
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 8th day of August, 2023, beginning at 7:30 a.m.

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

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

Planning Commission Chair, Dan Spray presided and the Planning Commission Secretary Katelyn Palmer 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 Ronnfeldt to approve the full agenda.

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

Commissioner Kube moved, seconded by Commissioner Griffith to approve the July 18, 2023 meeting minutes.

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

Public Hearings and Related Action

Public Hearing

Conditional Use Permit - Storage Facility
1806 E Omaha Ave | Bernard & Carol Wrede

Chair Spray opened the public hearing at 7:32 a.m. to consider a request from Bernard G & Carol J Wrede, Trustees of the Bernard & Carol Wrede Living Trust, for a Conditional Use Permit for a storage facility on property addressed as 1806 East Omaha Avenue.

Bernard Wrede, Applicant, explained that he would like to renew his Conditional Use Permit to run with the land. He renewed previously in October of 2022, but only renewed as Perpetual. He stated he is limited on what he can do with it in the future, and if he were to retire, it will be hard to sell the property, etc. without having it run with the land.

No one spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:34 a.m.

Commissioner Ronnfeldt moved, seconded by Commissioner Kube to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a storage facility on property addressed as 1806 East Omaha Avenue, with no changes to conditions and making it perpetual.

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

Public Hearing

Zoning Change – R-2 to C-3
221 Jackson Ave | Garth & Krista Ferris

Chair Spray opened the public hearing at 7:36 a.m. to consider a zoning change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave.

Garth Ferris, Applicant, explained he's trying to purchase a piece of land beside him, to obtain more land and to possibly build on.

No one spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:38 a.m.

Chair Spray stated it is R-2 zoning right now. City Planner, Val Grimes, explained that in the past, it was changed to R-2 from R-1, as the contractor was going to build a duplex. A single family home was built, after the zone change was already put in place. Chair Spray asked if changing to R-1 if there would be any complications down the road.

Commissioner Ronnfeldt moved, seconded by Commissioner Franklin to consider a zoning change from R-2 (One and Two Family Residential District) to R-1 (Single Family Residential District) on property addressed as 221 Jackson Ave.

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

Ferris-Kielty Addition – Final Plat

City Planner, Val Grimes, explained they will be shifting lot lines. LaVern Schroeder, representing the applicant, explained that there was also access added to the East, to access the south lot.

Commissioner Kube moved, seconded by Commissioner Ronnfeldt to recommend approval of the final plat of Ferris-Kielty Addition.

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

Public Hearing

Zoning Change – R-1 and C-3 to C-3

404 S 25th St. & 2607 Westside Ave | Roger L. Bader, Krik M. Bader & Jackie A. Mayer, and Elkhorn Valley Bank & Trust

Chair Spray opened the public hearing at 7:42 a.m. to consider a request from Roger L. Bader, Kirk M. Bader & Jackie A. Mayer and Elkhorn Valley Bank & Trust, to consider a zoning change from R-1 (Single Family Residential District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 404 S. 25th St. & part of 2607 Westside Ave.

City Planner, Val Grimes, explained that Elkhorn Valley Bank & Trust owns two lots, which are zoned C-3, and Roger Bader owns the lot to the West, which is zoned R-1. After splitting the southern half off, and leaving the house on its own lot, Elkhorn Valley Bank will combine all 3 lots, and rezone to all C-3.

No one spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:44 a.m.

Commissioner Kube moved, seconded by Commissioner Griffith to recommend approval of a zoning change from R-1 and C-3 to C-3 on property addressed as 404 S. 25th St. & part of 2607 Westside Ave.

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

Elkhorn Valley Bank & Trust – Bader Addition – Final Plat

City Planner, Val Grimes, verified that Elkhorn Valley Bank will combine all lots into one, and that access to the house and bank will each stay the same.

Commissioner Ronnfeldt moved, seconded by Commissioner Kube to recommend approval of the final plat of Elkhorn Valley Bank & Trust - Bader Addition.

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

Public Hearing

Zoning Change – R-3, C-1 and C-3 to C-3
701 S 13th St, 707 S 13th St and 1229 W Pasewalk Ave | Double TV Properties, LLC

Chair Spray opened the public hearing at 7:46 a.m. to consider a request from Double TV Properties, LLC, to consider a zoning change from R-3 (Multiple Family Residential District), C-1 (Local Business District) and C-3 (Service Commercial District) to C-3 (Service Commercial District) on property addressed as 701 S. 13th St, 707 S. 13th St, and 1229 W. Pasewalk Ave.

