PLANNING COMMISSION AGENDA Wednesday, October 23, 2019 4:00 P.M. So Sioux City Council Chambers

ROLL CALL

OPEN MEETING ACT

A current copy of the <u>Open Meetings Act</u> is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a Federal Grant requirement. It is strictly voluntary to complete the sign-in sheet.

MINUTES

Approve the minutes of the July 31 and August 28, 2019 Planning Commission meetings.

4. NEW BUSINESS

 a) Public Hearing O'Dell Addition Preliminary Plat. This subdivision consists of 4 lots currently zoned AGT (Agriculture Transitional District) legally described as follows:

PART OF THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER ALSO KNOWN AS GOVERNMENT LOT 4) IN SECTION 17, TOWNSHIP 29 NORTH, RANGE 9 EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA, MORE PARTICUL ARLY DESCRIBED AS FOLLOWS:

MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17; THENCE NORTH 00°49'25" WEST (BEARING ASSUMED) ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17 A DISTANCE OF 38.97 FEET TO THE NORTHERLY LINE OF CITY OF SOUTH SIOUX CITY DRAINAGE DITCH AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°49'25" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17 A DISTANCE OF 1286.32 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17; THENCE NORTH 89°31'17" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 A DISTANCE OF 636.76 FEET TO A POINT ON THE WEST LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH; THENCE SOUTH 0°44'49" EAST ALONG THE WEST LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 636.84 FEET; THENCE SOUTH 28°06'16" WEST ALONG THE WESTERLY LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 566.03 FEET; THENCE SOUTH 66°38'28" WEST ALONG THE NORTHERLY LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 392.03 FEET TO THE POINT OF BEGINNING. CONTAINING 15.63 ACRES MORE OR LESS.

b) Public Hearing O'Dell Addition Final Plat. This subdivision consists of 4 lots currently zoned AGT (Agriculture Transitional District) legally described as follows:

PART OF THE WEST ONE-HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER ALSO KNOWN AS GOVERNMENT LOT 4) IN SECTION 17, TOWNSHIP 29 NORTH, RANGE 9 EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17; THENCE NORTH 00°49'25" WEST (BEARING ASSUMED) ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17 A DISTANCE OF 38.97 FEET TO THE NORTHERLY LINE OF CITY OF SOUTH SIOUX CITY DRAINAGE DITCH AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°49'25" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17 A DISTANCE OF 1286.32 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER IN SECTION 17; THENCE NORTH 89°31'17" EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17 A DISTANCE OF 636.76 FEET TO A POINT ON THE WEST LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH; THENCE SOUTH 0°44'49" EAST ALONG THE WEST LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 636.84 FEET; THENCE SOUTH 28°06'16" WEST ALONG THE WESTERLY LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 566.03 FEET; THENCE SOUTH 66°38'28" WEST ALONG THE NORTHERLY LINE OF SAID SOUTH SIOUX CITY DRAINAGE DITCH A DISTANCE OF 392.03 FEET TO THE POINT OF BEGINNING. CONTAINING 15.63 ACRES MORE OR LESS.

c) Masters/Webber Conditional Use Permit Request 421 Dixon Path to allow the construction of a building, park construction equipment and stockpile material on parcels currently zoned AGT containing 3.366 acres more or less legally described as follows:

TRACT A3

A TRACT OF LAND LOCATED IN PART OF SUBDIVISIONS 3 AND 4 OF GOVERNMENT LOT 3, IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY NINE (29) NORTH, RANGE NINE (9) EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT A1, SURVEYED BY T. L. ROTHANZL DATED FEBRUARY 18, 2013, SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S88°57'23"W, ALONG THE SOUTH LINE OF SAID TRACT A1, A DISTANCE OF 149.33 FEET; THENCE N02°31'48"W A DISTANCE OF 335.06 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A1; THENCE N89°15'47"E, ALONG SAID NORTH LINE, A DISTANCE OF 149.35 FEET TO THE NORTHEAST CORNER OF SAID TRACT A1, SAID POINT ALSO BEING ON THE EAST LINE OF GOVERNMENT LOT 3; THENCE S02°31'48"E, ALONG THE EAST LINE OF SAID TRACT A1 AND ALSO BEING SAID EAST LINE OF GOVERNMENT LOT 3, A DISTANCE OF 334.26 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 49,958.16 SQUARE FEET OR 1.147 ACRES MORE OR LESS.

