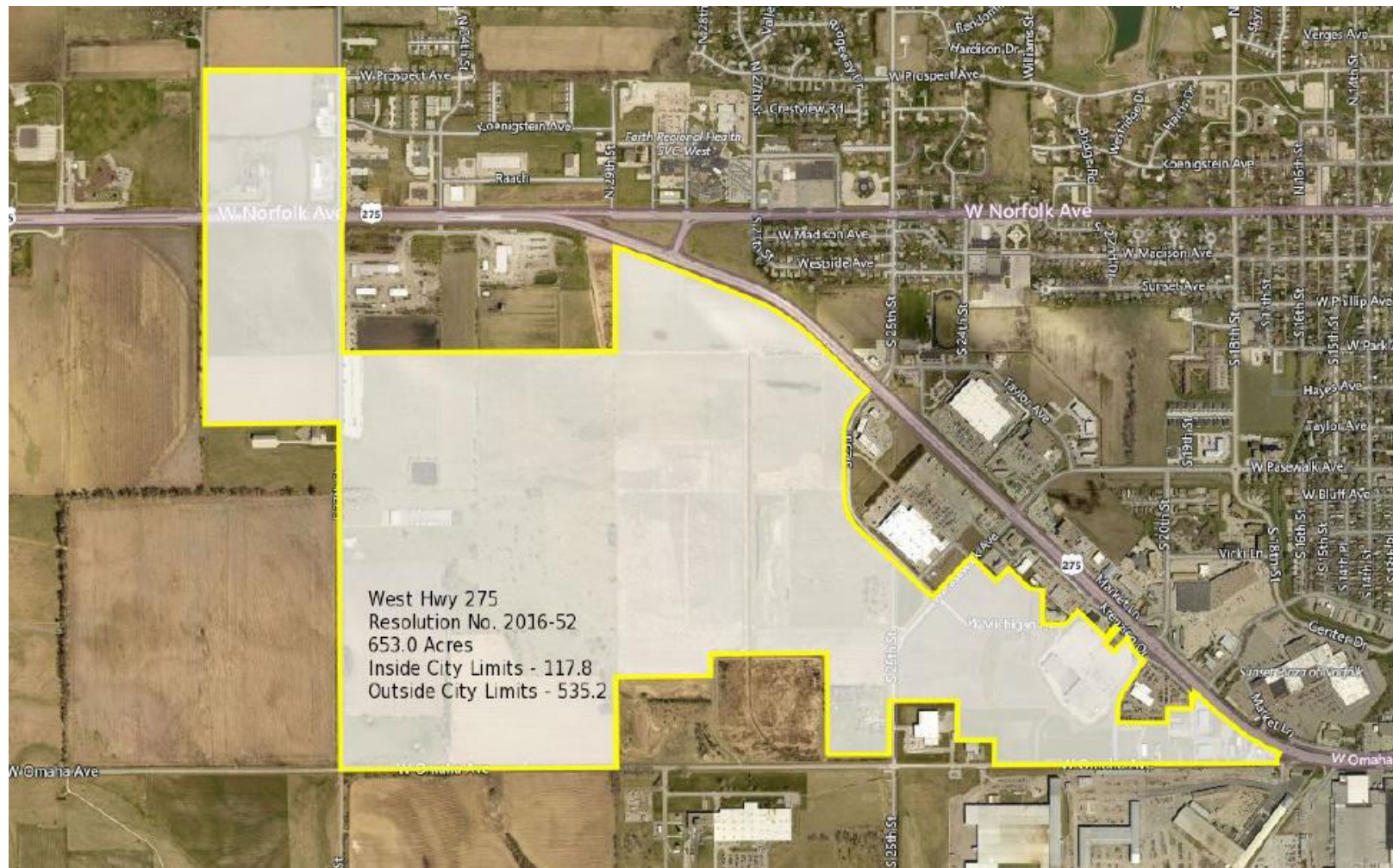


Exhibit "A"

EXHIBIT "A-1"

Project Site and Existing Land Use

Legal Description:

Lot 3, Block 1, Replat of Shopko Acres, being a part of the City of Norfolk, Madison County, Nebraska.

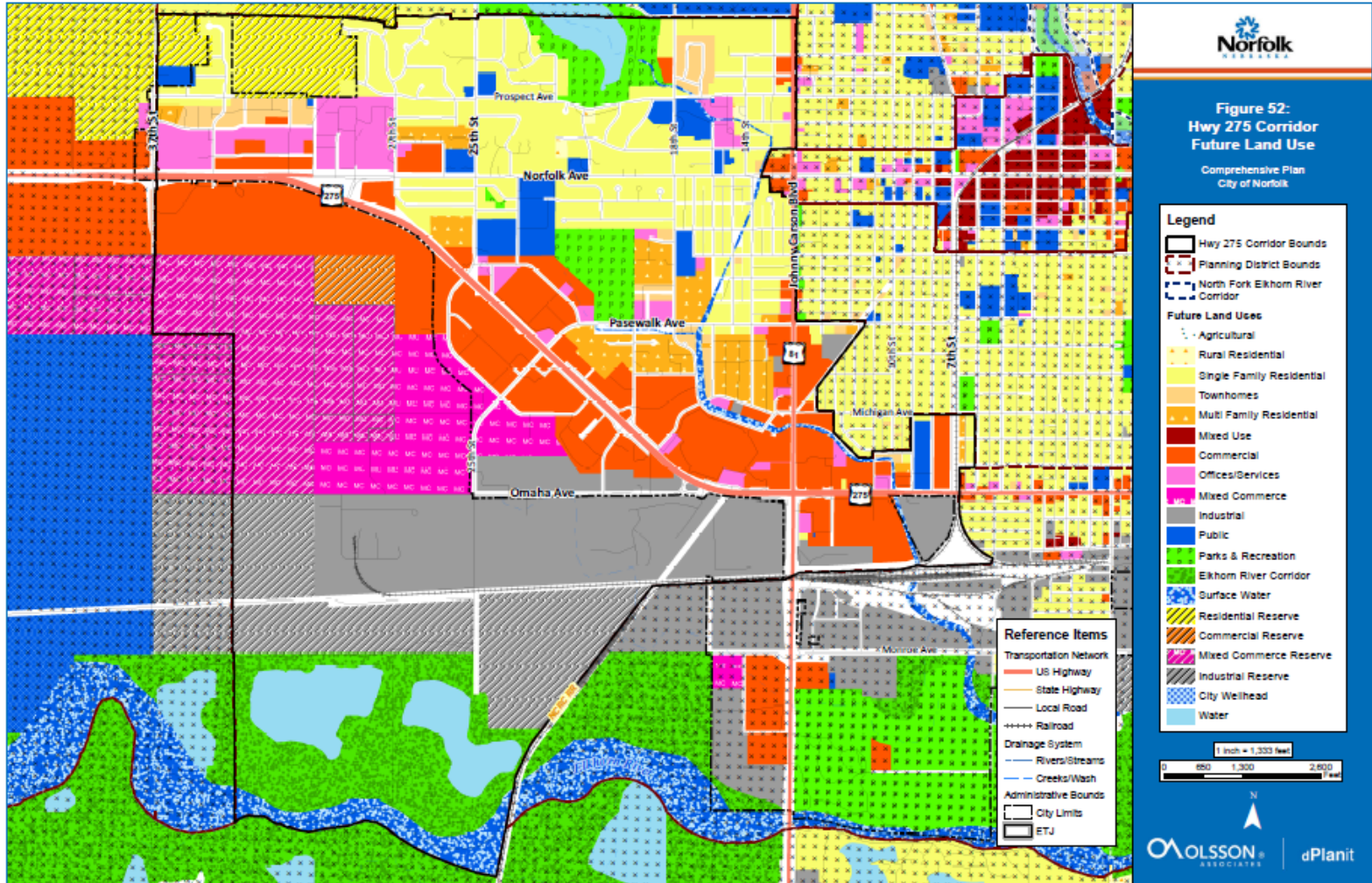
* In the event Redeveloper subdivides or replats the Project Site, the legal description(s) of such subdivided or replatted parcel(s) comprising the Project Site, upon final approval of the City with respect thereto, shall replace and supersede the above legal description.

