

# Agenda Packet

## NORFOLK PLANNING COMMISSION

Tuesday, April 2, 2024  
7:30 a.m.

Created 3/29/2024 8:57 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, April 2, 2024, in the Council Chambers, 309 N. 5th Street, which meeting will be open to the public.

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

AGENDA  
NORFOLK PLANNING COMMISSION

April 02, 2024

CALL TO ORDER

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

CURRENT BUSINESS

4. Approval of full agenda. **Motion**
5. Consideration of approval of the minutes of the March 19, 2024 Planning Commission meeting. **Motion**

PUBLIC HEARINGS

6. Public hearing to consider amending Sections 6-18 and 6-162, of the Official City Code to allow an owner to restore a building or structure for which the cost of repairs equals or exceeds 50% of the market value of the structure if certain minimum code standards are met.
7. Consideration of recommendation to amend Sections 6-18 and 6-162, of the Official City Code to allow an owner to restore a building or structure for which the cost of repairs equals or exceeds 50% of the market value of the structure if certain minimum code standards are met. **Motion**
8. Public hearing to consider amending Section 23-1, of the Official City Code to include definitions related to Condominiums; to enact Chapter 23, Article II, Division 3 of the Official City Code to address Condominium Plats.
9. Consideration of recommendation to amend Section 23-1, of the Official City Code to include definitions related to Condominiums; to enact Chapter 23, Article II, Division 3 of the Official City Code to address Condominium Plats. **Motion**
10. Public hearing at the request of Liberty Centre Services, Inc., to consider a zoning change from R-2 (One and Two Family Residential District) to R-3 (Multiple- Family Residential District) on property addressed as 205 S. Chestnut St.

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- 11. Consideration of recommendation of zoning change from R-2 (One and Two Family Residential District) to R-3 (Multiple- Family Residential District) on property addressed as 205 S. Chestnut St. **Motion**
  - 12. Public hearing at the request of Greater Norfolk Economic Development Foundation, Inc., to consider a zoning change from C-3 (Service Central District) to C-2 (Central Commercial District) on property addressed as 105 E. Norfolk Ave.
  - 13. Consideration of approval to recommend a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 105 E. Norfolk Ave. **Motion**
  - 14. Public hearing at the request of Greater Norfolk Economic Development Foundation, Inc. for a Preliminary Planned Development on property addressed as 105 E. Norfolk Ave.
  - 15. Consideration of approval to recommend a Preliminary Planned Development on property addressed as 105 E. Norfolk Ave. **Motion**

PLATS/SUBDIVISIONS

- 16. Consideration of recommendation of the final plat of Union At River Point Subdivision. **Motion**

OTHER BUSINESS

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

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## 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 19th day of March 2024, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Waite, Sock, Kube, Griffith, Ronnfeldt  
Absent: Bryant, Spray, Franklin and Mason.

Staff members present were: Valerie Grimes, City Planner; Steve Rames, City Engineer, Anna Allen, Assistant City Engineer, Sarah Wortmann, Planning Commission Secretary; and Katelyn Palmer, Permits Technician.

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.

Chair Waite presided, and the Planning Commission Secretary Sarah Wortmann digitally recorded the audio of the proceedings.

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 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.

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### Current Business

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

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

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Commissioner Kube moved, seconded by Sock, to approve the March 5, 2024, meeting minutes.

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

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## Public Hearings

### Public Hearing

Extremely Blighted Determination Study  
1<sup>st</sup> St. and Norfolk Ave.

Chair Waite opened the public hearing at 7:31 a.m. to consider the Extremely Blighted Determination Study for property generally located in the Northeast corner of 1<sup>st</sup> St. and Norfolk Ave.

Mark Otto, MUUD, LLC., explained he is creating a pedestrian mall which would connect the riverfront to Norfolk's main street. This would include 25,000 square feet of commercial space for retail stores and restaurants along with 130 residential units bringing an older European feel to downtown. Otto explained the census data used in the extreme blighted study. He explained the same data methodology used with this has been used in the Lincoln, Omaha, Grand Island, North Platte, and Norfolk studies. Otto stated the property is not being extremely blighted for a profit margin, but the extreme blight is what it will take to bring the project together and do the project correctly. This project is being designed to be sold in segments someday, which helps an area grow quicker versus waiting for it to deteriorate and then a developer comes in and renovates all at once.

Arnie Robinson, Greater Nebraska Economic Development Foundation, stated it is an outstanding use of TIF dollars and the renovation for this property fits all the standards of the blight and tax opportunities.

Candice Alder, City of Norfolk, Economic Development Director, shared feedback from the City's TIF attorney, Michael Sands, stating he reviewed the extremely blight area study and assuming the data is accurate the study is in good shape because the area is already determined blighted and substandard. The analysis has two considerations and that is 200% state rate for unemployment and 20% poverty rate. The study covers both with appropriate details and support.

No one spoke else spoke in favor or opposition of the request and Chair Waite closed the public hearing at 7:41 a.m.

Chair Waite stated no new development has been made to the area and if not now, then when, if TIF qualifications are met.

Commissioner Sock agreed this development would be a great addition to the City of Norfolk.

Commissioner Kube acknowledged the due diligence and extra work put into making sure it was meeting the extremely blighted standards.

Vice-Chair Ronnfeldt moved, Seconded by Commissioner Griffith to recommend approval of the Extremely Blighted Determination Study for property generally located in the Northeast corner of 1<sup>st</sup> St. and Norfolk Ave.

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

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### Waivers

#### Sidewalk Waiver

Todd and Cheryl Luedeke | 3530 E. Highway 24

Grimes explained the property was recently re-platted and rezoned, along with any new plat is the sidewalk requirement. Todd Luedeke asked for the waiver due to there being no other sidewalks in the area.

Waite said he doesn't think its appropriate for a sidewalk. Griffith stated it will be a while before there is any abutting sidewalks. Grimes explained a standard waiver would be written and presented to the City Council. The waiver includes no landscape, tress, rocks, or buildings where sidewalk would go in the future, but council could order it in at any time.

Vice-Chair Ronnfeldt moved, seconded by Commissioner Kube to recommend approval of the sidewalk waiver requested by Todd and Cheryl Luedeke at property addressed as 3530 E. Highway 24.

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

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### **Other Business**

City Planner Valerie Grimes presented the February 2024 Building Permit Report.

There was no other discussion and Chair Waite declared the meeting adjourned at 7:59 a.m.

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Sarah Wortmann, Norfolk Planning Commission Secretary

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Dirk Waite, Norfolk Planning Commission Chair

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTIONS 6-18 AND 6-162 OF THE OFFICIAL CITY CODE TO ALLOW AN OWNER TO RESTORE A BUILDING OR STRUCTURE FOR WHICH THE COST OF REPAIRS EQUALS OR EXCEEDS 50% OF THE MARKET VALUE OF THE STRUCTURE IF CERTAIN MINIMUM CODE STANDARDS ARE MET; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, NEBRASKA:

Section 1. That Section 6-18 of the Official City Code be and the same is hereby amended to read as follows:

**Sec. 6-18. Additions, insertions and changes.**

The following sections of the building code adopted in Section 6-16 are hereby revised as follows:

*Section (A) 101.1.* Insert: The City of Norfolk, Nebraska.

*Section (A) 103.1.* Creation of enforcement agency. Amend to read as follows:

The Department of Building Safety is hereby created and the official in charge thereof shall be known as the building official. The terms building official and code official shall be interchangeable as they relate to this code.

*Section (A) 104.1.* General. Add the following after the last sentence:

The code official shall also be responsible for coordination of street excavation permits and curb grind permits, with approval from the engineering division and street division and for attendance at board of adjustment meetings and all meeting pertinent to this position.

Insert the following after Sec. 104.7:



*Section (A) 104.9.1.* Payment of fees: The director of planning and development shall keep an accurate account of all fees collected and such collected fees shall be turned in daily to the city clerk.

