

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 6th day of December, 2022, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Dan Spray, Kyle Deets, Chad Bryant (7:33), Dirk Waite, Brandon Franklin, Kaycee Kube, Martin Griffith, Jacob Thone, and Cody Ronnfeldt. Absent: None.

Staff members present were: Val Grimes, City Planner; Steven Rames, City Engineer; Anna Allen, Assistant City Engineer; Randy Gates, Finance Officer; Melissa Figueroa, Business Resource Specialist; Mikah Wheeler, Economic Development Coordinator; Lyle Lutt, Director of Administrative Services; and Katelyn Palmer.

Planning Commission Chair, Dan Spray presided and the Planning Commission Secretary Elizabeth Lienemann digitally recorded the audio of the proceedings.

Chair Spray 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.

Notice of the meeting was given in advance thereof by publication in the Norfolk Daily News, Norfolk, Nebraska, the designated method of giving notice, as shown by affidavit of publication.

Notice was given to the Chair and all members of the Commission and a copy of their acknowledgement of receipt of notice and agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Chair and Commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was opened to the public.

Current Business

Commissioner Griffith moved, seconded by Commissioner Thone to approve the full agenda.

Roll Call: Commission Members: Ayes: Spray, Deets, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Bryant. Motion carried (8-0).

Commissioner Waite moved, seconded by Commissioner Kube to approve the November 22, 2022 meeting minutes.

Roll Call: Commission Members: Ayes: Spray, Deets, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Bryant. Motion carried (8-0).

Resolution No. 2022PC-12
Conditional Use Permit – Machine Shop
315 & 391 S. 1st Street, Precision Components Midwest, LLC

Chair Spray read into record the terms of the Conditional Use Permit.

Commissioner Waite moved, seconded by Commissioner Deets to approve Resolution No. 2022PC-12 for a Conditional Use Permit for a machine shop on property addressed as 315 & 319 S. 1st Street.

Roll Call: Commission Members: Ayes: Spray, Deets, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Bryant. Motion carried (8-0).

Public Hearings and Related Action

Public Hearing

Redevelopment Plan for the Foundry Apartments Redevelopment Project

Chair Spray opened the public hearing at 7:32 a.m. to consider the Redevelopment Plan for the Foundry Apartments Redevelopment Project.

Finance Officer, Randy Gates, explained that the property is located immediately north of Big Red Keno and consists of approximately seven acres of undeveloped land. The project consists of the construction of approximately five 36 unit apartment buildings (180 units total), one clubhouse and pool area, and six covered garage structures totaling 72 parking spots. Redeveloper will construct access to the property from W. Pasewalk Avenue. Access will also be available off of, Parker Circle to the east, and Market Lane to the south. Redeveloper will also be required to construct a public sidewalk on the south side of W. Pasewalk Avenue. The developer will be extending utility services as a part of the project. The total project cost is expected to be approximately \$26 million. The proposed project is in compliance with the Comprehensive Plan which shows the area as multi-family residential.

Andrew Willis, representing the developer, gave a similar overview of the project that Gates had. He explained that the 180 units will consist of one and two bedrooms. He also noted that the property will need to be re-zoned from C-3 to R-3, which is in line with the Comp. Plan. The cost for initial work, including adding public infrastructure, is approximately \$4.5 million. The developer is requesting approximately \$4 million in TIF.

Spencer Lombardo, representing the developer, spoke to the financial standpoint of the project including the current cost of construction and current interest rates for loans. With the way that rates and costs are, TIF is absolutely necessary for this project. He also noted that the site is challenging because of the significant amount of wetlands on the property, which can't be built on. There were some options for moving them around on the site, or to mitigate them elsewhere, which would have to be approved by the

Corps of Engineers. Based on a similar project developed in Fremont, they were able to figure out a way to keep the wetlands and turn them in to a nature feature and walking trail for the residents. This will also serve as the required stormwater retention area. He also noted that at a pre-application meeting, it was brought up that right now there is a concrete stormwater ditch along Pasewalk Avenue and they have been asked to curb and gutter and bury the ditch, which will be an additional expense.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:42 a.m.