Depiction and Current Condition (outlined in red):



Exhibit "A-1"

EXHIBIT "B"
Future Land Use Map



* Project Site designated as Commercial.

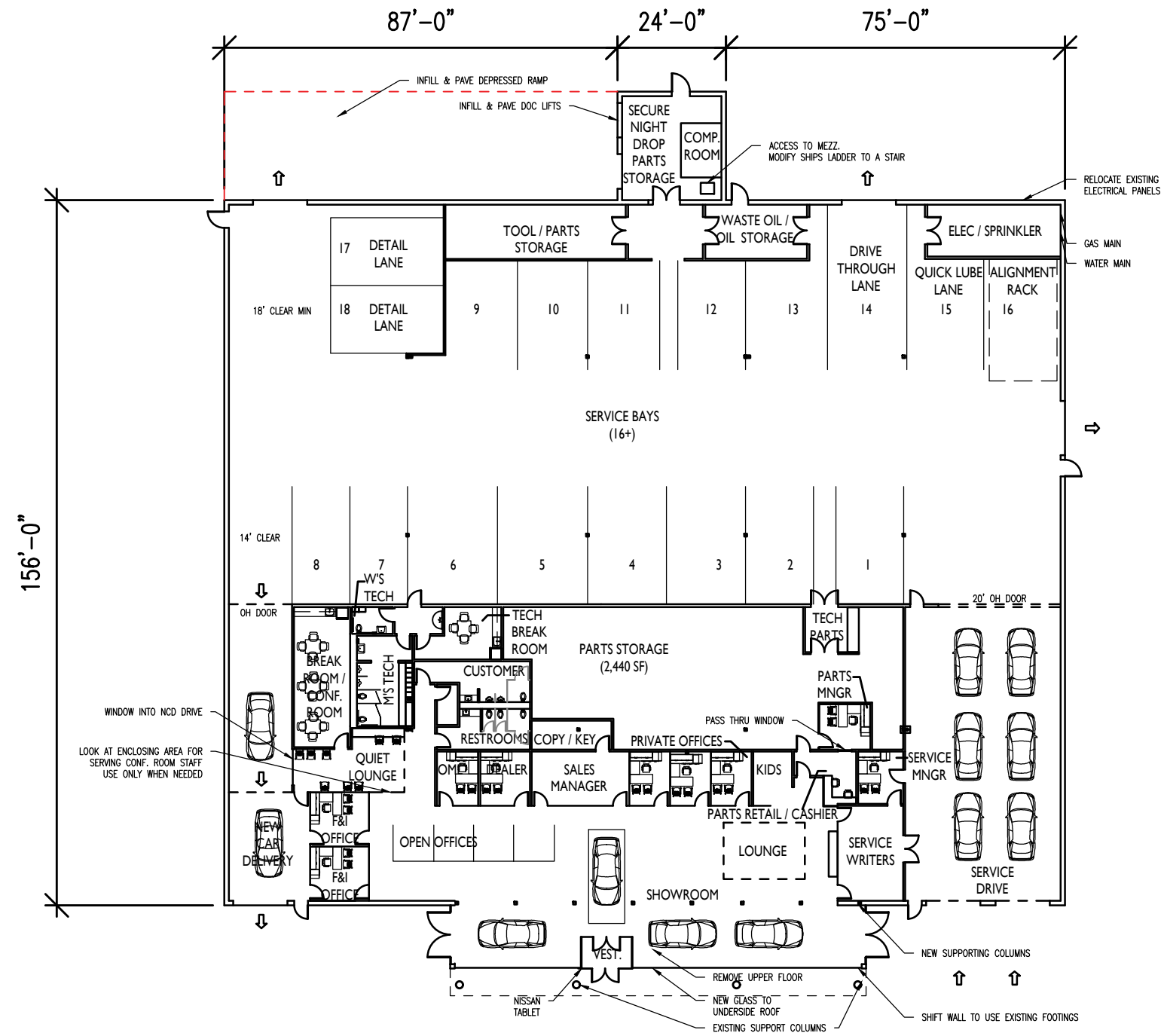
Exhibit "B"

EXHIBIT "C"

Site Plan and Future Land Use

(See Attached)

* The attached are preliminary site plans and are subject to change.



CORNHUSKER NISSAN

NORFOLK, NEBRASKA

02/21/2023

5/16/2023
SCHEMATIC DIAGRAM



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EXHIBIT "D"

Estimate of Construction Costs

Land Acquisition	\$2,100,000
Rehabilitation Costs	\$4,000,000
City's Legal Fees	\$15,000
<hr/>	
TOTAL	\$6,115,000

* The above figures are estimated values based on current pricing. These preliminary estimates are subject to change, as Redeveloper has no control over the change in cost of materials and services between the time of the approval of this Redevelopment Plan and commencement of construction.

EXHIBIT "E"

Sources and Uses of TIF

USES:

Land Acquisition	\$2,100,000
Rehabilitation Costs	\$4,000,000
City's Legal Fees	\$15,000
<hr/>	
TOTAL	\$6,115,000

* The above "Uses" are preliminary estimates based on current pricing and are subject to change.

SOURCES:

General Assumptions:

Base Value:	\$2,804,879
Final Value:	\$5,000,000
Tax Levy (2022):	1.960172%
TIF Indebtedness:	NTE \$417,468
Interest Rate:	NTE 6.00%

* The above figures are based on assumed values and levy rates. Actual amounts and rates will vary from those assumptions, and it is understood that the actual TIF sources may vary materially from the projected amounts.

