
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 February 2024, beginning at 7:30 a.m.

Roll call found the following Commission Members present: Waite, Sock, Franklin, Kube (7:31), Griffith, Mason and Ronnfeldt. Absent: Spray and Bryant

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

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.

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

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 Ronnfeldt to approve the full agenda.

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

Commissioner Ronnfeldt moved, seconded by Commissioner Franklin, to approve the February 6, 2024, meeting minutes.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Kube, Griffith, Mason and Ronnfeldt. Nays: None. Absent: Spray and Bryant (7-0)

Conditional Use Permit – Watchman Permit
2001 S. 1st Street | Monroe Storage, LLC

Vice-Chair Waite opened for discussion to consider a request from Monroe Storage, LLC, a Nebraska limited liability company, for a Conditional Use Permit for a Watchman permit on the property addressed as 2001 S. 1st Street, which was postponed from the January 3, 2024, Planning Commission Meeting.

Val Grimes, City Planner, stated a building permit has not been issued. Grimes explained at the next meeting new commission members will be voted in and anything on the table will automatically die. Grimes stated it can be voted on today.

Commissioner Ronnfeldt moved, seconded by Commissioner Sock to have City Staff prepare a Conditional Use Permit for discussion and action at the next regularly scheduled Planning Commission meeting for a watchman’s permit on property addressed as 2001 S. 1st Street.

Roll Call: Commission Members: Ayes: Sock. Nays: Waite, Franklin, Kube, Griffith, Mason and Ronnfeldt. Absent: Spray and Bryant. Motion Failed (1-6)

Public Hearings

Public Hearing

Zoning Change – I-1 to C-2
714 W. Norfolk Ave. | Par.Lor & Libations LLC

Vice-Chair Waite opened the public hearing at 7:34 a.m. to consider a request from Par.Lor Libations LLC., for a zoning change from I-1 (Light Industrial District) to C-2 (Central Business District) on property addressed as 714 W. Norfolk Ave.

Chris Daniels, Huff Construction, stated the owner wants to do a mixed development with studio apartments and retail but everything is still in the planning stages.

Grimes explained the applicant wants to develop retail on the first floor and residential above. She stated this lot would need to be C-2 zoned for that use to be outright permitted; there is no parking on the lot and C-2 is the only zoning district that does not require off-street parking.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 7:36 a.m.

Commissioner Ronnfeldt moved, seconded by Commissioner Mason, to recommend approval of a zoning change from I-1 to C-2 on property addressed as 714 W. Norfolk Ave.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Kube, Griffith, Mason and Ronnfeldt.
Nays: None. Absent: Spray and Bryant (7-0)

Public Hearing

Zoning Change – A to I-1
2200 S. Victory Road | BAS Holding, LLC.

Vice-Chair Waite opened the public hearing at 7:37 a.m. to consider a request from BAS Holding, LLC. for a zoning change from A (Agricultural District) to I-1 (Light Industrial District) on property addressed as 2200 S. Victory Rd.

Grimes explained the company requesting this zone change are the same people requesting the Conditional Use Permit in the next item. These lots are recommended to be industrially zoned according to the comprehensive plan.

Tracy Thompson, Midwest Coatings, stated they purchased the asphalt plant from Grimes Asphalt and are currently leasing the lot from Kenny Porter. He stated their intent is to keep the plant where it is currently. They had the opportunity to purchase a piece of land to the east which will tie the properties together to have one-way traffic from Monroe Ave. to Victory Road and will build an office and a shop in the future.

Carolyn Brown, 2110 S. Victory Road, spoke in opposition, stating she did not want any buildings closer to her residence.

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

Commissioner Ronnfeldt moved, seconded by Commissioner Franklin, to recommend approval of a zoning change from A to I-1 on property addressed as 2200 S. Victory Rd.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Kube, Griffith, Mason and Ronnfeldt.
Nays: None. Absent: Spray and Bryant (7-0)

Public Hearing

Conditional Use Permit
¼ Mile West of South Victory Rd. on East Monroe Ave. | Midwest Coatings Company, Inc.

Vice-Chair Waite opened the public hearing at 7:46 a.m. to consider a request from Midwest Coatings Company, Inc., an Iowa Corporation, for a Conditional Use Permit to operate an asphalt hot-mix facility at property generally located one quarter mile west of South Victory Road on East Monroe Avenue.

