

Agenda Packet

NORFOLK PLANNING COMMISSION

Tuesday, March 19, 2024
7:30 a.m.

Created 3/14/2024 9:34 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, March 19, 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 5th Street, Norfolk, Nebraska during normal business hours.

AGENDA
NORFOLK PLANNING COMMISSION

March 19, 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 5, 2024 Planning Commission meeting. **Motion**

PUBLIC HEARINGS

6. Public hearing to consider the Extremely Blighted Determination Study generally located in the Northeast corner of 1st St. and Norfolk Ave.
7. Consideration of recommendation of the Extremely Blighted Determination Study generally located in the Northeast corner of 1st St. and Norfolk Ave. **Motion**

WAIVERS

8. Consideration of recommendation of sidewalk waiver requested by Todd and Cheryl Luedeke for property located at 3530 E. Highway 24. **Motion**

OTHER BUSINESS

9. February 2024 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 5th day of March 2024, beginning at 7:30 a.m.

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

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

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.

Vice-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.

Current Business

Election of Chairperson: Commissioner Ronnfeldt nominated Commissioner Waite; seconded by Commissioner Griffith.

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

Election of Vice-Chairperson: Commissioner Kube nominated Commissioner Ronnfeldt; seconded by Commissioner Bryant.

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

Vice-Chair Ronnfeldt moved, seconded by Commissioner Kube to appoint Sarah Wortmann as Planning Commission Secretary.

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

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

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

Commissioner Kube moved, seconded by Vice-Chair Ronnfeldt, to approve the February 21, 2024, meeting minutes.

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

Resolution No. 2024PC-2
Conditional Use Permit – Asphalt hot-mix facility
One quarter mile west of South Victory Rd. on East Monroe Ave. | Midwest Coatings Company, Inc.

Chair Waite read into record the terms of the Conditional Use Permit.

Vice-Chair Ronnfeldt moved, seconded by Commissioner Bryant to approve Resolution No. 2024PC-2 to operate an asphalt hot-mix facility at property generally located one quarter mile west of South Victory Road on East Monroe Avenue.

Roll Call: Commission Members: Ayes: Bryant, Waite, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Motion carried (6-0)

Public Hearings

Public Hearing
Zoning Change – R-R to I-1
83773 557th Ave. | Donald Gerdes

Chair Waite opened the public hearing at 7:41 a.m. to consider a request from Donald Gerdes for a zoning change from R-R (Rural Residential District) to I-1 (Light Industrial District) on property addressed as 83773 557th Ave.

Donald Gerdes, applicant, explained he is expanding his powder coating business and would like to add an addition to his shop.

Chair Waite asked what is prohibiting this currently. City Planner, Val Grimes, explained the property is currently zoned rural residential which prohibits a commercial business to be able to have employees in residential zoning. There is no plat for this because state statute states if land is over ten-acres no re-plat is needed. The surveyor was able to get both tracts just over ten acres. She explained if the entire property is zone changed to I-1 the residence would become non-conforming, which is why only one of the new tracts is being zone changed.

Loren Bosler, 83688 557th Ave., stated he is not in opposition of the business but is concerned the property will not remain clean or kept up.

Dana Larsen, 800 E South Airport Road, stated her concerns of vehicles along the shared fence line and the property beginning to look like a junk yard.

Craig Larsen, 800 E South Airport Road, stated his concerns about the gas, diesel and oil from old semi-trucks that have been parked in the same spot for many years.

No one else spoke in favor or opposition of the request and Chair Waite closed the public hearing at 7:59 a.m.

Vice-Chair Ronnfeldt stated there are no vehicles located in the area the applicant is asking to re-zone.

Vice-Chair Ronnfeldt moved, seconded by Commissioner Bryant, to recommend approval of a zoning change from R-R to I-1 on property addressed as 83773 557th Ave.

Chair Waite declared a conflict of interest and abstained from the vote.