EXHIBIT "F"

Cost-Benefit Analysis (Pursuant to Neb. Rev. Stat. § 18-2113)

The cost-benefit analysis for the Redevelopment Project, as described in the attached Redevelopment Plan, which will utilize funds authorized by section 18-2147 of the Act, is provided below:

1. Tax shifts resulting from the approval of the use of funds pursuant to Section 18-2147:

The taxes generated by the base value of the Project Site will continue to be allocated between the relevant taxing jurisdictions pursuant to the Act. Only the incremental taxes created by the Redevelopment Project will be captured to pay for the project's eligible public expenditures. Since the incremental taxes would not exist without the use of TIF to support the Redevelopment Project, the true tax shift of the Redevelopment Project is a positive shift in taxes after 15 years. However, for the purposes of illustrating the incremental taxes used for TIF, the estimated 15 year tax shift for the Redevelopment Project is set forth in Exhibit "E" of the Redevelopment Plan, and is adopted hereby.

Notes:

- 1. The Projected Tax Increment is based on assumed values and levy rates; actual amounts and rates will vary from those assumptions, and it is understood that the actual tax shift may vary materially from the projected amount. The levy rate is assumed to be the 2022 levy rate. There has been no accounting for incremental growth over the 15 year TIF period.*

2. Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the Redevelopment Project:

a. Public infrastructure improvements and impacts:

The Redevelopment Project requires minimal public infrastructure installation. Public access to the Project Site exists from W Michigan Ave and via shared internal access to Krenzien Dr. Additionally, the Project Site contains all necessary paving, sewer, water, storm sewer, electrical service, public walks, and related infrastructure. The Agency and Redeveloper do not anticipate that the Redevelopment Project will have a negative impact on now-existing City infrastructure.

b. Local tax impacts (in addition to impacts of tax shifts described above):

The Redevelopment Project should create material tax and other public revenue for the City and other local taxing jurisdictions. While the use of TIF will defer receipt of a majority of new ad valorem real property taxes generated by the Redevelopment Project, the Redevelopment Project should generate immediate tax growth for the City. The automotive dealership will require and pay for City services. Additionally, the City will collect sales tax on the goods sold by the dealership, as well as on a portion of the materials used to construct the Redevelopment Project. It is not anticipated that the Redevelopment Project will have any material adverse impact on such City services, but will generate revenue providing support for those services.

3. Impacts on employers and employees of firms locating or expanding within the boundaries of the Project Site:

The Redevelopment Project will result in new and expanded business within the Project Site. The lease with the former tenant (OfficeMax) expired March 31, 2023. Accordingly, the building would likely sit vacant unless/until a new tenant was secured – which is often difficult for large box store buildings. Conversely, the Redevelopment Project will result in timely occupancy of the building and the expansion of an existing automotive dealership business in the City. Redeveloper anticipates that such expansion will result in the creation of 30 jobs within the Project Site, 19 of which did not previously exist. Accordingly, it is anticipated that the Redevelopment Project will have a positive impact on employers and employees locating or expanding within the boundaries of the Project Site.

4. Impacts on other employers and employees within the City and the immediate area that is located outside of the boundaries of the Project Site:

As detailed above, it is a challenge for many municipalities and/or property owners to fill large box stores after the departure of its anchor tenant. This occurrence often has a material adverse impact on surrounding businesses that once relied on the abundance of consumer traffic generated by such stores. The Redevelopment Project will fill a space that otherwise may be left vacant or underutilized, and continue to generate consumer traffic to the area. Accordingly, the Redevelopment Project is anticipated to have a positive impact on surrounding employers and employees.

5. Impacts on student populations of school districts within the City:

The Redevelopment Project is commercial in nature and will not impact student populations in the City.

6. Other impacts determined by the Agency to be relevant to the consideration of costs and benefits arising from the redevelopment project:

The Project Site is blighted and contains substandard conditions that are a detriment to the City as a whole. The Redevelopment Project will revitalize and occupy a space – that may otherwise be considered undesirable or unsuitable for other commercial tenants – without negatively impacting the surrounding businesses, residents or straining the public infrastructure. There are no other material impacts determined by the Agency relevant to the consideration of the costs or benefits arising from the Redevelopment Project. As such, the costs of the Redevelopment Project are outweighed by its benefits.

DOCS/2945671.1

Public Hearing

The Planning Commission of the City of Norfolk, Nebraska will hold a public hearing on Tuesday, May 16, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska to hear comments regarding the “Redevelopment Plan for the Cornhusker Auto Redevelopment Project” legally described as:

Lot 3, Block 1, Replat of Shopko Acres, being a part of the City of Norfolk, Madison County, Nebraska

The Redevelopment Plan for the Cornhusker Auto Redevelopment Project, map and cost-benefit analysis can be found at:

<https://norfolkne.gov/government/departments/planning-and-development/blight-studies-and-redevelopment-projects/cornhusker-auto.html>

Publish (April 28 and May 5, 2023)
2 P.O.P.’s

For Office Use Only	Date Rec'd <u>4-27-23</u>
	Fee \$ <u>325</u>
	Rec'd by <u>ey</u>

**CONDITIONAL USE
PERMIT APPLICATION**

Applicant: Matteo Sand & Gravel Inc.
Name Address
402-371-7229 matteo.sand@yahoo.com
Phone Email

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

Contact: Randy Matteo 2200 N 49th St Norfolk NE
(other than Name Address
applicant)
402-649-1002 rcmatteo1328@gmail
Phone Email

Present Use of Property: Inactive pasture

Desired Use of Property: gravel mining

Timeframe of Request: Perpetual Issued for 15 years

Location of Property: 225 2410 N Airport Rd.

Legal Description: see attached

Property Area, Square feet and/or Acres: _____

General Character of the area: _____

Randy Matteo
Signature of Owner

Authorized Agent

OR

Randy Matteo
Printed Name of Owner

Printed Name of Authorized Agent

**CONDITIONAL USE PERMIT
JUSTIFICATION FORM**

1. What is the current zoning district?

I 1

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

Gravel Mining

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?

Already Mining just expanding

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.

