

PLANNING COMMISSION AGENDA
Wednesday, April 10, 2024
4:00 P.M. So Sioux City Council Chambers

1. CALL MEETING TO ORDER

2. ROLL CALL

3. 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.

4. MINUTES

Approve the minutes of the March 13, 2024 Planning Commission meeting.

5. UNFINISHED BUSINESS

6. NEW BUSINESS

a) **Public Hearing 4900 Dakota Avenue Conditional Use Permit for a Residential Use in a C4 Zoning District.** The property owner would like to convert the former office building into a residential dwelling.

b) **Public Hearing Bousquet AG Subdivision Final Plat.** This is a two lot subdivision located at 1488 Lake Avenue, legally described as follows;

ALL THAT PART OF GOVERNMENT LOT 2 AND THAT PART OF GOVERNMENT LOT 3, ALL IN SECTION 7, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, DAKOTA COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE SOUTH 1°31'26" EAST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE WEST LINE OF SAID GOVERNMENT 2 FOR 2496.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°31'26" EAST ALONG SAID WEST LINE OF GOVERNMENT LOT 2 AND THE WEST LINE OF SAID GOVERNMENT LOT 3 FOR 702.26 FEET; THENCE NORTH 88°28'34" EAST FOR 622.36 FEET; THENCE NORTH 1°51'42" WEST FOR 702.27 FEET; THENCE SOUTH 88°28'34" WEST FOR 618.22 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 10.000 ACRES, MORE OR LESS, WHICH INCLUDES 0.532 ACRES IN ROADWAY EASEMENT.

7. ANNOUNCEMENTS

8. ADJOURNMENT

**CITY OF SOUTH SIOUX CITY, NEBRASKA
PLANNING COMMISSION MINUTES**

3/13/2024

A regular meeting of the Planning Commission of the City of South Sioux City, Nebraska was held at the City Hall Council Chambers on 3/13/2024.

CALL TO ORDER

Chairman Arlan Kuehn called the meeting to order at 4:00 o'clock P.M.

ROLL CALL	Present	Absent
Arlan Kuehn Chairman	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Rapp	<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Lounsbury	<input checked="" type="checkbox"/>	<input 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"/>
Brett Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tim Pickinpaugh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jared Langel	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber Munoz	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brett Gotch	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Staff in attendance: Kent Zimmerman, Joe Conley, Audrey Renteria, and 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

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

Robert Rapp moved Jared Langel seconded to approve the minutes of the December 13th, 2023, Planning Commission meeting. Motion carried with Kuehn, Rapp, Lounsbury, Wojcik, Hohenstein, Ogden, Pickinpaugh, Langel, and Munoz voting aye.

◆ *Sign minute book*

AGENDA ITEM: 6 a) Public Hearing - Old Highway 20 Redevelopment Area. Blight & Substandard Determination Study.

Robert Rapp introduced **Resolution 2024-01**.

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, RECOMMENDING THE DESIGNATION OF AN AREA OF THE CITY AS BLIGHTED AND SUBSTANDARD AND IN NEED OF REDEVELOPMENT PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW.

Terrel Hobbiebrunken was present to express concerns regarding city limits and sewer connections. No direct public comments in reference to the Highway 20 Blight & Substandard Determination Study.

Brett Gotch arrived at 4:18p.m.

Public Hearing was closed at 4:25 p.m.

Robert Rapp moved and Tim Pickinpaugh seconded to send Resolution 2024-01 as a favorable recommendation to the city council. Motion carried with Kuehn, Rapp, Lounsbury, Wojcik, Hohenstein, Ogden, Pickinpaugh, Langel, Gotch and Munoz voting aye.

ADJOURNMENT

There being no further business to come before the Commission Robert Rapp moved and Brett Gotch seconded to adjourn the meeting at 4:30 o'clock P.M. Motion carried with Kuehn, Rapp, Lounsbury, Wojcik, Hohenstein, Ogden, Pickinpaugh, Langel, Gotch and Munoz 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

Fee: \$100.00

DATE: 7-27-74

Brief description: office building with bathroom
and small bedroom.

