

A PLANNING COMMISSION AGENDA
Wednesday, July 28, 2021
4:00 P.M. So Sioux City Council Chambers

1. ROLL CALL

2. OPEN MEETING ACT

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.

3. MINUTES

Approve the minutes of the July 14, 2021 Planning Commission meeting.

4. NEW BUSINESS

- a) **Public Hearing Rezoning** – A tract of land located in the 2700 Block of Dakota in Block 8 of the First Railway Addition from M2 to C3 legally described as;

A TRACT OF LAND IN BLOCK 8 OF FIRST RAILWAY ADDITION TO THE CITY OF SOUTH SIOUX CITY, NEBRASKA, DAKOTA COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 6, BLOCK 8, OF SAID FIRST RAILWAY ADDITION; THENCE ON THE NORTH RIGHT OF WAY LINE OF 28TH STREET, S87°49'33"W, 109.41 FEET; THENCE N01°17'00"W, 68.00 FEET; THENCE S88°40'43"W, 233.09 FEET; THENCE S76°46'33"W, 12.15 FEET TO THE EAST RIGHT OF WAY LINE OF DAKOTA AVENUE; THENCE N60°17'37"E, 396.78 FEET TO THE NORTHEAST CORNER OF LOT 1, BLOCK 8, OF SAID FIRST RAILWAY ADDITION, SAID POINT ALSO BEING ON THE WEST RIGHT OF WAY LINE OF "A" STREET; THENCE ON SAID WEST RIGHT OF WAY LINE, S02°30'52"W, 252.55 FEET TO THE POINT OF BEGINNING, CONTAINING 0.91 ACRES MORE OR LESS.

ALSO INCLUDING:

THE SOUTHERLY 25.00 FEET OF THE BURLINGTON NORTHERN AND SANTA FE COMPANY 100.00' BRANCH LINE RIGHT OF WAY ABUTTING THE NORTH LINE OF BLOCK 8, FIRST RAILWAY ADDITION TO THE CITY OF SOUTH SIOUX CITY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 8 OF SAID FIRST RAILWAY ADDITION; THENCE ON THE NORTH LINE SAID BLOCK 8, S60°17'37"W, 396.78 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF DAKOTA AVENUE; THENCE ON SAID EAST LINE, N02°17'05"W, 28.16 FEET; THENCE N60°17'37"E, 396.65 FEET; THENCE S02°30'52"E, 28.11 FEET TO THE POINT OF BEGINNING, CONTAINING 0.22 ACRES MORE OR LESS.

5. ADJOURNMENT

CITY OF SOUTH SIOUX CITY, NEBRASKA
PLANNING COMMISSION MINUTES
7/14/2021

A regular meeting of the Planning Commission of the City of South Sioux City, Nebraska was held at the City Hall Council Chambers on 7/14/2021.

CALL TO ORDER

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

ROLL CALL	Present	Absent
Arlan Kuehn Chairman	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Robert Rapp	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Lounsbury	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chance Bracht	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Wojcik	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Martin Hohenstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gary Ogden	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bret Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tim Pickinpaugh	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lance Morgan Alternate	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff in attendance: Kent Zimmerman and Joe Conley

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

Vice Chairman 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 Martin Hohenstein seconded to approve the minutes of the June 9, 2021, Planning Commission meeting. Motion carried with Rapp, Lounsbury, Wojcik, Hohenstein, Ogden and Gotch voting aye.

- ◆ *Sign minute book*

AGENDA ITEM: 4a) Public Hearing Alley Vacation in the 600 Block of West 27th Street. Property owner Judd Jager has submitted an alley vacation request to vacate the north south alley adjacent to Lots 1, 2, 3 and 4 and Lots 5, 6, 7 and 8 Block 24 Second Railway Addition.

Bret Gotch opened the public hearing for comment. Seeing no one come forward he closed the public hearing. Staff stated that notification was sent to all utilities and there were no objections to the alley vacation. The purpose for the alley vacation is for a new building and paving.

Robert Rapp moved and Mike Wojcik seconded to send a favorable recommendation to the city council on the alley vacation. Motion carried with Rapp, Lounsbury, Wojcik, Hohenstein, Ogden and Gotch voting aye.

