

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.

Planning Commission-Council Chambers
April 7, 2015

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 7th day of April, 2015.

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

Staff Present: Trent Howard, Dennis Smith, Mark Dolechek and Faythe Petersen.

Commissioner Davis moved and Beckman seconded to approve the April 7, 2015 agenda.

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

NAY: ABSENT: Motion carried.

Lundy moved and Beckman seconded to approve the March 17, 2015 regular meeting minutes.

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

NAY: ABSENT: Motion carried.

CURRENT BUSINESS

Discussion and action on the request of Kyle Clark for a Conditional Use Permit to operate an auto repair shop at 115 W. Norfolk Avenue. (Public hearing held March 17, 2015)

Chair Snodgrass read the conditions into the record. There were no additions or changes.

Commission Milander moved and Lundy seconded to approve the Conditional Use Permit to operate an auto repair shop at 115 W. Norfolk Avenue.

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

NAY: ABSENT: Motion carried.

PUBLIC HEARINGS

Public hearing amending the city's comprehensive plan at 1216 West Monroe Avenue from

county industrial tract to industrial.

Public hearing at the request of Sapp Bros., Inc. for a zoning change from I-3 (Limited Industrial District) to I-2 (Heavy Industrial District) at 1216 West Monroe Avenue.

Chair Snodgrass opened both hearings at 7:36 a.m. and asked for anyone in favor of the change to speak.

Shane Burton, general manager of the Sapp Bros., Inc. Norfolk location said they are opening their business in Norfolk and will offer wholesale petroleum products. Oils, lubricants and propane will be some of the items they will wholesale. They would like a 1000 gallon tank of propane but regulations allow 500. They will work with the city on this request. They will be using the existing building and will employ 3-4.

There was no other discussion and Chair Snodgrass closed both hearings at 7:44 a.m.

Commissioner Beckman moved and Davis seconded to recommend amending the comprehensive plan at 1216 West Monroe Avenue from county industrial district to industrial.

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

NAY: ABSENT: Motion carried.

Commissioner Milander moved and Griffith seconded to recommend approval of the zone change from I-3 to I-2 at 1216 West Monroe Avenue.

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

NAY: ABSENT: Motion carried.

Public hearing at the request of Speedway Truck & Auto Salvage, Inc. for a Conditional Use Permit for an auto recycling/salvage yard at 807 E. Norfolk Avenue. This is a renewal of the permit approved in December, 2009.

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

Dennis Smith questioned if the legal description that was used for the hearing notice was the correct one. It doesn't include the entire parcel Speedway owns, particularly the property to the north. After some discussion, he advised that the hearing should proceed.

Matt Kersten, manager of Speedway, said they are asking for a renewal of the existing permit for ten to fifteen years. He would like Condition #5 to change to say "That stacking of car bodies not occur with the exception of crushed cars up to fifteen (15) feet." He is asking for this change because they would like to store crushed vehicles in the northwest corner of the property.

The commissioners questioned if all of the trees had been planted. Kersten advised that they had and they have replanted several times but the past few years haven't been good growing years.

Carroll Kersten, investor in the business, advised that there had been no complaints or concerns in the past five years' operation. They try to keep the business clean. He also stated that they have nearly \$4 million in inventory parts on their property.

There was no other discussion and Chair Snodgrass closed the hearing at 0800 for discussion.

Commissioner Ohl moved and Beckman seconded to table the Conditional Use Permit request for 817 E. Norfolk Avenue for auto recycling/salvage yard.

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

NAY: ABSENT: Motion carried.

Public hearing at the request of Guaranteed Landscaping and Sprinklers LLC for a Conditional Use Permit to operate a landscape contracting service at 3705 S. 13th Street.

Chair Snodgrass opened the hearing at 0805 and asked for anyone in favor of the permit to speak.

Alex Weaver, owner, said he wants to operate his landscape and sprinkler business out of this location. He will store his equipment and supplies in the existing building. The area is fenced and there will be some products stored outside, such as mulch and rock. He said only his pickups would be accessing the property, but larger trucks would make deliveries occasionally.

