

JACKSON COUNTY ZONING COMMISSION

7:00 p.m.

Monday, April 20, 2026

Community Room, Jackson County Courthouse
201 W Platt Street, Maquoketa, Iowa

COMMISSIONERS PRESENT: Mike Burke, Chair; Tom Stewart, Vice Chair at the commencement of the meeting; Monica McHugh, elected Vice Chair during the meeting; Sandra Gerlach; Emerita Kies; Brian Venema.

COMMISSIONERS ABSENT: Kristine Pfab, excused

STAFF PRESENT: Becca Pflughaupt, Zoning Administrator

CALL TO ORDER AND ROLL CALL: The meeting was called to order by Chair Mike Burke at 7:00 p.m. Roll call was taken. A quorum was present.

A sign-in sheet was distributed. The Zoom meeting was launched. Members of the public were present in person and via Zoom. The sign-in sheet is maintained with the meeting record.

APPROVAL OF AGENDA: Motion by McHugh, seconded by Stewart to approve the April 20, 2026 agenda. Motion carried unanimously.

APPROVAL OF MINUTES: Motion by Stewart, seconded by Venema, to approve the minutes of the February 16, 2026 Zoning Commission meeting with spelling corrections to member names as noted. Motion carried unanimously.

CONSIDERATION OF ADOPTION AND SIGNING OF RULES OF PROCEDURE: Zoning Administrator Pflughaupt reviewed the proposed updates to the Zoning Commission Rules of Procedure. The updates included cleanup changes to reflect the current ordinance and agenda process, revisions to the order of hearings, language regarding member eligibility, and language providing that officers continue to serve until successors are elected. The Commission discussed clarifying member eligibility to specify rural Jackson County residents and discussed the officer provisions. Motion was made and seconded to adopt the Rules of Procedure with the changes discussed, including the correction to specify rural Jackson County residents. Motion carried unanimously. Chair Burke was directed to wait to sign the Rules of Procedure until the corrections were made.

ELECTION OF OFFICERS:

Chair. Motion by McHugh to nominate Mike Burke for Chair, seconded by Gerlach. There were no additional nominations, and nominations were closed. Upon vote, Mike Burke was elected Chair. Motion carried unanimously.

Vice Chair. Motion by Stewart to nominate Monica McHugh for Vice Chair, seconded by Kies. Tom Stewart was also nominated but respectfully declined. There were no additional nominations, and nominations were closed. Upon vote, Monica McHugh was elected Vice Chair for the upcoming year. Motion carried unanimously.

PUBLIC HEARING: JACKSON ESTATES SUBDIVISION PRELIMINARY PLAT:

Case/Request. Public hearing and preliminary plat review for Jackson Estates Subdivision, located off Jackson Park Drive near Bellevue, Iowa. Owner: Jackson Estates, LLC. Applicant/Agent: WHKS. Proposed subdivision includes 15 lots plus Outlot A

on approximately 51.54 acres in the A-1 Agricultural District, located in Section 12, Township 86 North, Range 4 East, Jackson County, Iowa.

Conflict of Interest. Chair Burke asked whether any Commission member had a conflict of interest. No conflicts were stated.

Motion was made by McHugh, seconded by Stewart to open the public hearing.

Motion carried unanimously.

Staff Report. Zoning Administrator Pflughaupt stated that notice of the public hearing was published as required and that notices were mailed to property owners within 500 feet of the subject properties. A total of 38 notices were mailed and staff had received contact from four nearby property owners by phone and/or email. Pflughaupt explained that the matter before the Commission was preliminary plat review only. Pflughaupt summarized the submitted materials, including the preliminary plat, engineering drawings, drainage and storm water information, draft covenants, agency comments, and applicant-provided supporting materials. Items identified during review included lot layout and buildability, drainage and storm water, private road design and maintenance, wells and septic review on a lot-by-lot basis at permitting, utility service confirmation prior to final plat, and final covenant and fencing clarifications. Pflughaupt noted that the City of Bellevue had completed its extraterritorial review and approved the proposal after revisions to the storm water pollution prevention plan and related drainage materials. Pflughaupt also noted the roadway grade issue: the subdivision ordinance establishes a 7% maximum roadway gradient, the applicant requested a modification due to site topography and design constraints, and the County Engineer had recommended a 12% maximum. Environmental Health clarified that subdivision-wide preliminary soil testing was not required at this stage; soil testing will be required for each lot prior to building for septic system installation, and final well and septic placement will be reviewed at the permitting stage.