*Section (A) 105.2.* Amend item 1, 2, and 4 under “Building” to read as follows:

1. One-story detached accessory structures used as playhouses and similar uses, provided the floor area does not exceed 64 square feet.
2. Fences not over 4 feet high.
4. Retaining walls less than 48" high when measured from the top of the finished grade at base of retaining wall to top of retaining wall unless supporting a surcharge of impounding Class I, II, or IIIA liquids. Retaining walls over 48" above finished grade shall be provided with a guardrail. The guardrail shall be a minimum of 36" high.

*Section (A) 107.1.* General. Add following sentence to end of Exception:

A plan stamped by a design professional shall not be required for pole/post and beam structures of 2400 square feet or less in R-R, S-R and A zoning district.

*Section (A) 107.3.1* Approval of construction documents. Delete this section.

*Section 109.2.* Schedule of permit fees. Insert the Building Permit Fees as set forth in Section 2-5 of the Norfolk City Code.

*Section (A) 111.2* Certificate issued.

After the code official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department of building safety, the code official may issue a certificate of occupancy..

*Section 114.4.* Violation penalties. Amend to read as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official or director of planning and development, or of a permit or certificate issued under the provisions of this code, shall be guilty of an offense punishable by a fine of not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

*Section 115.2.* Issuance. Amend to read as follows:

Upon notice from the code official or director of planning and development, work on any building or structure that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official or director of planning and development shall not be required to give a written notice prior to stopping the work, however, a written notice as provided for in this section shall be given as soon as practicable following the work stoppage order.

*Section 115.3.* Unlawful continuance. Amend to read as follows:

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than five hundred dollars (\$500.00).

*Section [A] 116.5* Restoration. Delete last sentence. Insert at end "If the code official finds the value of the proposed work equals or exceeds 50 percent of the market value of the building/structure before the improvement or repair is started, the building/structure shall be removed from the property unless the owner can bring the building/structure into compliance with minimum acceptable standards as required by all codes adopted by the Norfolk City Council, as amended, within two (2) years from either 1) the date a building permit is issued, or 2) the date the structure is posted as condemned or unfit for human occupancy by the City of Norfolk, whichever comes first. If the structure has historical or architectural value, the code official may issue permits for repair/rehabilitation."

*Section 1510.3* Recovering versus replacement. Add:

4. Architectural laminated asphalt shingles shall not be covered with an additional layer of asphalt shingles

*Section 1612.3.* Establishment of flood hazard areas. Amend to read as follows:

To establish flood hazard areas, the governing body has adopted flood hazard maps and regulations as set forth in Chapter 27 of the Official Code of the City of Norfolk, Nebraska. The adopted flood hazard maps and supporting data are hereby adopted by reference and declared to be part of this section.

*Section 3412.2.* Applicability. Insert: October 1, 2017

Adopt Appendix B – Board of Appeals. Amend the following sections to read as follows:

[A] B101.1 Application. Any person directly affected by a decision of the code official and/or director of planning and development or a notice or order issued under this code shall have the

right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served. A fee set forth in Section 2-5 of the Norfolk City Code shall accompany each application for appeal to the board of appeals which fee shall be refunded to the applicant in the event the board of appeals finds in favor of the applicant. The applicant shall also pay all publication costs necessitated by the filing of said application as well as all costs associated with arranging for the presence of a court reporter at the hearing and the costs for creating a transcript of the hearing.

[A] B101.2.1 Alternate members. The chief appointing authority shall appoint three alternate members who shall be called by the board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for 5 years, or until a successor has been appointed.

[A] B101.2.2 Qualifications. The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

[A] B101.3 Notice of meeting. The board shall meet upon notice from the chairperson, within 60 days of the filing of an appeal or at stated periodic meetings.

Adopt Appendix F – Rodent Proofing.

Section 2. That Section 6-162 of the Official City Code be and the same is hereby amended to read as follows:

**Sec. 6-162. Additions, insertions and changes.**

The following sections of the one- and two-family dwelling code adopted in section 6-161 are hereby revised as follows:

*Section R101.1:* Insert “City of Norfolk”

*Section R102.7.1* Insert at end "If the code official finds the value of the proposed work equals or exceeds 50 percent of the market value of the building/structure before the improvement or repair is started, the building/structure shall be removed from the property unless the owner can bring the building/structure up to minimum acceptable standards as required by all codes adopted by the Norfolk City Council, as amended, within two (2) years from either 1) the date a building permit is issued, or 2) the date the structure is posted as condemned or unfit for human occupancy by the City of Norfolk, whichever comes first. If the structure has historical or architectural value the code official may issue permits for repair/rehabilitation."

*Section (A) 103.1* Creation of enforcement agency. Amend to read as follows:

The department of building safety is hereby created and the official in charge thereof shall be known as the *building official*. The terms "*building official*" and "*code official*" shall be interchangeable as they relate to this code.

*Section R105.2* Work exempt from permit. Amend to read as follows:

Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

1. One-story detached accessory structures, provided the floor area does not exceed 64 square feet.
2. Fences not over 4 feet high.
3. Retaining walls that are not over 4 feet in height measured from the top of finished grade to top of wall.
4. A plan stamped by a design professional shall not be required for pole/post and beam buildings of 2400 square feet or less in R-R, S-R, and A zoning districts.
5. Sidewalks and driveways not more than 30 inches above adjacent grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated above ground swimming pools.
8. Swings and other playground equipment accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall.
10. Replacement of existing windows with like size windows where no structural alteration is required to affect said change. Window opening size shall not be substantially diminished by replacement and in no instance shall a casement or slider style window be replaced with a double-hung window style, unless minimum egress standard is met.
11. Reroofing permits shall not be required for detached uninhabitable accessory structures.

*Section R106.3.1.* Approval of construction documents. Delete this section.

*Section R108.2* Schedule of permit fees. Add the Building Permit Fees set forth in Section 2-5 of the Norfolk City Code.

*Section 110.2* Change in use. Delete this section.

*Section 110.3* Certificate Issued. Delete this section.

*Section R110.4* Temporary occupancy. Delete this section.

*Section R112.1* General. Amend to read as follows:

Any person who is aggrieved by a decision, notice or order of the code official and/or director of planning and development made pursuant to this article may appeal such decision, notice or order to the board of appeals established pursuant to the current building code in force and effect in the jurisdiction of the City of Norfolk, Nebraska. The procedure for said appeal shall be as published in said building code then currently in force and effect.

*Section R113.4* Violation penalties. Amend to read as follows:

Any person, firm, or corporation violating any of the provisions of this code shall be guilty of an offense and shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this code is committed, continued or allowed, and upon conviction of any such violation, such person shall be punishable by a fine of not more than five hundred dollars (\$500.00).

*Section R114.1* Notice to owner. Amend to read as follows:

Upon notice from the code official or director of planning and development that work on any building or structure is being done contrary to the provisions of this code, such work shall immediately be stopped. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work; and shall state the conditions under which work will be permitted to be resumed.

*Section R202* Definitions. Add definitions of "Crawl Space", "Sleeping Room" and "Building Envelope" as follows:

**CRAWL SPACE.** An underfloor space that is not a basement. A crawl space shall have a minimum height of 30" from bottom of floor joists to top of concrete floor. Floor shall not be less than 3" thick. Supply and return from HVAC system shall be provided in each crawl space area.

**SLEEPING ROOM.** Any room in a house that is greater than 70 square feet and has built-in closet space and typically could be used as a bedroom. This does not include rooms used for cooking, eating, family living, gathering, bathrooms, toilet rooms and halls.

**BUILDING ENVELOPE.** Building sections which separate inside, conditioned spaces from outside air.

*Table R301.2(1):* Insert the following design criteria information.

