

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.

REGULAR MEETING
Planning Commission-Council Chambers
September 3, 2014

The Norfolk Planning Commission of the City of Norfolk conducted a public meeting in the City Council Chambers, 309 N. 5th Street, on the 3rd day of September, 2014.

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

Staff Present: Trent Howard and Faythe Petersen.

Commissioner Beckman moved and Ohl seconded to approve the September 3, 2014 agenda.

AYE: Marsh, Beckman, Lundy, Snodgrass, Ohl, and Fisher

NAY: ABSENT: Davis, Griffith and Milander Motion carried.

Lundy moved and Beckman seconded to approve the August 19, 2014 minutes.

AYE: Marsh, Beckman, Lundy, Snodgrass, Ohl, and Fisher

NAY: ABSENT: Davis, Griffith and Milander Motion carried.

PUBLIC HEARINGS (3)

Public hearing at the request of Porter Pit, LLC for an amendment to the comprehensive plan from Elkhorn River Corridor to industrial on Victory Road between Coolidge Avenue and Monroe Avenue.

Public hearing at the request of Porter Pit, LLC for a zone change from I-1 (Light Industrial District) to I-2 (Heavy Industrial District) on Victory Road between Coolidge Avenue and Monroe Avenue.

Chair Snodgrass opened both hearings at 7:34 a.m. and asked for anyone in favor of the change to speak.

Dick Johnson, representing Porter Pit, LLC, said they are requesting the zone change in order to allow concrete crushing on the property. The comprehensive plan is not compatible with the industrial use.

Mr. Johnson said they want to rezone 65 acres from I-1 to I-2. There are some residences in the area zoned R-R. He said the concrete crusher does emit noise but tested the decibels and didn't find them offensive. They will be moving the crusher 500' north. He said the concrete process is allowed with a CUP in both I-1 and I-2.

Trent Howard presented the zoning map so all in attendance could view.

Eldon Mundorf, property owner, doesn't think they need the zone change. He owns property across to the east and he feels the cement "grinder" puts off a lot of dust. He is afraid the area will turn into a dump. He has no objection to the concrete process if it continues on the south portion of Porter's property.

Mike Bauer, lives east of Porter and said the area is dusty but feels that can be remedied. He feels the road and traffic are a problem.

Sheila Dreismeier owns the property to the east and lives there. Her biggest concern is with the zone change. If the crusher is allowed with a CUP in I-1 why rezone? She is concerned with what else could go in on an I-2 zone district. She passed photos to the commissioners of Porter's operation. She said there is a lot of dust and feels if he controls that, it won't be a problem.

Caroline Brown owns property to the north. She said there is a great deal of dust but is more concerned about property valuation. The I-2 zoning district allows a lot of uses that aren't desirable near residences.

Ken Porter, owner, said they try to be a good neighbor. He said they want to go to I-2 to make the property desirable to potential buyers. He feels the area is heavy industrial and the I-2 is compatible. He is working on reducing the dust. He wants the I-2 for future economic development to bring interest to the area.

The hearings were closed at 8:16 a.m. for discussion and action.

Commissioner Ohl moved and Beckman seconded to deny the request for an amendment to the comprehensive plan from Elkhorn River Corridor to industrial on Victory Road between Monroe and Coolidge Avenues.

AYE: Marsh, Beckman, Lundy, Snodgrass, Ohl, and Fisher

NAY: ABSENT: Davis, Griffith and Milander Motion carried.

Lundy moved and Beckman seconded to deny the request for a zone change from I-1 (Light Industrial District) to I-2 (Heavy Industrial District) on Victory Road between Monroe and Coolidge Avenues.

AYE: Marsh, Beckman, Lundy, Snodgrass, Ohl, and Fisher

NAY: ABSENT: Davis, Griffith and Milander Motion carried.

Public hearing at the request of Kevin Signor/Off Road Ranch LLC for a Conditional Use Permit to operate stock car racing at 2900 Old Highway.

Chair Snodgrass opened the hearing at 8:23 a.m.

Ed Ferris, owns property across the road and is totally opposed to a race track. His renters have had to move their horses off the property due to the current noise and he doesn't want it worse. The race track will cause the loss of peace and quiet.

Duane Wolf owns property to the east. When the race track first started it wasn't so bad but the business has grown and is bringing more litter, noise and traffic.

Kevin Palmer lives north of Off Road Ranch and is a livestock farmer. The noise from the stock cars would ruin his business due to the livestock being unable to tolerate the noise. He also said the traffic and litter are bad.

Kevin Signor, owner said Riviera Raceway is closing and racers and businessmen approached him to relocate the operation to Off Road Ranch. The access would be off Channel Road. The racing would be on Saturdays from April to September on Saturday nights. He said they would be finished racing by 10:00 p.m. They anticipate 400-600 spectators.

Dawn Boerngen, 1801 E. Sherwood Road, said she doesn't mind when the operation has bands but does not want a race track. She has picked up bags of trash along the roads after functions at Off Road Ranch. She moved out of town for the quiet and doesn't want that disturbed.

Bruce Strong and Matt Gilmore both moved along Highway 24 to be out of town. They both have several children and want them growing up in a quiet area. They both have concerns about the traffic, litter and noise.

Mike Bauer, 2120 E. Coolidge Avenue said he has the same concerns.

There were several other neighbors voicing the same concerns about danger to livestock, litter, noise and danger of accidents.

Jerry Pospisil, former owner of a go kart track, said that the racetrack is a part of Norfolk and should remain in town. He said it brings in a lot of money to the city from all over the region. He feels we need the racetrack in our community.

Chair Snodgrass closed the hearing at 9:15 a.m.

Commissioner Ohl moved and Marsh seconded to table the request for a Conditional Use Permit

to operate a racetrack at 2900 Old Highway 8.

AYE: Marsh, Beckman, Lundy, Snodgrass, Ohl, and Fisher

NAY: ABSENT: Davis, Griffith and Milander Motion carried.

The commissioners drew up a list of conditions to be included in the permit. They will vote at the next meeting to approve or deny the request.

Trent Howard gave the July 2014 Building Permit Report.

There was no other discussion and Marsh moved to adjourn and Beckman seconded. Adjourned at 9:21 a.m.

Faythe Petersen, Secretary/Norfolk Planning Commission