



**NOTICE OF MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS
(AUGUST 3, 2021) (WEEK 31 OF 2021)**

Live streaming at:
<https://www.youtube.com/user/woodburycountyiowa>

Agenda and Minutes available at:
www.woodburycountyiowa.gov

Live telephonic access at: 712-224-6014

Rocky L. DeWitt 253-0421 rdewitt@woodburycountyiowa.gov	Keith W. Radig 560-6542 kradig@woodburycountyiowa.gov	Mark A. Monson 204-1015 mmonson@woodburycountyiowa.gov	Matthew A. Ung 490-7852 matthewung@woodburycountyiowa.gov	Justin Wright 899-9044 jwright@woodburycountyiowa.gov
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You are hereby notified a meeting of the Woodbury County Board of Supervisors will be held August 3, 2021 at **4:30 p.m.** in the Basement of the Courthouse, 620 Douglas Street, Sioux City, Iowa for the purpose of taking official action on the agenda items shown hereinafter and for such other business that may properly come before the Board.

This is a formal meeting during which the Board may take official action on various items of business. If you wish to speak on an item, please follow the seven participation guidelines adopted by the Board for speakers.

1. Anyone may address the Board on any agenda item after initial discussion by the Board.
2. Speakers will approach the microphone one at a time and be recognized by the Chair.
3. Speakers will give their name, their address, and then their statement.
4. Everyone will have an opportunity to speak. Therefore, please limit your remarks to **three minutes on any one item.**
5. At the beginning of the discussion on any item, the Chair may request statements in favor of an action be heard first followed by statements in opposition to the action.
6. Any concerns or questions you may have which do not relate directly to a scheduled item on the agenda will also be heard under the first or final agenda item "Citizen Concerns."
7. For the benefit of all in attendance, please turn off all cell phones and other devices while in the Board Chambers.

AGENDA

4:30 p.m. Call Meeting to Order – Pledge of Allegiance to the Flag – Moment of Silence

- | | |
|---------------------------|-------------|
| 1. Citizen Concerns | Information |
| 2. Approval of the agenda | Action |

Consent Agenda

Items 3 through 6 constitute a Consent Agenda of routine action items to be considered by one motion. Items pass unanimously unless a separate vote is requested by a Board Member.

3. Approval of the minutes of the July 27, 2021 meeting
4. Approval of claims
5. Board Administration – Heather Satterwhite
Approval of Notice of Property Sale Resolution for Parcel #894706433016 (aka 2637 S. Nicollet St.) for Tuesday, August 17 at 4:35 p.m.
6. Human Resources – Melissa Thomas
Approval of Memorandum of Personnel Transactions

End Consent Agenda

- | | | |
|--------------------------------|---|-------------|
| | 7. County Sheriff – Chad Sheehan
Approve application process for a MRHD Grant | Action |
| | 8. Secondary Roads – Mark Nahra | |
| | a. Receive bids for gravel production and return them to the county engineer for review and recommendation | Action |
| | b. Award bid if low quote is clearly determined by bid results | |
| 4:40 p.m.
(Set time) | c. Approval of request to close and vacate county right of way on Garner Avenue between 130 th Street and 140 th Street | Action |
| 4:45 p.m.
(Set time) | 9. Community & Economic Development – David Gleiser | |
| | a. Public hearing on Ordinance for Zoning District Map Amendment to rezone GIS Parcels 884704302005 and 884704302006, owned by JAB Holding Co. LLC/Elk Creek Animal Hospital, to General Commercial | Action |
| | b. Approve the zoning district map amendment for GIS Parcels 884704302005 and 884704302006 to General Commercial | Action |
| | c. Conduct the first reading of the ordinance | Action |
| 4:50 p.m.
(Set time) | d. Public hearing on Ordinance for Zoning District Map Amendment to rezone GIS Parcel 884724300005, owned by Lieber Properties LLC, to Agricultural Estates | Action |
| | e. Approve the zoning district map amendment for GIS Parcel 884724300005 to Agricultural Estates | Action |
| | f. Conduct the first reading of the ordinance | |
| | 10. Reports on Committee Meetings | Information |
| | 11. Citizen Concerns | Information |
| | 12. Board Concerns | Information |

