

**CITY PLANNING AND ZONING COMMISSION**  
**ABBREVIATED MEETING MINUTES**  
**May 28, 2019**

A regular meeting of the City Planning and Zoning Commission was held this date at 4:01 p.m. in the City Council Chambers, 5th Floor, City Hall, 405 - 6th Street, Sioux City, Iowa, at which time the following items were considered.

**MEMBERS PRESENT**

Michelle Bostinelos, Chair  
Ryan Ross  
Jean Calligan  
Jason Geary

**MEMBERS ABSENT**

David Silverberg  
Suzan Stewart, Vice Chair  
Lee Beukelman

**STAFF PRESENT**

Larissa Carrell, Admin Secretary  
Chris Madsen, Senior Planner  
Ron Kueny, Zoning Enforcement Officer  
Justin Vondrak, Asst. City Attorney  
Erin Berzina, Planner

*Bostinelos called the meeting to order at 4:00 p.m., and read the opening statement explaining the procedures. She then introduced the Commission members and City staff to the audience. The Commission was asked if any member would be abstaining on any agenda item.*

**Agenda Item 2019-0028:** Requested rezoning of the property located at 2840 Memorial Drive from AG to RR. (Petitioner: David and Deanna Jarvis)

Chris Madsen presented that the petitioner has since bought a new property and would request that this agenda item be deleted.

Ross (Calligan) moved to approve the deletion of this item. Motion carried. 4-0-0 (Yes: Calligan, Bostinelos, Ross, Geary, No: 0, Abstain: 0).

**Agenda Item 2019-0035:** Requested site plan approval for the property located at 4301 Singing Hills Boulevard. (Petitioner: USCOC of Greater Iowa, LLC)

Chris Madsen presented the site plan for the property located at 4301 Singing Hills Blvd. The tower would be placed in the middle of the two existing towers at this location. He went over all state and city guidelines of the cell towers. He stated that USCOC provided a sworn statement that neither of the towers currently located on this site would work for colocation.

Geary asked if there was any regulation that restricts us from viewing or them submitting the study that was completed on colocation. Madsen stated that his understanding is that we can ask them but they are not obligated to answer.

Calligan asked how close it is to the water tower. Chris stated it should be closer to the two existing. He measured about 100 Ft away. Geary asked if we have ever seen or looked at zoning restrictions on the number of cell towers at one site, and what about other communities.

Madsen stated he did look at some other city codes and didn't see anything like that. He thinks that maybe it just has never been needed in the past. Madsen asked Justin if he saw any problems with making an amendment to how many cell towers you can stack in one given location. Staff recommends approval.

Petitioner: Julie Shebek (2124 Larry Drive, Cedar Rapids) stated she realizes that colocation is a sensitive subject. She does know that state law prohibited colocation on water towers now. She cannot speak specifically on what tower came first and believe that the previously placed towers were not tall enough for their antennas. As she spoke before this is all for the expansion of US cellular in the Siouxland area. She also went over and verified the specs of the cell tower.

Geary (Ross) moved to approve the item. Motion carried. 4-0-0 (Yes: Geary, Calligan, Ross, Bostinelos No: 0 Abstain: 0).

**Agenda Item 2019-0038:** Requested rezoning of the property located at 4204 Military Road from NC.3 to NC.1. (Petitioner: Rod Buckholtz)

Erin Berzina presented the purpose of this rezoning is to build a detached garage on the property. As currently zoned it would exceed the allowed limit for accessory structures in the current zoning. The current property has a single-family home and 3 accessory structures. She went over what the current zoning allows and what the new code would allow. She showed a map of the surrounding areas and how they are zoned. Staff recommends approval.

Ross asked if NC.2 was an option. Berzina stated that NC.2 and NC.3 had the same accessory building coverage standard. NC.1 allows for the percentage lot coverage instead of the square footage. Calligan wanted to know if the square footage was just the base of the home. Berzina stated yes, it is only the footprint of the buildings.

Petitioner: Rod Buckholtz (4204 Military Rd, Sioux City Iowa) stated that he would like to rezone so he could build a garage for his car and pickup truck.

Geary (Calligan) moved to defer the item. Motion carried. 4-0-0 (Yes: Geary, Calligan, Ross, Bostinelos, No: 0 Abstain: 0).

Next agenda items were presented together.

**Agenda Item 2019-0037:** Requested rezoning of the property located at 2321 41<sup>st</sup> Street from AG and NC.1 to SR. (Petitioner: Lieber Land Holdings, LLC)

**Agenda Item 2019-0039:** Requested preliminary plat of Lieber Heights on property located at 2321 41<sup>st</sup> Street. (Petitioner: Lieber Land Holding, LLC)

Chris Madsen presented to defer this item until the June 11, 2019 meeting do to some issues still being worked out between the petitioner and Lieber. Madsen stated that they will be sending out new notices.

In favor or opposed: Christina (Tina) Hall (4415 Buckwalter Dr. Sioux City, Iowa) stated she had some general questions about the process. She wanted to know what the density is and other opportunities for input from neighbors. Chris explained the process of how everything gets approved and what steps they need to go through to get everything approved. Hall stated she wanted to review and give input to the grating plan. Madsen stated that he would be willing to have her come into the office and go over the grading.

Craig Deirup (2500 4st St Sioux City Iowa) He voiced his concern on how they would maintain the dust because it is large amount of unlevel terrain. He wanted to know how Lieber will maintain this and not make this a barrow pit. Madsen stated what city code is with having a water trucks on site and any trucks leaving the site must be covered. It will be complaint based so if it becomes bad we do have staff that can enforce the code.

Petitioner: Rod Lieber, stated that he is the developer of the project at hand. They will do everything to code and follow the guidelines of the city. We will help control everything by doing the project in phases.

Ross (Geary) moved to defer both agenda items 2019-0037 and 20019-0039. Motion carried. 4-0-0 (Yes: Geary, Calligan, Ross, Bostinelos, No: 0 Abstain: 0).

### **Other Business**

- a. Report by Bostinelos regarding Planning and Zoning items at the City Council meeting.
- b. Other items brought forward by the commission and/ or staff.

Calligan asked when properties are being annexed into the city do they have to get it all up to code, whether new or old. Madsen stated that if its new it would be to code and if its old it would be grandfathered in based on the old code.

Ross asked a question about grading. He stated that so much progress had to be made in one year. Madsen stated that the preliminary plat acts as the permit so its only good for one year. Any work would need to be completed in one year or you would have to come back. Ideally it should only be one year from the preliminary plat and final plat. Ross stated that you should really make sure they you are making people renew if it takes longer than a year.

Geary stated again that he would really appreciate if staff looked into if any other cities have had limits on how many towers can be at each location. Madsen and Ross stated that they could maybe do it based on fall zone.

- c. Approval of the minutes of the May 14, 2019 meeting.

Geary (Calligan) moved to approve the minutes. Motion carried. 4-0-0 (Yes: Geary, Calligan, Bostinelos No:0, Abstain:). Roll Call Vote

**There being no further business, the meeting was adjourned at 4:48 p.m.**

*Submitted by  
Larissa Carrell*

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CHAIR

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PLANNING DIRECTOR