

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
May 20, 2014

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 May, 2014.

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

Staff Present: Trent Howard and Faythe Petersen.

Faythe Petersen clarified that #7 of the agenda should read from “commercial” rather than “rural residential”. Commissioner Davis moved and Lundy seconded to approve the amended May 20, 2014 agenda.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Milander, and Fisher

NAY: ABSENT: Marsh Motion carried.

Beckman moved and Milander seconded to approve the May 6, 2014 minutes.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Milander, and Fisher

NAY: ABSENT: Marsh Motion carried.

PUBLIC HEARING (4)

Public hearing to amend Sections 27-302 and 27-345 to make minor corrections and adjustments; to amend Section 27-306 and 27-308 to address bufferyard and screening requirements when a zoning district is changed to allow for a less intensive use to abut an area where a bufferyard or screening is required.

Chair Snodgrass opened the hearing at 7:31 a.m. and asked for staff to explain this amendment. Shane Weidner advised that after the Mejstrik April 6, 2014 hearing, there was discussion in response to the failure of the zone change. After listening to testimony, the commercial property owners’ biggest concerns were bufferyard and the threat of a high density residential structure being built. In response to the bufferyard concern, city staff looked at the current ordinance and found that less intrusive zoning districts placed into higher intrusive districts were causing the

existing higher intensity properties to incur a bufferyard. This amendment puts the onus on the incoming less intrusive district.

The hearing was closed at 7:49 for discussion and action.

Commission Ohl moved and Beckman seconded to recommend approval of the amendment to Section 7-302 and 27-345, et al.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Milander, and Fisher

NAY: ABSENT: Marsh Motion carried.

Public hearing amending the present comprehensive plan at 3205-3301 Koenigstein Avenue from commercial to high density residential.

Public hearing at the request of Mejstrik Properties, LLC for a zoning change from C-3 (Service Commercial District) to R-3 (Multiple Family Residential District) at 3205-3301 Koenigstein Avenue.

Chair Snodgrass opened both hearings at 7:50 a.m. and asked for anyone in favor of the change to speak.

Chris Mejstrik, property owner, said he doesn't feel he brought enough information during the first public hearing (April 8, 2014) so hopes he can clarify his intent for the parcel. He wishes to build two, three and four unit dwellings that can be rented or sold.

Dick Johnson, representing Mejstrik Properties, said they are requesting R-3 with a Planned Development as this commits them how they will be built. They are seeking R-3 due to the tri-plex and R-2 would require a CUP.

Courtney Dentlinger, Economic Development Director said that the zone changes are the responsibility of the planning commission and council. She said they have the ability to approve areas for residences and the city is in a housing shortage. Builders aren't building due to the high cost of construction and infrastructure.

R.J. Gall, JAG Investments, said he bought from Mr. Mejstrik who said the area would remain commercial. He has three suites within his building and he built in the area because he was under the assumption that the area was going to remain commercial. He also read a letter from property owner, Todd Pospisil and Dr. Mark Spiers in opposition. He doesn't feel the residential zoning is good for his business.

John Kinter, Nucor Steel, said they are neither in favor or opposition to this particular zone change but want to acknowledge there is a housing shortage. They employ 500 teammates and summer interns. They continually hear concerns about a lack of suitable housing.

Jake Claussen, FRHS, echoed Nucor's sentiments about lack of suitable housing. They are in support of any housing projects. They employ 1500 with many interns visiting the area determining if they want to re-locate here. With the lack of suitable housing, it doesn't appeal to those seeking to move.

Russ Wilcox, director of the Norfolk Housing Task Force, said they are neither in favor nor in opposition of this particular project, but they want to acknowledge the lack of suitable housing.

Don Keiser, KCM, said they bought their property because they were told it was staying commercial. He acknowledged the residential areas to the north, but felt the area south of Koenigstein would remain commercial.

Jed Christensen, 3202 Koenigstein, bought his property in 2010. He moved to the area on the advice from city officials that the area would be commercial.