Applicant

Name: Steve Schuster Phone: 717-546-2882

Address: 2605 LINCOLN AVE SW Mobile: 717-540-1009

City, State Zip: Le Mars IA 5031 Fax: _____

Owner (if other than applicant)

Name: Schuster Properties Phone: 717-546-2882

Address: 2605 Lincoln Ave SW Mobile: 717-540-1009

City, State Zip: Le Mars IA Fax: _____

Location

Address: 4900 Dakota Ave Property ID #: 220153566

City, State, Zip: South Sioux City, NE 68776 Zoning: _____

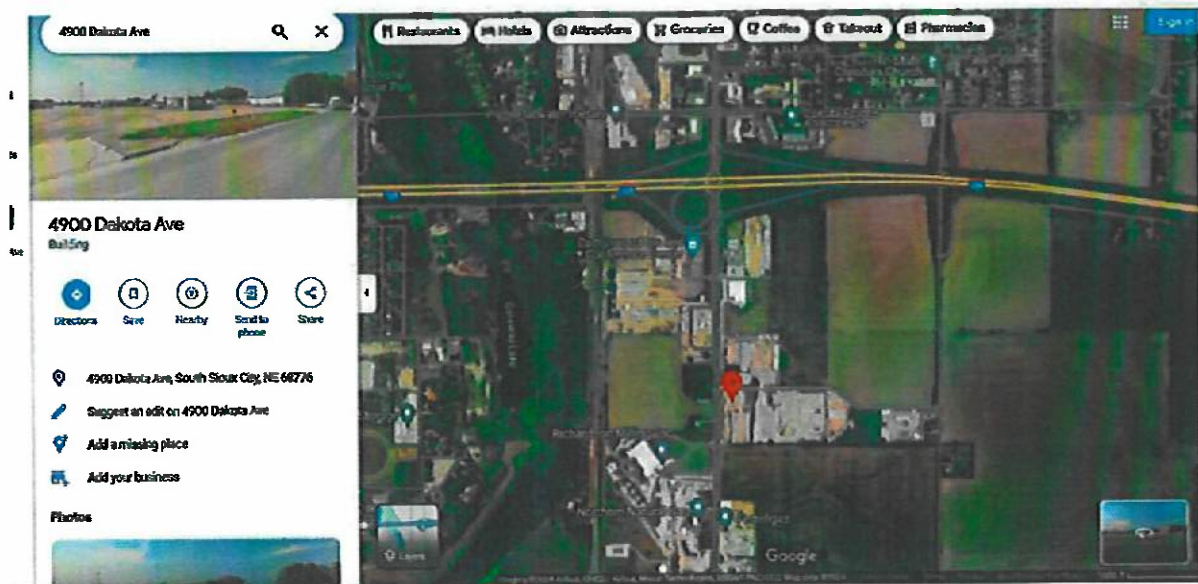
Legal Description: Lot(s): _____ Block: _____ Subdivision: _____

Unplatted Legal Description: _____

attached

March 28, 2024

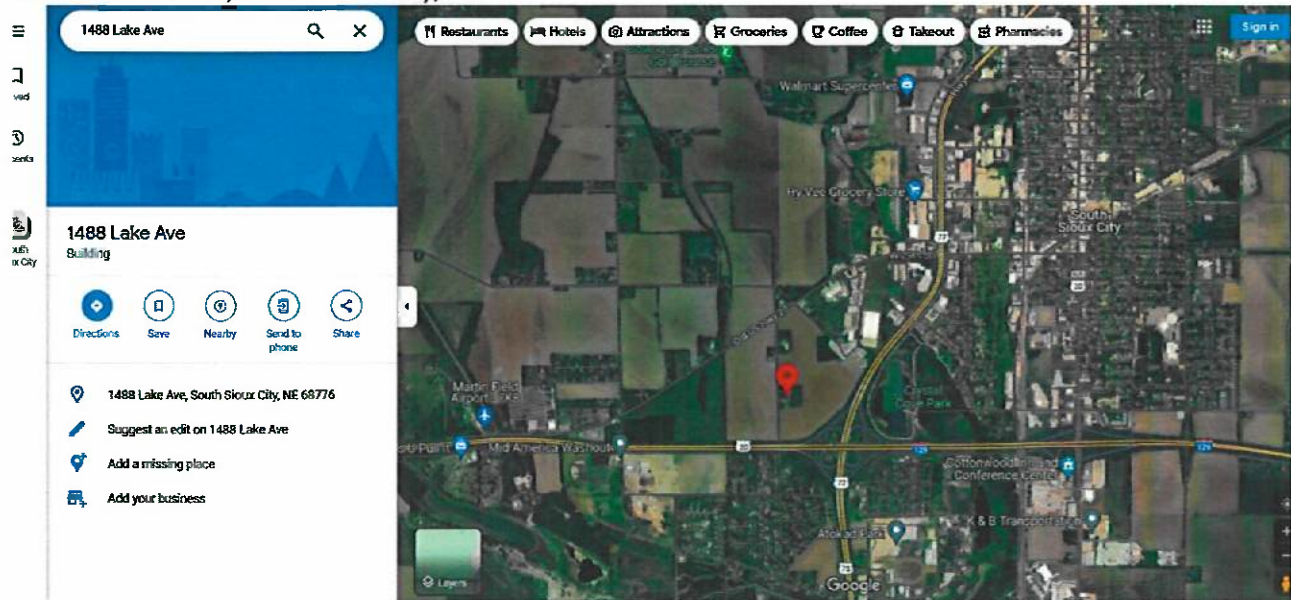
4900 Dakota Avenue -- Conditional Use Permit Request for a Residential Use in a Commercial 4 (C4) Zoning District. Property owner would like to convert the former office into a single family dwelling.