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

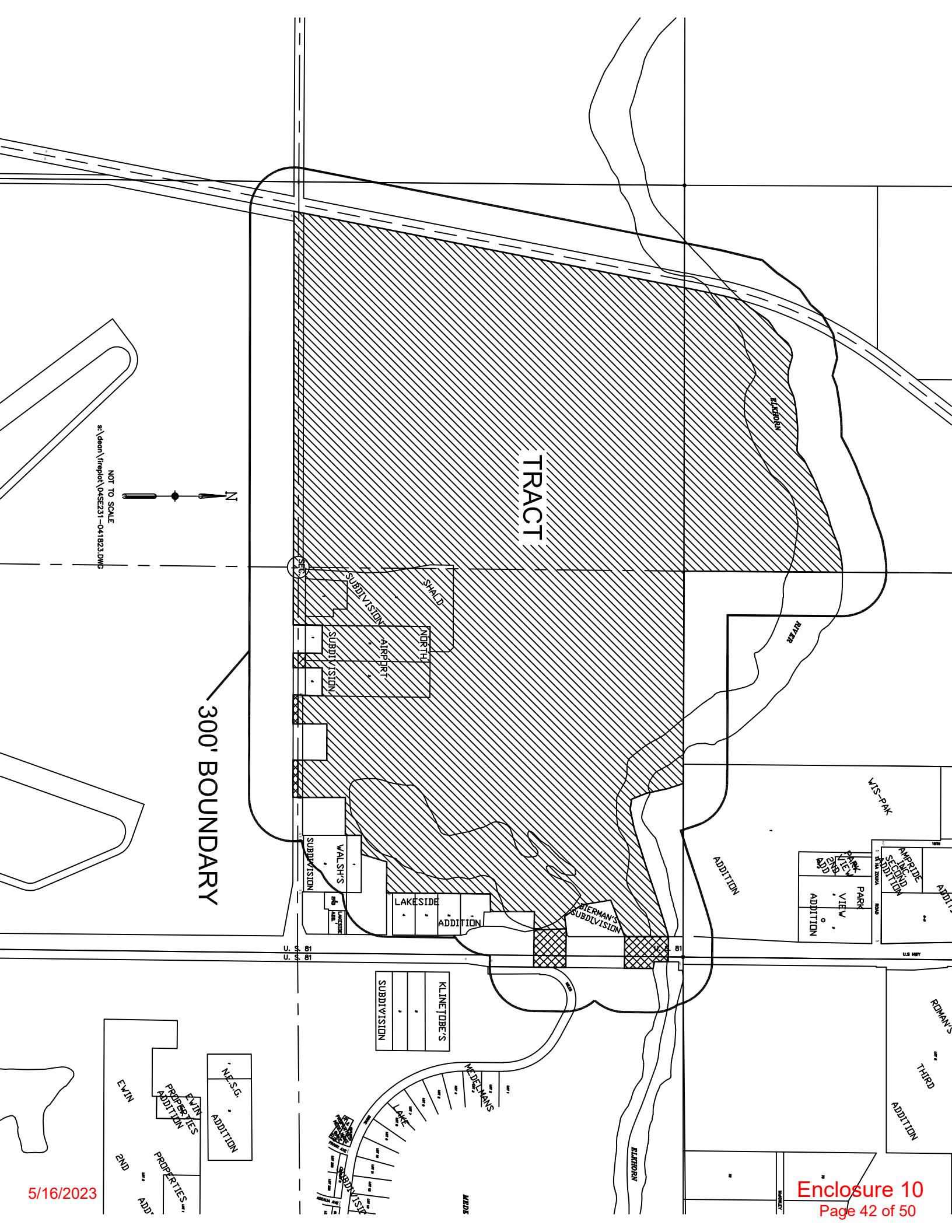
If yes, explain _____

10. Are utilities property located? Yes No

Explain location and closest availability Already set up

11. Adequate water and sewer available? Yes No

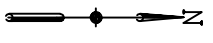
12. Will required yards & other open spaces be observed with the permit? Yes No



TRACT

300' BOUNDARY

NOT TO SCALE
s:\vean\tracplot\045E231-041B23.DWG



5/16/2023

Public Hearing

The Planning Commission of the City of Norfolk, Nebraska, will hold a public hearing on Tuesday, May 16, 2023 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Matteo Sand and Gravel Company, Inc., for a Conditional Use Permit for sand and gravel mining on property generally located at 2410 N Airport Road, legally described as follows:

The West Half of the Northeast Quarter of Section Four, Township Twenty-three North, Range One West of the Sixth Principal Meridian, Madison County, Nebraska; LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS AND PARCEL OF LAND LYING IN SAID W ½ OF NE ¼ , LETTERED A THROUGH E, AS FOLLOWS:

- A. Commencing at the Southeast corner of the SW ¼ of the NE ¼ of said Section 4; thence West on the ¼ section line on an assumed bearing of South 89 degrees 22 minutes 30 Seconds West 440.56 feet to the point of beginning; thence North 00 degrees 00 minutes East 902.0 feet; thence South 09 degrees 22 minutes 30 seconds West 483.0 feet; thence South 00 degrees 00 minutes West 902.0 feet to a point on the ¼ section line; thence North 89 degrees 22 minutes 30 seconds East 483.0 feet to the point of beginning. (NORTH AIRPORT SUBDIVISION containing approximately 10.00 acres, more or less);
- B. Commencing at the Southwest corner of the SE ¼ of the NE ¼ of said Section 4; thence West on the ¼ section line on an assumed bearing of South 89 degrees 22 minutes 30 seconds West 923.56 feet to the point of beginning; thence North 00 degrees 00 minutes East 902.0 feet; thence North 89 degrees 22 minutes 30 seconds East 170.16 feet; thence North 00 degrees 00 minutes East 123.7 feet; thence North 45 degrees 00 minutes West 39.6 feet; thence South 89 degrees 22 minutes 30 seconds West 564.7 feet; thence South 00 degrees 00 minutes West 158.0 feet; thence South 10 degrees 12 minutes 15 seconds East 300.0 feet; thence South 02 degrees 34 minutes 20 seconds East 133.3 feet; thence South 02 degrees 36 minutes 30 seconds West 423.7 feet to a point on the ¼ section line; thence North 89 degrees 22 minutes 30 seconds East 385.1 feet to the point of beginning. (SHALD SUBDIVISION containing approximately 10.01 acres, more or less.)
- C. Beginning 902 feet North of the Southeast corner of the W ½ of the NE ¼ of said Section 4; thence 752 feet West; thence 1738 feet North; thence 752 feet East; thence 1738 feet South to the place of beginning. (Containing approximately 30 acres, more or less)
- D. Commencing at the Southeast corner of the SW ¼ of the NE ¼ of said Section 4; thence North on the 1/16 line on an assumed bearing of North 00 degrees 00 minutes East 198.0 feet to the point of beginning; thence North 00 degrees 00 minutes East 704.0 feet; thence South 89 degrees 22 minutes 30 seconds West 440.56 feet; thence South 00 degrees 00 minutes West 902.0 feet to a point of the ¼ section line; thence North 89 degrees 22 minutes 30 seconds East 183.06 feet; thence North 00 degrees 00 minutes East 198.0 feet; thence North 89 degrees 22 minutes 30 seconds East 247.5 feet to the point of beginning. (Containing approximately 8 acres, more or less)

- E. Commencing at the Southeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence North 198 feet, thence West 247.5 feet; thence South 198 feet; thence East 247.5 feet to the place of beginning. (Containing approximately 1 acre, more or less)

The West Half of the Northwest Quarter of Section Four, Township Twenty-three North, Range One West of the Sixth Principal Meridian, Madison County, Nebraska; LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACTS AND PARCELS OF LAND LYING IN SAID W $\frac{1}{2}$ OF NW $\frac{1}{4}$ LETTERED A THROUGH C, AS FOLLOWS:

- A. The Right of Way of the Union Pacific Railway Company
- B. Beginning at the W $\frac{1}{4}$ corner of said Section 4; thence East on section line, on an assumed bearing of North 90 degrees 00 minutes East a distance of 111.2 feet to a point on the Westerly Right of Way of the Union Pacific Railway; thence North 10 degrees 59 minutes 30 seconds East on said Right of Way, a distance of 1551.5 feet to a point; thence North 81 degrees 26 minutes 40 seconds West 395.2 feet to a point on the West section line, said point being 264.0 feet North of the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$; thence South 00 degrees 34 minutes West, on section line 1582.1 feet to the point of beginning. (Containing approximately 9.07 acres, more or less)
- C. Commencing at the Northwest corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 4; thence South 1056 feet to the old riverbed of the Elkhorn River, now known as Dry Run; thence East along said old riverbed of Dry Run to the Right of Way of the Union Pacific Railway Company; thence Northeast along the West line of said Right of Way to the North line of said track; thence West to the place of beginning. (Part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying west of the railroad.)