ADJOURNMENT

Subject to Additions/Deletions

CALENDAR OF EVENTS

- MON., AUG. 2** **6:00 p.m.** Board of Adjustment meeting, First Floor Boardroom
- WED., AUG. 4** **9:00 a.m.** Loess Hills Alliance Protection Meeting, Pisgah, IA
- 10:30 a.m.** Loess Hills Alliance Stewardship Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Executive Meeting, Pisgah, IA
- 3:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., AUG. 5** **10:00 a.m.** COAD Meeting, The Security Institute
- WED., AUG. 11** **8:05 a.m.** Woodbury County Information Communication Commission, First Floor Boardroom
- THU., AUG. 12** **12:00 p.m.** SIMPCO Board of Directors, 1122 Pierce St.
- WED., AUG. 18** **12:00 p.m.** Siouxland Economic Development Corporation Meeting, 617 Pierce St., Ste. 202
- 10:00 a.m.** Siouxland Center for Active Generations Board of Directors Meeting, 313 Cook St.
- 4:00 p.m.** Conservation Board Meeting, Southwood Conservation Area
- THU., AUG. 19** **4:30 p.m.** Community Action Agency of Siouxland Board Meeting, 2700 Leech Avenue
- FRI., AUG. 20** **12:00 p.m.** Siouxland Human Investment Partnership Board Meeting Northwest AEA, Room G
- MON., AUG. 23** **6:00 p.m.** Zoning Commission Meeting, First Floor Boardroom
- TUE., AUG. 24** **2:00 p.m.** Decat Board Meeting, Western Hills AEA, Room F
- WED., AUG. 25** **2:30 p.m.** Rolling Hills Community Services Region Governance Board Meeting
- THU., AUG. 26** **11:00 a.m.** Siouxland Regional Transit Systems (SRTS) Board Meeting, SIMPCO Office, 1122 Pierce
- WED., SEP. 1** **9:00 a.m.** Loess Hills Alliance Stewardship Meeting, Pisgah, Iowa
- 10:30 a.m.** Loess Hills Alliance Executive Meeting
- 12:00 p.m.** District Board of Health Meeting, 1014 Nebraska St.
- 1:00 p.m.** Loess Hills Alliance Full Board Meeting
- 3:45 p.m.** Veteran Affairs Meeting, Veteran Affairs Office, 1211 Tri-View Ave.
- THU., SEP. 2** **10:00 a.m.** COAD Meeting, The Security Institute

Woodbury County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will consider reasonable accommodations for qualified individuals with disabilities and encourages prospective employees and incumbents to discuss potential accommodations with the Employer.

Federal and state laws prohibit employment and/or public accommodation discrimination on the basis of age, color, creed, disability, gender identity, national origin, pregnancy, race, religion, sex, sexual orientation or veteran's status. If you believe you have been discriminated against, please contact the Iowa Civil Rights Commission at 800-457-4416 or Iowa Department of Transportation's civil rights coordinator. If you need accommodations because of a disability to access the Iowa Department of Transportation's services, contact the agency's affirmative action officer at 800-262-0003.

JULY 27, 2021, THIRTIETH MEETING OF THE WOODBURY COUNTY BOARD OF SUPERVISORS

The Board of Supervisors met on Tuesday, July 27, 2021 at 4:30 p.m. Board members present were Monson, Radig, Ung, Wright, and De Witt. Staff members present were Heather Satterwhite, Public Bidder, Melissa Thomas, Human Resources Director, Dennis Butler, Finance Director, and Patrick Gill, Auditor/Clerk to the Board.

The regular meeting was called to order with the Pledge of Allegiance to the Flag and a Moment of Silence.

1. There were no citizen concerns.
2. Motion by De Witt second by Radig to approve the agenda for July 27, 2021. Carried 5-0. Copy filed.

Motion by De Witt second by Radig to approve the following items by consent:

3. To approve minutes of the July 20, 2021 meeting. Copy filed.
4. To approve the claims totaling \$523,191.34. Copy filed.
5. To receive the appointment of Vance Choquette, 304 Tipton St, Salix, to the City of Salix Council. Copy filed.
- 6a. To approve the reclassification of Michael Simoni, Sheriff Deputy, County Sheriff Dept., effective 06-14-21, \$31.99/hour, 6.5%=\$1.96/hour. Per CWA Deputy Sheriff Contract agreement, from Class 1 to Senior Class due to 4 years of employment and 10 years of military service.; the appointment of Marcello Greco, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 07-28-21, \$18.60/hour. Job Vacancy Posted 5-26-21. Entry Level Salary: \$17.78-\$19.53/hour.; the appointment of Michael Murray, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 07-28-21, \$18.60/hour. Job Vacancy Posted 5-26-21. Entry Level Salary: \$17.78-\$19.53/hour.; the reclassification of Brandon Chapple, Civilian Jailer, County Sheriff Dept., effective 08-09-21, \$22.76/hour, 4%=\$.88/hour. Per CWA Civilian Officers Contract agreement, from Class 2 to Class 1.; and the reclassification of Robert Grimm, P/T Courthouse Safety & Security Officer, County Sheriff Dept., effective 08-09-21, \$20.60/hour, 5.4%=\$1.07/hour. Per Wage Plan comparability with AFSCME Courthouse Contract, from Grade3/Step 3 to Grade 3/Step 4. Copy filed.
- 6b. To approve and authorize the Chairperson to sign the Authorization to initiate the hiring process for Director, Emergency Services Dept. Wage Plan: \$65,000-\$75,000/year. Copy filed.
7. To receive the Juvenile Detention's June population report. Copy filed.