AGENDA ITEM: 4 b) Public Hearing River View Business Park Subdivision Final Plat - The city has received a final plat for the River View Business Park Subdivision consisting of 6 lots totaling 23.65 acres more or less for residential and light commercial uses. This subdivision is part of the RoyDon mixed use development project. What is identified as lots 1 and 2 is the location of 8 multifamily dwelling buildings and a community center currently under construction. This subdivision is legally described as follows;

A tract of land located in the NW¼ of Section 22, T29N, R9E, to the City of South Sioux City, in Dakota County Nebraska being more particularly described as follows:

Commencing at the NW corner of Government Lot 1 in said Section 22; thence southerly on an assumed bearing of S01°05'23"E (with all subsequent bearings referenced therefrom) for a distance of 47.20 feet to the Point of Beginning; thence S46°26'49"E for a distance of 705.69 feet along the west right-of-way of River View Drive and to a non-tangent curve also being the southwesterly right-of-way line, an arc length of 166.22 feet (long chord bears S40°33'07"E, 165.93 feet); thence S46°25'27"E on said southwest right-of-way line of River View Drive for a distance of 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; S43°32'37"W for a distance of 122.65 feet to a point of curvature; on a 560.00 foot radius curve to the right, an arc length of 480.75 feet (long chord bears S68°19'08"W for a distance of 466.12 feet); thence N87°14'36"W for a distance of 186.86 feet to a point of curvature; on a 840.00 foot radius curve to the left, an arc length of 496.67 feet (long chord bears S75°48'49"W for a distance of 489.47 feet); thence S59°56'01"W for a distance of 27.93 feet; thence N01°05'23"W for a distance of 1,605.38 feet to the Point of Beginning.

Said described parcel contains 23.65 acres.

Said parcel being subject to all easements and right-of-ways of record.

Bret Gotch opened the public hearing for comment. Seeing no one come forward he closed the public hearing. The commission discussed the mixed use zoning and current, allowable and future uses for this subdivision.

Robert Rapp moved and Gary Ogden seconded to send a favorable recommendation to the city council for acceptance of the subdivision as submitted. Motion carried with Rapp, Lounsbury, Wojcik, Hohenstein, Ogden and Gotch voting aye.

**AGENDA ITEM: 4c) Nebraska Planning and Zoning Association Annual Conference
September 15-17. Information only. No action taken.**

ADJOURNMENT

There being no further business to come before the Commission Gary Ogden moved and Robert Rapp seconded to adjourn the meeting at 4:20 o'clock P.M. Motion carried with Rapp, Lounsbury, Wojcik, Hohenstein, Ogden 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

PETITION FOR A CHANGE OF ZONING

We, the undersigned, being the owners of record of said real estate, hereby respectfully petition the Mayor and City Council to rezone the following property from the present zoning classification of

M2 to C3

Legal Description: A TRACT of land located on Block 8 of First Railway Addition - SEE ATTACHED FOR complete legal description

Reason for Zoning Change:

TO MATCH current zoning + uses on DAKOTA AVE

We, the undersigned, being the owners of the record of said real estate, hereby acknowledge that we have read and received a copy of the rezoning procedures and a copy of this application form concerning the filing and hearing of the request. That we have been advised of the fee requirements and they have been paid on _____ in the amount of \$ _____.

Property Owner: Community Development Agency Phone: _____

Address: _____

Signature: [Signature]