The East Half of the Northwest Quarter of Section Four, Township Twenty-three North, Range One West of the Sixth Principal Meridian, Madison County, Nebraska; LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL OF LAND LYING IN SAID E $\frac{1}{2}$ OF NW $\frac{1}{4}$, LETTERED A, AS FOLLOWS:

- A. Commencing at the Southwest corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 4; thence West on the $\frac{1}{4}$ section line on an assumed bearing of South 89 degrees 22 minutes 30 seconds West 923.56 feet to the point of beginning; thence North 00 degrees 00 minutes East 902.0 feet; thence North 89 degrees 22 minutes 30 seconds East 170.16 feet; thence North 00 degrees 00 minutes East 123.7 feet; thence North 45 degrees 00 minutes West 39.6; thence South 89 degrees 22 minutes 30 seconds West 564.7 feet; thence South 00 degrees 00 minutes West 158.0 feet; thence South 10 degrees 12 minutes 15 seconds East 300.0 feet; thence South 02 degrees 34 minutes 20 seconds East 133.3 feet; thence South 02 degrees 36 minutes 30 seconds West 423.7 feet to a point on the $\frac{1}{4}$ section line; thence North 89 degrees 22 minutes 30 seconds East 385.1 feet to the point of beginning. (SHALD SUBDIVISION containing approximately 10.01 acres, more or less)

A tract of land consisting of 55 acres, more or less situated in Section 33, Township 24 North, Range One West of the 6th P.M., and Section Four, Township 23 North, Range One West of the 6th P.M., all in Madison County, Nebraska, and described as follows:

Bounded on the south by the south line of Section 33, Township 24 North, Range One West of the 6th P.M., Madison County, Nebraska, and bounded on the west by the east right-of-way of the Union Pacific Railroad, and bounded on the north by the northerly high bank of the Elkhorn River, and bounded on the east by the east line of the Southwest Quarter of the Southeast Quarter of said Section 33, Township 24 North, Range One, West of the 6th P.M., Madison County, Nebraska,

And,

All of that part of the Northwest Quarter of the Northwest Quarter of Section Four, Township 23 North, Range One West of the 6th P.M., Madison County, Nebraska which lies east of the Right-of-Way of the Union Pacific Railroad.

And,

Lots 1 & 2, Shald Subdivision, Madison County, Nebraska.

AND

A tract of land lying wholly in the SW1/4 NE1/4 of Section 4, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows: Commencing at the SE corner of the SW1/4 NE1/4 of said Section 4; thence N on the 1/16th line on an assumed bearing of N0°00'E 198.0 feet to the point of beginning; N0°00'E 704.0 feet; thence S 89°22'30"W 440.56 feet; thence S0°00'W 902.0 feet to a point on the 1/4 section line; thence N 89°22'30"E 193.06 feet; thence N0°00'E 198.0 feet; thence N89°22'30"E 247.5 feet to the point of beginning.

AND

A tract of land located in the West Half of the Northeast Quarter (W1/2NE1/4) of Section Four (4), Township Twenty-three (23) North, Range One (1), West of the 6th P.M., Madison County, Nebraska, beginning at a point 902 feet North of the Southeast corner of said West Half of the Northeast Quarter of said Section; thence 752 feet West; thence 1738 feet North; thence 752 feet East; thence 1738 feet South to the place of beginning.

AND

Lot 3 North Airport Subdivision, Madison County, Nebraska

AND

Lot 2, North Airport Subdivision, Madison County, Nebraska

AND

The Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 4, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska, except the following: Beginning at the Southeast corner of the NE 1/4 NE 1/4 of said Section 4, Township 23 North, Range 1 West of the 6th P.M., thence North 18 Rods; thence West 17 7/9 Rods; thence South 18 Rods, thence East 1 7 7/9 Rods to the place of beginning, and also except that part taken and deeded to the State of Nebraska for road purposes in Deed filed in M73-4 page 179 and M92-7, page 84 7 and also except Lot 1 of Bierman's Subdivision in the NE 1/4 NE 1/4 of Section 4, Township 23 North, Range 1 West of the 6th P.M., and also except the following; beginning at the Northwest corner of Lot 1 of Lakeside Addition, Madison County, Nebraska, thence proceeding west along the South line of said NE1/4 NE1/4 on an assumed bearing of S89°59'50"W, 903.3 feet to the Southwest corner of said NE1/4 NE1/4; thence N0°32'30"E, along the West line of said NE1/4 NE1/4 867.7 feet to a point on the Southerly bank of the Elkhorn River; thence S82°13'20"E, along said Southerly bank of the Elkhorn River, 523.3 feet; thence S25°17'40"E, 881.3 feet to the point of beginning, and also except A tract of land lying wholly in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section Four (4), Township Twenty-three (23) North, Range One (1), West of the 6th P.M., Madison County, Nebraska, more particularly described as follows: Commencing at the Northeast corner of said Section Four (4); thence West, on section line, on an assumed bearing of South 89 degrees 35 minutes 35 seconds West 141.7 feet to a point on the West right of way of U.S. Highway No. 81 and the point of beginning; thence continuing South 89 degrees 35 minutes 35 seconds West, on last described course, 1001.2 feet to a pipe set on the high bank of the Elkhorn River; thence continuing South 89 degrees 35 minutes 35 seconds West, on the last described course, 45 feet, more or less, to the thread of the stream of said river; thence in a Southerly and Easterly direction, following the thread of the stream of said river, to the West right of way of U.S. Highway No. 81; thence North 02 degrees 51 minutes 30 seconds East, along said West right of way of U.S. Highway No. 81, a distance of 100 feet to the point of beginning, all being in Madison County, Nebraska.