Carried 5-0.

8. Motion by De Witt second by Monson to approve the 2021 Inter-Local Agreement between the City of Sioux City, Iowa, and Woodbury County, Iowa, for the Local Edward Byrne Memorial Justice Assistance Grant Program award. Carried 5-0. Copy filed.
11. Motion by De Witt second by Ung to receive documents relating to the Bond Purchase Agreement for General Obligation Urban Renewal County Road Improvements Bonds, Series 2021. Carried 5-0. Copy Filed.

Motion by Monson second by Radig to approve and authorize the Chairperson to sign a Resolution approving Bond Purchase Agreement for General Obligation Urban Renewal County Road Improvements Bonds, Series 2021. Carried 5-0.

RESOLUTION #13,215 RESOLUTION APPROVING BOND PURCHASE AGREEMENT FOR GENERAL OBLIGATION URBAN RENEWAL COUNTY ROAD IMPROVEMENT BONDS, SERIES 2021

WHEREAS, the Board of Supervisors (the "Board") of Woodbury County, Iowa (the "County"), has proposed to enter into a general obligation loan agreement (the "Loan Agreement"), pursuant to the provisions of Section 331.402 of

the Code of Iowa, for the purpose of paying the cost of making improvements to county roads, and has published notice and held a hearing on the proposal; and

WHEREAS, it has been proposed that the County enter into the Loan Agreement with D.A. Davidson & Co. (the "Underwriter") and issue General Obligation Urban Renewal County Road Improvement Bonds, Series 2021 (the "Bonds") in evidence of its obligations under the Loan Agreement; and

WHEREAS, a certain Bond Purchase Agreement (the "Bond Purchase Agreement") has been prepared setting forth the terms of the Bonds and the understanding between the County and the Underwriter, and it is now necessary to make provision for the approval of the Bond Purchase Agreement;

NOW, THEREFORE, Be It Resolved by the Board of Supervisors of Woodbury County, Iowa, as follows:

Section 1. The Bond Purchase Agreement is hereby approved in substantially the form as presented to this Board. The Chairperson and County Auditor are hereby authorized and directed to execute and deliver the Bond Purchase Agreement to the Underwriter.

Section 2. All resolutions and orders or parts thereof in conflict with the provisions of this resolution, to the extent of such conflict, are hereby repealed.

Passed and approved July 27, 2021.

WOODBURY COUNTY BOARD OF SUPERVISORS

Copy filed.

- 9a. A public hearing was held at 4:40 p.m. to receive public comments on the proposed road closure and vacation of right of way on Garner Avenue between 130th Street and 140th Street. The Chairperson called on anyone wishing to be heard.

Jeff Barto, Merville, Don Lee, Merville, Dennis Ragan, Merville, Kathy Davies, Lawton, Mark Davies, Lawton and Norm Thoreson, Lawton participated in the public hearing.

Motion by De Witt second by Radig to receive a letter from Donald and Carla Lee regarding the closure and vacation of a portion of Garner Ave. Carried 5-0. Copy Filed.

Motion by De Witt second by Ung to receive a letter from Schlessor Farms LLC. regarding the closure and vacation of a portion of Garner Ave. Carried 5-0. Copy Filed.

Motion by De Witt second by Monson to close the public hearing. Carried 5-0.

- 9b. Motion by De Witt second by Wright to set a time of 4:40 pm., August 3, 2021 for action on the road closure and vacation of right of way on Garner Avenue. Carried 4-1, Radig opposed. Copy filed.

- 10a. Motion by De Witt second by Monson to award the bid for the 28th Street Development Project (LEC Off-Site Improvements) to Sioux City Engineering Company. Carried 5-0. Copy filed.

- 10b. Motion by Monson second by De Witt to defer action to approve project expenditures described under financial impact as necessary. Carried 5-0. Copy filed.

12. The Board heard reports on committee meetings.

13. There were no citizen concerns.

14. Board concerns were heard.

The Board adjourned the regular meeting until August 3, 2021.

Meeting sign in sheet. Copy filed.

RESOLUTION

NOTICE OF PROPERTY SALE

Parcels #894706433016

WHEREAS Woodbury County, Iowa was the owner under a tax deed of a certain parcel of real estate described as:

**Lot Sixteen (16) in Block Eight (8) of Normandy Addition to City of Sioux City, Woodbury County, Iowa
(2637 S. Nicollet St.)**

NOW THEREFORE,

BE IT RESOLVED by the Board of Supervisors of Woodbury County, Iowa as follows:

1. That a public hearing on the aforesaid proposal shall be held on the **17th Day of August, 2021 at 4:35 o'clock p.m.** in the basement of the Woodbury County Courthouse.
2. That said Board proposes to sell the said parcel of real estate at a public auction to be held on the **17th Day of August, 2021**, immediately following the closing of the public hearing.
3. That said Board proposes to sell the said real estate to the highest bidder at or above a **total minimum bid of \$325.00** plus recording fees.
4. That this resolution, preceded by the caption "Notice of Property Sale" and except for this subparagraph 4 be published as notice of the aforesaid proposal, hearing and sale.