Roof Snow Load:	30 lbs. per square foot
Ground Snow Load:	25 lbs. per square foot
Wind Speed:	115 mph

Seismic Design Category:	B
Subject to Damage from Weathering:	Severe
Subject to Damage from Frost Line Depth:	42 inches
Subject to Damage from Termite:	Moderate to Heavy
Subject to Damage from Decay:	None to Slight
Winter Design Temp:	4 Degrees
Flood Hazards:	Not Available

*Section R301.5 Table R301.5* Amend all 30 pound live loads to 40 pounds.

*Section R302.5.1* Amend. Delete "equipped with a self-closing device."

*Secton R302.7* Under-stair protection. Delete this section.

*Section R302.12* Draftstopping. Delete this section.

*Section R302.12.1* Materials. Delete this section.

*Section R302.13* Fire protection of floors. Delete this section.

*Section R303.7* Stairway illumination. Amend to read as follows:

All interior and exterior stairways, serving a means of egress, shall be provided with a means to illuminate the stairs, including the landings and treads. Interior stairways shall be provided with an artificial light source located in the immediate vicinity of each landing of the stairway. Exterior stairways shall be provided with an artificial light source located in the immediate vicinity of the top landing of the stairway. Exterior stairways providing access to a basement from the outside grade level shall be provided with an artificial light source located in the immediate vicinity of the bottom landing of the stairway.

*Section R305.1* Minimum ceiling height. Amend to read as follows:

*Habitable spaces*, hallways, corridors, bathrooms, toilet rooms, and laundry room areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. For rooms with sloped ceilings, at least 50 percent of the required floor area of the room must have a ceiling height of at least 7 feet (2134 mm) and no portion of the required floor area may have a ceiling height of less than 5 feet (1524 mm).
2. Bathrooms shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) at the center of the front clearance area for fixtures as shown in Figure R307.1. The ceiling height above fixtures shall be such that the fixture is capable of being used

for its intended purpose. A shower or tub equipped with a showerhead shall have a minimum ceiling height of 6 feet 8 inches (2032 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

*R305.1.1* Basements. Amend to read as follows:

Residential one- and two-family *basements* built prior to January 1, 2000, which contain *habitable or non-habitable spaces*, hallways, corridors, bathrooms, toilet rooms, and laundry rooms shall have a ceiling height of not less than 6 feet 8 inches (2032 mm). Residential basements built on or after January 1, 2000, with areas shown above in this section, shall have a ceiling height of not less than 7 feet (2134 mm).

Exception: Beams, girders, ducts, or other obstructions may project to within 6 feet 4 inches (1931 mm) of the finished floor.

*Section R309.5* Fire Sprinklers. Delete this text. Add "Garages located less than 10 feet from a dwelling unit on the same lot shall be protected with not less than 5/8" gypsum board applied to the interior and exterior walls.

*Section R311.7.5.1* Risers. Add Exception: 1. Secondary stairways serving only storage and utility areas need not comply with rise height and tread depth.

*Section R311.7.8.1* Height. Handrail height, measured vertically from the sloped plane adjoining the tread nosing, or finish surface of ramp slope, shall not be less than 30 inches and or more than 38 inches.

*Section R313* Automatic Fire Sprinkler Systems. Delete this section.

*Section R314.2.2* Alterations, repairs and additions. Delete text and exceptions. Replace with "All dwelling units shall have operational interconnected smoke detectors. Smoke detectors shall be located as required by Section R314.3."

*Section R317.1.(1)* Amend to "Wood joists or the bottom of a wood structural floor where closer than 30" to the top of the concrete crawl space floor."

*Section R402.2* Concrete. Add the following sentence:

Garage floors and driveways or unreinforced concrete shall be a minimum of 5" thick. Reinforced concrete shall be a minimum of 4" thick.

*Section R403.1.1* Minimum size. Add "Spread footings shall not be less than 16" wide or less than 8" thick with 2 courses of 1/2" rebar."

*Section R403.1.4.1* Frost Protection. Amend exceptions to read as follows:

Exception:

1. Accessory buildings less than one hundred eighty (180) square feet shall not be required to be constructed with footings which extend below frost line. Concrete for slab on grade shall be a minimum of four (4) inches thick and a grid work of number 4 rebar four (4) foot on center.

*Section R502.3* Allowable joist spans. Amend to read as follows:

Spans for floor joists shall be in accordance with Table R502.3.1(2). For other grades and species and for other loading conditions, refer to the AF & PA Span Tables for Joists and Rafters.

*Section R502.3.1* Sleeping areas and attic joists. Delete this section.

*Table R502.3.1(1)* Floor Joist Spans For Common Lumber Species. Delete this table.

*Section R502.3.2* Other floor joists. Amend to read as follows:

*Table R502.3.1(2)* shall be utilized to determine the maximum allowable span of floor joists that support all areas of the building, provided that the design live load does not exceed 40 psf and the design dead load does not exceed 10 psf.

*Section R506.2.3* Vapor retarder. Delete this section.

*Section R802.4.1* Rafter size. Add "Rafter sizes of less than 2" x 6" shall not be permitted."

*Section R908.3.1.1* Roof recover not allowed. Add:

4. Architectural laminated asphalt shingles shall not be covered by an additional layer of asphalt shingles.

*Chapter 11:* Remove this chapter from the one- and two- family dwelling code, however retain the language therefrom and adopt it as Appendix R with the following notation:

“[This appendix is informative and is not part of the code and words or phrases that indicate mandatory action (i.e. “shall”) in this Appendix R shall be read and construed as words or phrases that indicate recommended action (i.e. “should”).”

*Section M1305.1* Appliance access for inspection service, repair and replacement. Amend. Add after last sentence: "Mechanical rooms containing two or more appliances shall not be less than 40 square feet in area nor less than 4 feet in width or depth.

*Section M1502.4.1* Add after ... (No. 28 gauge): "or material as approved by code official".



*Section M1502.4.4.1* After last sentence add: "Dryer vent length shall not exceed rated length of dryer manufacturer".

*Section P2603.5.1* Sewer depth. Insert "48" inches in two locations.

*Section P2904* Dwelling Unit Fire Sprinkler Systems. Delete this section.

Adopt Appendix F - Radon Control Methods.

*Section AF103.1* General. Amend. Add after last sentence: "Alternative system designs may be installed when approved by the code official".

*Section AF103.8.1* Vent fan location. The vent fan shall be located within three feet of attic access opening.

- 1) Exception: An elevated walkway above insulation is provided from attic access to vent piping. Walkway shall be elevated a minimum of 30" above bottom of ceiling joists and a minimum of 30" below bottom of rafters. Walkway shall be a minimum of 24" wide.
- 2) Exception: Attic access and radon vent are both located within the garage footprint. Radon vent shall be exposed within the garage and within 6 feet of an electrical outlet.

Adopt Appendix G – Swimming Pools, Spas, and Hot Tubs.

Adopt Appendix Q - Tiny Houses.

Delete AF103.3 Soil-gas-retarder.

Delete AF103.5.2 Soil-gas-retarder.

Section 3. That the effective date of this Ordinance shall be from and after its passage, approval and publication in pamphlet form as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Brianna Duerst, City Clerk

\_\_\_\_\_  
Josh Moenning, Mayor

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

## Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, April 2, 2024 at 7:30 a.m. in the City Council Chambers, 309 N. 5<sup>th</sup> Street, Norfolk, Nebraska to amend Sections 6-18 and 6-162, of the Official City Code to allow an owner to restore a building or structure for which the cost of repairs equals or exceeds 50% of the market value of the structure if certain minimum code standards are met.

Publish (March 22, 2024)  
1 P.O.P.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF NORFOLK, NEBRASKA TO AMEND SECTION 23-1 OF THE OFFICIAL CITY CODE TO INCLUDE DEFINITIONS RELATED TO CONDOMINIUMS; TO ENACT CHAPTER 23, ARTICLE II, DIVISION 3 OF THE OFFICIAL CITY CODE TO ADDRESS CONDOMINIUM PLATS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORFOLK, NEBRASKA:

Section 1. That Section 23-1 of the Official City Code be and the same is hereby amended to read as follows:

**Sec. 23-1. Definitions.**

As used in this chapter, the following terms shall have the meanings in this section prescribed:

*Alley:* A public or private right-of-way which affords only a secondary means of access to abutting property from a street or road.

