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701 Koenigstein Avenue
Norfolk, NE 68701
(402) 844-2050 (402) 644-8748 (fax)
www.ci.norfolk.ne.us

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
September 9, 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 9th day of September, 2015.

Secretary Petersen opened the meeting and asked for nominations from the floor for a Chair Pro Tem. Davis nominated Dan Spray and Marsh seconded to nominate Spray as Chair Pro Tem. The following members answered roll call by Spray: Davis, Marsh, Ohl, Griffith, Milander and Fisher.

Staff Present: Trent Howard, Mark Dolechek, Stacy Hanson, Dennis Smith, Val Grimes and Faythe Petersen.

Commissioner Davis moved and Griffith seconded to approve the September 9, 2015 agenda.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Marsh moved and Fisher seconded to approve the August 4, 2015 regular meeting minutes.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

PUBLIC HEARING

Public hearing to consider the feasibility of amending the present comprehensive plan in the 300-400 block of South 25th Street from open space and single family residential to multiple family residential.

Public hearing at the request of Zella, LLC for a zoning change from R-1 (Single Family Residential) to R-3 (Multiple Family Residential) at 306 S. 25th Street.

Public hearing at the request of Zella, LLC for a zoning change from R-1 (Single Family Residential) to R-3 (Multiple Family Residential) at 404 S. 25th Street.

Chair Pro Tem Spray opened three hearings at 7:35 a.m. and asked for discussion.

Rod Hughes, 2514 Westside Avenue, presented a printed copy of questions and comments

concerning the project. He questioned if the trees to the north would remain as a buffer. His concern is mainly with drainage in the Westside and Sunset Avenue neighborhoods. He feels there is too much noise from the highway and 25th Street and isn't a good place for the elderly. He asked the commissioners to tour the area.

Fred Bader, 2607 Westside Avenue, said he is not in favor of the project due to drainage problems. He said the people on Westside Avenue are in opposition to the project.

Patrick Morgan, the architect for the project, explained the project and stated that they would take care of the drainage and sound concerns.

He said the project involved an assisted living with memory care on the south portion of the parcel. It would house 81 residents and would not be an apartment type setting.

The north portion of the parcel is proposed to house four four-plexes that would be two story and have a one car garage. This area of townhomes would serve as a buffer to the R-1 zoning to the north.

Farhan Khan, gave an overview of Zella, LLC and Heritage Communities.

Teresa Fritton, 2416 Westside Avenue, said she is fearful of increased traffic.

Dennis Smith stated that the developers are aware of the drainage problems.

Chair Pro Tem Spray closed all three hearings at 8:24 a.m. and asked for discussion and action.

Commissioner Ohl moved and Davis seconded to recommend the amendment to the comprehensive plan in the 300-400 block of South 25th Street from open space and single family residential to multiple family residential.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Commissioner Davis moved and Marsh seconded to recommend approval of the zone change from R-1 to R-3 at 306 S. 25th Street.

AYE: Davis, Marsh, Spray, Griffith, Ohl, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Commissioner Griffith moved and Davis seconded to recommend approval of the zone change from R-1 to R-3 at 404 S. 25th Street.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Public hearing at the request of Zella, L.L.C. for a Planned Development at 306 S. 25th Street.
Chair Pro Tem Spray opened the hearing at 8:34 a.m. and asked if there was any discussion.
Trent Howard explained the Planned Development process and its protection of the developer as well as the property owners. There was no other discussion and the hearing was closed at 8:37 p.m.

Commissioner Milander moved and Marsh seconded to recommend approval of the preliminary Planned Development at 306 S. 25th Street.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Public hearing at the request of Zella, L.L.C. for a Planned Development at 404 S. 25th Street.
The hearing was opened at 8:38 and closed at the same time due to no discussion.

Commissioner Davis moved and Fisher seconded to recommend approval of the preliminary Planned Development at 404 S. 25th Street.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Public hearing to amend Sections 27-198, 27-204 and 27-214 of the official city code to change height regulations in Zoning Districts I-1, I-2 and I-3.

The hearing was opened at 8:40 a.m. and Trent explained the reason for the amendment. The current code provides for a minimal height regulation in the industrial zoning districts. This amendment changes the height regulation to a Conditional Use Permit in the I-1 zoning district and airport height regulations in I-2 and I-3.

The hearing was closed at 8:44 a.m. for discussion.

Commissioner Ohl moved and Griffith seconded to recommend the amendment to the city code to change height regulations in Zoning Districts I-1, I-2 and I-3.

AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Public hearing to amend Sections 27-237 of the official city code to allow the city council discretion as to whether it will remove a Planned Development Overlay (A) upon abandonment by the applicant or (B) in the event the applicant fails to proceed with a final plan or substantially commence construction, rather than making removal of the Planned Development Overlay a

requirement; to enact Section 27-239 to address violations of a Planned Development Overlay.
The hearing was opened at 8:46 a.m. and Trent explained the reason for the amendment. The wording in the Planned Development section was clarified to explain the abandonment of the PD.

The hearing was closed at 8:47 for discussion and action.

Commissioner Fisher moved and Davis seconded to recommend approval of the amendment to city code.


AYE: Davis, Marsh, Spray, Ohl, Griffith, Milander and Fisher

NAY: ABSENT: Lundy, Beckman Motion carried.

Trent Howard gave the July, 2015 Building Permit Report.

Shane Weidner introduced Valerie Grimes, the city's new planner.

There was no other discussion and Davis moved to adjourn and Marsh seconded. Adjourned at 8:50 a.m.


Faythe Petersen, Secretary/Norfolk Planning Commission