Roll Call: Commission Members: Ayes: Bryant, Kube, Griffith, Mason and Ronnfeldt. Absent: Sock, Franklin and Spray. Abstaining: Waite. Motion carried (5-0-1)

Other Business

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

Sarah Wortmann, Norfolk Planning Commission Secretary

Dirk Waite, Norfolk Planning Commission Chair



EXTREMELY BLIGHTED DETERMINATION STUDY FOR NORFOLK, NEBRASKA FEBURARY 2024

A study to determine if areas already declared Blighted and Substandard meet the Legislative requirements to be declared Extremely Blighted for purposes of receiving extended funding.

Prepared by Information Art
Kurt Elder AICP, GISP
FEBURARY, 2024

EXTREMELY BLIGHTED AREA STUDY

Conducted by: Information Art - Kurt Elder
Member of the American Institute of Certified Planners
Member of the Certified Geographic Information System Professionals
Licensed Real Estate Sales Person Professional (IA)

I. Standard Review

Implementation Background: In the 2020 Nebraska general election Proposed Amendment No. 2 was offered to the voters. It was a constitutional amendment to authorize the Legislature to allow cities and villages to pledge property taxes as part of a redevelopment project for a period not to exceed twenty years if, due to a high rate of unemployment combined with a high poverty rate as determined by law, more than one-half of the property in the project area is extremely blighted. As a state voters approved the measure 530,236 FOR (61.6%) and 330,445 AGAINST. In Madison County voters approved the measure 7,957 FOR (56.8%) and 6,047 AGAINST.

REF: Statute 18-2101 to 18-2154 and section of the act, aka Community Development Law

A. Reasons for completing an extremely blighted study

Section 2: (1) For any city that (a) intends to carry out a redevelopment project which will involve the construction of workforce housing in an extremely blighted area as authorized under subdivision (28)(g) of section 18-2103, (b) intends to declare an area as an extremely blighted area for purposes of funding decisions under subdivision (1)(b) of section 58-708, or (c) intends to declare an area as an extremely blighted area in order for individuals purchasing residences in such area to qualify for the income tax credit authorized in subsection (7) of section 77-2715.07, the governing body of such city shall first declare, by resolution adopted after the public hearings required under this section, such area to be an extremely blighted area.

B. Legislative Direction

Section 2: (2) Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is extremely blighted and shall submit the question of whether such area is extremely blighted to the planning commission or board of the city for its review and recommendation. (...) The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

C. Process

Brief: In order for an area to be designated as extremely blighted and substandard two finding, through three facets, need to be meet. These facets are defined in Nebraska statute. (i.e. 18-2103 – Terms, ...) However, for brevity they are **(a)** areas that have been found blighted and substandard through city council action, and **(b)** have been found to be extremely blighted.

This study primarily determines which areas meet the statutory definition.

An approved blighted and substandard area is also extremely blighted if **(i)** the *average rate* of unemployment in the area during the period covered by the most recent federal decennial census or American Community Survey 5-Year Estimate is at least two hundred percent of the average rate of unemployment in the state during the same period; and **(ii)** the *average poverty rate* in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area

D. Methodology & Data Tables

Methodology -

City of Norfolk base data methodology utilizes implementation strategies approved in Lincoln, Omaha, Grand Island and North Platte studies. Other community agents are currently using these strategies as they develop their studies.

Furthermore, our averaging process/interpretation received support from UNO's David Drozd Research Coordinator at the UNO Center for Public Affairs (David has since moved on to another firm), and input from Sen. Justin Wayne's office. Senator Wayne was the Chair of the Urban Affairs Committee when this legislation was passed.

All data was 2022 US Census American Community 5-year Survey data. We utilize block group level information from the census to maximize potential data points for analysis, knowing that margins of error would likely be more significant at this geography area.

Council Approved Blight -

The Community development law requires that an Extremely Blighted and Substandard area be an approved blighted area. The City of Norfolk has blighted areas; those studies/documents/approved areas are available for review through direct contact. ([Web link1](#)) ([Web link2](#)). See 'Approved Blighted & Substandard Areas' in the appendix.