*Block:* A piece or parcel of land entirely surrounded by public highways, streets, streams, railroad rights-of-way or parks, etc., or a combination thereof.

*Condominium:* Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common elements are vested in the unit owners.

*Condominium Declaration:* Any instruments, however denominated, that create a condominium, and any amendments to those instruments, in accordance with Section 76-827 of the Nebraska Revised Statutes, as the same may be amended from time to time.

*Condominium plat:* A plan prepared in accordance with the provisions of this chapter and those of any other applicable local and state regulation, which condominium plat is prepared to be placed on record in the office of the recorder of deeds of the county.

*Cul-de-sac:* A vehicular turnaround which is located at the closed end of a dead-end street or alley.

*Design:* The location of streets, alignment of streets, grades, and widths of streets, alignment of easements, grades and widths of easements, alignment and rights-of-way for drainage and sanitary sewers, and the designation of minimum lot area, width and length.

*Easement:* A grant by the property owner to the public, a corporation, or persons, of the use of a strip of land for specific purposes.

*Final plat:* A plan or map prepared in accordance with the provisions of this ~~regulation~~ chapter and those of any other applicable local regulation, which plat is prepared to be placed on record in the office of the recorder of deeds of the county.

*Governing body:* The city council.

*Improvements:* Street work and utilities that are to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private use of the lot owners in the subdivision and local neighborhood traffic, drainage needs, and other improvements, as a condition precedent to the approval and acceptance of the final plat.

*Lot:* A portion of land in a subdivision or other parcel of land, intended as a unit for transfer of ownership or for development.

*Open space:* An area of land or water or combination thereof planned for passive or active recreation, but does not include areas utilized for streets, alleys, driveways or private roads, off-street parking or loading areas, or required front, rear or side yards.

*Pedestrian way:* A right-of-way dedicated to public use, which cuts across a block to facilitate pedestrian access to adjacent streets and properties.

*Preliminary plat:* A map made for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it; this map need not be based on accurate or detailed final survey of the property.

*Secretary:* The secretary of the planning commission.

*Setback line or building line:* A line on a plat generally parallel to the street right-of-way, indicating the minimum open space to be provided between buildings or structures and the edge of the street right-of-way.

*Street:* A right-of-way, dedicated to the public use, or a private right-of-way which provides principal vehicular and pedestrian access to adjacent properties.

*Subdivider:* A person who causes land to be divided into a subdivision for himself or for others.

*Subdivision:* The division of a lot, tract or parcel of land into two (2) or more lots, plats, sites or other divisions of land of less than ten (10) acres, including resubdivisions of land.

*Subdivision identification lot* shall mean a privately owned and maintained parcel of ground located within the right-of-way of a street upon which is located a sign identifying the name of the subdivision.

*Two-mile limit:* The area within two (2) miles beyond and adjacent to the city limits as delineated on the Extraterritorial Zoning Jurisdiction Map of the city.

Section 2. That Chapter 23, Article II, Division 3 of the Official City Code be and the same is hereby enacted to read as follows:

## CHAPTER 23 SUBDIVISIONS

### ARTICLE II. PLATTING PROCEDURES

#### DIVISION 3. CONDOMINIUM PLATS

#### **Sec. 23-33. Condominium plat.**

A condominium plat is subject to the regulations of N.R.S. 76-801 through 76-894 (Condominium Property Act and Nebraska Condominium Act) and the following regulations, as may be amended from time to time:

- (1) A condominium plat is excepted from the requirements for all legal lots of individual units designated for separate ownership or occupancy to have public right-of-way access and from having the minimum lot frontage and minimum lot square footages required for the zoning district in which they are located.
- (2) A condominium plat shall be prepared and submitted to the planning commission for their recommendation and then submitted to the mayor and council for action. Prior to a condominium plat being submitted to the planning commission, the proposed condominium plat shall first be submitted to the Planning and Development Department for review by City staff. Any required changes resulting from City staff reviews shall be incorporated into the condominium plat prior to submitting the condominium plat to the planning commission. A full-size PDF electronic file of the condominium plat in the final form shall be made available to the Planning and Development Department prior to noon on Monday of the week preceding the regular planning commission meeting date. Two (2) mylar 24" x 36" condominium plats along with original copy of the required

Condominium Declaration must contain all necessary signatures and shall be made available to the city clerk prior to becoming an item on the city council agenda for council approval. One (1) copy each of the condominium plat and Condominium Declaration shall be filed with the county register of deeds and the other condominium plat along with a copy of the Condominium Declaration shall be filed with the Planning and Development Department.

- (3) The condominium plat shall show or be accompanied by the following information:
- (a) The plat shall be to a scale that clearly and legibly shows all the spaces and dimensions required, but will not be a scale larger than 1"=100';
  - (b) The name of the condominium plat;
  - (c) A general schematic map of the entire condominium;
  - (d) All existing and proposed encroachments and easements;
  - (e) An accurate boundary survey of the property, with bearing and distances, referenced to section or fractional section corners;
  - (f) The location and dimensions of the vertical boundaries of each unit and that unit's identifying number;
  - (g) Any horizontal unit boundaries, with reference to an established datum, and that unit's identifying number;
  - (h) Any units in which the declarant has reserved the right to create additional units or common elements, identified appropriately;
  - (i) Location of lots, streets, public ways, alleys, parks and other features with accurate dimension in feet and decimals of feet with the length and radii of all curves and with all other information necessary to duplicate the plat on the ground;
  - (j) The ground area of each separate unit lot shall be given in square feet and shall be affixed to the plat in the form of a list giving the unit number and square footage;
  - (k) A legally sufficient description of any real estate in which the unit owners will own only an estate for years, labeled as leasehold real estate;

- (l) The distance between noncontiguous parcels of real estate comprising the condominium;
- (m) The location and dimensions of limited common elements, including porches, balconies and patios, other than parking spaces and other limited common elements as described in N.R.S 76-839: Common elements; unit boundaries;
- (n) Dedication of all streets, public ways, alleys, parks, and other land intended for public use, signed by the owners and their spouses and by all other parties who have a mortgage or lien interest in the property, together with any restrictions which are to apply to lots;
- (o) A waiver of claim by the applicant for damages occasioned by the establishment of grades or the alteration of the surface of any portion of the street and alleys to conform to the grades as established;
- (p) May show the intended location and dimensions of any contemplated improvement to be constructed anywhere within the condominium. Any contemplated improvement shown must be labeled either "Must Be Built" or "Need Not Be Built";
- (q) Unless the Condominium Declaration provides otherwise, the horizontal boundaries of part of a unit located outside of a building have the same elevation as the horizontal boundaries of the inside part, and need not be depicted on the plat;
- (r) North point, scale, and exact date of submittal;
- (s) All figures and letters shown must be plain, distinct and of sufficient size to be easily read, and must be of sufficient density to make a lasting and permanent record. When more than one (1) sheet is used for the drawing, a key map, showing the entire condominium plat at a smaller scale with block numbers, street names, etc. shall be shown on one (1) of the sheets or on a separate sheet of the same size;
- (t) The plat must be prepared by a registered surveyor, architect, or professional engineer and include certification to the effect that the plan represents a survey made by them and that all the necessary boundary survey monuments are correctly shown thereon;
- (u) A certificate showing that current taxes and special assessments due and payable have been paid in full; or if such taxes have been protested provided

by law, monies or other sufficient escrows guaranteeing such payment of taxes in the event the protest is not upheld, may be placed on deposit with such officials or governing bodies to meet this requirement; and

(v) Prior to the condominium plat approval, the Condominium Declaration, having all required information per state statute, shall be submitted to be filed with the condominium plat at the county register of deeds office.