Dated this 3rd Day of August, 2021.

ATTEST:

WOODBURY COUNTY BOARD OF SUPERVISORS

Patrick F. Gill
Woodbury County Auditor
and Recorder

Rocky De Witt, Chairman

REQUEST FOR MINIMUM BID

Name: Bill Margellos Date: 5/24/21
Address: 2626 S Cleveland St Phone: 712-635-8328

Address or approximate address/location of property interested in:
2637 S. Nicollet

GIS PIN # 884706433016

**This portion to be completed by Board Administration **

Legal Description:
Lot 16 Block 8 of Normandy Addition
to City of Sioux City, Woodbury County

Tax Sale #/Date: #44 6-22-76 Parcel # _____

Tax Deeded to Woodbury County on: 11/13/1980

Current Assessed Value: Land \$1500 Building 0 Total \$1500

Approximate Delinquent Real Estate Taxes: 0

Approximate Delinquent Special Assessment Taxes: 0

*Cost of Services: N/A

Inspection to: Rocky Dewitt Date: 5/24/21

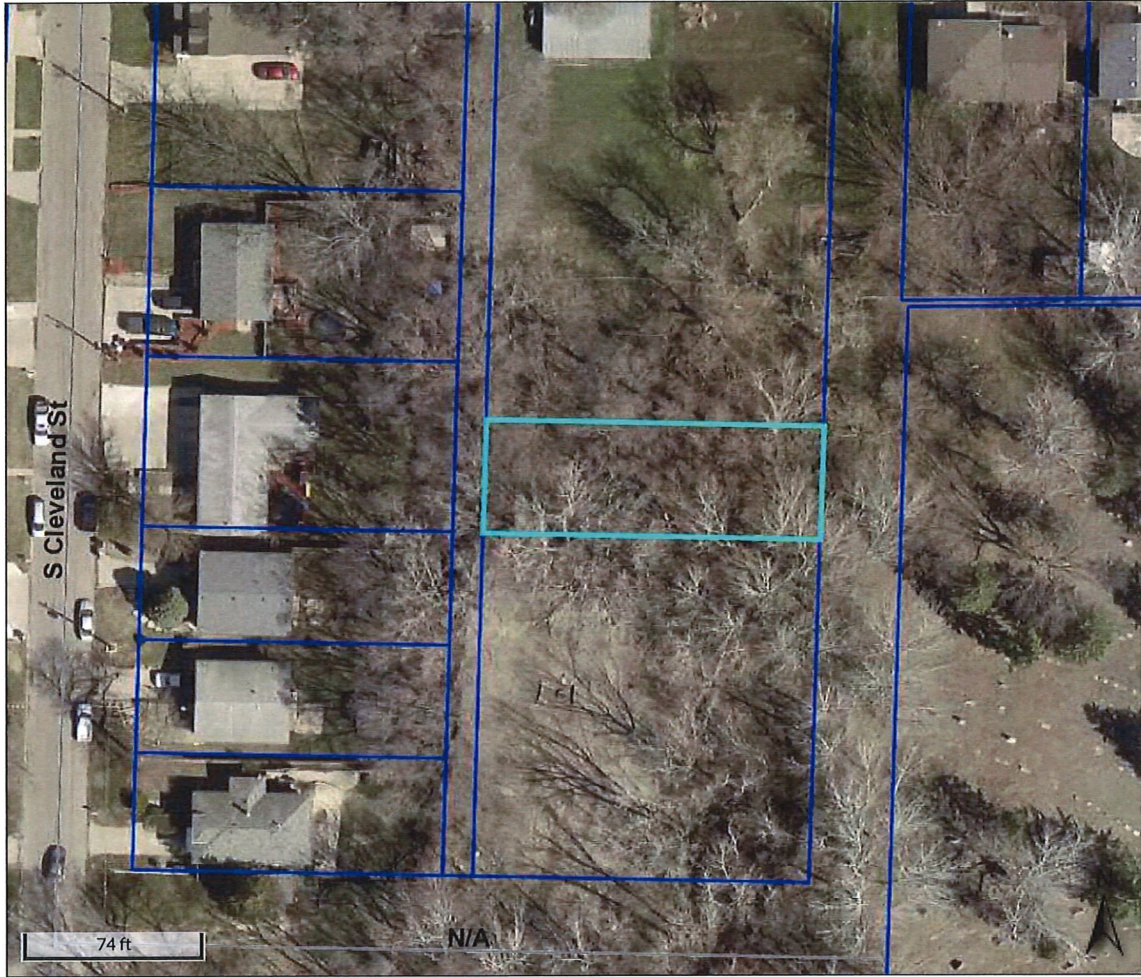
Minimum Bid Set by Supervisor: \$325 PLUS ANY FEES Total \$325

Date and Time Set for Auction: Tuesday, August 17th @ 4:35

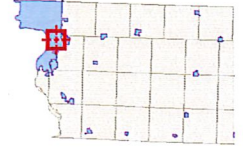
* Includes: Abstractors costs; Sheriff's costs; publishing costs; and mailing costs.



Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

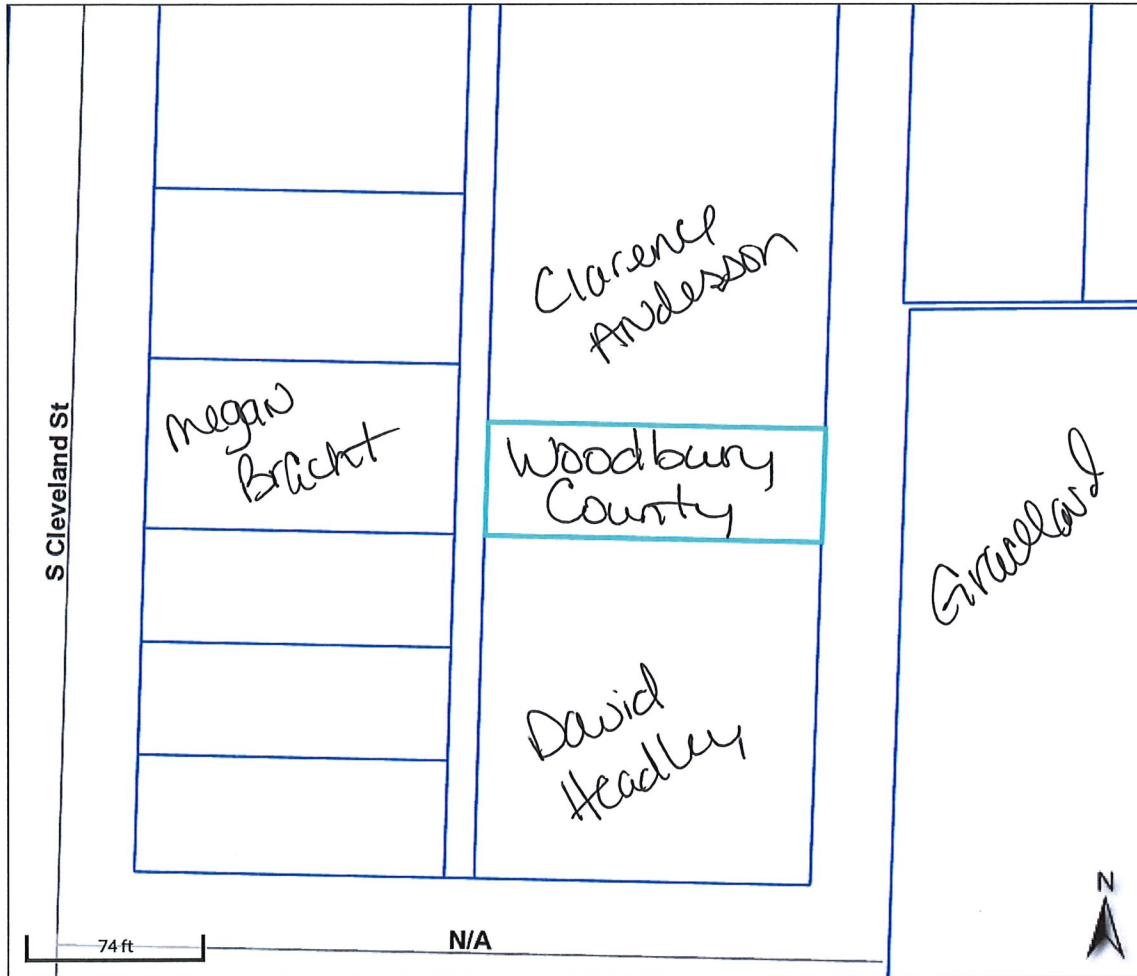
Parcel ID	884706433016	Alternate ID	361965	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	2637 S NICOLLET ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	NORMANDY LOT 16 BLK 8				
	(Note: Not to be used on legal documents)				

Date created: 5/24/2021
 Last Data Uploaded: 5/21/2021 7:08:59 PM

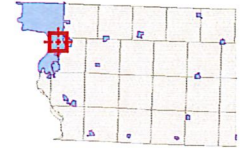
Developed by  **Schneider**
 GEOSPATIAL



Beacon™ Woodbury County, IA / Sioux City



Overview



Legend

- Roads
- Corp Boundaries
- Townships
- Parcels

Parcel ID	884706433016	Alternate ID	361965	Owner Address	WOODBURY COUNTY
Sec/Twp/Rng	n/a	Class	R		620 DOUGLAS ST
Property Address	2637 S NICOLLET ST	Acreage	n/a		SIOUX CITY, IA 51101
	SIOUX CITY				
District	0087				
Brief Tax Description	NORMANDY LOT 16 BLK 8				
	(Note: Not to be used on legal documents)				