Chair Spray asked if the apartments would consist of one and two bedroom units. Spencer explained that the plan is for a mix of studio, one and two bedroom units, and likely some three bedroom units.

Commissioner Waite moved, seconded by Commissioner Griffith to recommend approval of the Redevelopment Plan for the Foundry Apartments Redevelopment Project.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Motion carried (9-0).

Public Hearing

Conditional Use Permit (CUP) – Trade School
707 & 713 W. Norfolk Avenue, Northeast Community College (NECC)

Chair Spray opened the public hearing at 7:44 a.m. to consider a Conditional Use Permit (CUP) for a trade school on property addressed as 707 & 713 W. Norfolk Avenue.

Scott Gray, Vice President of Administrative Services and General Counsel for NECC, representing the applicant, explained that this is intended for an application lab/makerspace/innovation studio. This will be used for machine and manufacturing industry, applied technology students, and manufacturing students. This will also involve local high school and robotics. It will also involve 3-D printing and materials and space to create those sorts of projects, and working with high schools and robotics teams. The Project Team is working on final programming of the space which has involved community members and the manufacturing industry to work together on how they can make this space great for students and the community – for manufacturing especially.

Commissioner Deets asked if the college is planning on taking over the existing building. Gray confirmed that it will be a complete renovation of the existing building.

Commissioner Thone asked what the timeline would be. Gray explained that part of the funding is a grant through the Economic Development Administration and they would need to get approvals from them. Once they acquire the property, they will start the process of getting an architect on board for this specific project. They are looking to have them hired by the first part of 2023. They hope to have all the

programming and design development done so they can open it up for bidding next summer and hope to start construction by late summer. Gray guesses it will be a 12 month project after that point.

Commissioner Griffith asked how many students Gray anticipates being there and how many parking spaces will be required. Gray explained that there will be no more than two classrooms inside the building so the number of students are anticipated to be spread throughout the day and not at any given time. They also hope that community members will utilize the facility as well. They also have a vision for memberships for the community to come in and use the building after hours.

Commissioner Deets asked if current, existing parking would be utilized for this building. Gray confirmed that they do not expect to need to utilize any sort of additional parking than what is already available in a nearby parking lot.

Commissioner Waite asked if any special insulation or material would need to look at with the City. Chair Spray noted that that information should be addressed in Code. Planner Grimes agreed that it will come down to when they come in for a Building Permit. Commissioner Deets clarified if Commissioner Waite meant for noise. Commissioner Waite confirmed that he meant more for noise and/or debris.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:50 a.m.

Chair Spray recommended the following Conditions for the permit:

- Make sure the renovation will follow Code including to make sure noise is addressed
- No outdoor storage (self-contained)
- Keep it clean
- Personal privilege to the applicant

Planner Grimes stated that she can put something in the condition about following Code and looking at noise dampening, if necessary.

Commissioner Deets moved, seconded by Commissioner Thone to have City staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a trade school on property Addressed as 707 & 713 W. Norfolk Avenue.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Motion carried (9-0).

Public Hearing

Conditional Use Permit (CUP) – Farming & construction equipment sales, new and used, and rentals South of W. Norfolk Avenue and west of Fountain Point Medical Community; Flatrock Group, LLC

Chair Spray opened the public hearing at 7:53 a.m. to consider a Conditional Use Permit (CUP) for farming and construction equipment sales, new and used, and rentals on property located south of W. Norfolk Avenue and west of Fountain Point Medical Community.

Dan Kerns, with Schemmer Associates, representing the applicant, explained that they were requesting a CUP for a CAT dealership on the on the property. They will be constructing a 40,000 sq ft building for sales, rental, part sales, and service of CAT equipment. There is a fairly large paved area to serve the equipment for turning radiuses. There is also a dedicated area for display on the Highway side of the building, which is the only area where equipment will be displayed for sales. On the west side, there is an area for testing the equipment for customers. All of the back area is screened with solid fencing. Landscaping will be per Ordinance and the plan has been approved by the Highway Corridor Overlay Review Board. The building will be a majority pre-cast with glass and architectural metal panels.