**Sec. 23-34. Fees.**

The fees to be paid by all persons submitting a condominium plat for approval by the planning commission shall be equal to the fees set forth in Section 2-5 of this Code for final subdivision plats.

Section 3. That the effective date of this Ordinance shall be from and after its passage, approval and publication in pamphlet form as required by law.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

\_\_\_\_\_  
Brianna Duerst, City Clerk

\_\_\_\_\_  
Josh Moenning, Mayor

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



### Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, April 2, 2024 at 7:30 a.m. in the City Council Chambers, 309 N. 5<sup>th</sup> Street, Norfolk, Nebraska to amend Section 23-1, of the Official City Code to include definitions related to Condominiums; to enact Chapter 23, Article II, Division 3 of the Official City Code to address Condominium Plats.

Publish (March 22, 2024)  
1 P.O.P.

For Office Use Only	Date Rec'd	<u>3-7-24</u>
	Fee	\$ <u>325.00</u>
	Rec'd by	<u>KP</u>

**ZONING CHANGE APPLICATION**

Liberty Centre Service, Inc.

Applicant: Retrac Property Management LLC 813 Forest Drive, Norfolk, NE  
 Name Address  
402-860-0643 retracpm@gmail.com  
 Phone Email

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

Contact: Chad Carter - Retrac Property Management, LLC.  
 (other than Name Address  
 applicant) 813 Forest Drive, 402-860-0643 retracpm@gmail.com  
 Phone Email

Current Zoning: R-2 Proposed Zoning: R-3

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

Location of Property: 205 S. Chestnut

Legal Description: Liberty 4th Addition Lot 2 (2010 Boundary Change - Tract B)

Property Area, Square feet and/or Acres: 2.2 acres

Use of Adjoining Properties:

North: Multifamily East: Flood control South: Single family West: Multifamily

\_\_\_\_\_  
Signature of Owner  
  
\_\_\_\_\_  
Printed Name of Owner

OR

Chad Carter  
Authorized Agent  
  
Chad Carter  
Printed Name of Authorized Agent

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

**ZONING CHANGE  
JUSTIFICATION FORM**

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

Single family residential

2. Does the zone change 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 justification for the zone change as it relates to the overall Land Use?

Requesting multifamily units (multiple multifamily in the area)

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

Mixture of multifamily and single family

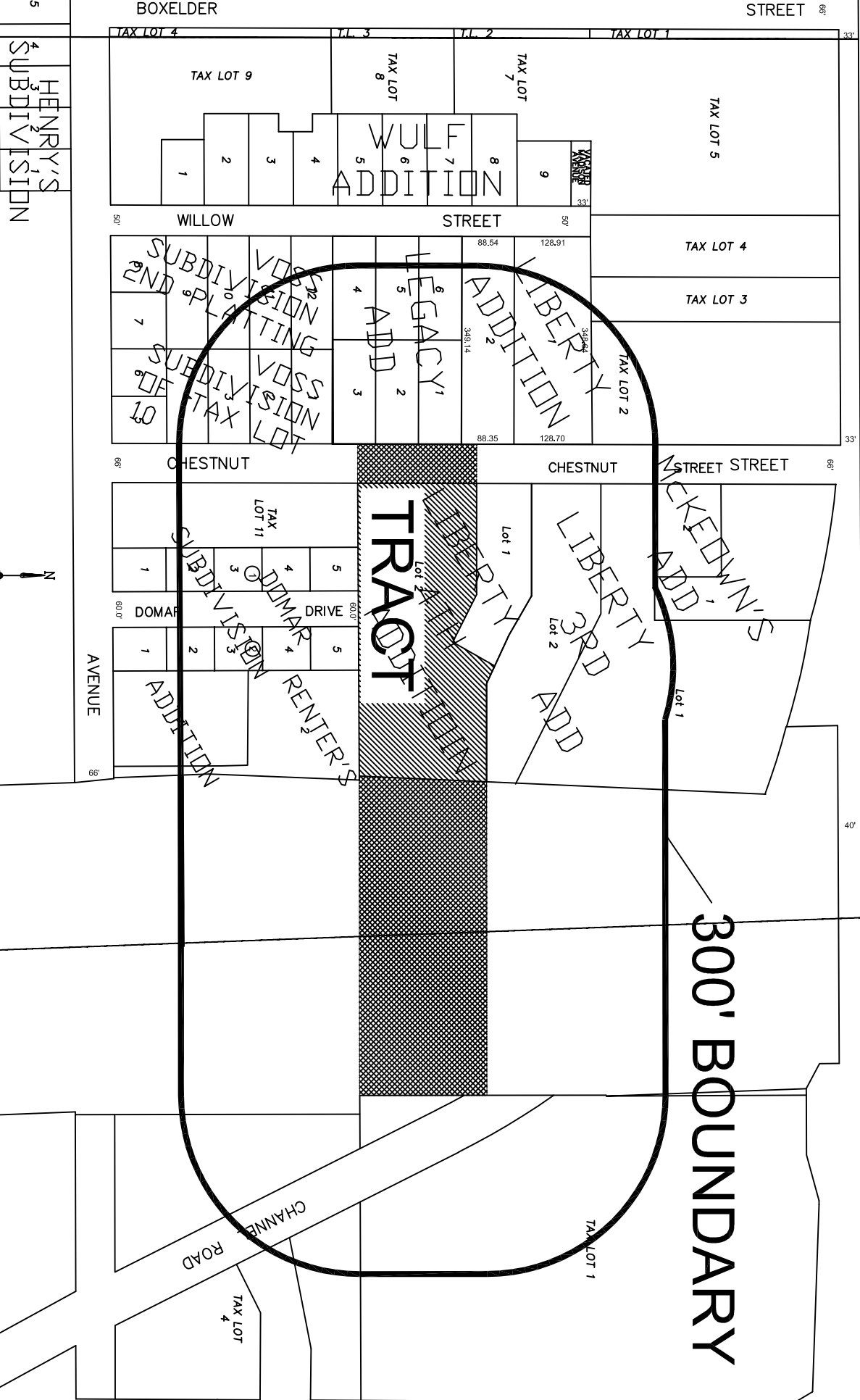
6. What is the general character of the area?

Vacant lot (grassland)

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 5<sup>th</sup> Street; Norfolk, NE 68701



NOT TO SCALE  
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### Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, April 2, 2024 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Liberty Centre Services, Inc., A Nebraska Non-profit corporation, to consider a zoning change from R-2 (One and Two Family Residential District) to R-3 (Multiple-Family Residential District) on property addressed as 205 S. Chestnut St., legally described as follows:

Lot 2, Liberty 4<sup>th</sup> Addition to the City of Norfolk, Madison County, Nebraska, a Replat of Lots 3 and 4, Liberty 3<sup>rd</sup> Addition to the City of Norfolk, Madison County, Nebraska, Being a Part of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 26, Township 24 North, Range 1 West of the 6<sup>th</sup> P.M., Madison County, Nebraska LESS that part of said Lot 2, described as follows: Referring to the Northeast Corner of said Lot 2; thence proceeding West, along the northerly line of said Lot 2 on an assumed bearing of South 89 degrees 54 minutes 11 seconds West, 164.63 ft. to a point on the northerly line of said Lot 2; thence North 65 degrees 06 minutes 06 seconds West, along the northerly line of said Lot 2, 22.90 ft. to the point of beginning; thence continuing North 65 degrees 06 minutes 06 seconds West, along the northerly line of said Lot 2, 10.04 ft. to the Northeast Corner of Lot 1 of said Liberty 4<sup>th</sup> Addition; thence South 30 degrees 03 minutes 03 seconds West, 81.18 ft. to the Southeast Corner of said Lot 1 of said Liberty 4<sup>th</sup> Addition; thence South 63 degrees 18 minutes 18" East, 10.02 ft.; thence North 30 degrees 03 minutes 03 seconds East, 81.49 ft. to the point of beginning.