He would like some signage but no additional buildings will be erected. There won't be any retail customers.

There was no other discussion and Chair Snodgrass closed the hearing at 0810.

Commissioner Davis moved and Marsh seconded to table the request for a Conditional Use Permit to operate a landscape contracting service at 3705 S. 13th Street.

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

NAY: ABSENT: Motion carried.

Public hearing at the request of Lyman-Richey Corporation for a Conditional Use Permit for quarrying/mining sand and gravel in the 200 block of West Sherwood Road.

Chair Snodgrass opened the hearing at 0812 and asked for anyone in favor of the permit to speak.

Carol White, Lyman-Richey Corp., distributed a map showing their existing Conditional Use Permit and the area proposed by this application. They received a permit for the property to the north one year ago and want to expand the operation to include the old Riviera Raceway property.

Dennis Smith questioned their Best Management Practices (BMP) for the blowing of sand and dust. They advised they planted rye and oats last fall.

Ms. White advised that they won't be stockpiling on this parcel and they are only asking for a five (5) year permit.

Barbara Forslund, 3703 Lakeview, said the dust is intense in the area. She would also like the noise controlled. She suggested mufflers on the equipment or using non-diesel equipment. She also questioned the flag on the permits legal description. Trent Howard explained that all lots need access to a road, however Lyman-Richey won't be using this access for their operation.

Ms. White explained that the Mine Safety Health Administration (MSHA) sets the decibel level for noise on mining operations. The maximum level is 85 db.

Secretary Petersen advised she received a phone call from "Carl" who said he is not opposed to the business but feels the noise is excessive and mufflers or non-diesel machines should be used.

Lyman-Richey said they will look into other mufflers to help control the noise.

Linda Geiger owns the lake south of Sherwood Road and maintains the property. She is concerned with the dust but is not against the business. She feels they need to improve their dust and sand erosion and blowing.

There was no other discussion and Chair Snodgrass closed the hearing at 0840.

Commissioner Beckman moved and Davis seconded to table the request for a Conditional Use Permit in the 200 block of West Sherwood Road for quarrying/mining sand and gravel.

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

NAY: ABSENT: Motion carried.

PLATS (2)

Riviera Addition-Final Plat

Greg Lower presented this two lot subdivision in the 200 block of West Sherwood Road which encompasses the old Riviera Raceway property. Lot 1 is where the home is located and Lot 2 is the location of the proposed Conditional Use Permit. He worked with the city to establish easements on the plat.

All other items have been submitted.

Commissioner Lundy moved and Beckman seconded to recommend approval of the final plat of Riviera Addition and its subdivision agreement.

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

NAY: ABSENT: Motion carried.

Walters' East Knolls North-Preliminary Plat

Dick Johnson is proposing this subdivision preliminary plat south of Benjamin Avenue and east of Victory Road. This is a proposed 98 lot subdivision. The initial final platting will be for 10 lots in the southeast corner. He is working with the city on the post construction BMP.

Commissioner Ohl moved and Davis seconded to approve the preliminary plat of Walters' East Knolls North.

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

NAY: ABSENT: Motion carried.

WAIVERS

Sidewalk waiver-Riviera Addition

The commissioners felt this was an appropriate request and Commissioner Milander moved and Fisher seconded to approve the sidewalk waiver for Riviera Addition.

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

NAY: ABSENT: Motion carried.

Krutsinger Hard-Surfacing Waiver

Dick Johnson is requesting this hard surfacing waiver for a building off of South Victory Road and north of Monroe Avenue. He will pave his parking and drive but is requesting the waiver for access until South Victory Road is paved, approximately two years.

Commissioner Griffith moved and Lundy seconded to recommend approval of the hard surfacing waiver for Ron Krutsinger.

There was no other discussion and Davis moved to adjourn and Griffith seconded. Adjourned at 8:55 a.m.


Faythe Petersen, Secretary/Norfolk Planning Commission