Extremely Blighted Components –

Part (i) is a state comparison. The 2022 Nebraska Unemployment rate, according to the US Census American Community Survey (Five-year estimate) was 3.17%. Therefore, the average rate of our selected area would require an unemployment rate of at least 6.14. A five-year estimate is used because it is directed by state statute. Information Art uses familiar data sources when possible.

Information Art developed an area with an average unemployment of 6.9% within available (i.e., data points that were in the city limits or those that intersect Norfolk's corporate limits) An area average is determined by using the sum of estimated factors and NOT the average of each piece. Furthermore, state statute does not state that all facets must be contiguous. See 'Employment Study' in the appendix.

Part (ii) is a local area finding. Norfolk's 2022 poverty rate was 12.9%, but in line with state statute, Information Art worked to develop an area with at least 20% poverty. Information Art developed an area with a 21.4% poverty rate to meet this threshold within the available data points (i.e., data points in the city limits or those that intersect Norfolk's corporate limits). An area average is determined by using the sum of estimated factors and NOT the average of each piece. See 'Poverty Study' in the appendix.

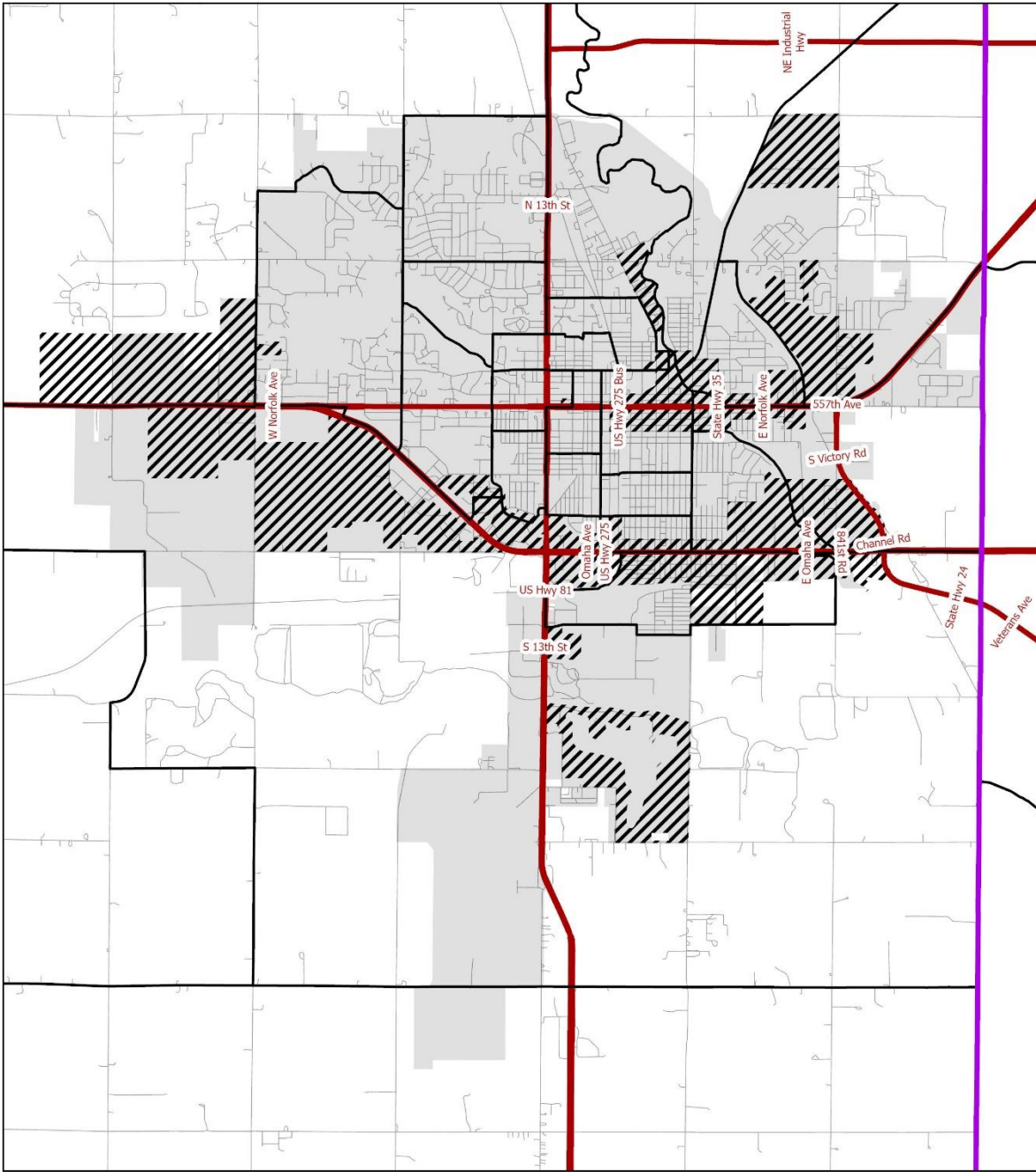
E. Process & Outcome

State statute does not direct how to operationalize census boundaries, margin of errors, and confidence intervals etc. that are often inconsistent with blight/project areas. Therefore, Information Art overlaid these three facets/areas (i.e., approved blight, 20%+ poverty, 200%+ of Nebraska's unemployment rate) and delineated areas where the three intersected as a reasonable implementation effort. Information Art presents for consideration a proposed extremely blighted area. See 'Qualifying Area Review: Focused Area' and 'Proposed Extremely Blighted Area' in the appendix.

Appendix Images:

1. Approved Blighted & Substandard Areas
2. Employment Study Area
3. Poverty Study Area
4. Qualifying Area Review: Focused Area
5. Proposed Extremely Blighted Area