Publish (March 22, 2024)  
1 P.O.P.

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

**ZONING CHANGE APPLICATION**

**Applicant:** Greater Norfolk Economic Development Foundation Inc 609 W Norfolk Ave. Norfolk, NE 68701  
Name Address

Phone \_\_\_\_\_ Email \_\_\_\_\_  
\*If applicant is an LLC, a copy of the operating agreement must be submitted with the application.  
**Contact:** Mark Otto 1652 Woodsvie St Lincoln, NE 68502  
(other than Name Address  
applicant) 308.390.7203 motto@comcappartners.com  
Phone Email

**Current Zoning:** Commercial **Proposed Zoning:** C2 with PD Overlay

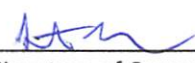
\*If applying for M-U (Mixed Use) District, a copy of the plan must be submitted with the application.  
105 E Norfolk Ave  
**Location of Property:** \_\_\_\_\_

**Legal Description:** DOLLAR GENERAL ADDITION LOT 2 LESS PT TO CITY

**Property Area, Square feet and/or Acres:** 197,380

**Use of Adjoining Properties:**

North: Park/City East: Park/City South: Retail West: Retail

  
Signature of Owner  
Stephen Sunderman  
Printed Name of Owner

OR

**Mark Otto**   
Authorized Agent  
Mark Otto  
Printed Name of Authorized Agent

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

**ZONING CHANGE  
JUSTIFICATION FORM**

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

---

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

---

3. Is the proposed property in the Floodplain hazard area as delineated under the Federal Flood Insurance program?  
No

---

4. What is the justification for the zone change as it relates to the overall Land Use?  
To fit the greater vision of the city for this location

---

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

---

6. What is the general character of the area?  
In need of improvement to extend the downtown area and connect it to park area

---

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 5<sup>th</sup> Street; Norfolk, NE 68701





### Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, April 2, 2024 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska at the request of Greater Norfolk Economic Development Foundation Inc., to consider a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 105 E. Norfolk Ave., legally described as follows:

Lot Two (2), Dollar General Addition to the City of Norfolk, Madison County, Nebraska LESS A tract of land located in Lot 2, of Dollar General Addition to the City of Norfolk, Madison County, Nebraska being more particularly described as follows: Commencing at the Southwest Corner of the Southwest Quarter of Section 23, Township 24 North, Range 01 West of the 6<sup>th</sup> P.M., thence N01°53'10"W (assumed bearing) on the West line of said Southwest Quarter, 123.64 feet; thence N88°06'50"E perpendicular to said West line, 33.00 feet to the Southwest corner of said Lot 2 and the point of beginning; thence N01°53'10"W parallel with and 33.00 feet distant from the West line of said Southwest Quarter on the West line of said Lot 2, 342.12 feet to the Northwest corner of said Lot 2; thence N86°38'23"E on the North line of said Lot 2, 31.00 feet; thence S01°53'18"E, 82.00 feet; thence S88°06'42"W, 17.43 feet; thence S03°49'29"E, 110.17 feet to a point of curvature; thence Southeasterly on a 2995.33 foot radius curve to the right, an arc distance of 100.60 feet, the chord of said curve bears S02°51'45"E, 100.60 feet; thence N88°05'59"E, 7.13 feet; thence S00°07'41"E, 50.00 feet to the South line of said Lot 2; thence S87°31'00"W on said South line, 24.61 feet to the point of beginning, containing 7352 SQ. ft., 5261 SQ. ft., of that being previously acquired ROW Easement recorded in M96-5, Page 904-911, and 216 SQ. ft., of that being previously acquired ROW Easement per Dollar General Addition Plat recorded in Plat Cabinet 6, Page 118A at the Madison County Recorder's Office.

Publish (March 22, 2024)  
1 P.O.P.

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

**PLANNED DEVELOPMENT APPLICATION**

**Applicant:** Greater Norfolk Economic Development Foundation (GNEDF)      309 N. 5th Street  
Norfolk, NE 68701  
Name      Address  
402.844.2260      economicdevelopment@norfolkne.gov  
Phone      Email

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

**Contact:** Mark Otto      1652 Woodview St. Lincoln, NE 68502  
(other than Name      Address  
applicant)      motto@comcappartners.com  
308.390.7203      Email  
Phone

**Underlying Zoning District:** C-2 Central Business District


**Location of Property:** 105 E Norfolk Avenue

**Legal Description:** Dollar General Addition Lot 2 Less Pt To City  
(See attached Legal Description)

**Property Area, Square feet and/or Acres:** 4.53

**Use of Adjoining Properties:**

North: City Park      East: City Park      South: Commercial Retail      West: Commercial Retail

  
\_\_\_\_\_  
Signature of Owner  
Stephen Sunderman  
\_\_\_\_\_  
Printed Name of Owner

OR

**Mark Otto**  
Digitally signed by Mark Otto  
DN: C=US,  
E=motto@comcappartners.com,  
O=Bforna llc, CN=Mark Otto  
Date: 2024.03.18 16:16:12-05'00'  
\_\_\_\_\_  
Authorized Agent  
Mark Otto  
\_\_\_\_\_  
Printed Name of Authorized Agent

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

**PLANNED DEVELOPMENT  
JUSTIFICATION FORM**

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

General Commercial

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

Yes

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

No

4. What is the reason for the planned development?

Redevelopment of commercial property for restaurant, commercial offices, and second floor housing

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

the proposed zoning will be C-2 and will match existing zoning to the west

6. What is the general character of the area?

The area is a Commercial area that is on the east limits of downtown Norfolk

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 5<sup>th</sup> Street; Norfolk, NE 68701

**Statement of Intent**  
**Union at River Point District**  
**A Panned Development**

**March 18, 2024**

Union at River Point District is a proposed replat of Dollar General Addition Lot 2 Less Pt to City to the City of Norfolk, Madison County, Nebraska. The addition will consist of approximately 25,000 feet of retail space with 130 residential living spaces. The zoning request is for change of zoning from C-3 to C-2 with a PD overlay.

The dwelling units will be approximately 75% - 1 bedroom units, and 25% - 2 bedroom units. The retail space will consist of shops, restaurants, and pubs. The approximate square footage of the site with tuck under garages will be 170,000 square feet. This will allow for tenant parking onsite and nearby public parking for the retail. The traffic count will increase in the area, but well within the capacities of the existing streets.

There are existing water mains located along the east side of 1<sup>st</sup> Street and along the north side of Norfolk Avenue running north and south and east and west respectively. Connection from either 1<sup>st</sup> Street or Norfolk Avenue or both will provide service to all lots for this project. Existing sanitary sewer mains are located on the west side of 1<sup>st</sup> Street (12" main) and along the south side of Norfolk Avenue (8" main). The Developer will connect to one or both the existing sewer mains and run new lines on the property to provide sanitary sewer service to the lots.

The development will begin in June of 2024 and will complete in November 2025.

