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## 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 7<sup>th</sup> day of November 2023, beginning at 7:38 a.m.

Roll call found the following Commission Members present: Dirk Waite, Jill Sock, Brandon Franklin, Martin Griffith, Jordan Mason, and Cody Ronnfeldt. Absent: Dan Spray, Chad Bryant and Kaycee Kube.

Staff members present were: Valerie Grimes, City Planner, Steve Rames, City Engineer, Anna Allen, Assistant City Engineer; Sarah Wortmann, Planning Commission Secretary; and Katelyn Palmer, Permits Technician.

Planning Commission Vice-Chair Dirk Waite presided, and the Planning Commission Secretary Sarah Wortmann digitally recorded the audio of the proceedings.

Vice-Chair Waite 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 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.

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### Current Business

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to approve the full agenda, with the removal of item number 12, a sidewalk waiver at 2206 N. 26<sup>th</sup> Street.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion carried (6-0).

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Commissioner Griffith moved, seconded by Commissioner Ronnfeldt to approve the October 17, 2023, meeting minutes.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion carried (6-0).

Resolution No. 2023PC-  
Conditional Use Permit – Watchman Permit  
2001 S. 1<sup>st</sup> Street | Monroe Storage, LLC

Vice-Chair, Waite opened the public hearing at 7:41 a.m. to consider a request from Monroe Storage, LLC, Nebraska limited liability company, for a Conditional Use Permit for a Watchman Permit on the property addressed as 2001 S. 1<sup>st</sup> Street, which was postponed from the September 19, 2023, Planning Commission Meeting.

Vice-Chair Waite asked if there were any updates for this location. City Planner, Val Grimes, stated she has received updated site plans, but no building permits have been issued. City Engineer, Steve Rames has been in contact with the owner's engineer.

City Engineer, Steve Rames stated new drawings were issued to him and he questioned the percentage of non-pervious area, which is 90 percent of the site. Rames questioned if the watchman's permit should be issued before the owner has the building permit and stated the storage facility is outright permitted in I-1 zoning. Grimes confirmed and stated they are requesting a watchman's permit, so that someone can live on the property to watch a business operating. According to the site plans they removed access from 1<sup>st</sup> Street and the City's requirement was a specific setback from the intersection because of concern to get fire trucks in and out and allow for circulation around storage units.

Vice-Chair, Waite asked City Planner Grimes if there was discussion with the applicant reference the watchman's permit conditions with regards to someone living at the residence. Grimes explained that the watchman's permit is given to the business operating on that property, a person living at the residence needs to be an owner or employee of that business, but no one should be living there until the watchman's permit is granted. Grimes stated basic conversations were had with the owner in reference to these conditions prior to application.

Commissioner Griffith asked if the residence will eventually be removed and if it will need to be written into the watchman's permit when residence is unoccupied so that the watchman's permit would be dissolved. Grimes stated that requirement could be written into the Conditional Use Permit, therefore, a new building would not be built for a residence. Griffith also stated a condition would be that a residence could not be built in one of the storage units.

Commissioner Franklin asked the owner, Colby Legate if he would be storing equipment from any other business besides, Monroe Storage, LLC. Legate stated there may be some equipment stored at this location for a short period of time, due to him removing snow in the Norfolk area, but would not store other company equipment there if it would prevent getting the watchman's permit. Legate stated storage would be for outside and inside and that is why he applied for the permit. Once the storage units are built, they will no longer need the watchman's permit because everything will be inside storage units.

Commissioner Griffith asked if the storage would be outside storage in the foreseeable future. The owner, Legate stated they are planning on building one or two buildings, which would take until mid-next year depending on when the permit is issued, so the outside storage will continue until all buildings are built. Legate stated this project would take two to three years to be completed.

Commissioner Griffith stated once a building permit is issued it would be okay to issue a watchman's permit.

Vice-Chair Waite expressed his concerns about the residence appearing to be inhabited, and it is not permitted if the watchman's permit is not in place. Legate stated he did not give anyone permission to live there, and no one lives there to his knowledge, but that a relative was using the residence as an office space.

Vice-Chair Waite asked for an update on meetings. City Engineer Rames asked if the owners had submitted plans for a building permit. City Planner Grimes answered no but would need the plans to issue building permit no later than November 16, 2023, to meet the deadline for the next Planning Commission Agenda.

Commissioner Ronnfeldt moved, seconded by Commissioner Franklin to postpone having City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for watchman's permit on property addressed as 2001 S. 1<sup>st</sup> St., until December 5, 2023.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion carried (6-0)

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Resolution No. 2023PC-9  
Conditional Use Permit – Oversize Accessory Building  
2403 Timber Meadows Lane | Benjamin and Sarah Conover

Vice-Chair Waite read into record the terms of the Conditional Use Permit.

