

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 18th day of January, 2017, beginning at 7:30 a.m.

The Planning Commission Chair, Brian Lundy, 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.

Roll call found the following Commission Members present: Brian Lundy, Frank Arens, Barb Marsh, Sue Beckman, Dan Spray, Merlin Milander and Bill Fisher. Absent: Maynard Ohl and Martin Griffith.

Staff members present were: City Planner Val Grimes, City Attorney Clint Schukei, City Administrator Shane Weidner, Communications Director Diane Becker, Risk Manager Lyle Lutt, and Brianna Duerst.

Chair Brian Lundy presided and the Planning Commission Secretary Stacey Hansen digitally recorded the audio of the proceedings.

Current Business

Commissioner Beckman moved, seconded by Commissioner Spray to approve the full agenda.

Roll Call: Commission Members: Ayes: Lundy, Arens, Marsh, Beckman, Spray, Milander and Fisher. Nays: None. Absent: Ohl and Griffith. Motion carried (7-0).

Commissioner Spray moved, seconded by Commissioner Fisher to approve the January 4, 2017 meeting minutes.

Roll Call: Commission Members: Ayes: Lundy, Arens, Marsh, Beckman, Spray, Milander, and Fisher. Nays: None. Absent: Ohl and Griffith. Motion carried (7-0).

Public Hearing

Public Hearing

City of Norfolk 2017 Comprehensive Plan

Chair Lundy opened the public hearing at 7:31 a.m. to receive comments on adoption of the 2017 Comprehensive Plan for the City of Norfolk, Nebraska, and that area in which the city is exercising its extraterritorial jurisdiction; and repeal of the 2001 City of Norfolk Comprehensive Plan, along with its 2006 Transportation and 2015 Energy Element updates by adopting and amending Section 19-5 of Norfolk City Code.

Dave Knopick of dPlanit and Avery Oltmans of Olsson Associates, presented the final draft of the 2017 Comprehensive Plan for the City of Norfolk, Nebraska. They explained various facets of the plan including a general overview, state statute requirements, history, demographics, public engagement, vision statements, the future land use plan, and implementation. With minor edits, both planners feel the draft will be ready to be presented to the City Council at the next scheduled City Council meeting on February 6, 2017.

Troy Brooks, Vice President and General Manager of Vulcraft/Nucor Cold Finish, brought attention to page 104 of the Comprehensive Plan draft. He spoke to his concern of the secondary use in commercial of “high density residential”; and buffer requirements for outdoor storage in Industrial areas.

City Planner Val Grimes responded to the concern of “high density residential” in commercial areas and explained that adjacent land uses must be considered; for example high density residential in a commercial area such as Downtown would be more appropriate.

Avery Oltmans, Olsson Associates responded to the buffering concern. He explained the intention of language was to consider adjacent land uses which would have an impact on the buffering requirements.

Jim Cox, representing SWAD, spoke to concerns about the designation on the future land use map for the SWAD property located at 25th Street and Michigan Avenue.

City Planner Val Grimes, explained that the new Comprehensive Plan designates this area as “Mixed Commerce”. This designation should give this area greater flexibility for development.

Dave Knopick, dPlanit, further explained the purpose of “Mixed Commerce” as a transitional area; along with how designating this specific area as strictly “Commercial” could cause problems in the future.

Dick Johnson questioned how the City would handle the repeal of the 2001 Comprehensive Plan.

City Attorney Clint Schukei, responded noting that moving forward with present requests the proposed future land use, as shown in the 2017 Comprehensive Plan, should be considered, and not make decisions based on the 2001 Comprehensive Plan.

City Administrator Shane Weidner, asked City Planner Val Grimes for clarification of the recently revised city code Section 27-8 in relation to the issue of protests and super-majority voting. Ms. Grimes explained that the revised 27-8 states that all zoning requests must consider the Comprehensive Plan and if there is a 20% protest of property owners within 300 feet a 3/4 vote is still required if the zoning does not conform to the Comprehensive Plan.

No further comments were received and Chair Lundy closed the public hearing at 8:35 a.m.

Commissioner Spray moved, seconded by Commissioner Beckman to recommend adoption of the 2017 Comprehensive Plan for the City of Norfolk, Nebraska, with the stipulation that comments by the public be considered.