Commissioner Thone asked how many employees would be employed. Kerns explained that there are 12 service bays and he estimates there will be around 25-35 employees. There are 25 employees at the current dealership, and this facility would be larger than the existing.

Chair Spray asked if they would have to bring fill in for the project. Kerns confirmed that they would need to bring in roughly 3-4 feet of fill just to surface drain.

Chair Spray asked if there were any concerns with stormwater. City Engineer, Steven Rames, explained that they are planning for potentially three detention ponds within their subdivision, and they may be able to take stormwater to the City wetland bank south of Omaha Avenue. He also noted that they will be connecting to Madison Avenue (directly south of the facility). The developer will be setting up water, sewer, and pavement assessment districts.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 8:00 a.m.

Chair Spray asked for the current zoning of the property. Planner Grimes explained that it is still zoned Ag and that the process will look different for this request. The developer wanted to have the public hearing for the CUP first to see what Commissioners would have to say. Instead of being approved at the next meeting, it would have to wait until the zoning change to I-1 has been approved.

Chair Spray recommended the following conditions for the permit:

- Reference to compliance with the Overlay District
- No long-term outside storage (minus the equipment display)

Commissioner Waite moved, seconded by Commissioner Deets to have City staff prepare a Conditional Use Permit for discussion and action at a future Planning Commission meeting for farming and construction equipment sales, new and used, and rentals on property located south of W. Norfolk Avenue and west of Fountain Point Medical Community.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Motion carried (9-0).

Norfolk 140 – Preliminary Plat

Rob DuVall, Schemmer Associates, representing the applicant, explained that this is the subdivision that the CAT dealership will be in. The CAT dealership will take up Lot One. The subdivision is about 142 acres. Currently, there are 13 lots and three outlots for stormwater retention. They are thinking of phasing the subdivision - Lot One and Lot Two, the north part of 43rd Avenue and Madison Avenue would be part of Phase I. Everything else would be in a later phase.

Chair Spray asked if they would re-zone the entire area when they submit the application. DuVall stated that they would just re-zone Lots One and Two for now.

Commissioner Waite moved, seconded by Commissioner Deets to approve the preliminary plat of Norfolk 140.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Absent: Motion carried (9-0).

Public Hearing

Zoning Change – R-3 and C-3 to C-3

706 Columbia Street (and property to the south); Universal Resources, Inc.

Chair Spray opened the public hearing at 8:08 a.m. to consider a zoning change from R-3 (Multiple-family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) generally located at 706 Columbia Street and property to the south.

LaVern Schroeder, representing the applicant, explained that the property is located north of the grocery store and east of Taco John's/Browns Shoe Store. They are proposing to change the zoning from R-3 to C-3 to be the same zoning as property to the south.

Chair Spray asked if the house was included in the zone change request. Planner Grimes confirmed that it would make the house a non-conforming use, short-term, until it is brought down and the storage units are expanded.

Chair Spray asked about access to the lots. Schoreder explained that access would be off of Columbia Street and from the existing storage units to the east.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 8:12 a.m.

Commissioner Deets moved, seconded by Commissioner Waite to recommend approval of a zoning change from R-3 (Multiple-family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) generally located at 706 Columbia Street and property to the south. Commissioner Kube abstained from the vote.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Abstaining: Absent: Motion carried (8-0-1).

Hupp-Pile Addition – Final Plat

LaVern Schroeder, representing the applicant, explained that the plat consists of two lots. Lot One contains the property discussed as part of the zone change, and Lot Two contains Brown's Shoe Store.

Commissioner Thone moved, seconded by Commissioner Ronnfeldt to recommend approval of the Hupp-Pile Addition final plat. Commissioner Kube abstained from the vote.

Roll Call: Commission Members: Ayes: Spray, Deets, Bryant, Waite, Franklin, Kube, Griffith, Thone, and Ronnfeldt. Nays: None. Abstaining: Absent: Motion carried (8-0-1).

Other Business

There was no other discussion and Chair Spray declared the meeting adjourned at 8:16 a.m.



Elizabeth Lienemann, Norfolk Planning Commission Secretary



Dan Spray, Norfolk Planning Commission Chair