

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, September 19, 2023
7:30 a.m.

Created 9/14/2023 2:01 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, September 19, 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

September 19, 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 September 6, 2023 Planning Commission meeting.
6. Consideration of Resolution No. 2023PC-7, approving a Conditional Use Permit for landscape contracting services on property addressed as 3705 S. 13th Street. **Resolution 2023PC-7**

PUBLIC HEARINGS

7. Public hearing at the request of Monroe Storage, LLC, Nebraska limited liability company, for a Conditional Use Permit for a Watchman Permit on the property addressed as 2001 S. 1st Street.
8. Consideration to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a Watchman Permit on property address as 2001 S. 1st Street.

OTHER BUSINESS

9. August 2023 Building Permit Report
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 6th day of September, 2023, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Dirk Waite, Jill Sock, Martin Griffith, Jordan Mason, and Cody Ronnfeldt. Absent: Dan Spray, Chad Bryant, Brandon Franklin, and Kaycee Kube.

Staff members present were: Valerie Grimes, City Planner; Adam Smith, Code Compliance Official; Lyle Lutt, Director of Administrative Services; Candice Alder, Economic Development Director; Randy Gates, Finance Officer; Mikah Wheeler, Economic Development Coordinator; Anna Allen, Assistant City Engineer; Steven Rames, City Engineer; Sarah Wortmann, Planning Commission Secretary; and Katelyn Palmer, Permits Technician.

Planning Commission Vice-Chair, Dirk Waite presided and the Planning Commission Secretary Katelyn Palmer 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 Mason to approve the full agenda.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

Commissioner Griffith moved, seconded by Commissioner Ronnfeldt to approve the August 22, 2023 meeting minutes.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

Public Hearings

Public Hearing

Zoning Change – R-2 to R-3
922 S 4th St | JFT, INC.

Vice-Chair Waite opened the public hearing at 7:32 a.m. to consider a request from JFT, INC., for a zoning change from R-2 (One and Two Family Residential District) to R-3 (Multiple-Family Residential District) on property addressed as 922 S. 4th Street.

Stacy Sullivan, Applicant, explained that currently the property is zoned R-2 and was previously used for daycare, which went out of business. They are requesting the zone change for R-3, to turn the building into a triplex, which benefits cutting the traffic down and adding additional affordable housing for citizens.

Commissioner Waite questioned the off-street parking there. Sullivan confirmed that right now, the parking is all on-street, but there are plans for on and off-street parking on the property.

Valerie Grimes, City Planner, verified 2 parking spots are needed per unit for R-3, so 6 total for a triplex. Sullivan verified there will be parking on the West, South and East sides.

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

Commissioner Ronnfeldt moved, seconded by Commissioner Mason to recommend approval of the zoning change from R-2 to R-3 on property addressed as 922 S. 4th Street.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None.
Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

Public Hearing

Conditional Use Permit – Landscaping contracting service
3705 S 13th St | Guaranteed Landscaping & Sprinklers, LLC

Vice-Chair Waite opened the public hearing at 7:36 a.m. to consider a request from Guaranteed Landscaping & Sprinklers, LLC, Nebraska limited liability company, for a Conditional Use Permit for landscape contracting services on property addressed as 3705 S. 13th Street.

Alex Weaver, Applicant, explained they've been located there for many years now and just want to continue business as usual. Weaver also reassured they just want to renew CUP as it is now.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 7:38 a.m.

Commissioner Ronnfeldt asked if we've had any current complaints on the property. Valerie Grimes, City Planner, said we have gotten a complaint from a neighbor about weeds and a burn pile. According to their current CUP, one of the conditions is that they need to maintain the weeds and debris on property.

Weaver, Applicant, said the neighboring property and himself removed trees from both properties and put on his property. They have plans to burn them but haven't had adequate conditions to do so.

Commissioner Griffith moved, seconded by Commissioner Ronnfeldt to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for landscape contracting services on property addressed as 3705 S 13th St., as previously written.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

Public Hearing
Wyndham Hills Area Study

Vice-Chair Waite opened the public hearing at 7:40 a.m. to consider the Wyndham Hills Area Study.

Jeffrey Ray, JEO Consulting Group, explained that this study was done under The Nebraska Community Development Law, which is for development and redevelopment.