Property Owner: _____ Phone: _____

Address: _____

Signature: James E. Dryler

PLANNING COMMISSION RECOMMENDATION

Public Hearing Date: July 28, 2021 @ 4:00 PM

Commission Recommendation Approve Deny

PUBLIC WORKS

Meeting Date: Aug 2, 2021 @ 5:00 PM

Recommendation Approve Deny No Recommendation

CITY COUNCIL ACTION

1st Reading Date: Aug 9, 2021 @ 5:00 PM Action: Approve Deny Suspend

2nd Reading Date: Aug 23, 2021 @ 5:00 PM Action: Approve Deny Suspend

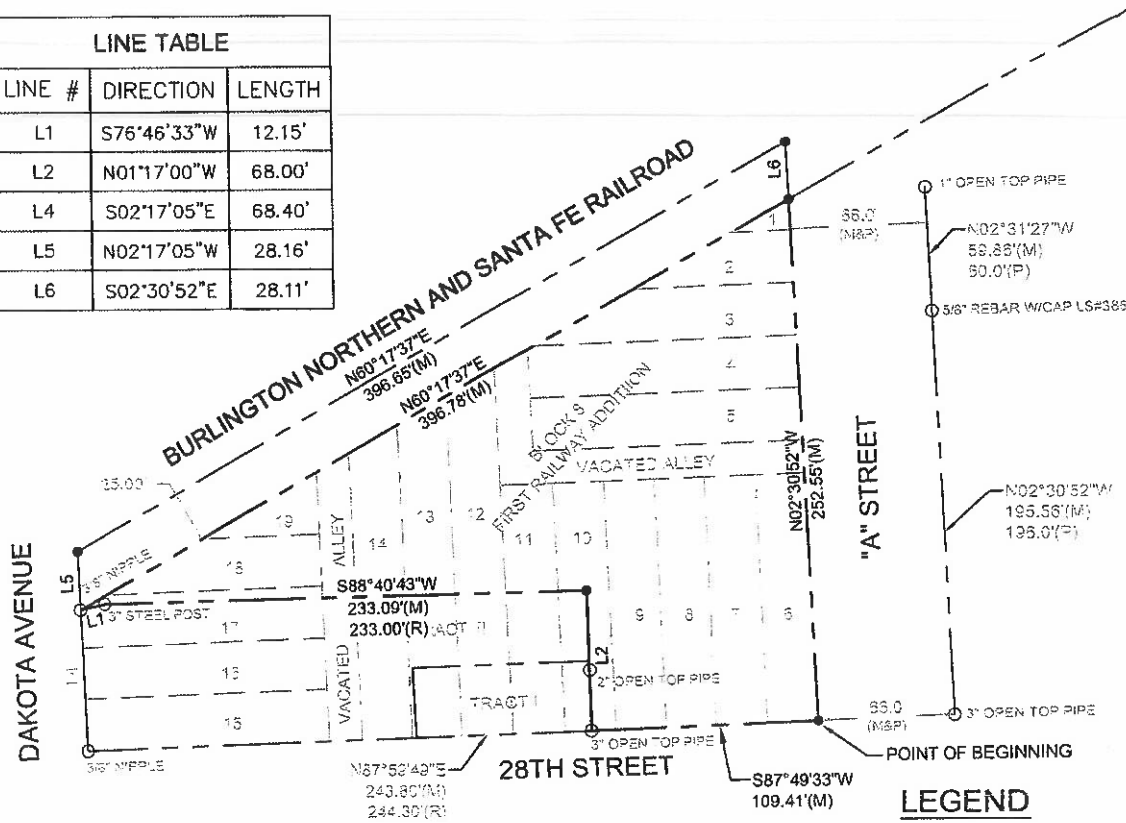
3rd Reading Date: Sept 13, 2021 @ 5:00 PM Action: Approve Deny

Ordinance # _____

PLAT OF SURVEY

A TRACT OF LAND LOCATED IN BLOCK 8 OF FIRST RAILWAY ADDITION TO THE CITY OF SOUTH SIOUX CITY, NEBRASKA,

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S76°46'33"W	12.15'
L2	N01°17'00"W	68.00'
L4	S02°17'05"E	68.40'
L5	N02°17'05"W	28.16'
L6	S02°30'52"E	28.11'



LEGAL DESCRIPTION

A TRACT OF LAND IN BLOCK 8 OF FIRST RAILWAY ADDITION TO THE CITY OF SOUTH SIOUX CITY, NEBRASKA, DAKOTA COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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FILED IN PUBLIC RECORDS, DISTRICT OF SOUTHERN NEBRASKA, COUNTY OF DAKOTA, NEBRASKA, ON AUGUST 27, 2012, AT 10:58 AM. TERRY L. ROTHANZL, SURVEYOR.

LEGEND

- BOUNDARY
- - - PROPERTY LINE
- FOUND CORNER (AS NOTED)
- SET PIN 5/8" X 24" REBAR W/ CAP LS # 607
- (M) MEASURED DISTANCE
- (R) RECORD DISTANCE

Survey Record Repository
RECEIVED
 #250
 AUG 27 2012
 DAKOTA
 1085 - 445

1" = 60'
 SCALE IN FEET

SURVEYOR'S CERTIFICATE

I, TERRY L. ROTHANZL, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA.

DATED THIS 8TH DAY OF AUGUST, 2012.

Terry L. Rothanzl
 TERRY L. ROTHANZL
 R.L.S. 607
 OLSSON ASSOCIATES
 1707 DAKOTA AVENUE
 SOUTH SIOUX CITY, NE 68135
 402-494-3059
 402-494-4064 FAX



119-2242