Approved Blighted & Substandard Areas

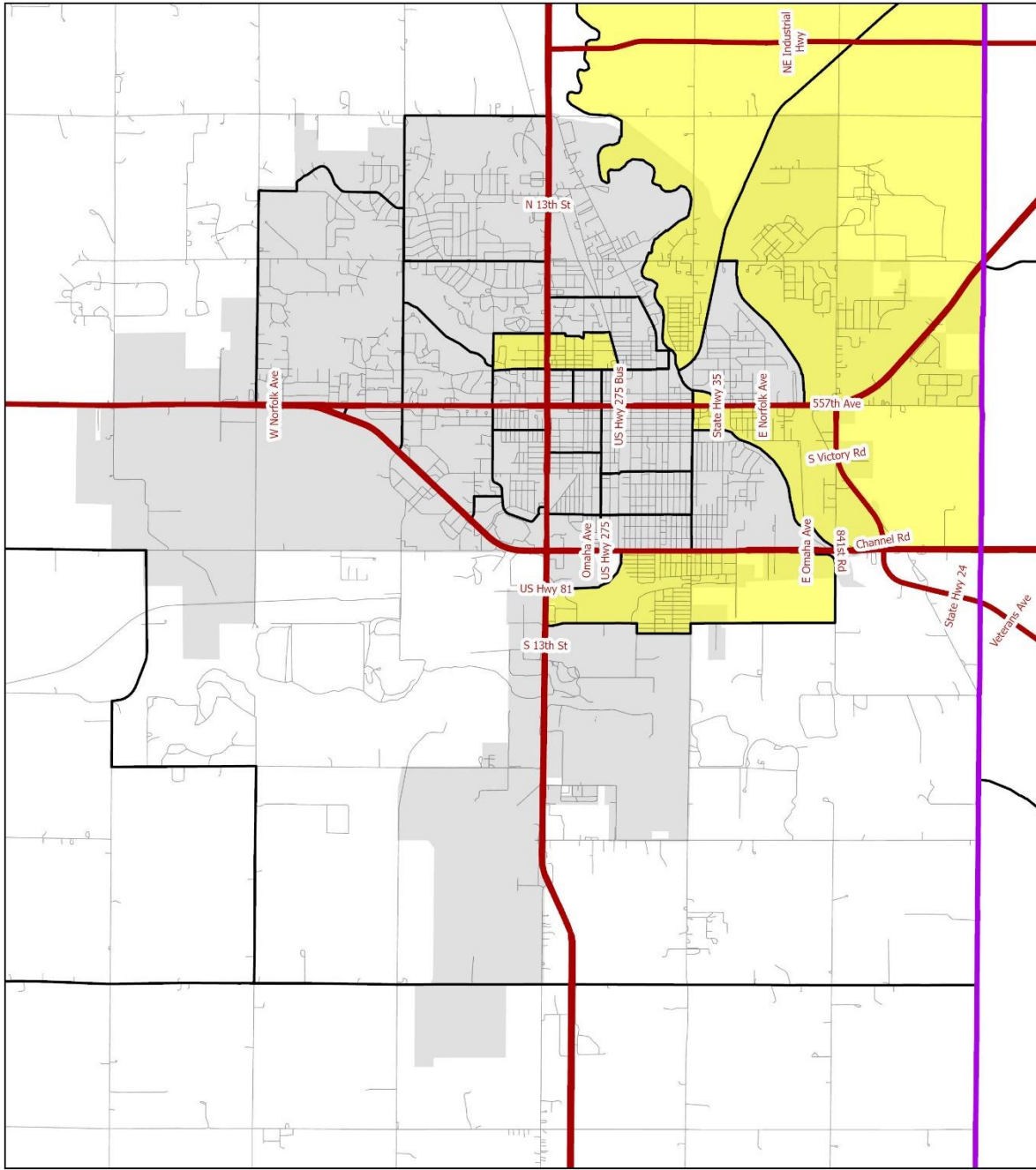


City of Norfolk: Blight and Substandard Area Review





- County Boundary
- Primary Roads
- Blight and Substandard Areas
- Norfolk City Limits

