
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 21st day of November 2023, beginning at 7:30 a.m.

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

Staff members present were: Valerie Grimes, City Planner; Randy Gates, Finance Officer; Mikah Wheeler, Economic Development Coordinator; Sarah Wortmann, Planning Commission Secretary; and Katelyn Palmer, Permits Technician.

Planning Commission Chair Dan Spray presided, and the Planning Commission Secretary Sarah Wortmann 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 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, Sock, Kube, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Bryant, Franklin, and Waite Motion carried (6-0).

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to approve the November 7, 2023, meeting minutes.

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

Public Hearings

Public Hearing

Redevelopment Plan for the Sunset Plaza Redevelopment Project

Chair Spray opened the public hearing at 7:30 a.m. to consider the Redevelopment Plan for the Sunset Plaza Redevelopment Project.

Randy Gates, Finance Officer, explained the Sunset Plaza Mall project size is approximately 20.68 acres. The project will consist of the intervention and rehabilitation of the existing mall. The renovation will occur in two phases, the first renovations will be required by Kohl's and TJ Maxx. Additional changes to include landscaping, improvements to the parking lot and sidewalks, extension of sanitary sewer and water and the construction of a loading dock. Phase two will include similar renovations to phase one but to a greater extent and renovations to the hallways and food court. The total cost for eligible improvements is about \$15.5 million. The total project cost is \$22.5 million. The redeveloper is requesting TIF of \$3,500,000. Without TIF, the projected ROI is estimated to be 4.76% over the first five years following stabilization. With TIF, the projected ROI is estimated to be 9.83%. The Comp. Plan shows the area as commercial development and the project fits within that description. The property is zoned for C-3, Service Commercial District, and no re-zoning is necessary.

Andrew Willis, representing Paragon Property Investment and Construction, explained the goal is to renovate the mall in two phases, which will bring in new tenants and more activity. Phase one has been started, which includes Planet Fitness, TJ Maxx and Kohl's. The renovations needed to start due to strict deadlines. Willis stated that phase one is all the work the developers can do without TIF. Phase two will include renovations to the parking lot, roof, interior, hallways, and food court. The request is up to \$3.5 million dollars in TIF, based on appealing base value with the county through Terc. Willis stated there are some malls in Nebraska being renovated using TIF, including North Platte, Grand Island and Omaha.

Commissioner Ronnfeldt asked if upgrades to the parking lot would be done. Willis answered, yes, the parking lot needs some work.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:41 a.m.

Chair Spray stated the mall would be a priority for the community and TIF would help. The developers started on phase one and did what was necessary to sign leases with Kohl's and TJ Maxx. Commissioner Griffith stated there is a lot of excitement in the community for new shopping. Commissioner Ronnfeldt stated the redevelopment is a good use of TIF dollars and the money will come back into the community.

Commissioner Ronnfeldt moved, seconded by Commissioner Kube to recommend approval of the Redevelopment Plan for the Sunset Plaza Redevelopment Project.

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

Public Hearing

Conditional Use Permit – Exceed Maximum Height Regulations
3402 Rolling Hills Drive – Tristan Hartzell

Chair Spray opened the public hearing at 7:44 a.m. to consider a request for a conditional use permit to exceed the maximum building height regulations on property addressed as 3402 Rolling Hills Drive.

Tristan Hartzell, applicant, stated he is requesting the Conditional Use Permit to extend the height of the center roof line, which would meet the height of the additions on the north and south side. This roof line would exceed the city code by one foot and eleven inches.

Jim Kube, 3407 Portia Place, expressed concerns about the length of time the construction has taken and asked if there was a city code giving projects a completion date. Kube stated he has no objection to the additional two feet but wanted to address other issues such as, being exposed to the dirt and the site not having a silt fence in place, the recent heavy rains have carried sediment to his property.

No one else spoke in favor or opposition of the request and Chair Spray closed the public hearing at 7:55 a.m.

Chair Spray confirmed with City Planner, Val Grimes, the Planning Commission is unable to enforce a timeline for construction. Grimes stated she would speak to the engineering department about the silt fence and erosion control. Projects need to be started within six months of the building permit being issued and as long as work continues the building permit remains valid. There is no building permit in place at this time and one will not be issued until the Conditional Use Permit is finalized.

Tristan Hartzell stated he has been in contact with the city throughout the construction and there are silt fences along with straw barriers in place. The landscapers also clean up any mud after it rains. Commissioner Griffith stated there have been issues with drainage in the area.

Chair Spray asked if there are airport height restrictions. Grimes explained the last CUP exceeding height that was done, was Elkhorn Valley Bank 404 S. 25th St., which was required to file a 7460. Spray stated if there is land behind the residence higher than thirty-seven feet then a 7460 may not need to be completed.

Jim Kube clarified there is silt fence installed at this time. However last spring, he called the city and asked about the silt fence not being installed. The silt fence was then installed but incorrectly and eventually taken down. The fence in place now was installed a month ago, after calling the city again due to the previous fence being removed. Chair Spray suggested Tristan work with city engineering regarding the silt fence.

Commissioner Griffith asked Hartzell for an anticipated completion date. Hartzell anticipates completion in the summer.

Commissioner Ronnfeldt moved, seconded by Commissioner Griffith to have City staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting.

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

Other Business

City Planner Valerie Grimes presented the October 2023 Building Permit Report.

There was no other discussion and Chair Spray declared the meeting adjourned at 8:01 a.m.



Sarah Wortmann, Planning Commission Secretary



Dan Spray, Norfolk Planning Commission Chair