March 20, 2024

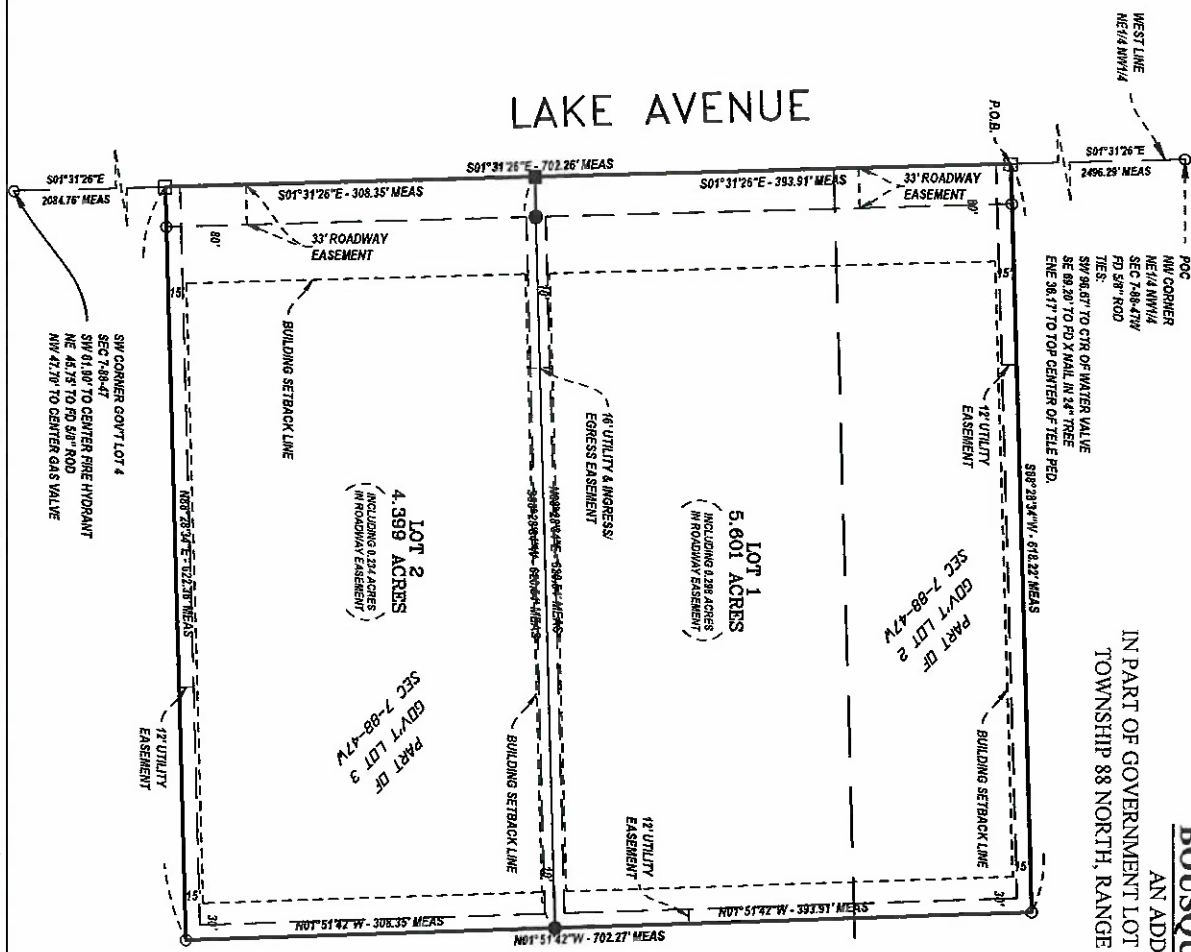
Bousquet AG Subdivision Vicinity Map – This proposed 2 lot subdivision is located outside the city limits in South Sioux City's extraterritorial zoning jurisdiction.