Dave Cople, representing J&J Properties and JAG, said his client built here based on elected officials changing the zoning to commercial so felt the area would develop commercially. The commercial developers spent a lot to develop their businesses in the area and employ highly paid residents. He asked that the commissioners respect the commercial developers and their investment.

There were several others speaking in opposition and support.

Chair Snodgrass closed both hearings at 8:45 p.m. for discussion and action.

Commissioner Davis noted that through the testimony there were only 2 testifying strictly in favor of the change while there were 8 against and 5 with no position only concerned about housing.

Clint Schukei explained the Planned Development process.

Commissioner Beckman moved and Lundy seconded to recommend approval of the amendment to the comprehensive plan to high density residential.

AYE: Snodgrass, Beckman, Lundy, and Ohl,

NAY: Davis, Griffith, Milander, Fisher ABSENT: Marsh Motion failed.

Commissioner Ohl moved and Beckman seconded to recommend approval of a zone change from C-3 to R-3 at 3205-3301 Koenigstein Avenue.

AYE: Snodgrass, Beckman, Lundy, and Ohl,

NAY: Davis, Griffith, Milander, Fisher ABSENT: Marsh Motion failed.

Public hearing at the request of Mejstrik Properties, L.L.C. for a preliminary Planned Development at 3205-3301 Koenigstein Avenue.

Chair Snodgrass opened the hearing at 9:10 a.m. and asked for anyone in favor of the planned development to speak.

Dick Johnson said that the planned development outlines what will happen on the property and can only be changed with an amendment to the development. This PD will provide for the buffer yards.

Staff had asked them to redo the layout for access to all the lots. They will also need to commit

to screening and the lots in the center of development need more rear yard. Some of these items are as a result of the proposed amendment to the zone code discussing bufferyards.

Jed Christiansen and RJ Gall both re-emphasized their opposition to the development. They feel the best use of the area is commercial.

Chair Snodgrass closed the hearing at 9:20 a.m.

Commissioner Lundy moved and Beckman seconded to recommend approval of the preliminary plan of the Mejstrik Properties Planned Development.

AYE: Snodgrass, Beckman, Lundy, Ohl, Griffith, Milander, Fisher

NAY: Davis ABSENT: Marsh Motion approved.

PLATS/SUBDIVISIONS (3)

Berry Hills 16th Addition-Final Plat

Dick Johnson introduced this 11 lot subdivision that completes the single family lot platting on Pinnacle Drive/Marconit Circle in Berry Hill.

The items that were requested at the subcommittee meeting have been met.

Commissioner Milander moved and Davis seconded to recommend approval of the final plat of Berry Hills 16th Addition.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Milander, Fisher

NAY: ABSENT: Marsh Motion approved.

Lakeview 4th Addition-Final Plat

Dick Johnson introduced this two lot subdivision at 26th Street and Lakeridge Drive. This is a large lot to be subdivided into two smaller lots to provide for the current construction. The items requested at the subcommittee meeting have been fulfilled.

Commissioner Lundy moved and Beckman seconded to recommend the final plat of Lakeview 4th Addition.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Milander, Fisher

NAY: ABSENT: Marsh Motion approved

Country Club Estates 3rd Addition-Final Plat

Commissioner Milander excused himself from this item.

Dick Johnson introduced this three lot subdivision between Benjamin Avenue and Country Club Drive east of the Medelman office building. The property was owned by the Country Club and

the residential group wishes to purchase a portion the north lot and Landeco will purchase the other two lots.

There are some easement discussions that need finalization however, staff felt the commission could approve the final plat

Commissioner Beckman moved and Griffith seconded to recommend approval of the final plat of Country Club Estates 3rd Addition.

AYE: Snodgrass, Davis, Beckman, Lundy, Ohl, Griffith, Fisher

NAY: ABSENT: Marsh NOT VOTING: Milander Motion approved

Trent Howard presented the April, 2014 Building Permit Report.

There was no other discussion and Lundy moved to adjourn and Davis seconded. Adjourned at 9:45 a.m.

Faythe Petersen, Secretary/Norfolk Planning Commission