PRELIMINARY PLANNED DEVELOPMENT  
**UNION AT RIVER POINT SUBDIVISION**  
 LOCATED IN ALL OF LOT 2 DOLLAR GENERAL ADDITION, CITY OF NORFOLK,  
 AND PART OF THE SW1/4 SEC. 23, T24N, R1W OF THE SIXTH P.M. MADISON  
 COUNTY NEBRASKA

**olsson**

1103 Riverside Boulevard  
 Norfolk, NE 68701

olsson.com  
 TEL 719.309.1476

Olsson - Engineering  
 Nebraska COA #CA-0638

**LEGAL DESCRIPTION**

LOT TWO (2), DOLLAR GENERAL ADDITION TO THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA LESS A TRACT OF LAND LOCATED IN LOT 2, OF DOLLAR GENERAL ADDITION TO THE CITY OF NORFOLK, MADISON COUNTY, NEBRASKA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 24 NORTH, RANGE 01 WEST OF THE 6TH P.M., THENCE N01°53'10"W (ASSUMED BEARING) ON THE WEST LINE OF SAID SOUTHWEST QUARTER, 123.64 FEET; THENCE N88°06'50"E PERPENDICULAR TO SAID WEST LINE, 33.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2 AND THE POINT OF BEGINNING; THENCE N01°53'10"W PARALLEL WITH AND 33.00 FEET DISTANT FROM THE WEST LINE OF SAID SOUTHWEST QUARTER ON THE WEST LINE OF SAID LOT 2, 342.12 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE N86°38'23"E ON THE NORTH LINE OF SAID LOT 2, 31.00 FEET; THENCE S01°53'18"E, 82.00 FEET; THENCE S88°06'42"W, 17.43 FEET; THENCE S03°49'29"E, 110.17 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ON A 2995.33 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 100.60 FEET, THE CHORD OF SAID CURVE BEARS S02°51'45"E, 100.60 FEET; THENCE N88°05'59"E, 7.13 FEET; THENCE S00°07'41"E, 50.00 FEET TO THE SOUTH LINE OF SAID LOT 2; THENCE S87°31'00"W ON SAID SOUTH LINE, 24.61 FEET TO THE POINT OF BEGINNING, CONTAINING 7352 SQ. FT., 5261 SQ. FT., OF THAT BEING PREVIOUSLY ACQUIRED ROW EASEMENT RECORDED IN M96-5, PAGE 904-911, AND 216 SQ. FT., OF THAT BEING PREVIOUSLY ACQUIRED ROW EASEMENT PER DOLLAR GENERAL ADDITION PLAT RECORDED IN PLAT CABINET 6, PAGE 118A AT THE MADISON COUNTY RECORDER'S OFFICE.

**VARIANCE REQUESTED SUMMARY**

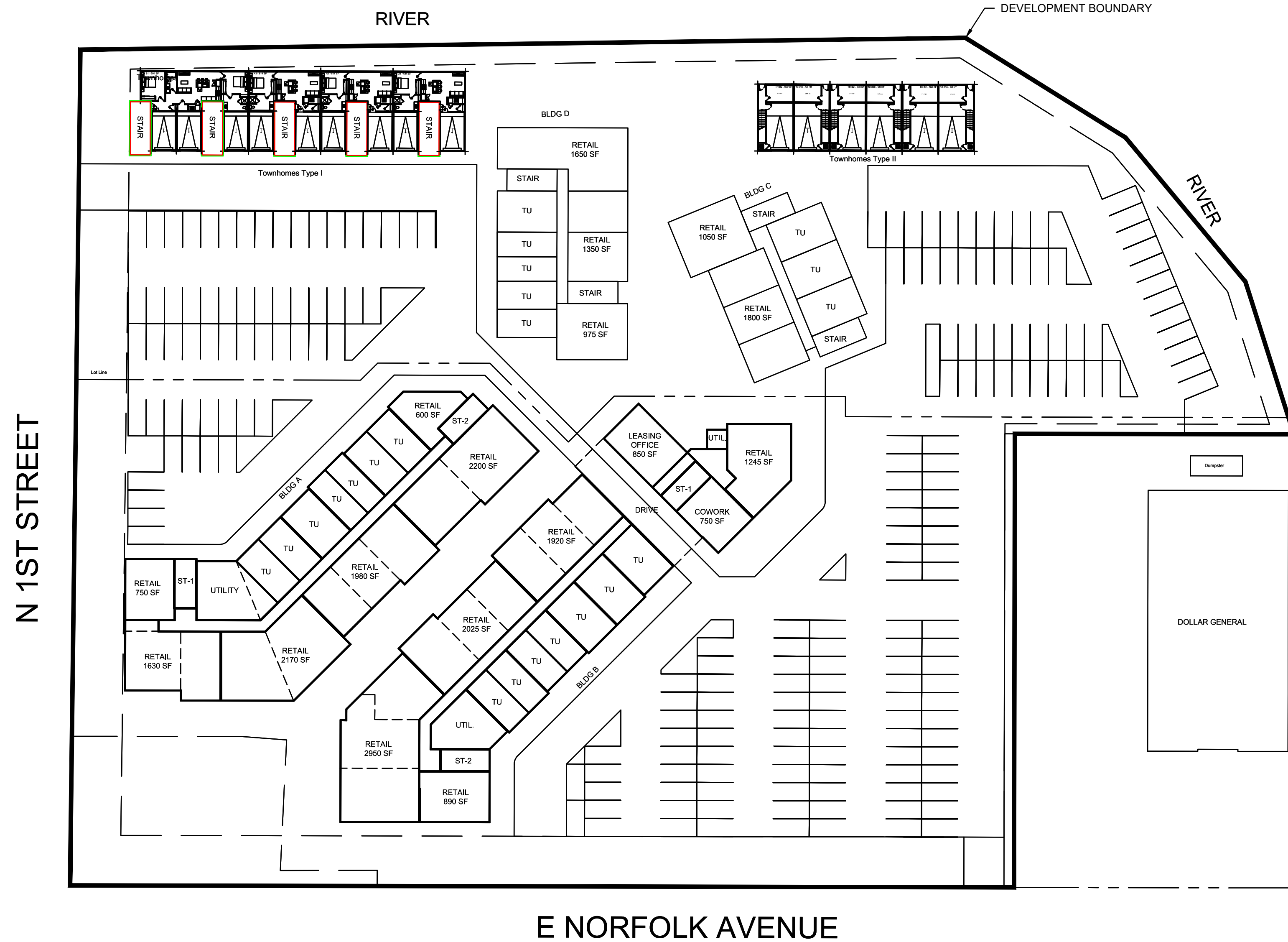
1. PROPOSED ZONING DOES NOT ALLOW FOR RESIDENTIAL HOUSING ON THE FIRST FLOOR. THIS REQUEST WOULD ALLOW FOR RESIDENTIAL HOUSING ON THE FIRST FLOOR.
2. PROPOSED ZONING DOES NOT ALLOW FOR MULTIPLE BUILDINGS ON ONE (1) LOT. THIS REQUEST WOULD ALLOW FOR MULTIPLE BUILDINGS ON ONE (1) LOT.

C3 PLANNED DEVELOPMENT REQUIREMENTS							
MAX HEIGHT	MIN. FRONT YARD	MIN. SIDE YARD	MIN. REAR YARD	MIN. LOT WIDTH	MIN. LOT AREA	MAX BUILDING COVERAGE	MAX IMPERVIOUS COVERAGE
45' *	40'	0'	30'	100' *	20000 *	50% *	80% *

\* INDICATES CHANGE FROM CURRENT ZONING

C2 PLANNED DEVELOPMENT REQUIREMENTS							
MAX HEIGHT	MIN. FRONT YARD	MIN. SIDE YARD	MIN. REAR YARD	MIN. LOT WIDTH	MIN. LOT AREA	MAX BUILDING COVERAGE	MAX IMPERVIOUS COVERAGE
120' *	0' *	0'	0' *	0' *	0' *	100% *	100% *

