

Minutes - Woodbury County Zoning Commission Meeting – July 26, 2021

The Zoning Commission (ZC) meeting convened on the 26th of July 2021 at 6:00 PM in the first-floor board room of the Woodbury County Courthouse. The meeting was also made available via teleconference.

ZC Members Present: Chris Zellmer Zant, Tom Bride, Barb Parker, Corey Meister, Jeffrey O'Tool
County Staff Present: David Gleiser, Dan Priestley
Public Present: Gary Walters, Jordan Rozeboom, Dustin Lieber, Ron Lieber, Rick Swanson

Call to Order

Chair Zellmer Zant formally called the meeting to order at 6:00 PM.

Public Comment on Matters Not on the Agenda

None.

Approval of Minutes

The 6/28/21 minutes were approved. Motion to approve: Bride. Second: Parker. Motion approved 5-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezoning) to General Commercial (GC) – Jab Holding Company LLC

Priestley read the preliminary report and staff recommendation into the record. JAB Holding Co. LLC owner of the Elk Creek Animal Hospital has submitted a Zoning Ordinance Map Amendment application to rezone Parcels 884704302005 and 884704302006 to the General Commercial (GC) Zoning District to facilitate the construction of a new veterinarian hospital to replace their current facility. Parcel 884704302005 is located in the Agricultural Preservation (AP) Zoning District and Parcel 884704302006 is located in the Suburban Residential (SR) Zoning District. Both parcels are located in the N ½ of the SW ¼ of Sec. 4, T88N R47W (Woodbury Township) and neither are not located in the floodplain. Once rezoned, the two parcels will be combined in to one unified parcel. Both properties are adjacent to the City of Sioux City's corporate lines and are not located in the floodplain. Rick Swanson, contractor for JAB Holding, offered a summary of the project. Bride inquired about an adjacent property owner's comment about possible erosion. Swanson offered information about a retention pond and reseeding. Motion to close public hearing: Meister. Second: Bride. Vote 5-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed: O'Tool. Second: Meister. Motion approved 5-0.

Public Hearing: Zoning Ordinance Map Amendment (Rezoning) to Agricultural Estates (AE) – Lieber Properties

Priestley read the preliminary report and staff recommendation into the record. Lieber Properties, LLC, owner of Parcel 884724300005 has filed a Zoning Ordinance Map Amendment to rezone this parcel from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District to facilitate a concurrent minor subdivision application for the purpose of establishing the Davis Estates Addition, a seven residential lot minor subdivision. The rezoning is required as the Zoning Ordinance does not allow more than two single-family dwellings per quarter-quarter section in the AP Zoning District. The proposed subdivision also involves the adjacent parcel (884724300004) which is already zoned AE. Parcel 884724300005 is located in Section 24, E ½, SW ¼, T88N R47W (Woodbury Township). Portions of the NE and SE area of the parcel are located in the Zone A floodplain. Jordan Rozeboom and Dustin Lieber offered testimony in support of the rezoning and subdivision applications. Gary Walters stated his opposition to the project and shared his concerns regarding the safety of having additional driveways along Old Highway 141 and the impact it would have on the Loess Hills Scenic Byway viewscape. Walters encouraged the commissioners to oppose the development and create a plan for land use and future development. Walters was made aware of the County's 2005 General Development Plan which provides the current structure for orderly development as codified in existing policy. He was informed that the future land use map for this area is rural residential which allows a much higher population density than the proposed 2 acre lots. Walters inquired about the plan for the driveways and whether any criteria exists. Lieber and Bride both confirmed there is criteria the County Engineer adheres to for siting driveways, and Gleiser acknowledged the same for speed limits. Walters opposed a speed limit reduction in addition to ongoing residential developments along this section of Old Highway 141. Motion to close public hearing: Parker. Second: O'Tool. Vote 5-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed to Agricultural Estates: Bride. Second: O'Tool. Motion approved 5-0.

Public Hearing: Davis Estates Minor Subdivision Proposal – Lieber Properties, LLC

Priestley read the preliminary report and staff recommendation into the record. Lieber Properties, LLC, owner of Parcels 884724300004 and 884724300005 has filed a minor subdivision application to establish seven lots for residential purposes in a 28.539-acre area. Parcel #884724300004 is located in the Agricultural Estates (AE) Zoning District while Parcel #884724300005 is located in the Agricultural Preservation (AP) Zoning District. Parcel #884724300004 is located in Section 24, E ½, T88N R47W (Woodbury Township). Parcel #884724300005 is located in Section 24, W ½ SW ¼, T88N R47W (Woodbury Township). Both parcels include areas in the Zone A floodplain. Walters inquired if the Base Flood Elevation (BFE) for this property is different than the Walnut View Addition proposal. Director Gleiser indicated that the BFE changes based on location. The area of the Walnut View was not in the floodplain but is in the proposed draft floodplain maps. Bride indicated that the current/old floodplain map at that location does not accurately reflect the area. Zellmer Zant stated that was an attempt by the commission to make sure that people purchasing those properties knew about the floodplain. Bride addressed the concerns

from the Loess Hills Nature Conservancy including erosion control measures. Zellmer Zant inquired about the culvert and runoff from Lot 5. Rozeboom indicated that they worked with county engineer Nahra and there would be no issue. Parker addressed comments/opposition from the Woodbury County Soil and Water Conservation District. Walters who serves on the district, mentioned his own concerns of silt runoff. Rozeboom assured the Commission that proper measures would be put in place regarding dust and dirt during the course of construction, as well as seeding post-construction. Motion to close public hearing: O'Tool. Second: Parker. Vote 5-0. A motion was made to recommend approval of the Davis Estates Addition as proposed: O'Tool. Second: Bride. Motion approved 5-0.

Review: Conditional Use Permit Telecommunications Tower Proposal – Verizon Wireless

Verizon Wireless (Donovan McCain) proposes to construct a 199 FT telecommunications tower with ancillary ground equipment on property owned by Randall C. Dau in the SE ¼ of the SW ¼ of Section 1, T88N R42W (Rock Township) on Parcel #884201300008 south of Cushing and east of Union Avenue. The property is located in the Agricultural Preservation (AP) Zoning District. The property is not located in the floodplain. O'Tool inquired if there will be a light on the tower. McCain stated that being below 200 FT, a light is not required as per the FAA regulations. A motion was made to recommend approval to construct and operate a telecommunications tower at the proposed location to the Board of Adjustment: O'Tool. Second: Meister. Motion approved 5-0.

Public Comment on Matters Not on the Agenda

None.

Staff Update

Director Gleiser offered updates about the status of the floodplain development ordinance, the IDOT SIMPCO annexation into Sioux City, the Comprehensive Plan for 2040 survey, possible future policies of teleconference access at commission meetings, and future agenda items.

Commissioner Comment or Inquiry

None.

Adjourn

Motion to adjourn: O'Tool. Second: Meister. Motion passed: 5-0. Meeting adjourned at 7:25 PM.