Applicant/Agent Presentation. Eric Tott, WHKS, presented. Tott described the location on the north side of Bellevue off Jackson Park Drive, near Highway 52. He stated that the proposal includes four private roads ending in cul-de-sacs, 14 new lots plus the existing house for 15 total lots. He stated that drainage generally flows east and south toward a culvert under Highway 52 and that drainage from the subdivision would be collected by six detention basins. Each lot would have its own well and septic system unless future property owners arranged shared wells. Tott noted that electric service details were still being worked out, with the eastern portion generally served by the City of Bellevue and the western portion by Maquoketa Valley Electric. Tott discussed the requested roadway grade modification. He stated that 12% is a typical maximum recommendation for a local 25-mph city street, but that the proposed roads would be private, lower-speed, and lower-volume roads serving only the subdivision. He stated that the topography makes flatter grades difficult, the existing paved driveway to the existing house is approximately 17%, and the design is generally held to approximately 18% in the steep areas. Tott stated that the roads would initially be gravel, that the Homeowners Association would be responsible for road maintenance and snow removal, and that a roadway fund would be established for future hard surfacing.

Public Comments and Questions. The following public comments and questions were received during the public hearing:

Jarred Decker, attending by Zoom, asked about the process and whether the subdivision was already approved. It was explained that the Zoning Commission makes a recommendation and the Board of Supervisors makes the final decision.

Steve Ensign, representing Ensign Corporation and Dale's First Corporation, including the David Ensign Memorial Park property, asked whether construction activity and earth-moving equipment would disrupt truck access to the business docks. Tott stated that the work was not expected to be a major earthwork operation and acknowledged the request to keep business access in mind.

Steve Nemmers, a real estate representative involved with the project, spoke in support of the subdivision, stating that the county and cities need additional lots and building sites and that the applicant had worked through the City of Bellevue review process. Duane Van Hemert stated that he was not opposed to development generally but had significant concerns about drainage, storm water, erosion, the condition and capacity of an existing drainage area, potential impacts to nearby backyards, safety concerns involving water near children and the lack of a neighborhood meeting with affected residents.

Triphon Dryman, an adjoining property owner, stated concerns regarding loss of hunting ability due to required distances from structures, erosion control, drainage, and fence maintenance where the subdivision would adjoin agricultural land with livestock.

Jared Kueter, GI Kueter Farms, stated concerns regarding fencing, drainage into a ditch affecting the farm, loss of hunting opportunities, livestock impacts, and whether certain lots were suitable due to ravines and terrain.

Richard Weinschenk stated concern about water control and whether a retaining wall or other protection would be needed where the grade rises from his property to the proposed subdivision.

Joe Gruntkoski, a nearby resident, stated concern regarding the environmental impact on the neighborhood, existing trees and habitat and potential effect on the value of homes already built in the area.

Roger Michels stated concern regarding existing water problems in the area, water running down streets and through yards and sump pumps running during heavy rain events.

Jarred Decker later asked about the acreage of the subdivision and stated that, while not completely opposed, he was concerned about wildlife and loss of habitat.

Applicant/Agent Rebuttal and Discussion. Tott provided additional information regarding the drainage design. He stated that the subdivision area is part of a larger drainage valley, and that the project can only control runoff from the subdivision property. Tott stated that the design would hold back runoff from a 100-year storm event and release it at the pre-development 5-year rate. He stated that an intercepting ditch would collect water along the east side and carry it to the drainage basin, and he described the proposed locations of the six detention basins, including the main basin near Jackson Park Drive and additional basins in the steeper drainage areas. Tott stated that the project would reduce or slow runoff from the developed area compared with uncontrolled release.

The Commission and public also discussed fencing. Tott stated that the draft covenants currently contemplated neighboring landowners dealing with individual property owners but that the covenants could possibly be revised so the adjoining landowners would work with the Homeowners Association. Commission members discussed concerns about livestock, maintenance responsibility, fallen trees, future owners and

the need for a recorded fence agreement. The Commission also discussed traffic, hunting concerns, lot sizes after easements, and the ability of the Board of Supervisors to review the full discussion and final supporting materials.