AND

Tract 1: A tract of land lying wholly in the SE1/4 NE1/4 of Section 4, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska, described as follows: Beginning at the SW Corner of the SE1/4 NE1/4 of said Section 4; thence proceeding East on an assumed bearing of N90°00'E, 393.4 feet; thence N0°05'E, 183.0 feet; thence N89°58'E, 122.0 feet; thence N0°02'40"E, 129.0 feet where a witness pipe was set on the South Lake bank; thence continuing N0°02'40"E, 123.0 feet; thence S89°56'10"E, 128.17 feet where a witness pipe was set on the East Lake bank; thence continuing S89°56'10"E, 263.63 feet; thence N0°40'50"E, 174.0 feet to the SW Corner of Lakeside Addition, Madison County, Nebraska; thence continuing N0°33'50"E, 709.2 feet to the NW Corner of said Lakeside Addition; thence S89°59'50"W, 904.98 feet; thence S0°30'30"W, 1,318.5 feet to the point of beginning LESS a tract of land described as follows: Beginning at the SW Corner of Lakeside Addition; thence South on an assumed bearing of S0°40'50"W, 174.0 feet; thence S89°56'10"W, 263.63 feet where a witness pipe was set; thence continuing N89°56'10"W, 4.0 feet to the edge of the lake as it existed on March 12, 1984; thence Northeasterly, along a meandering line on the edge of the lake as it existed on March 12, 1984, to a point which is 212.1 feet West of the SW Corner of Lakeside Addition; thence S89°59'50"E, 9.0 feet to a point where a witness pipe was set; thence continuing S89°59'50"E, 203.1 feet to the point of beginning, AND LESS Lot 1, D and C Werner Subdivision in the SE1/4 NE1/4 of Section 4, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska.

Tract 2: A tract of land lying wholly in the Northeast Quarter of the Northeast Quarter of Section 4, Township 23 North, Range 1 West of the 6th P.M., Madison County, Nebraska, more particularly described as follows: Beginning at the Northwest corner of Lot 1 of Lakeside Addition, Madison County, Nebraska, thence proceeding West along the South line of said NE1/4 NE1/4 on an assumed bearing of S89°59'50"W, 903.3 ft. to the Southwest corner of said NE1/4NE1/4; thence N0°32'30"E, along the West line of said NE1/4NE1/4 867.7 feet to a point on the Southerly bank of the Elkhorn River; thence S82°13'20"E, along said Southerly bank of the Elkhorn River, 523.3 ft., thence S25°17'40"E, 881.3 ft. to the point of beginning.

Publish (May 5, 2023)

1 P.O.P.

For Office Use Only	Date Rec'd	<u>2/15/23</u>
	Fee	\$ <u>320</u> <u>215</u>
	Rec'd by	<u>EA</u>

SUBDIVISION APPLICATION

Name of Subdivision: Sudbeck's Second Subdivision to the City of Norfolk, Madison County, NE

Preliminary Final

Applicant: Sidney & Teresa Sudbeck 116 S Old Hadar Rd., Norfolk
Name Address
402-640-3610 (Sid)

Phone Email
*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.
AEC, LLC (Russel Wilcox) 401 W Norfolk Ave., Norfolk

Contact: (other than Applicant) Name Address
Phone Email

Current Zoning: R-2

General Location/Address: 1006 Taylor Ave. & 510 S 10th St., Norfolk

Legal Description: See Attached sheet

Property Area, Square Feet and/or Acres: 0.56 Acres

Sidney Sudbeck
Signature of Owner
Sidney Sudbeck
Printed Name of Owner

AND
~~OR~~

Teresa Sudbeck
Authorized Agent
Teresa Sudbeck
Printed Name of Authorized Agent

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

For Office Use Only	Date Rec'd <u>2/15/23</u>
	Fee \$ <u>320</u> <u>215</u>
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Preliminary Final