\* INDICATES CHANGE FROM CURRENT ZONING



REV. NO.	DATE	REVISIONS DESCRIPTION	BY

REVISIONS

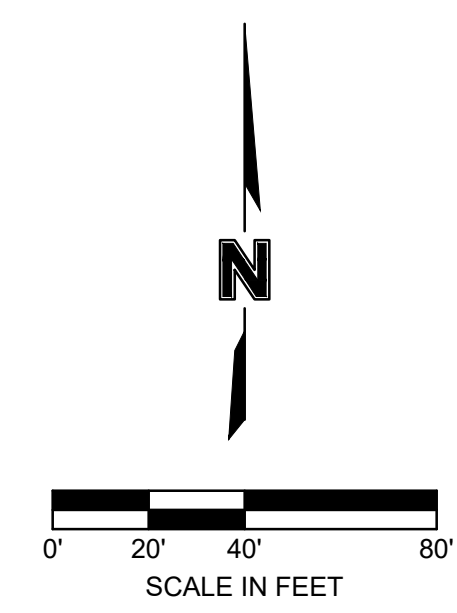
YEAR

DEVELOPMENT PLAN  
 MUUD GNEDF  
 ALCO REDEVELOPMENT  
 NORFOLK, NEBRASKA

drawn by: TBE  
 checked by: SJJ  
 designed by: TBE  
 QA/QC by: SJJ  
 project no.: 023-07560  
 date: 3/15/24

SHEET  
 1 of 1

F:\2023\0750-0800\023-07560\40-Design\AutoCAD\Preliminary Plans\Sheets\SDNC\_DEV\_02307560.dwg  
 DATE: Mar 18, 2024 12:27pm USER: learnest





### Public Hearing

The Norfolk Planning Commission will hold a public hearing on Tuesday, April 2, 2024 at 7:30 a.m. in the City Council Chambers, 309 N 5<sup>th</sup> Street, Norfolk, Nebraska at the request of Greater Norfolk Economic Development Foundation Inc., for Preliminary Planned Development on property addressed as 105 E Norfolk Ave., legally described as follows:

Lot Two (2), Dollar General Addition to the City of Norfolk, Madison County, Nebraska LESS A tract of land located in Lot 2, of Dollar General Addition to the City of Norfolk, Madison County, Nebraska being more particularly described as follows: Commencing at the Southwest Corner of the Southwest Quarter of Section 23, Township 24 North, Range 01 West of the 6<sup>th</sup> P.M., thence N01°53'10"W (assumed bearing) on the West line of said Southwest Quarter, 123.64 feet; thence N88°06'50"E perpendicular to said West line, 33.00 feet to the Southwest corner of said Lot 2 and the point of beginning; thence N01°53'10"W parallel with and 33.00 feet distant from the West line of said Southwest Quarter on the West line of said Lot 2, 342.12 feet to the Northwest corner of said Lot 2; thence N86°38'23"E on the North line of said Lot 2, 31.00 feet; thence S01°53'18"E, 82.00 feet; thence S88°06'42"W, 17.43 feet; thence S03°49'29"E, 110.17 feet to a point of curvature; thence Southeasterly on a 2995.33 foot radius curve to the right, an arc distance of 100.60 feet, the chord of said curve bears S02°51'45"E, 100.60 feet; thence N88°05'59"E, 7.13 feet; thence S00°07'41"E, 50.00 feet to the South line of said Lot 2; thence S87°31'00"W on said South line, 24.61 feet to the point of beginning, containing 7352 SQ. ft., 5261 SQ. ft., of that being previously acquired ROW Easement recorded in M96-5, Page 904-911, and 216 SQ. ft., of that being previously acquired ROW Easement per Dollar General Addition Plat recorded in Plat Cabinet 6, Page 118A at the Madison County Recorder's Office.

Publish (March 22, 2024)  
1 P.O.P

**SUBDIVISION APPLICATION**

<b>For Office Use Only</b>	Date Rec'd _____
	Fee \$ _____
	Rec'd by _____

Name of Subdivision: Union At RiverPoint Subdivision

Preliminary  Final

Applicant: Greater Norfolk Economic Development Foundation (GNEDF) 609 W Norfolk Avenue Norfolk NE 68701  
Attn: Stephen Sunderman

Name \_\_\_\_\_ Address stephen.sunderman@gmail.com

Phone \_\_\_\_\_ Email \_\_\_\_\_

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

Contact: Mark Otto

(other than Name \_\_\_\_\_ Address \_\_\_\_\_  
Applicant) 308.390.7203 motto@comcappartners.com

Phone \_\_\_\_\_ Email \_\_\_\_\_

Current Zoning: C-3

General Location/Address: 105 East Norfolk Avenue, Norfolk NE 68701

Legal Description: See attached Legal Description

Property Area, Square Feet and/or Acres: 4.51 acres

[Signature]  
Signature of Owner

Stephen Sunderman  
Printed Name of Owner

OR

Mark Otto  
Digitally signed by Mark Otto  
DN: C=US,  
E=motto@comcappartners.com,  
O=Bforma llc, CN=Mark Otto  
Date: 2024.03.27.09:59:19-05'00'

Authorized Agent

Mark Otto

Printed Name of Authorized Agent



**Legal Description**

**A TRACT OF LAND CONSISTING OF ALL OF LOT 2 DOLLAR GENERAL ADDITION CITY OF NORFOLK, MADISON COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 DOLLAR GENERAL ADDITION SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY (ROW) LINE OF NORFOLK AVENUE AND THE POINT OF BEGINNING THENCE ON AN ASSUMED BEARING OF S89°07'17"W ALONG THE NORTH RIGHT-OF-WAY (ROW) OF NORFOLK AVENUE, A DISTANCE OF 317.47 FEET TO THE SOUTHEAST CORNER OF LOT 3 DOLLAR GENERAL ADDITION; THENCE N00°19'58"E A DISTANCE OF 7.95 FEET ALONG THE EAST LINE OF SAID LOT 3; THENCE S88°46'53"W ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 48.34 FEET; THENCE N01°42'30"E ALONG THE EAST LINE OF SAID LOT 3 DISTANCE OF 65.14 FEET TO THE NORTHEAST CORNER OF LOT 3 DOLLAR GENERAL ADDITION; THENCE N89°39'48"W ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 21.94 FEET; THENCE CONTINUING S89°07'17"W ALONG SAID NORTH LINE OF SAID LOT 3 A DISTANCE OF 60.12 FEET TO A POINT ALONG THE EAST RIGHT-OF-WAY (ROW) LINE OF FIRST STREET; THENCE N01°01'12"E ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE A DISTANCE OF 49.99 FEET; THENCE S89°41'50"W ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE A DISTANCE OF 7.13 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE IN A COUNTER CLOCKWISE DIRECTION HAVING A RADIUS OF 2995.33 FEET, A DELTA ANGLE OF 001°55'28", AN ARC LENGTH OF 100.60 FEET AND A CHORD BEARING OF N01°15'54"W FOR A DISTANCE OF 100.60 FEET; THENCE N02°13'53"W ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE A DISTANCE A DISTANCE OF 110.17 FEET; THENCE N89°41'07"E ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE A DISTANCE OF 17.43 FEET; THENCE N00°17'53"W ALONG SAID EAST RIGHT-OF-WAY (ROW) LINE A DISTANCE OF 81.97 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2 DOLLAR GENERAL ADDITION; THENCE N88°15'57"E ALONG SAID NORTH LINE OF SAID LOT 2 A DISTANCE OF 410.56 FEET; THENCE S58°57'55"E ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 94.01 FEET; THENCE S38°06'50"E ALONG SAID EAST LINE OF SAID LOT 2 A DISTANCE OF 92.52 FEET; THENCE S22°28'43"E ALONG SAID EAST LINE OF SAID LOT 2 DISTANCE OF 78.00 FEET TO THE NORTHEAST CORNER OF LOT 1 DOLLAR GENERAL ADDITION; THENCE S89°00'56"W ALONG THE NORTH LINE OF LOT 1 DOLLAR GENERAL ADDITION A DISTANCE OF 139.17 FEET TO THE NORTHWEST CORNER OF LOT 1 DOLLAR GENERAL ADDITION; THENCE S00°53'27"E ALONG THE WEST LINE OF LOT 1 DOLLAR GENERAL ADDISON A DISTANCE OF 255.76 FEET TO THE POINT OF BEGINNING.**

**SAID TRACT CONTAINS A CALCULATED AREA OF 196651.40 SQUARE FEET OR 4.51 ACRES MORE OR LESS.**