Jeffrey Ray also explained that the study hits nearly all the criteria needed to be blighted and substandard. The average age of the buildings in the area are over 72 years old and 50% of the structures are defined as deteriorating or dilapidated. The summary page found on page 20 of the study indicates that 10 of the 12 blight criteria were met, and 2 of the 4 substandard criteria were met.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 7:51 a.m.

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to recommend approval of the Wyndham Hills Area Study.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

Other Business

2024-2033 Capital Improvement Program which includes the
2023-2028 One and Six Year Street Improvements Plan

Lyle Lutt, Director of Administrative Services, explained that a presentation to Planning Commission is required by State Statute and gave an overview of what the Capital Improvements Plan & One & Six Year Street Improvements Plan are:

- Ten year outlook of purchases in excess of \$50,000
- Adjusted annually throughout the budgeting process
- First five pages are General Fund, the rest is Enterprise Funds
- Depend heavily on division heads for input
- Factor in 4% increase for inflation

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to recommend approval of the 2024-2033 Capital Improvement Program which includes the 2023-2028 One and Six-Year Street Improvements Plan as presented.

Roll Call: Commission Members: Ayes: Waite, Sock, Griffith, Mason and Ronnfeldt. Nays: None.
Absent: Spray, Bryant, Franklin, Kube. Motion carried (5-0).

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 8:14 a.m.

Katelyn Palmer, Norfolk Pro Tem Planning Commission Secretary

Dirk Waite, Norfolk Planning Commission Vice-Chair

By the City of Norfolk, 309 N. 5th, Norfolk, Nebraska

CONDITIONAL USE PERMIT
RESOLUTION NO. 2023PC-7

WHEREAS, Guaranteed Landscaping & Sprinklers, L.L.C., A Nebraska Limited Liability Company, hereinafter referred to as "APPLICANT", has filed an application for a Conditional Use Permit seeking a permit for a landscaping contract service on property addressed as 3705 S. 13th Street which is legally described as follows:

A parcel of land lying wholly in the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section Ten, Township Twenty-Three North, Range One West of the Sixth P.M., Madison County, Nebraska, more particularly described as follows: Beginning at a point 395.0 feet South and 50.0 feet East of the Northwest corner of Said Section Ten; thence proceeding East on a line parallel with the North line of said Section Ten, 610.1 feet to a point on the East line of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter; thence South on said line 263.2 feet to the South line of said Northwest Quarter of the Northwest Quarter of the Northwest Quarter; thence West 610.2 feet; thence North 262.94 feet to the point of beginning.

WHEREAS, the property described above is presently included in Zoning District A; and

WHEREAS, the Norfolk Planning Commission has conducted a public hearing on September 6, 2023 receiving input and data from the applicant and the general public concerning the Conditional Use Permit; and

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 Guaranteed Landscaping & Sprinklers, L.L.C. is hereby granted a Conditional Use Permit for a landscaping contract service on the property described above, and located at 3705 S. 13th Street, subject to the following terms and conditions:

- 1) The property shall be maintained and kept free of weeds and debris.
- 2) The property shall be used as a storage and contract service for landscaping. There shall be no retail sales on the property.
- 3) The Conditional Use Permit shall be for a period of five (5) years, and pursuant to the Norfolk City Code, shall be a personal privilege granted to the applicant and shall not be subject to transfer.

- 4) 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;
- 5) 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;
- 6) There shall be compliance with any other applicable City, County, State, or Federal regulations that may apply.

PASSED AND APPROVED this 6th day of September, 2023.

ATTEST:

Dan Spray
Planning Commission Chair

Katelyn Palmer
Planning Commission Secretary Pro Tem

Approved as to form:

Danielle Myers-Noelle
City Attorney

The foregoing instrument was acknowledged before me this ____ day of _____, 2023 by Dan Spray, Planning Commission Chair and Katelyn Palmer, Planning Commission Secretary Pro Tem of the City of Norfolk.