Applicant: Sidney & Teresa Sudbeck 116 S Old Hadar Rd., Norfolk

Name 402-640-3610 (Sid) Address

Phone _____ Email _____

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

Contact: AEC, LLC (Russel Wilcox) 401 W Norfolk Ave., Norfolk

(other than Applicant) Name _____ Address _____

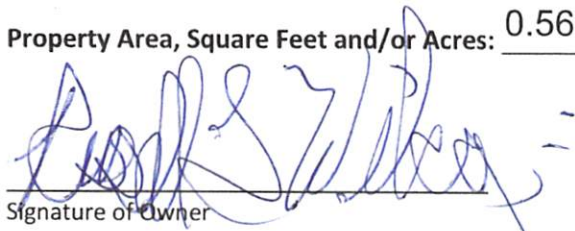
Phone _____ Email _____

Current Zoning: R-2

General Location/Address: 1006 Taylor Ave. & 510 S 10th St., Norfolk

Legal Description: See Attached sheet

Property Area, Square Feet and/or Acres: 0.56 Acres



Signature of Owner AEC, LLC OR

Authorized Agent _____

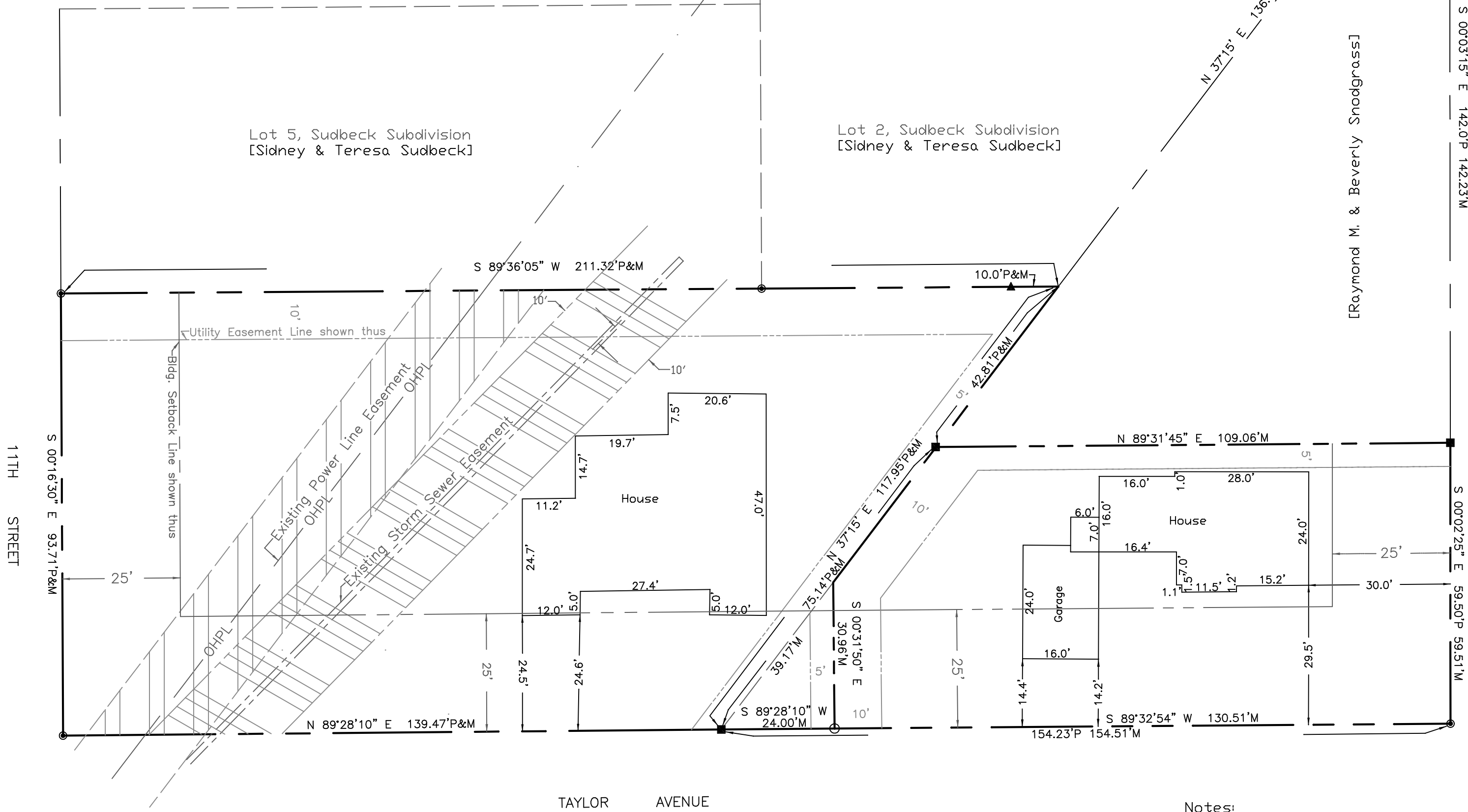
Printed Name of Owner _____

Printed Name of Authorized Agent _____

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

Proj. No.
2022-119Subd

- Legend
- ▲ Spike Found
 - Pin Found
 - Pipe Found
 - P Platted Dist.
 - M Measured Dist.
- Property Line
- Lot Line
 - - - Subdivision Line
 - 1/16th Line
 - Building Line
 - - - Building setback Line
 - - - Utility Easement Line
 - - - Storm Sewer Line
 - - - Storm Sewer Easement Line
 - - - Overhead Power Line
 - - - Existing Power Line Easement



Notes:

- 1) Bearings are based on Grid North (US/NAD83/NE Datum) based on direct observation using G.P.S. equipment on the HPRTK Network.
- 2) Distances shown on the Plat are Horizontal Ground Distances.
- 3) A five (5) foot sidewalk shall be constructed by the owner on the street side or sides of each lot in the addition abutting on a platted street as provided for by Ordinance No. 5617 of the City of Norfolk passed and approved on June 3, 2019.

Area & Address Table		
Lot	Area	Address
One	0.39 Acres	1006 Taylor Avenue
Two	0.17 Acres	510 S 10th Street

Surveyors Statement

I, LaVern F. Schroeder, Registered Land Surveyor in the State of Nebraska, have made a survey of SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska. Said Subdivision being a Replat of Lot 6, Sudbeck Subdivision to the City of Norfolk, Madison County, Nebraska and Lot 2 and the South 14.5 Feet of Lot 1 of Block 17, Durland's First Addition to the City of Norfolk, Madison County, Nebraska; that the Plat attached hereto is the original, accurate, true and correct plat of said SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska; that said plat accurately and correctly reflects all of the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds in said SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska, all of which are correctly designated and shown on the attached plat; that I surveyed and platted said SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska, consisting of Lots One and Two at the instance and request of the owner.

The tract of land comprising said Subdivision is more particularly described as follows:
Lot 6, Sudbeck Subdivision to the City of Norfolk, Madison County, Nebraska and Lot 2 and the South 14.5 feet of Lot 1 of Block 17, Durland's First Addition to the City of Norfolk, Madison County, Nebraska.

I hereby state that I have executed this instrument on this 1st day of December, 2022.

LaVern F. Schroeder
Registered Land Surveyor #312

Owners Certificate

We, the undersigned, sole owners of the real estate described in the Surveyors Statement, have caused said real estate to be platted into Lots One and Two, to be known hereinafter as SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska. Said Subdivision being a Replat of Lot 6, Sudbeck Subdivision to the City of Norfolk, Madison County, Nebraska and Lot 2 and the South 14.5 Feet of Lot 1 of Block 17, Durland's First Addition to the City of Norfolk, Madison County, Nebraska; do hereby dedicate the streets, avenues, drives, roads, and alleys and other public grounds to the use and benefit of the public and provided further are easements as shown on this plat.

Sidney Sudbeck _____ Teresa Sudbeck _____

Russell L. Wilcox, Member
of AEC, LLC

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Sidney Sudbeck and Teresa Sudbeck, husband and wife.

My commission expires: _____ (Signature)

Notary Public (Printed)

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023, by Russell L. Wilcox, Member on behalf of AEC, LLC, a Nebraska limited liability company.

My commission expires: _____ (Signature)

Notary Public (Printed)

Consent of Lienholder (for AEC, LLC)

I, _____ (title) of Elkhorn Valley Bank & Trust, being a lienholder of the described tract of land, hereby approve and agree to the platting of SUDBECK'S SECOND SUBDIVISION to the City of Norfolk, Madison County, Nebraska, on this ____ day of _____, 2023, on behalf of said Elkhorn Valley Bank & Trust.

(Signature) _____ (title) of Elkhorn Valley Bank & Trust
(Print)

State of Nebraska)
County of Madison)

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by _____ (title) of Elkhorn Valley Bank & Trust.

My commission expires: _____ (Signature)

Notary Public (Print)

APPROVAL

The foregoing and within plat, dedication and instrument was approved by the Planning Commission of the City of Norfolk, Madison County, Nebraska on this ____ day of _____, 2023.

Dan Sprey
Chairman

APPROVAL

The foregoing and within plat, dedication and instrument was approved by the Honorable Mayor of the City of Norfolk, Madison County, Nebraska, by resolution duly passed on this ____ day of _____, 2023.

Attest: Brianna Duerst _____ Josh Moenning _____
City Clerk Mayor

WAIVER

We, Sidney Sudbeck & Teresa Sudbeck and Russell L. Wilcox, Member of AEC, LLC are the owners of the real estate described hereon and hereby waive any right of claims as a result of damages occasioned by the establishment of grades or alterations of the surface.