Date created: 5/24/2021
 Last Data Uploaded: 5/21/2021 7:08:59 PM

Developed by Schneider
 GEOSPATIAL

HUMAN RESOURCES DEPARTMENT

MEMORANDUM OF PERSONNEL TRANSACTIONS

DATE: August 3, 2021

*** PERSONNEL ACTION CODE:**

A- Appointment	R-Reclassification
T - Transfer	E- End of Probation
P - Promotion	S - Separation
D - Demotion	O - Other

TO: WOODBURY COUNTY BOARD OF SUPERVISORS

NAME	DEPARTMENT	EFFECTIVE DATE	JOB TITLE	SALARY REQUESTED	% INCREASE	*	REMARKS
Kilbride, Tayea	Juvenile Detention	8-05-21	P/T Youth Worker	\$20.38/hour		A	Job Vacancy Posted 6-9-21. Entry Level Salary: \$20.38/hour.
Grieve, Kimberly	County Auditor	8-09-21	Election Clerk III	\$26.54/hour	9%=\$2.20/hr	R	Per AFSCME Courthouse Contract agreement, from Grade 5/Step 4 to Grade 5/Step 5.

APPROVED BY BOARD DATE: _____

MELISSA THOMAS, HR DIRECTOR: *Melissa Thomas HR Director*

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 07-27-2021 Weekly Agenda Date: 08-03-2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Sheriff Chad Sheehan

WORDING FOR AGENDA ITEM:

Approval for application of MRHD grant.

ACTION REQUIRED:

- | | | |
|--|---|--|
| Approve Ordinance <input type="checkbox"/> | Approve Resolution <input type="checkbox"/> | Approve Motion <input checked="" type="checkbox"/> |
| Public Hearing <input type="checkbox"/> | Other: Informational <input type="checkbox"/> | Attachments <input type="checkbox"/> |

EXECUTIVE SUMMARY:

Approval to make application for a MRHD grant to build a tactical training facility to be used by Woodbury County Sheriff's Office and other law enforcement agencies.

BACKGROUND:

With the old Prairie Hills building being closed, the Sheriff's Office lost a valuable training area. This facility would allow law enforcement officers to train with Simunitions. This training provides law enforcement the most realistic and non-lethal force on force training. This facility would also be used to train officers/deputies for potential issues in the jail and courthouse.

FINANCIAL IMPACT:

None

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Approve application process for a MRHD grant.

ACTION REQUIRED / PROPOSED MOTION:

Approve application process for a MRHD grant.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 07/28/2021 Weekly Agenda Date: 08/03/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Receive and consider quotes for gravel production

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The county engineer has requested quotations for the processing of gravel excavated at the RR Pit north of Correctionville.

BACKGROUND:

Increasing costs for gravel excavation and processing have resulted in the county engineer looking at cost saving alternatives. We have requested quotes from general excavation contractors to create stockpiles of raw, unsorted gravel material. We are now requesting a quote for processing the gravel with a crushing and production plant.

FINANCIAL IMPACT:

The project is paid for with local Woodbury County secondary road funds.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

- 1) I recommend that the Board receive bids for gravel production and return them to the county engineer for review and recommendation.
- 2) If quotes show a clear low quote, the engineer may recommend award at the Board meeting after opening the quotes.

ACTION REQUIRED / PROPOSED MOTION:

- 1) Motion to receive bids for gravel production and return them to the county engineer for review and recommendation.
- 2) Motion to award bid if low quote is clearly determined by bid results.

WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 07/28/2021 Weekly Agenda Date: 08/3/2021

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: Mark J. Nahra, County Engineer

WORDING FOR AGENDA ITEM:

Set Time discussion, 4:40 PM: Consideration of request to close and vacate county right of way on Garner Avenue between 130th Street and 140th Street

ACTION REQUIRED:

Approve Ordinance Approve Resolution Approve Motion
Public Hearing Other: Informational Attachments

EXECUTIVE SUMMARY:

The board held a hearing on July 27 to hear comments in regard to a request to close a portion of Garner Avenue between 130th Street and 140th Street.

BACKGROUND:

The Board of Supervisors has the authority to establish, alter, or vacate roads per section 306.10 of the Code of Iowa. A hearing was scheduled for July 27, 2021 to vacate the north half mile of the road in question. Comments from affected landowners were received at the public hearing. Action on the proposal to close the road and vacate the right of way is requested for this meeting.

FINANCIAL IMPACT:

The county will place the former road right of way back on the property tax rolls.