Commissioner Ronnfeldt moved, seconded by Commissioner Mason to approve Resolution No. 2023PC-9 for a Conditional Use Permit for an Oversize Accessory Building on property addressed as 2403 Timber Meadows Lane.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion carried (6-0)

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Public Hearing  
Amend the Official City Code

Vice-Chair Waite opened the public hearing at 8:05 a.m. to consider amending Chapter 27, Division 5, of the Official City Code to change “single family residential district” to “one and two family residential district”; to amend Chapter 27, Division 6, of code to change “one- and two- family residential district” to “one to four family residential district”; to amend Section 27-114 of the Code to update height and area regulations in “multiple family residential district”.

Val Grimes, City Planner, explained the State is requiring the city to do an affordable housing action plan. The purpose of the action plan is to incentivize more affordable housing, which includes smaller lots. The current R-1 zone is single family detached only, which is most of the zoning in the City of Norfolk. The City’s 2017 comprehensive plan says that single family residential is no more than two units per structure on properties smaller than an acre. The proposal is to change R-1 to one and two family residential as our comprehensive plan calls for, and we have very large minimum lots sizes in R-1 right now: minimum 70ft wide with 7,000 sq foot. Grimes proposed lowering the minimum to 50ft wide and 5,000 sq ft and that would make conforming some of the current lots we have in town. She explained having older lots from 40-50ft wide, which are non-conforming by our current zone, this would make them conform by code. R-2 zoning was one and two family, and that’s all that can happen in R-2 unless you had a conditional use permit to go up to a four-unit townhome. This would essentially make that conditional use permit outright permitted in R-2 zoning and lower square footage in R-2. There is a lot of R-2 and R-3 in the older areas of town along with R-1. This code would allow existing lots to become more conforming, so that it will be easier for somebody to come in and infill a lot or if it’s a house that needs to come down you can more easily build a new one. I did not have to do much to R-3 zoning because R-3 went from one family to large multi-family but some of the minimum lot widths and sizes would be reduced slightly like R-2 zoning. This is a start on helping with housing in town to help with infill. Also, as developers come in and want to make a neighborhood, the mixed-use neighborhood and economics can go into a neighborhood with this amendment. I think this is good; you’re not segregating one use versus the other use and can have different economics going on next to each other which makes for a good neighborhood and community.

Vice-Chair Waite asked if this was an effort to accommodate the legislature’s action plan for affordable housing. Grimes responded yes; it is something she has been wanting to do, but the legislature gave an incentive to get it done.

Commissioner Griffith asked if this would make any changes to the off-street parking requirements. Grimes responded, not at this time. Once this goes into place with affordable housing plan, the legislature has made it so cities cannot disregard the plan. Grimes stated she must turn in a report before July 1<sup>st</sup> of every odd number year of what the city has done and how we are doing.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 08:12 a.m.

Vice-Chair Waite stated he is in favor of it based on legislator is going to tell the City to do it, in open very modest terms or limits.

Commissioner Griffith moved, seconded by Commissioner Franklin to amend Chapter 27, Division 5, of the Official City Code to change “single family residential district” to “one and two family residential district”; to amend Chapter 27, Division 6, of code to change “one- and two- family residential district” to “one to four family residential district”; to amend Section 27-114 of the Code to update height and area regulations in “multiple family residential district”.

Roll call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason, and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion Carried (6-0).

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### **Plats/Subdivisions**

#### Husker Investment Group LLC – Busco Inc.’s Addition

LaVern Schroeder, representing the applicant, Al Rajae, will add to his property, additional area on the south side which will be removed from Busco’s property.

Vice-Chair Waite asked for the purpose. Lavern explained that the company would park their new “for sale” vehicles there.

Vice-Chair Waite asked Grimes and Rames if there were any concerns. Grimes expressed concerns with the pavement. The property is I-1 zoned and can only have 90% pervious coverage which they are getting close to, but will work through that as part of the building process.

Commissioner Ronnfeldt moved, seconded by Commissioner Mason, to recommend approval of the final plat of Husker Investment Group LLC – Busco Inc.’s Addition.

Roll call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason, and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion Carried (6-0).

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#### Bank of Norfolk’s 2<sup>nd</sup> Subdivision

Lavern Schroeder, representing the applicant, will sub divide property into three lots; all three lots will have access.

Vice-Chair Waite asked for the purpose of the subdivision. Lavern answered it is better utilization of the land because the bank does not need the land.

Commissioner Griffith asked about the purpose and shape of the new and existing easement. Lavern stated there is an existing power line there.

Commissioner Griffith moved, seconded by Commissioner Sock, to recommend approval of the final plat of Bank of Norfolk's 2<sup>nd</sup> Subdivision.

Roll call: Commission Members: Ayes: Waite, Sock, Franklin, Griffith, Mason, and Ronnfeldt. Nays: None. Absent: Spray, Bryant and Kube. Motion Carried (6-0).


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### Other Business

Grimes informed the planning commissioners about the NPZA spring conference occurring in Kearney March 6, 2024, through March 8, 2024.

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 8:23 a.m.

  
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Sarah Wortmann, Planning Commission Secretary

  
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Dan Spray, Norfolk Planning Commission Chair