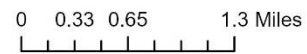


Employment Study Area

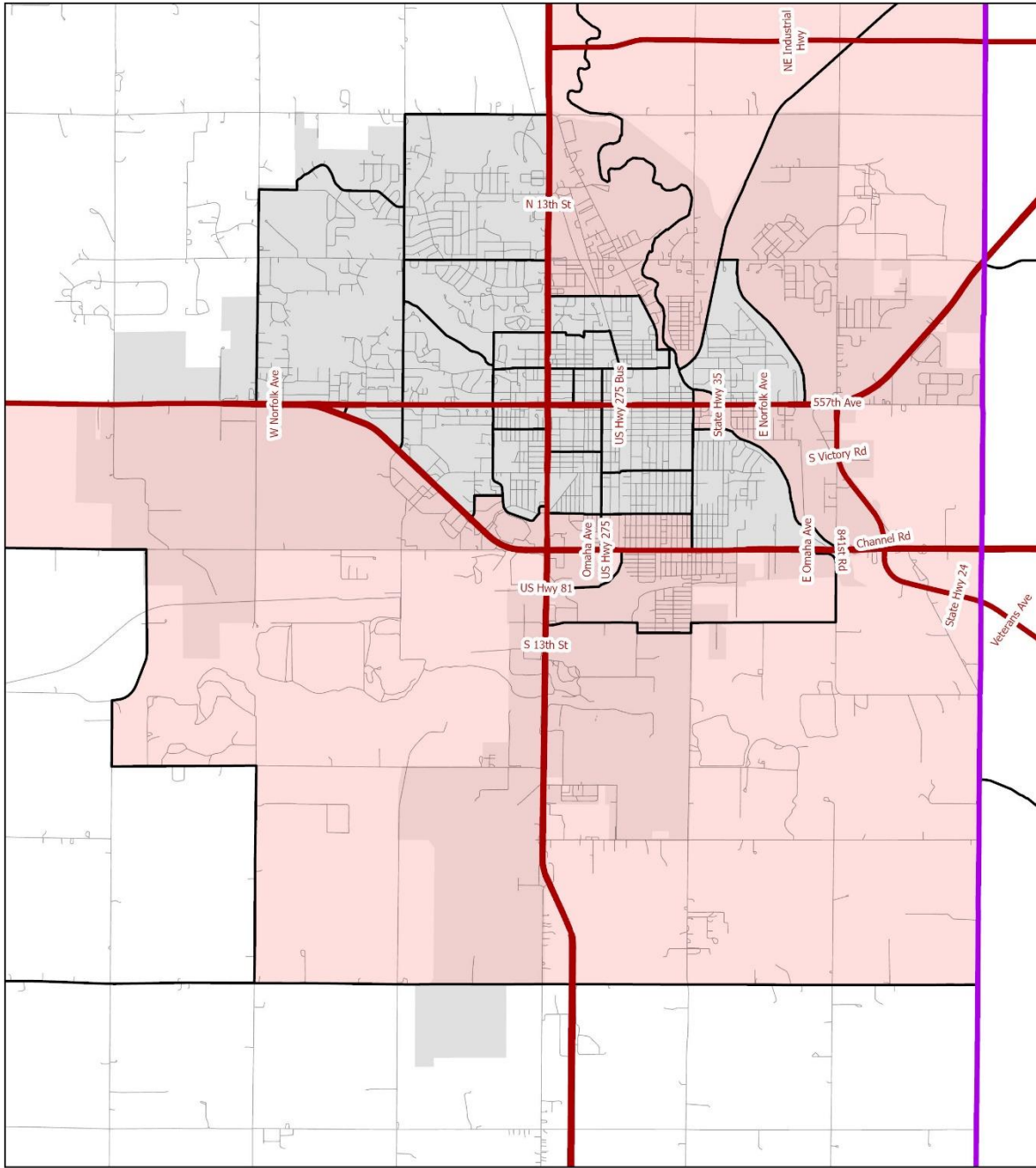


City of Norfolk: Unemployment Review





-  County Boundary
-  Primary Roads
-  Area Avg Unemployment (6.9%) > 200% NEBR Unemployment Rate (3.17%, 200% = 6.14%)
-  Norfolk City Limits