TRACT A4

A TRACT OF LAND LOCATED IN PART OF SUBDIVISIONS 3 AND 4 OF GOVERNMENT LOT 3, IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY-NINE (29) NORTH, RANGE NINE (9) EAST OF THE 6TH P.M., DAKOTA COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT A1, SURVEYED BY T. L. ROTHANZL DATED FEBRUARY 18, 2013; THENCE ON AN ASSUMED BEARING OF S88°57'23"W, ALONG THE SOUTH LINE OF SAID TRACT A1, A DISTANCE OF 149.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S88°57'23"W, ALONG SAID SOUTH LINE, A DISTANCE OF 290.18 FEET TO A POINT BEING THE SOUTHWEST CORNER OF SAID TRACT A1; THENCE N01°46'45W, ALONG THE WEST LINE OF SAID TRACT A1, A DISTANCE OF 336.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT A1; THENCE N89°15'47"E, ALONG THE NORTH OF SAID TRACT A1, A DISTANCE OF 285.82 FEET; THENCE S02°31'48"E A DISTANCE OF 335.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 96,679.45 SQUARE FEET OR 2.219 ACRES MORE OR LESS.

ADJOURNMENT

CITY OF SOUTH SIOUX CITY, NEBRASKA PLANNING COMMISSION MINUTES 7/31/2019

A regular meeting of the Planning Commission of the City of South Sioux City, Nebraska was held at the City Hall Council Chambers on 7/31/2019.

CALL TO ORDER

Chairman Bret Gotch called the meeting to order at 4:05 o'clock P.M.

ROLL CALL	Present	Absent
Arlan Kuehn Chairman		arrived at 4:22
Martin Hohenstein	\boxtimes	
Robert Rapp		
Brett Gotch	\boxtimes	
Tom Geseli		
Mike Wojcik		
Gail Curry		
Lyle Todd	\boxtimes	
Arlyn Wilson		
Lance Morgan Alternate		\boxtimes

Staff in attendance: Kent Zimmerman, Joe Conley, Lance Hedquist, Alfonso Camarillo, Oscar Gomez

NOTICE OF PUBLICATION

Notice of the meeting was given in advance by advertising in the Dakota County Star as certified in the attached affidavit of printer. Notice of the meeting and agenda were simultaneously given to the Chairman and members of the Commission. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

OPEN MEETINGS ACT

Bret Gotch stated that a current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a federal grant requirement. It is strictly voluntary to complete the sign-in sheet.

APPROVE MINUTES

Robert Rapp moved and Tom Gesell seconded to approve the minutes of the July 10, 2019, Planning Commission meeting, omitting the sentence "South Sioux City superintended Todd Strom represented the Board of Education during the meeting who is in favor of the redevelopment plan". Motion carried with Rapp, Gesell, Todd, Hohenstein and Gotch voting aye.

Sign minute book

AGENDA ITEM: 4A. Public Hearing Northeast Redevelopment Area, General Redevelopment Plan Resolution 2019-1.

The general redevelopment plan was originally approved by the planning commission August 10, 2016.

Robert Rapp moved and Tom Gesell seconded to reaffirm approval of the plan with resolution 2019-1 determining the plan conforms to and meets the objectives of the Comprehensive Plan of the city. Motion carried with Rapp, Gesell and Todd voting aye. Hohenstein and Gotch abstaining.

AGENDA ITEM: 4B. Public Hearing Northeast Redevelopment Area, General Redevelopment Plan Amendment (Hovey Construction) Resolution 2019-2

Bret Gotch opened the public hearing to comment. Joe Johnson and Andy Hovey were present and provided information about the project to the commission. Johnson stated the project would move forward in phases, with the first phase consisting of 10 single family dwellings. A general discussion commenced regarding TIF developments, tax revenue and the impact on tax receiving entities. Superintendent of South Sioux City Schools, Todd Strom was present and spoke in a neutral position. He said the school board and district met July 30, 2019 and discussed the implications of TIF projects on the schools. He spoke about school capacity, new residential developments and state funding. Strom spoke about the strain on the schools if state funding were to be cut and TIF tax dollars being tied up for 15 years. Lance Hedquist spoke about state law as it pertains to TIF projects and current zoning and planned use of the property for residential use.