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

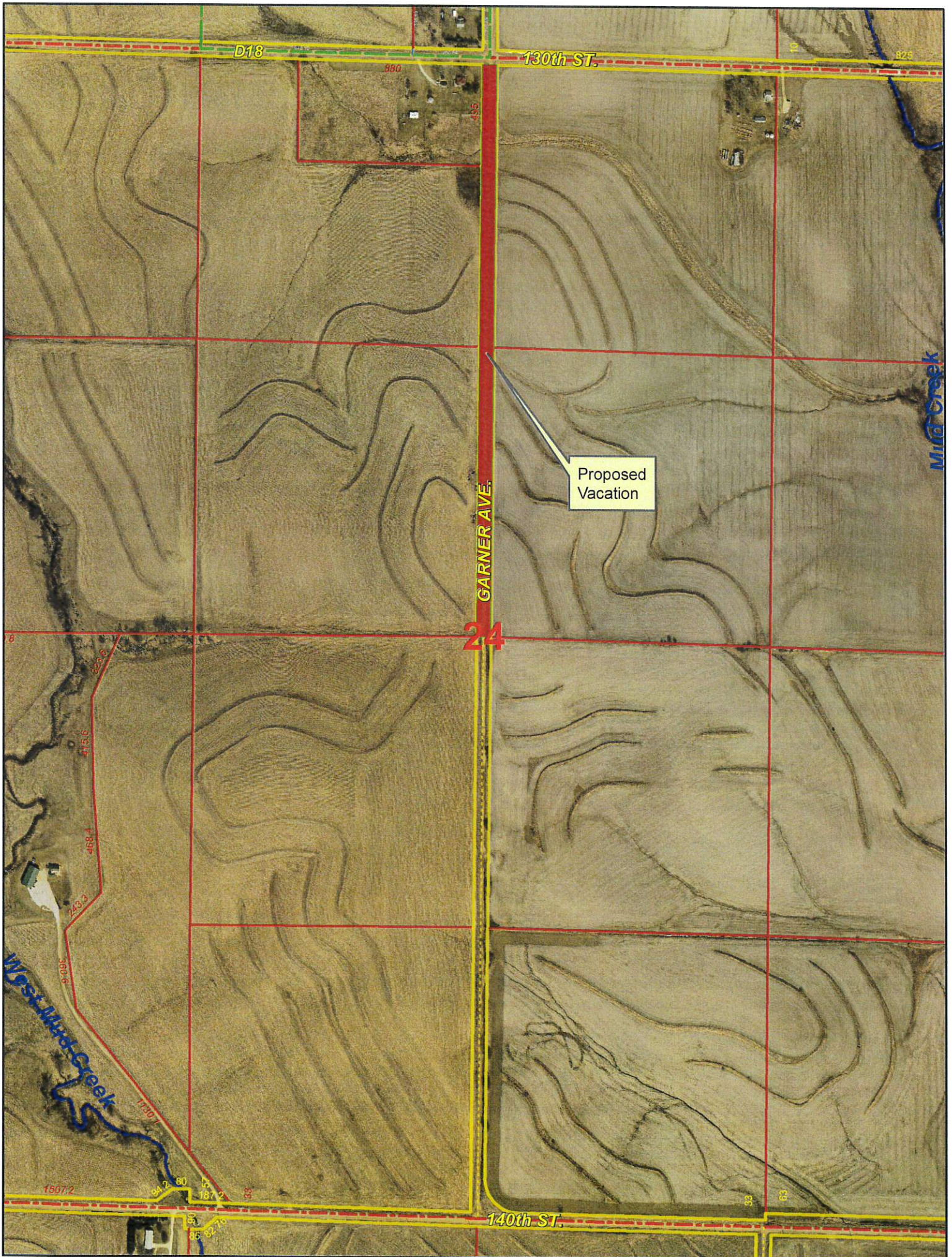
Yes No

RECOMMENDATION:

The Board has two choices for action at this meeting. 1) Close the north half mile of road as proposed. 2) Leave the road open to traffic.

ACTION REQUIRED / PROPOSED MOTION:

Motion to decide whether to enact the proposed road closure and vacation of right of way or maintain Garner Avenue as an open county road.



WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/29/21

Weekly Agenda Date: 8/3/21

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: David Gleiser, CED Director

WORDING FOR AGENDA ITEM:

Ordinance for Zoning District Map Amendment to Rezone GIS Parcels 884704302005 and 884704302006, owned by JAB Holding Co. LLC/Elk Creek Animal Hospital, to General Commercial

A.) Public Hearing and Approval of 1st Reading

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning Ordinance Map Amendment to re-zone GIS Parcel 884704302005 from Agricultural Presentation (AP) to General Commercial (GC) and GIS Parcel 884704302006 from Suburban Residential (SR) to General Commercial (GC).

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

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 boundary. The Sioux City Planning and Zoning office was contacted and had no concerns about the proposal.