Poverty Study Area

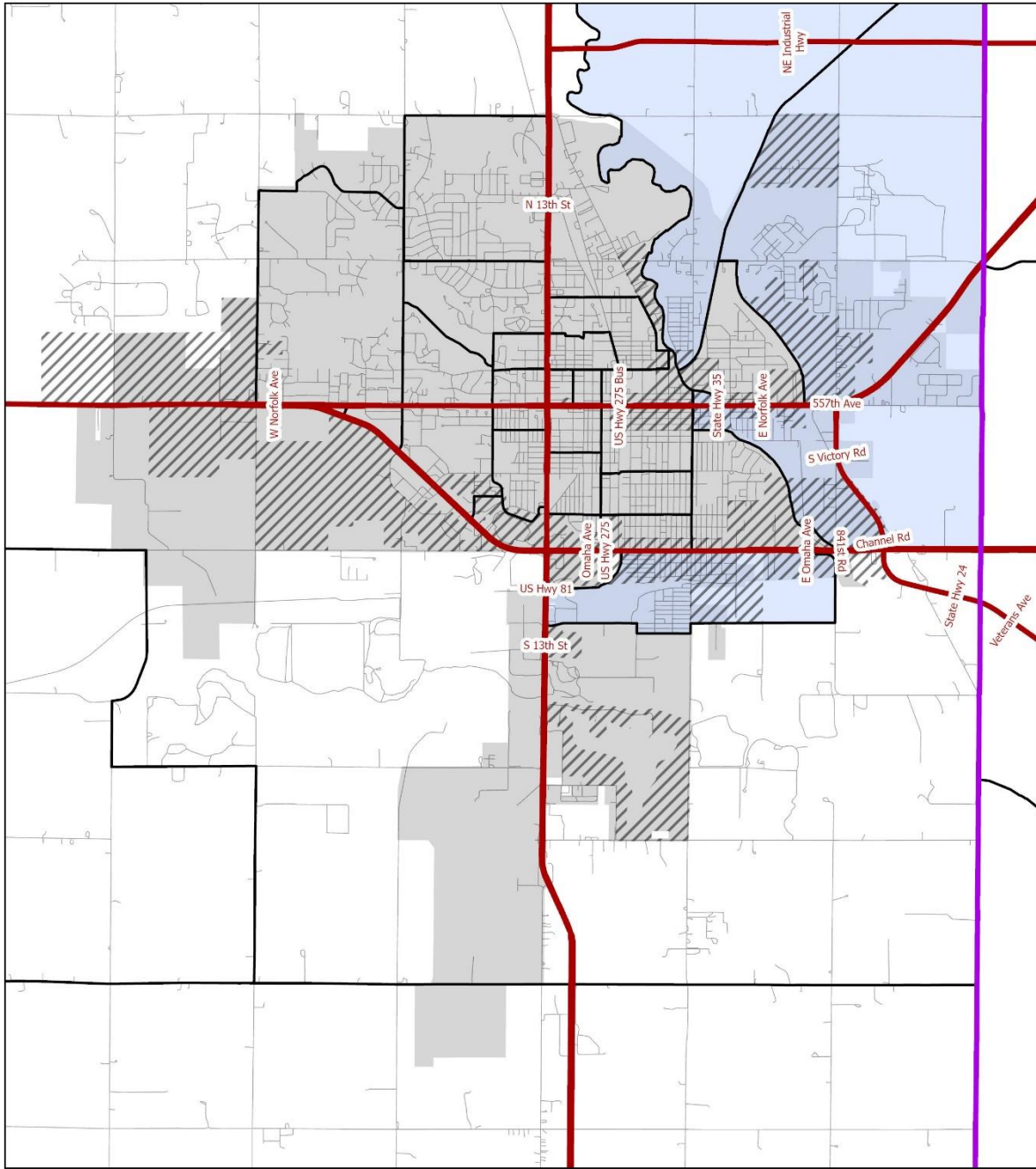


City of Norfolk: Poverty Review

-  County Boundary
-  Area Poverty > 20% (21.4%)
-  Primary Roads
-  Norfolk City Limits



Qualifying Area Review: Focused Area



City of Norfolk: Existing Blighted Areas & Qualifying Area, 2022 US Census ACS Five-year data

-  County Boundary
-  Extreme Blight Qualifying Areas
-  Primary Roads
-  Norfolk City Limits
-  Blight and Substandard Areas

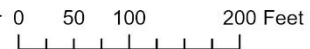


Proposed Extremely Blighted Area



City of Norfolk: Proposed Extremely Blight Area

- Primary Roads
- Roads - Madison County
- Proposed Extreme Blight Area



Public Hearing

The Planning Commission of the City of Norfolk, Nebraska will hold a public hearing on Tuesday, March 19, 2024 at 7:30 a.m. in the City Council Chambers, 309 N 5th Street, Norfolk, Nebraska to hear comments regarding the Extremely Blighted Determination Study for Norfolk, Nebraska more specifically located in the Northeast Corner of N. 1st St. and E. Norfolk Ave.

The map can be found at:

<https://norfolkne.gov/government/departments/planning-and-development/blight-studies-and-redevelopment-projects/extremely-blighted-determination-study-norfolk-nebraska-more-specifically-located-in-the-northeast-corner-of-n-1st-st-and-e-norfolk-ave.html>

Publish (March 1, 2024 and March 8, 2024)
2 P.O.P.'s



progress. right at home.