Tom Gesell moved and Brett Gotch seconded to approve Resolution 2019-2 as the planning commission has determined that the plan conforms to and meets the objectives of the Comprehensive Plan. Motion carried with Kuehn, Rapp, Gesell, Todd and Gotch voting aye. Hohenstein abstained.

AGENDA ITEM: 4C. Public Hearing Northeast Redevelopment Area, General Redevelopment Plan Amendment (RoyDon LLC) Resolution 2019-3

Arlan Kuehn opened the public hearing for comment. Lance Hedquist addressing the commission described the proposed project in detail. Staff stated the property is currently zoned R3b and would need to be changed due to dwelling unit density exceeding the current 12 units per acre, and due to the possibility of mixed use development with one building containing a 6000 sqft restaurant on 1st floor and 3 floors of residential dwelling above. Discussion continued with concerns about the impact on schools. The developer stated the development would contain 336 to 350 dwelling units with construction to start fall of 2019.

Robert Rapp moved and Arlan Kuehn seconded to approve Resolution 2019-3 as the planning commission has determined that the plan conforms to and meets the objectives of the Comprehensive Plan. Motion failed with Kuehn and Rapp voting aye. Gesell voted nay. Todd and Hohenstein abstaining and Gotch voting present.

TOO CONTAINED IN	MENT	NM	JR	Ol	\DJ	Α
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There being no further business to come before the Commission, Robert Rapp moved and Brett Gotch seconded to adjourn the meeting at 4:54 o'clock P.M. Motion carried with Kuehn, Gesell, Todd, Rapp, Hohenstein and Gotch voting aye.

CHAIRMAN

VICE CHAIRMAN

I, the undersigned Secretary of the Planning Commission of the City of South Sioux City, Nebraska hereby certify that all of the subjects were contained in said agenda for at least twenty four (24) hours prior to said meeting, and that said minutes were in written form and available to the public for inspection within ten (10) working days and prior to the next convened meeting.

SECRETARY

CITY OF SOUTH SIOUX CITY, NEBRASKA PLANNING COMMISSION MINUTES 8/28/2019

A regular meeting of the Planning Commission of the City of South Sioux City, Nebraska was held at the City Hall Council Chambers on 8/28/2019.

CALL TO ORDER

Chairman Arlan Kuehn called the meeting to order at 4:20 o'clock P.M.

ROLL CALL	Present	Absent
Arlan Kuehn Chairman	X	T COUNTY OF THE PROPERTY OF TH
Martin Hohenstein	П	
Robert Rapp		
Brett Gotch		M
Tom Gesell		
Mike Wojcik		
Gail Curry	X	
Lyle Todd		\square
Arlyn Wilson		
Lance Morgan Alternate		

Staff in attendance: Kent Zimmerman

NOTICE OF PUBLICATION

Notice of the meeting was given in advance by advertising in the Dakota County Star as certified in the attached affidavit of printer. Notice of the meeting and agenda were simultaneously given to the Chairman and members of the Commission. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

OPEN MEETINGS ACT

Chairman Arlan Kuehn stated that a current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance.

A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a federal grant requirement. It is strictly voluntary to complete the sign-in sheet.

APPROVE MINUTES

Approve the minutes of the July 31, 2019, Planning Commission meeting, No action taken due to lack of a quorum.