1488 Lake Avenue, South Sioux City, NE



BOUSQUET AG SUBDIVISION

AN ADDITION TO DAKOTA COUNTY
 IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3 OF SECTION 7,
 TOWNSHIP 88 NORTH, RANGE 47 WEST, 5TH P.M., DAKOTA COUNTY, NEBRASKA



OWNER & SUBDIVIDER:
 NICHOLAS & MORGAN BOUSQUET
 135 EAST 30TH STREET SOUTH SIOUX CITY, NE 80716

SURVEYOR:
 TIMOTHY J. LAMPRECHT
 1370 S DERBY LANE, PO BOX 195
 NORTH SIOUX CITY, SD 57048

LEGEND

- FOUND 1/2" ROD W/ YELLOW CAP #899
- UNLESS OTHERWISE INDICATED
- FOUND MAG NAIL IN CONCRETE
- SET MAG NAIL IN CONCRETE
- SET 1/2" x 3/8" REBAR W/ YELLOW CAP #899
- R MEASURED DIMENSION
- R RECORD DIMENSION

SETBACK REQUIREMENTS:

- FRONT YARD: 80'
 - SIDE YARD: 15'
 - REAR YARD: 30'
 - CORNER SIDE YARD: 15'
 - MAXIMUM BUILDING HEIGHT: 30'
- CURRENT ZONING: M1
 PROPOSED ZONING: A6T
 FMM ZONE X
 FMM PANEL: 3104010690

CERTIFICATION

I, TIMOTHY J. LAMPRECHT, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEBRASKA, THAT THIS SOUND SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND THAT ALL MONUMENTS SHOWN ON THIS PLAT ACTUALLY EXIST AS DESCRIBED.

TIMOTHY J. LAMPRECHT	DATE
LICENSE NUMBER 389	
MY LICENSE RECEIVED DATE(S): APRIL 1, 2025	
1 SHEET COVERED BY THIS SEAL	
PLAT DATE: FEBRUARY 28, 2024	

LEGAL DESCRIPTION:

ALL THAT PART OF GOVERNMENT LOT 2 AND THAT PART OF GOVERNMENT LOT 3, ALL IN SECTION 7, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH PRINCIPAL MERIDIAN, DAKOTA COUNTY, NEBRASKA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 7; THENCE SOUTH 1°13'26" EAST ALONG THE WEST LINE OF SAID NORTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE WEST LINE OF SAID GOVERNMENT 2 FOR 298.29 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 1°12'06" EAST ALONG SAID WEST LINE OF GOVERNMENT LOT 2 AND THE WEST LINE OF SAID GOVERNMENT LOT 3 FOR 702.26 FEET; THENCE NORTH 88°28'34" EAST FOR 622.36 FEET; THENCE NORTH 1°51'42" WEST FOR 702.27 FEET; THENCE SOUTH 88°28'34" WEST FOR 618.22 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 10,000 ACRES, MORE OR LESS, WHICH INCLUDES 0.532 ACRES IN ROADWAY EASEMENT.

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1370 S DERBY LANE
 NORTH SIOUX CITY, SD 57048
 712.232.4483 PH • 856.482.8889 FAX
 WWW.CECONSTRUCTORS.COM

SUBDIVISION PLAT



JOB NO.	24610	
MANAGER	TL	
DATE	2/28/2024	
REVISIONS:		
NO.	DESCRIPTION	DATE
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BOUSQUET AG SUBDIVISION

AN ADDITION TO DAKOTA COUNTY

IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3 OF SECTION 7,
TOWNSHIP 88 NORTH, RANGE 47 WEST, 5TH P.M., DAKOTA COUNTY, NEBRASKA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT NICHOLAS & MORGAN BOUSQUET, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAD CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS BOUSQUET AG SUBDIVISION, AN ADDITION TO DAKOTA COUNTY, NEBRASKA, BEING PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3 OF SECTION 7, TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE 5TH P.M., DAKOTA COUNTY, NEBRASKA AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; AND THAT THE FORGOING SUBDIVISION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTIONS HEREON AS APPEARS ON THE PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNER AND PROPRIETOR.

