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The Planning Commission Chair 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.

REGULAR MEETING

Planning Commission-Council Chambers
February 20, 2013

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 20th day of February, 2013.

Chair Snodgrass called the meeting to order at 7:30 a.m. The following members answered roll call: Davis, Adams, Beckman, Ohl, Griffith and Murren.

Staff Present: Trent Howard and Faythe Petersen.

Chair Snodgrass advised that the developers of the project on Item 6 have requested the application be withdrawn.

Commissioner Murren moved and Beckman seconded to approve the amended February 20, 2013 agenda.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Beckman moved and Adams seconded to approve the January 23, 2013 minutes.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

PUBLIC HEARINGS

Public hearing at the request of McDonald's USA, LLC/Golden Arch Limited Partnership for a Conditional Use Permit for a drive through restaurant at 1205 Riverside Blvd.

Chair Snodgrass explained the reasoning for the request is to add an additional drive through lane. He opened the hearing at 7:32 a.m. and asked for anyone in favor of the change to speak.

Wes Meisinger, said his mother is a neighbor to the restaurant and he would like to request that the parking lot lights be adjusted so they don't shine into her home. Otherwise, he is in favor of the permit.

Kevin Hall, owner, said that when they are busy on the weekends the traffic backs onto Riverside Boulevard. The additional drive through lane will allow better traffic flow and allow for more customers to visit the restaurant. They are enlarging the parking lot as well.

Chair Snodgrass asked that Mr. Hall contact Mr. Meisinger to work on the lighting concern.

Commissioner Ohl moved and Davis seconded to table the request for a Conditional Use Permit for McDonald's Restaurant at 1205 Riverside Blvd. for a drive through restaurant.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Public hearing at the request of James and Karen Eatherton for a zoning change from O-D (Office District) to R-2 (One and Two Family Residential District) at 304 S. 5th Street.

Chair Snodgrass opened the hearing at 7:40 a.m. and asked for anyone to speak.

Gerald Zimmerman, 300 S. 5th, asked if the zone change includes 300 S. 5th Street. He thinks it's a good idea to re-zone the properties to residential since that is their use. It is not a commercial area.

Trent Howard clarified that the Eatherton's want to re-finance their home and the O-D zoning prevents that. This is simply a request to bring this property into compliance.

Chair Snodgrass closed the hearing at 7:44 a.m.

Commissioner Ohl moved and Davis seconded to recommend a zone change from O-D to R-2 at 304 S. 5th Street.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Public hearing at the request of Mota Ambaji, Inc. for a zoning change from C-3 (Service Commercial District) and R-1 (Single Family Residential District) to C-3 (Service Commercial District) at 721 E. Norfolk Avenue.

Chair Snodgrass opened the hearing at 7:45 a.m. and asked for anyone in favor of the change to speak.

Jeff Hrouda, representing the owners, said that the property had a fire and when they went to apply for a building permit they found that the property was in non-compliance. He was advised to seek a zone change.

Trent Howard said that the building had a fire and the mechanical room was destroyed. The remainder of the motel that did not sustain fire damage is zoned C-3 so this will bring the entire property into compliance.

There was no other discussion and Chair Snodgrass closed the hearing at 7:47 a.m.

Commissioner Murren moved and Davis seconded to recommend a zone change from C-3 and R-1 to C-3 at 721 E. Norfolk Avenue.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Public hearing at the request of Donn Fizer-Orange Development, Inc. for a zoning change from C-1 (Local Business District), R-1 (Single Family Residential District) and C-3 (Service Commercial) to C-3 (Service Commercial District) in the southwest corner of 13th Street

Chair Snodgrass opened the hearing at 7:49 a.m. and asked for anyone in favor of the change to speak.

Tracy Buettner, an attorney for the developer, said they are requesting the Southwest corner of 13th Street and Norfolk Avenue be re-zoned to C-3 to build a CVS Pharmacy. They propose to employ 20-30 people.

They need to close on the properties prior to April 15 and they want to open the store in October.

She discussed concerns about access off of Norfolk Avenue. That is being negotiated with the Nebraska Department of Roads. They are also proposing leaving part of the parcel zoned R-1 so they would amend the legal description to show only the part they wish to re-zone.

They are asking for approval by the planning commission contingent on the traffic study being approved and the amended legal description be affixed to documentation prior to approval by the City Council.

Jim McKenzie, owner of four properties on the corner, said it is difficult to rent properties along Norfolk Avenue and feels this will be an improvement to the area.

Ann Zohner, property owner, is also in favor of the zone change and feels this will create a gateway to downtown Norfolk.

Chair Snodgrass closed the hearing at 8:02 a.m. for discussion and action.

Chair Beckman recommended approval of the zone change based on the traffic study approval and the amended legal description for rezoning and Ohl seconded.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Richard E. Miller Subdivision-Final Plat

Lavern Schroeder presented this two-lot subdivision one quarter mile south of Woodland Park along Eastwood Avenue. He said the access will be off Eastwood Avenue and all items have been submitted.

Commissioner Adams moved and Beckman seconded to recommend approval of the Richard E. Miller Subdivision and its accompanying subdivision agreement.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Dollar General Addition-Final Plat

Fred Franklin presented this three lot subdivision at the corner of 1st Street and Norfolk Avenue. They are subdividing in order to build a Dollar General Store on Lot 1. Access and parking easements were discussed.

Commissioner Murren moved and Davis seconded to recommend approval of the final plat of Dollar General Addition and its subdivision agreement.

AYE: Davis, Adams, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: ABSENT: Lundy, Milander Motion carried.

Richard E. Miller Subdivision sidewalk waiver

This request is being made since the development is out in the country and there are no other sidewalks around the area. Lavern Schroeder advised that they would put sidewalks in when they are in the area.

Commissioner Beckman moved and Murren seconded to recommend approval of the sidewalk waiver for Richard E. Miller Subdivision.

AYE: Davis, Beckman, Snodgrass, Ohl, Griffith and Murren

NAY: Adams ABSENT: Lundy, Milander Motion carried.

Faythe Petersen advised that the conference information for the annual NPZA conference was included in the commissioners' packets. If they are interested in attending, let her know.

There was no other business and Murren made the motion and Beckman seconded to adjourn. All commissioners present voting in the affirmative.

Adjourned at 8:25 a.m.

Faythe Petersen, Secretary/Norfolk Planning Commission