Sign minute book

AGENDA ITEM: 4. Public Hearing Rezoning AL-BO Limited Partnership - a parcel of land in the 1200 Block of Riverview Drive, containing 23.65 acres more or less, from R3b (multifamily) to M.U. (mixed use). Legally described as follows:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 29 NORTH, RANGE 9 EAST, IN DAKOTA COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF GOVERNMENT LOT 1 IN SAID SECTION 22; THENCESOUTHERLY ON AN ASSUMED BEARING OF S01°52'33"E, 47.20 FEET TO THE POINT OF BEGINNING; THENCE S46°26'49"E, 705.69 FEET TO A NON-TANGENT CURVE, SAID NON-TANGENT CURVE ALSO BEINGTHE SOUTHWEST RIGHT-OF-WAY LINE OF RIVER VIEW DRIVE; THENCE ON A 809.50 FOOT RADIUS CURVETO THE LEFT ON SAID SOUTHWEST RIGHT-OF-WAY LINE, AN ARC LENGTH OF 166.22 FEET (LONG CHORD BEARS \$40°33'07", 165.93 FEET); THENCE S46°25'27"E ON SAID SOUTHWEST RIGHT-OF-WAY LINE OF RIVER VIEW DRIVE, 877.53 FEET TO A POINT INTERSECTING SAID SOUTHWEST RIGHT-OF-WAY LINE OF RIVER VIEW DRIVE AND THE NORTH RIGHT-OF-WAY LINE OF ARBOR DRIVE; THENCE WESTERLY ON SAID NORTH RIGHT-OF-WAY LINE OF ARBOR DRIVE FOR THE FOLLOWING FIVE (5) COURSES; (1) S43°32′37′W, 122.65 FEET TO A POINT OF CURVATURE; (2) ON A 560.00 FOOT RADIUS CURVE TO THE RIGHT, AN ARC LENGTH OF 480.75 FEET (LONG CHORD BEARS S68°19'08W, 466.12 FEET); (3) N87°14'36"W, 186.86 FEET TO A POINT OF CURVATURE; (4) ON A 840.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 496.67 FEET (LONG CHORD BEARS \$75°48'49W, 489.47 FEET); (5) \$59°56'01"W, 27.93 FEET; THENCE N01°52'33"W, 1605.38 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND CONTAINS A CALCULATED AREA OF 1,029,990.65 SQ. FT. OR 23.65 ACRES MORE OR LESS.

Arlan Kuehn opened the public hearing to comment. Roy Perry was present to answer questions and gave a brief summary of the proposed project.

No action taken due to lack of a quorum. Those planning commission members in attendance were in favor of the project.

<u>ADJOURNMENT</u>

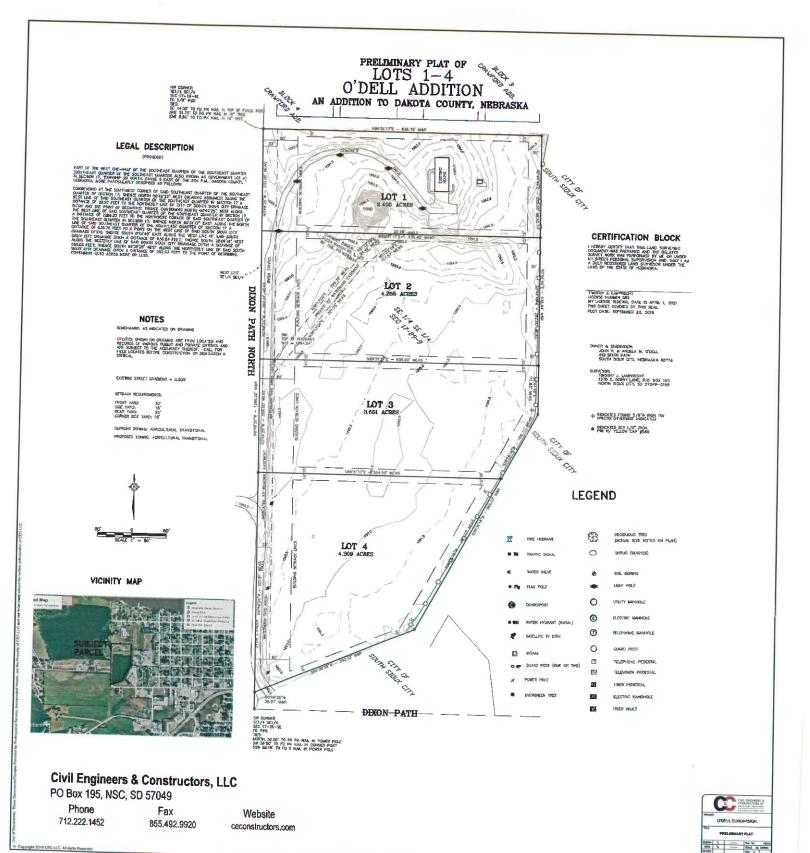
There being no further business to come before the Commission, Arlan Kuehn moved and Gail Curry seconded to adjourn the meeting at 4:27 o'clock P.M. Motion carried Kuehn and Curry voting aye.