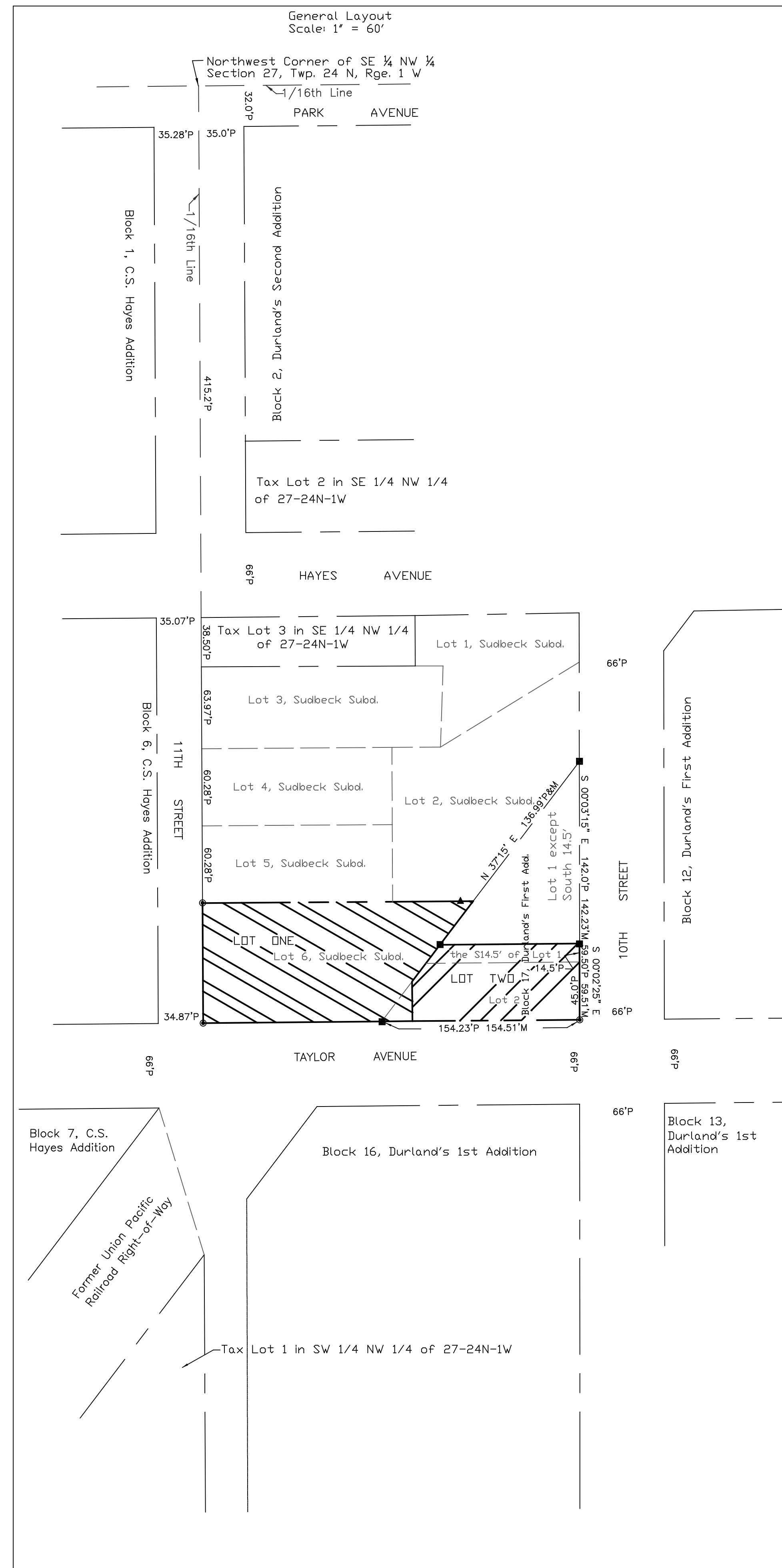
Sidney Sudbeck _____ Teresa Sudbeck _____

Russell L. Wilcox, Member
of AEC, LLC

State of Nebraska)
County of Madison)

This is to certify that this instrument was filed for record by the Register of Deeds Office at ____ M on this ____ day of _____, 2023.

Diane Nykadym
Register of Deeds



**Planning and Development
Building Services**

**CITY OF NORFOLK
Monthly Building Permit Report**

**Month
April, 2023**

Permits Issued	2023 April	2023 March	2022 April	This Fiscal YTD	Last Fiscal YTD	Variation % 2022 vs. 2023
BUILDING						
Number	53	33	53	231	252	-8.3%
Valuation	\$7,832,657.00	\$3,820,649.00	\$7,647,710.00	\$287,161,572.90	\$40,555,015.07	608.1%
Permit Fee	\$16,107.64	\$10,713.76	\$11,118.68	\$125,293.41	\$72,303.82	73.3%
ELECTRICAL						
Number	30	27	28	179	231	-22.5%
Permit Fee	\$20,920.00	\$5,014.50	\$4,980.00	\$276,236.50	\$34,472.00	701.3%
PLUMBING						
Number	25	12	19	97	93	4.3%
Permit Fee	\$3,489.55	\$1,210.96	\$1,566.96	\$23,484.71	\$9,720.29	141.6%
MECHANICAL						
Number	19	15	12	106	108	-1.9%
Permit Fee	\$2,319.21	\$2,528.48	\$4,808.40	\$37,979.87	\$22,431.96	69.3%
WATER HEATER						
Number	10	8	7	66	45	46.7%
Permit Fee	\$335.00	\$284.50	\$224.00	\$2,285.50	\$1,447.00	57.9%
FIRE ALRM / SPR						
Number		2	3	19	31	-38.7%
Permit Fee		\$1,204.50	\$106.50	\$3,549.50	\$4,111.00	-13.7%
WELL / SEPTIC						
Number	4	3		7	3	133.3%
Permit Fee	\$100.00	\$75.00		\$175.00	\$75.00	133.3%
FIRE PREVENTION						
Number		2		4		
Permit Fee		\$60.00		\$120.00		
TOTAL FEES:	\$43,271.40	\$21,091.70	\$22,804.54	\$469,124.49	\$144,561.07	224.5%

Nature of Building Permits	Last FYTD	Present FYTD	Number of Permits	Dwelling Units	Permit Fees	Valuation
Void					\$0.00	\$0.00
SFD	29 (29)	21 (21)	5	5	\$4,943.52	\$2,310,842.00
Duplex	1 (2)	20 (40)			\$0.00	\$0.00
MFD		2 (44)			\$0.00	\$0.00
Commercial			1	0	\$1,700.00	\$160,000.00
Industrial			1	0	\$1,471.35	\$3,000,000.00
Garages			1	0	\$88.40	\$26,000.00
Move & Demo			3	0	\$100.00	\$55,800.00
SFDA	2 (2)	10 (10)	10	10	\$4,230.06	\$1,868,200.00
Sign			2	0	\$180.50	\$26,000.00
Other			15	0	\$1,990.11	\$227,130.00
Alterations & Additions						
1 & 2 Family			13	0	\$953.40	\$140,185.00
Multi-Family					\$0.00	\$0.00
Commercial			2	0	\$450.30	\$18,500.00
Industrial					\$0.00	\$0.00
Total			53	15	\$16,107.64	\$7,832,657.00

Building Valuation

2023 Fiscal YTD	\$287,161,572.90
2022 Fiscal YTD	\$40,555,015.07
Contractor Registration	\$2,800.00

Building Official

NOTE: SFD's and SFDA's are to be added together for a total of single family dwelling units and valuation.