Troy Uhlir, Applicant, explained that he currently owns 4 lots, in which they will be rezoning all to C-3, to clean up and rebuild Burger King. Once the new building is up, they will remove and demo the old Burger King. That corner will then be cleaned up according to the Highway Corridor Overlay standards.

Neil Harrison, 1227 Taylor Ave, questioned why he received the notice, and asked if his property taxes would change because of this. Chair Spray confirmed that according to State Statute, everyone within 300' must be notified, and that this will not affect anything of his.

No one spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:49 a.m.

Commissioner Griffith moved, seconded by Commissioner Franklin to recommend a zoning change from R-3, C-1 and C-3 to C-3 on property addressed as 701 S. 13th St, 707 S. 13th St, and 1229 W. Pasewalk Ave.

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

Burger King's Addition – Final Plat

LaVern Schroeder, representing the applicant, explained we will be combining all 3 lots together and cleaning up the property to build a new building.

Commissioner Ronnfeldt moved, seconded by Commissioner Kube to recommend approval of the final plat of Burger King's Addition.

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

Public Hearing

Zoning Change – C-3 to C-2
300 W Braasch Ave | Braasch Avenue, LLC

Chair Spray opened the public hearing at 7:52 a.m. to consider a request from Braasch Avenue, LLC, to consider a zoning change from C-3 (Service Commercial District) to C-2 (Central Commercial District) on property addressed as 300 W Braasch Ave.

Jose Nuno, Applicant, explained he is wanting a zone change from C-2 to C-3 for parking requirements, for constructing a restaurant and event center for use of the building, which will have two floors. He will be rezoning to C-2, as that requires no parking, as he's tried negotiating with VFW to use their parking lot, and they will not. He stated that there will be side street parking and possibly be able to use the parking lot behind them, owned by Norfolk Iron and Metal. Nuno stated he's expecting approximately 200 people for the restaurant and approximately 600-800 for the event center.

Ronald Albin, 108 S 13th St., spoke in opposition of this as they have parking right up the current building. He stated in the last 15 years, the VFW has had nothing but problems with prior owners and will not enter any kind of parking agreement. They will put up a sign for no parking, they will have vehicles towed and will call the police department if there are any vehicles parked there.

Commissioner Ronnfeldt asked how often the parking is utilized there. Albin stated approximately 7 days out of the week, the parking lot is full.

Chair Spray verified that it sounds like it doesn't matter what type of business goes in that building, that the VFW will have a problem with. Albin agreed.

Garry Murren, 2201 Sheridan Dr, also spoke in opposition of this zone change. He asked what the regulation was for parking requirements. City Planner, Val Grimes, confirmed that with C-2 zoning, you don't need any parking because it's downtown. Murren stated that with all the parking problems downtown, we still won't let them use the VFW parking lot.

No one spoke in favor or opposition of the request and Chair Spray closed the public hearing at 8:03 a.m.

Chair Spray discussed that everything around this property is Industrial and Commercial zoned. Commissioner Kube stated there is plenty of public parking downtown, as well as street parking. Commissioner Griffith also stated that many restaurants and bars downtown utilize parking.

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to recommend a zoning change from C-3 to C-2 on property addressed as 300 W Braasch Ave.

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

Plats/Subdivisions

Tunink's Addition – Final Plat

LaVern Schroeder, representing the applicant, explained that with the recent selling of the business, they are subdividing the lot in to two parcels, so the application can still own part of the property.

Commissioner Ronnfeldt moved, seconded by Commissioner Kube to recommend approval of the final plat of Tunink's Addition.

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

Waivers

Sidewalk Waiver
711 S 37th St | Clausen Air Inc

City Planner, Valerie Grimes explained that Clausen Air is requesting the west side sidewalk be waived.

City Engineer, Steven Rames, explained that the City trail will come down 37th Street on the west side, and cross over to the East at the intersection of Bradford Avenue.

Commissioner Kube moved, seconded by Commissioner Mason to recommend approval of the sidewalk waiver requested by Clausen Air Inc at property addressed as 711 S 37th St.

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

Other Business

There was no other discussion and Chair Spray declared the meeting adjourned at 8:13 a.m.



Katelyn Palmer, Norfolk Pro Tem Planning Commission Secretary



Dan Spray, Norfolk Planning Commission Chair