Motion was made by Steward, seconded by McHugh to close the public hearing. Motion carried unanimously.

CONSIDERATION OF RECOMMENDATION TO BOARD OF SUPERVISORS: JACKSON ESTATES SUBDIVISION PRELIMINARY PLAT

The Commission discussed whether to recommend approval of the preliminary plat to the Board of Supervisors. Discussion focused primarily on the requested 18% roadway grade modification, drainage and storm water concerns, and fencing responsibility along adjoining agricultural properties. Commission members noted that drainage concerns would remain part of the record and that engineering review would continue through the required subdivision process and final plat materials. Commission members also noted the importance of a clear, recorded fence agreement to avoid requiring adjoining agricultural landowners to work with multiple individual lot owners.

Motion was made and seconded to recommend approval of the Jackson Estates Subdivision preliminary plat to the Jackson County Board of Supervisors, with the 18% roadway grade as shown in the submitted plan and with the condition that a recorded fence agreement provide that applicable boundary fence maintenance be between the adjoining landowner(s) and the Homeowners Association, not the individual lot owners.

Commissioner	Vote
Brian Venema	Yes
Monica McHugh	Yes
Emerita Kies	Yes
Sandra Gerlach	Yes
Tom Stewart	Yes
Mike Burke	Yes

Motion carried unanimously, 6-0. Kristine Pfab was absent and excused.

The Commission took a brief recess. The meeting was reconvened with the same members present.

WORK SESSION: DRAFT DATA PROCESSING CENTER / HIGH-DENSITY COMPUTING FACILITY ORDINANCE

The Commission held a work session on the draft data processing center/high-density computing facility ordinance. No formal action was taken. Staff stated that recent edits were largely cleanup changes intended to tie the draft more clearly to land use and avoid overstepping other agencies' authority.

Topics discussed included:

- Noise testing, reporting, and corrective action. Staff reviewed revisions requiring a baseline ambient noise study before construction and one post-startup compliance test, with additional testing triggered by a complaint, expansion, violation, or other reason to investigate. The Commission discussed whether periodic testing should also be required and asked staff to compare the timing with the wind energy ordinance for consistency.

- Vibration testing, reporting, and corrective action. Staff proposed parallel language requiring a baseline ambient vibration study and post-startup testing, with the possibility of periodic testing consistent with the noise provisions and wind energy ordinance.
- Sensitive area protection. Staff reviewed added language intended to apply outside the hard setback, in the area more than 1,000 feet but within 1,320 feet, where additional protections could still be required. The Commission discussed whether the language should be moved into or coordinated with the setback section.
- Sanitary facilities, water supply and utility capacity verification. Staff stated the revisions were intended to keep the ordinance land-use focused and not overstep other agencies. Commissioners discussed whether utility capacity/load confirmation language belonged in the zoning ordinance, noting that electric service and state electrical inspection requirements involve the utility provider, state electrical inspector, and facility operator. Staff was asked to research why similar language appears in other ordinances and whether it had been recommended by legal counsel or simply copied from other drafts.
- Waste management. The Commission discussed draft language regarding e-waste storage, whether a 15-day limit was appropriate when materials are stored in approved containers, and whether hazardous materials documentation should reference or defer to EPA or other agency requirements.
- Violations and scenic byway/visual resource considerations. The Commission discussed whether violation language should reference the general ordinance enforcement provisions and supported adding scenic byway and visual resource considerations, similar to language used in the wind energy context.

ITEMS FROM STAFF/OTHER BUSINESS: Zoning Administrator Pflughaupt stated that the next Zoning Commission meeting was scheduled for May 18, 2026 at 7:00 p.m. Staff stated that, at the time of the meeting, there were no applications on file, though the application deadline had not yet passed and that the Commission may continue discussion of the data processing center/high-density computing facility ordinance.

PUBLIC COMMENT: Chair Burke called for public comment on items not listed on the agenda. No public comments were received in person or online.

ADJOURNMENT: Motion by McHugh, seconded by Gerlach, to adjourn the April 20, 2026 Zoning Commission meeting. Motion carried unanimously.

The meeting adjourned at 9:11 p.m.

Respectfully submitted,
Becca Pflughaupt
Zoning Administrator

Adopted: 5/18/2026