Notary Public Signature

Notary Public Printed

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 545th Ave Battle Creek, Ne 68715
(other than Name Address
applicant) Phone Email
402-640-3380 ColbyLegate@Ymail.com

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 Incs 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:

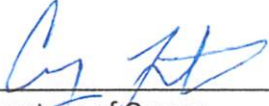
- Conditional Use Permit
- Zone change
- Subdivision platting
- Other _____

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 545th Ave Battle</u>	<u>Owner</u>
<u>Jennifer Legate</u>	<u>" " creek ne 68715</u>	


Signature of Owner
Colby LEGATE
Printed Name of Owner

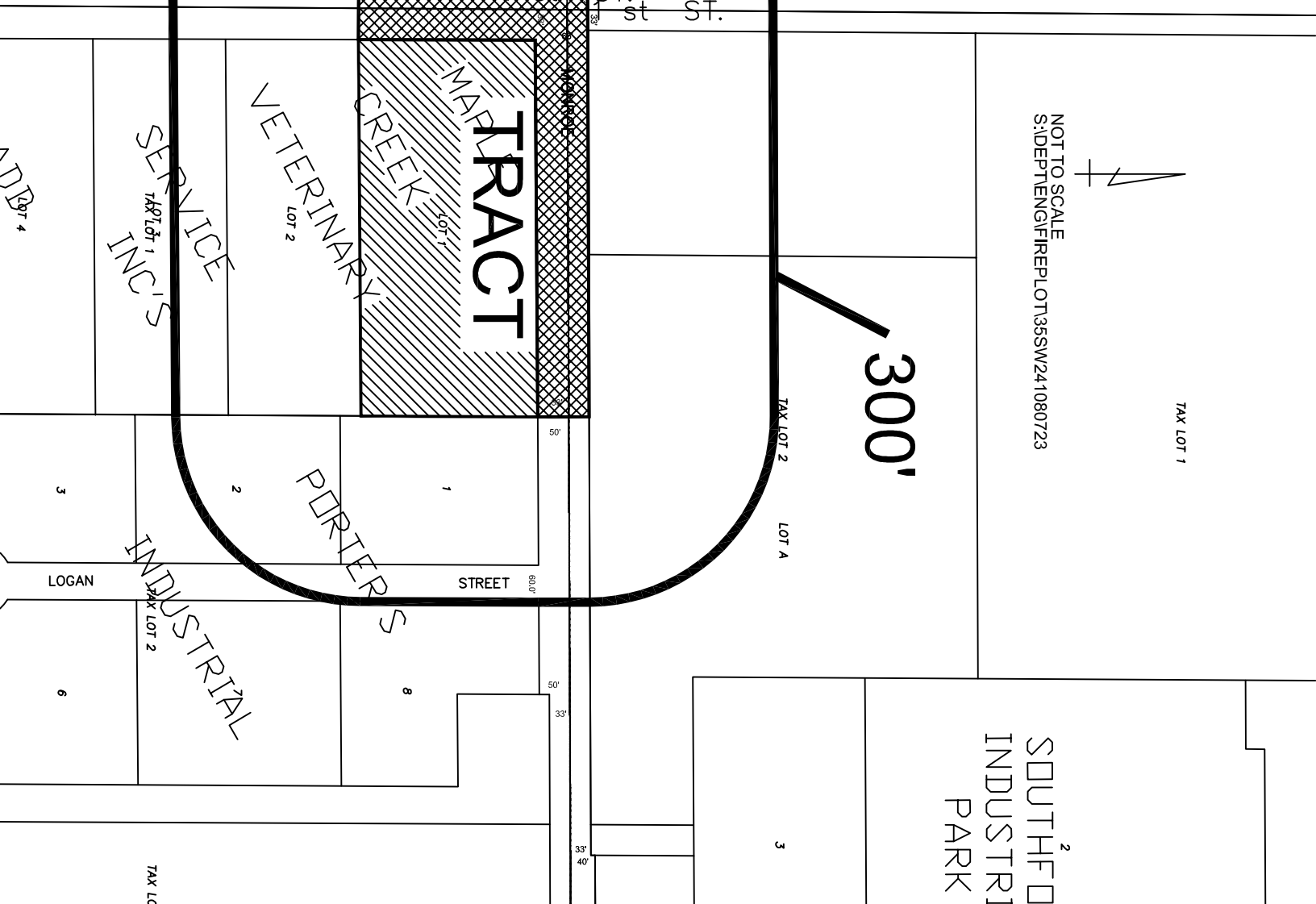

Signature of Owner
Jennifer Legate
Printed Name of Owner

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

Print Form

Clear Form

269	238	209	178	149	118	89	59	30	15
270	237	210	177	150	117	90	58	31	14
271	236	211	176	151	116	91	57	32	13
272	235	212	175	152	115	92	56	33	12
273	234	213	174	153	114	93	55	34	11
274	233	214	173	154	113	94	54	35	10
275	232	215	172	155	112	95	53	36	9
277	230	217	170	157	110	97	52	38	8
278	229	218	169	158	109	98	51	39	7
279	228	219	168	159	108	99	50	40	6
280	227	220	167	160	107	100	49	41	5
281	226	221	166	161	106	101	48	42	4
282	225	222	165	162	105	102	47	43	3
283	224	223	164	163	104	103	46	44	2



Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, September 19, 2023 at 7:30 a.m. in the City Council Chambers, 309 N. 5th Street, Norfolk, Nebraska at the request of Monroe Storage, L.L.C., Nebraska limited liability company, for a Conditional Use Permit for a watchman or caretaker of a facility operating as a permitted use in the existing district on property addressed as 2001 S. 1st Street, legally described as follows:

Lot 1, Maple Creek Veterinary Services Inc's Addition Madison County, Nebraska

Publish (September 8, 2023)
1 P.O.P

**Planning and Development
Building Services**

**CITY OF NORFOLK
Monthly Building Permit Report**

**Month
August, 2023**

Permits Issued	2023 August	2023 July	2022 August	This Fiscal YTD	Last Fiscal YTD	Variation % 2022 vs. 2023
BUILDING						
Number	44	43	59	432	457	-5.5%
Valuation	\$5,114,179.00	\$7,683,483.00	\$12,415,883.00	\$311,980,180.90	\$78,922,459.07	295.3%
Permit Fee	\$16,396.21	\$17,123.68	\$35,603.74	\$191,064.09	\$149,177.85	28.1%
ELECTRICAL						
Number	56	28	36	341	365	-6.6%
Permit Fee	\$10,583.50	\$20,949.00	\$5,020.00	\$320,016.00	\$62,871.00	409.0%
PLUMBING						
Number	19	4	15	153	149	2.7%
Permit Fee	\$1,891.12	\$416.97	\$2,755.76	\$29,655.81	\$19,278.88	53.8%
MECHANICAL						
Number	38	5	14	175	167	4.8%
Permit Fee	\$6,038.62	\$544.10	\$3,230.45	\$52,767.90	\$35,145.78	50.1%
WATER HEATER						
Number	8	10	10	90	79	13.9%
Permit Fee	\$268.00	\$335.00	\$320.00	\$3,089.50	\$2,527.00	22.3%
FIRE ALRM / SPR						
Number	3	1	3	36	43	-16.3%
Permit Fee	\$681.00	\$442.00	\$584.50	\$6,263.50	\$5,678.50	10.3%
WELL / SEPTIC						
Number	1			12	13	-7.7%
Permit Fee	\$25.00			\$300.00	\$325.00	-7.7%
FIRE PREVENTION						
Number		3	1	22	18	22.2%
Permit Fee		\$75.00	\$25.00	\$270.00	\$125.00	116.0%
TOTAL FEES:	\$35,883.45	\$39,885.75	\$47,539.45	\$603,426.80	\$275,129.01	119.3%

Nature of Building Permits	Last FYTD	Present FYTD	Number of Permits	Dwelling Units	Permit Fees	Valuation
Void					\$0.00	\$0.00
SFD	38 (38)	31 (31)	3	3	\$1,873.49	\$650,000.00
Duplex	1 (2)	21 (42)			\$0.00	\$0.00
MFD	14 (94)	2 (44)			\$0.00	\$0.00
Commercial					\$0.00	\$0.00
Industrial					\$0.00	\$0.00
Garages			1	0	\$170.64	\$40,000.00
Move & Demo			3	0	\$150.00	\$17,400.00
SFDA	4 (4)	12 (12)	2	2	\$968.16	\$68,000.00
Sign			5	0	\$522.00	\$53,148.00
Other			16	0	\$898.04	\$283,097.00
Alterations & Additions						
1 & 2 Family			8	0	\$522.40	\$183,126.00
Multi-Family					\$0.00	\$0.00
Commercial			6	0	\$11,291.48	\$3,819,408.00
Industrial					\$0.00	\$0.00
Total			44	5	\$16,396.21	\$5,114,179.00

Building Valuation

2023 Fiscal YTD	\$311,980,180.90
2022 Fiscal YTD	\$78,922,459.07
Contractor Registration	\$1,050.00

Building Official

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