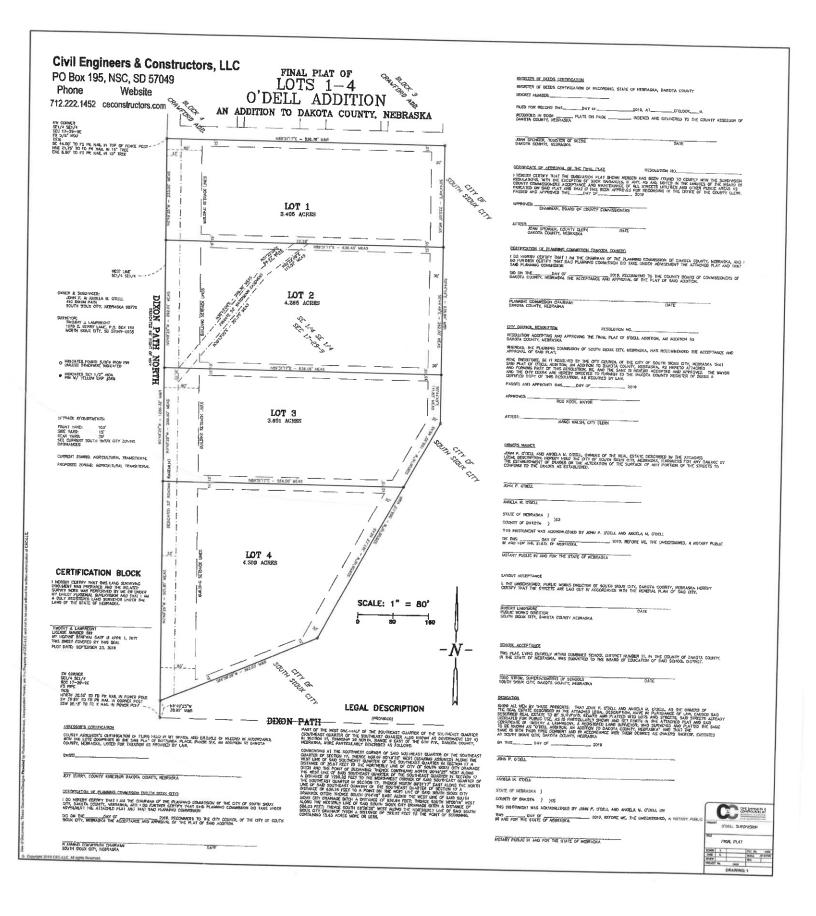
CHAIRMAN

VICE CHAIRMAN

I, the undersigned Secretary of the Planning Commission of the City of South Sioux City, Nebraska hereby certify that all of the subjects were contained in said agenda for at least twenty four (24) hours prior to said meeting, and that said minutes were in written form and available to the public for inspection within ten (10) working days and prior to the next convened meeting.

SECRETARY





CONDITIONAL USE PERMIT APPLICATION	N Fee: \$100.0
Brief description: Build building Construction Equip	and pork materials.
Applicant Name: Todal Grafters Address: 409 Dixon Poth City, State Zip: South Sing City WE 68776	Phone: <u>402 - 494 - 4933</u> Mobile: <u>712 - 281 - 4933</u> Fax: <u>402 - 494 - 1193</u>
Owner (if other than applicant) Name: Address: City, State Zip:	Phone: Mobile:
Address: 421 Dixon Path City, State, Zip: South Sioux City, NE 68776	Property ID #: Zoning:
Legal Description: Lot(s): Block: Unplatted Legal Description:	Subdivision:
SOF SOE	Aches
Public Hearing Planning Commission Public works 11/4/19 @ 5:00/n City Cosmid 11/11/19 @ 5:00 Am	10/23/19 C 4:00pm

October 2019 Masters/Webber Conditional Use Permit Vicinity Map. Subject property outlined in red consisting of 3.366 acres more or less.