Commissioner Griffith asked if there was current access from Victory Road to the property. Thompson confirmed there is only a field entrance. Griffith stated he would like to see the access far away from the residence on the north side because of the dust. Thompson stated he is planning to develop the access road on the south side, but Black Hills Energy has a gas line on the south side also that would need to be considered. Grimes stated these properties are in the floodplain and a floodplain development permit would need to be obtained before any new construction or road work started.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 7:55 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 an asphalt hot-mix facility at property generally located one quarter mile west of South Victory Road on East Monroe Avenue.

Roll Call: Commission Members: Ayes: Waite, Sock, Franklin, Kube, Griffith, Mason and Ronnfeldt.
Nays: None. Absent: Spray and Bryant (7-0)

Public Hearing
Highway Corridor Overlay District Waiver
2409 N. 13th St. | Flatrock Group

Vice-Chair Waite opened the public hearing at 7:59 a.m. to consider a request from Flatrock Group to consider a waiver for the Highway Corridor Overlay District at property addressed as 2409 N. 13th St.

Grimes explained the two sections of the Highway Corridor Overlay District; building and landscaping and explained the four hardships and findings of facts needed to provide a waiver of the code requirements.

Chris Daniels, Huff Construction, explained they are in the process of redeveloping the old CTC building and want to spend the money where it makes sense. He stated they are compliant with the highway corridor overlay requirements. Flatrock Group is asking for the waiver to run wainscot with a different color on new metal panels versus stone or brick, which will not be seen by public and won't add value to the property. Huff spoke about the hardships and findings of facts, stating: cost of materials will not make an impact on the city; the hardship is not shared by other properties in same zoning district; the authorization of such waiver will not be substantially detrimental to adjacent property; and unsure if granting of the waiver is based upon reason demonstrable and exceptional hardships is distinguished of variations for convenience or profit.

Ronnfeldt questioned if the fence is for security. Huff explained the fence is a requirement by the Highway Corridor, the east face will have montage fencing, not chain link and the remainder will be vinyl coated chainlink.

Griffith questioned if they are asking for use of an alternative material to use the metal material on the north side, and if wainscotting will be installed on the west side. Huff answered wainscot will still be installed for the aesthetic feature but will be hidden by landscaping and fencing. There will be no wainscotting on the west side, and the east side will get 30% high end material due to the store front having glass and stucco finish.

Kube asked the price difference. Huff, answered tens of thousands of dollars, depending on what material is used but will use material that will be durable and will last.

Bill Robinson, Flatrock Group, explained the tenant company has a branding standard and is the reason for the request of the waiver. Robinson stated the overlay, landscaping and fencing requirements are going to be met, except for the preferred material requirement which will be black no matter what.

Vice-Chair Waite verified that for this item to move forward, the hardship questions need to be answered and supported in facts, and that those requirements are difficult. Griffith stated, especially when one of their justifications for not using the required material is cost, which reflects to item #4, for profit. Waite agreed that it seems that is the focus of why they don't want to do it. He also stated that he understands the economic piece of it, and that they are reviving the property, but should have known the outcomes of what was expected going into the Highway Corridor Overlay. Grimes assumed yes, since this is the same group that is doing the CAT Dealership on Highway 275. Huff responded that the code says frontage, that is why the plans didn't comply initially, because they assumed frontage means the side of the building that faces the road.

Kube agreed the project is modern with a good aesthetic. She stated when it comes to the costs, we could say the materials will cost more for all projects along the corridor. This would set precedent if we were to approve this versus saving costs, then we would have to do it for other projects moving forward.

Doug Burkink, Davis Design, stated his company has been involved in the development and the materials being chosen.

No one else spoke in favor or opposition of the request and Vice-Chair Waite closed the public hearing at 8:23 a.m.

Waite stated he understands the financial aspects of supporting the economic growth of Norfolk. This project will give a face lift to the northern entrance of the city which it deserves and needs. It comes down to the questions we must answer to approve the waiver.

Kube questioned if the materials produce an undo hardship.


Commissioner Ronnfeldt moved, seconded by Commissioner Kube, to recommend a waiver for the Highway Corridor Overlay District at 2409 N. 13th St.

Roll Call: Commission Members: Ayes: None. Nays: Waite, Sock, Franklin, Kube, Griffith, Mason and Ronnfeldt. Absent: Spray and Bryant. Motion failed. (0-7)

Other Business

City Planner Grimes presented the January 2024 Building Permit Report.

There was no other discussion and Vice-Chair Waite declared the meeting adjourned at 8:35 a.m.



Sarah Wortmann, Planning Commission Secretary



Dirk Waite, Norfolk Planning Commission Vice-Chair