Roll Call: Commission Members: Lundy, Arens, Marsh, Beckman, Spray, Milander, and Fisher. Nays: None. Absent: Ohl and Griffith. Motion carried (7-0)

Public Hearing
Conditional Use Permit for a Daycare Center
2420 West Omaha Avenue, Our Savior Lutheran Church

Chair Lundy opened the public hearing at 8:37 a.m. at the request of Our Savior Lutheran Church to consider a Conditional Use Permit for a daycare center at 2420 West Omaha Avenue.

Jason Doele, representing Our Savior Lutheran Church, presented the request, gave a brief overview and history of Our Savior's Kings Kids child care program, and expressed the goal of increasing their current daycare numbers and expanding their mission. He explained that King's Kids is heavily regulated and complies with all state requirements. Mr. Doele shared the desired site layout with commission members. In addition to the state requirements, Our Savior would request and agree to the following:

- A perpetual conditional use permit. They plan on remaining at this location permanently. A perpetual use will aid in their fundraising.
- Willing to agree that the daycare would only operate Monday through Friday.
- Willing to agree to never build a K-12 school.
- Willing to install a gate to limit traffic on Omaha Avenue.
- Will oversee contracted daycare provided.
- Daycare access to be off S. 25th Street.

Clarification was needed to determine the proper applicant for the Conditional Use Permit. Pastor Lee Weander spoke to the reason of the request being made by Our Savior. There was discussion amongst the applicants and representatives, commission members, and city staff which came to the conclusion that the conditional use permit holder and state daycare license holder will be Our Savior Lutheran Church once the facility changes locations. The Conditional Use Permit is needed first for Our Savior Lutheran Church to obtain the daycare license.

No additional comments were made either in favor or opposition of the request and Chair Lundy closed the public hearing at 9:13 a.m.

Discussion among commission members and city staff included landscape buffering on the south property line, hours of operation, and the issue of issuing a perpetual permit. As this is a dynamic area, changes in adjacent areas are possible, which may affect whether the location is proper for such a use in the future.

Commissioner Spray moved, seconded by Commissioner Marsh to approve having the City Staff prepare a conditional use permit for discussion and action at the next regularly scheduled Planning Commission meeting.

Roll Call: Commission Members: Ayes: Lundy, Arens, Marsh, Beckman, Spray, Milander, and Fisher. Nays: None. Absent: Ohl and Griffith. Motion carried (7-0).

Public Hearing

Amendment to the official City Code – Airport Overlay and Airport Zoning Map

Chair Lundy opened the public hearing at 9:25 a.m. to consider an amendment to the official city code revising Division 4 – Airport Overlay District; Section 27-261 through Section 27-270 and to approve a new “Airport Zoning Map”.

City Planner Val Grimes presented the amendment, explaining the purpose of which is to bring city code in line with LB140, which was recently passed by the State of Nebraska.

No further comments were received and Chair Lundy closed the public hearing at 9:32 a.m.

Commissioner Spray, seconded by Commissioner Arens, recommending an amendment to the official city code revising Division 4 – Airport Overlay District; Section 27-261-2-270, and to approve a new “Airport Zoning Map”.

Roll Call: Commission Members: Ayes: Lundy, Arens, Marsh, Beckman, Spray, Milander, and Fisher. Nays: None. Absent: Ohl and Griffith.

Plats / Subdivisions

South Airport Road Subdivision – Final Plat

City Planner Val Grimes presented the final plat for South Airport Road Subdivision and informed Commissioners that City Engineer John Heine has reviewed and approved the final plat.

Commissioner Milander moved, seconded by Commissioner Beckman to recommend approval of the final plat of South Airport Road Subdivision.

Roll Call: Commission Members: Ayes: Lundy, Arens, Marsh, Beckman, Spray, Milander, and Fisher. Nays: None. Absent: Ohl and Griffith.

Other Business

City Planner Valerie Grimes presented the December 2016 Building Permit Report.

There was no other discussion and Chair Lundy declared the meeting adjourned at 9:36 a.m.



Stacey Hansen, Norfolk Planning Commission Secretary

Brian Lundy, Norfolk Planning Commission Chair