309 N 5th St
Norfolk, NE 68701
P402-844-2280 F402-844-2028
www.ci.norfolk.ne.us

For Office Use Only	Date Filed	3-6-24
	Fee	\$ 250.00
	Rec'd by	KP

**APPLICATION FOR TEMPORARY
WAIVER OF SUBDIVISION REQUIREMENTS**

Section 1:

Applicant: Todd & Cheryl Lucdeke 3530 E Hwy 24
 Name Address
402-369-4763 todd8683@gmail.com
 Phone Email

Contact: same as above
 (other than Name Address
 Applicant)
 Phone Email

Years Requested: _____

A waiver of minimum subdivision requirements is requested from the requirements set out in Chapter 23, Article I of the City Code of Norfolk for property

Addressed as 3530 E. Hwy 24, Norfolk, NE
68701
 Legally described as _____

And zoned as R-R

Section of subdivision regulations waiver is for _____

Explain the nature of the request and hardship Out in the country
on 10 acres. no sidewalks around
us. Along Hwy 24. No one else
has sidewalks in the area.

Provide a sketch with this application including the application area, existing and proposed structures, appropriate dimensions, and any other pertinent information.

Cheryl Lucdeke _____
 Signature of Owner Authorized Agent
Cheryl Lucdeke OR _____
 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

**Planning and Development
Building Services**

**CITY OF NORFOLK
Monthly Building Permit Report**

**Month
February, 2024**

Permits Issued	2024 February	2024 January	2023 February	This Fiscal YTD	Last Fiscal YTD	Variation % 2023 vs. 2024
BUILDING						
Number	19	15	16	151	145	4.1%
Valuation	\$1,630,645.00	\$1,447,141.00	\$3,983,533.00	\$17,330,229.00	\$275,508,266.90	-93.7%
Permit Fee	\$5,224.28	\$5,078.14	\$6,731.98	\$56,867.91	\$98,472.01	-42.2%
ELECTRICAL						
Number	20	30	33	156	122	27.9%
Permit Fee	\$8,641.00	\$9,411.50	\$111,897.00	\$105,723.59	\$250,302.00	-57.8%
PLUMBING						
Number	8	14	9	107	60	78.3%
Permit Fee	\$346.65	\$1,108.54	\$2,507.51	\$12,628.71	\$18,784.20	-32.8%
MECHANICAL						
Number	10	13	7	73	72	1.4%
Permit Fee	\$1,650.52	\$1,534.80	\$582.28	\$23,252.46	\$33,132.18	-29.8%
WATER HEATER						
Number	7	8	13	35	48	-27.1%
Permit Fee	\$241.50	\$276.00	\$435.50	\$1,207.50	\$1,666.00	-27.5%
FIRE ALRM / SPR						
Number	3	4	1	19	17	11.8%
Permit Fee	\$1,155.00	\$767.00	\$451.50	\$4,442.00	\$2,345.00	89.4%
WELL / SEPTIC						
Number						
Permit Fee						
FIRE PREVENTION						
Number			1		2	
Permit Fee			\$25.00		\$60.00	
TOTAL FEES:	\$17,258.95	\$18,175.98	\$122,630.77	\$204,122.17	\$404,761.39	-49.6%

Nature of Building Permits	Last FYTD	Present FYTD	Number of Permits	Dwelling Units	Permit Fees	Valuation
Void					\$0.00	\$0.00
SFD	14 (14)	31 (31)			\$0.00	\$0.00
Duplex	20 (40)	1 (1)			\$0.00	\$0.00
MFD	2 (44)				\$0.00	\$0.00
Commercial			1	0	\$1,632.00	\$196,750.00
Industrial					\$0.00	\$0.00
Garages			1	0	\$220.50	\$35,000.00
Move & Demo					\$0.00	\$0.00
SFDA		4 (4)			\$0.00	\$0.00
Sign			6	0	\$379.50	\$31,518.00
Other			2	0	\$69.00	\$7,000.00
Alterations & Additions						
1 & 2 Family			5	0	\$1,026.00	\$266,250.00
Multi-Family					\$0.00	\$0.00
Commercial			4	0	\$1,897.28	\$1,094,127.00
Industrial					\$0.00	\$0.00
Total			19	0	\$5,224.28	\$1,630,645.00

Building Valuation

2024 Fiscal YTD	\$17,330,229.00
2023 Fiscal YTD	\$275,508,266.90
Contractor Registration	\$825.00

Building Official

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