WAIVER

_____, OWNERS OF THE REAL ESTATE DESCRIBED IN THE ATTACHED LEGAL DESCRIPTIONS, HEREBY HOLD THE CITY OF SOUTH SIOUX CITY, NEBRASKA, HARMLESS FOR ANY DAMAGE OCCASIONED BY THE ESTABLISHMENT OF GRADES OR THE ALTERATION OF THE SURFACE OF ANY PORTION OF THE STREETS TO CONFORM TO THE GRADES AS ESTABLISHED IN WITNESS WHEREOF, I HAVE AFFIXED BY SIGNATURE HERETO, AT SOUTH SIOUX CITY, NEBRASKA, THIS
_____, 20____,
DAY OF _____,

(OWNER SIGNATURE)
(PRINT NAME)
(OWNER SIGNATURE)
(PRINT NAME)

ACKNOWLEDGEMENT

STATE OF NEBRASKA)
)SS
COUNTY OF DAKOTA)

ON THE _____ DAY OF _____, 20____, BEFORE ME _____ A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED NICHOLAS & MORGAN BOUSQUET, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSONS WHO'S SIGNATURE IS AFFIXED HERETO, AND THEY DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS OR HER VOLUNTARY ACT AND DEED.

MY COMMISSION EXPIRES _____
NOTARY _____

CERTIFICATION OF PLANNING COMMISSION (DAKOTA COUNTY)

I DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE PLANNING COMMISSION OF DAKOTA COUNTY, NEBRASKA, AND I DO FURTHER CERTIFY THAT SAID PLANNING COMMISSION DID TAKE UNDER ADVISEMENT THE ATTACHED PLAT AND THAT SAID PLANNING COMMISSION DID ON
THE _____ DAY OF _____, 20____, RECOMMEND TO THE COUNTY BOARD OF COMMISSIONERS OF DAKOTA COUNTY, NEBRASKA THE ACCEPTANCE AND APPROVAL OF THE PLAT OF SAID ADDITION.

PLANNING COMMISSION CHAIRMAN DATE
DAKOTA COUNTY, NEBRASKA

CERTIFICATION OF PLANNING COMMISSION (SOUTH SIOUX CITY)

I DO HEREBY CERTIFY THAT I AM THE CHAIRMAN OF THE PLANNING COMMISSION OF THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, AND I DO FURTHER CERTIFY THAT SAID PLANNING COMMISSION DID TAKE UNDER ADVISEMENT THE ATTACHED PLAT AND THAT SAID PLANNING COMMISSION DID ON THE _____ DAY OF _____, 20____, RECOMMEND TO THE CITY COUNCIL OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA THE ACCEPTANCE AND APPROVAL OF THE PLAT OF SAID ADDITION.

PLANNING COMMISSION CHAIRMAN DATE
SOUTH SIOUX CITY, NEBRASKA

CITY COUNCIL RESOLUTION

RESOLUTION NO. _____

RESOLUTION ACCEPTING AND APPROVING THE FINAL PLAT OF BOUSQUET AG SUBDIVISION, AN ADDITION TO DAKOTA COUNTY, NEBRASKA, WHEREAS, THE PLANNING COMMISSION OF SOUTH SIOUX CITY, NEBRASKA, HAS RECOMMENDED THE ACCEPTANCE AND APPROVAL OF SAID PLAT. NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA THAT SAID PLAT OF BOUSQUET AG SUBDIVISION, AN ADDITION TO DAKOTA COUNTY, NEBRASKA, AS HERETO ATTACHED AND FORMING PART OF THIS RESOLUTION, BE, AND THE SAME IS HEREBY ACCEPTED AND APPROVED. THE MAYOR AND THE CITY CLERK ARE HEREBY DIRECTED TO FURNISH TO THE DAKOTA COUNTY REGISTER OF DEEDS A CERTIFIED COPY OF THIS RESOLUTION, AS REQUIRED BY LAW.

PASSED AND APPROVED THIS _____ DAY OF _____, 20____.

APPROVED: _____
ROD KOCH, MAYOR

ATTEST: _____
NANCI WALSH, CITY CLERK

ASSESSOR'S CERTIFICATION

STATE ASSESSOR FOR DAKOTA COUNTY CERTIFICATION OF FILING, FILED IN MY OFFICE AND ENTERED OF RECORD IN ACCORDANCE WITH THE LOTS, COMPRISED IN THE SAID PLAT OF AND ADDITION TO SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, LISTED FOR TAXATION AS PROVIDED BY LAW, ON THIS _____ DAY OF _____, 20____.

CHRISTY ABTS, COUNTY ASSESSOR
DAKOTA COUNTY, NEBRASKA

REGISTER OF DEEDS CERTIFICATE

THIS INSTRUMENT WAS FILED FOR RECORD ON THIS _____ DAY OF _____, 20____ AT _____ O'CLOCK _____M. IN BOOK _____, PAGE _____ AND A FEE OF \$_____ WAS PAID.

CHERIE GONLEY, REGISTER OF DEEDS
DAKOTA COUNTY, NEBRASKA