The veterinarian hospital has been operating at this location for over 54 years, well before the county adopted zoning in 1971. The property is currently a legal nonconforming use and has operated under the transitional provisions of today's zoning ordinance. This request will put the property into compliance with the use and building requirements of the current ordinance. The 2005 Future Land Use Map shows this area as Rural Residential which is equivalent to today's Suburban Residential (SR) Zoning District, the predominant county zoning district in that neighborhood. Because of the business's longtime presence in the neighborhood, the General Commercial Zoning District is suitable for this proposal as its purpose is "to provide for orderly development of limited commercial uses that are compatible with and serve the agricultural sector of rural Woodbury County". The request also conforms to the County's General Development Plan Economic Development Goal 2.2 (Support existing, growing businesses in Woodbury County).

This property abuts Morningside Avenue, an area with mixed uses including a mobile home park, single-family dwellings, two churches, Mid-Step Services, and Countryside Healthcare. The adjacent parcels in Sioux City include the Neighborhood Conservation 2 (NC.2) and the Neighborhood Conservation 4 (NC.4) Zoning Districts, both of which are compatible for uses such as hospitals, clinics, medical labs, medical offices, dental offices, and childcare centers.

Legal notifications were made in the Sioux City Journal for all required public hearings. Relevant stakeholders were contacted regarding the proposal and 123 property owners within 1,000 ft. were notified by letter about the Zoning Commission public hearing on 07/26/21. As of 7/29/21, one general inquiry and concern about erosion from an adjacent property owner has been received.

On 07/26/21 the Zoning Commission held a public hearing on the application and voted in favor of recommending approval to the Board of Supervisors. In addition to today, the following dates have been tentatively scheduled for the 2nd, and if necessary, 3rd public hearing for additional readings and formal adoption of the ordinance to amend the zoning map: Tuesday, 08/10/21 at 4:45 PM, and Tuesday, 08/17/21 at 4:45 PM.

FINANCIAL IMPACT:

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IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Open and close the public hearing.

Approve the zoning district map amendment for GIS Parcels 884704302005 and 884704302006 to General Commercial.

Conduct the first reading of the ordinance.

The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 08/10/21 at 4:45 PM, and Tuesday, 08/17/21 at 4:45 PM, respectively.

ACTION REQUIRED / PROPOSED MOTION:

Open and close the public hearing.

Motion to approve the zoning district map amendment for GIS Parcels 884704302005 and 884704302006 to General Commercial.

Motion to conduct the first reading of the ordinance.



**WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT**

620 DOUGLAS STREET – SIOUX CITY, IA 51101

David Gleiser - Director - dgleiser@woodburycountyia.gov
Dan Priestley - Zoning Coordinator - dpriestley@woodburycountyia.gov
Dawn Norton - Sr. Clerk - dnorton@woodburycountyia.gov
Telephone (712) 279-6609 Fax (712) 279-6530

FINAL REPORT – 7/28/21

ZONING ORDINANCE MAP AMENDMENT (REZONE) PROPOSALS:

- 1) **AGRICULTURAL PRESERVATION (AP) to GENERAL COMMERCIAL (GC)**
Parcel #884704302005
- 2) **SURBURBAN RESIDENTIAL to GENERAL COMMERCIAL (GC)**
Parcel # 884704302006

FACTS OF THE CASE

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.



Parcel ID 884704302006 Alternate ID 831315 Owner Address JAB HOLDING CO,LLC
 Sec/Twp/Rng 4-88-47 Class C 6003 MORNINGSIDE AVE
 Property Address 6003 MORNINGSIDE AVE Acreage n/a SIOUX CITY, IA 51106
 SIOUX CITY
 District 0058
 Brief Tax Description 551.85' N130.8' & A TCT 79.7' X 9.65' ON SW COR OF N78.95' FT VAC BLK 3.6.5 IRVING PLACEN 1/2SW 4-88-47
 (Note: Not to be used on legal documents)



Woodbury County Zoning Designations:

- Agricultural Preservation (AP)
- Suburban Residential (SR)

City of Sioux City Zoning Designations:

- Public Institutional (PI)
- Neighborhood Conservation (NC.2)
- Neighborhood Conservation (NC.4)

ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION

The Woodbury County Zoning Commission voted unanimously to recommend approval of the request to rezone both properties to the General Commercial (GC) Zoning District as proposed.

Staff recommends approval of this Zoning Ordinance Map Amendment (Rezone) as proposed.

ZONING COMMISSION – DRAFT MINUTES FROM JULY 26, 2021

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 (Rezone) 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 884704302008 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 884704302008 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 (Rezone) 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 rezone 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 rezone 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 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

PROPERTY OWNERS' NOTIFICATION – 1000 FT

The 123 property owners within 1,000'; and listed on the certified abstractor's affidavit; were notified by a July 12, 2021 about the Zoning Commission public hearing on July 26, 2021 as per Section 2.02.1(B) of the Woodbury County Zoning Ordinance.

As of July 23, 2021 the Community & Economic Development office has not received written comment from any property owner owning property within 1,000'. There was one phone inquiry from an adjacent lawnmower.

When more comments are received after the printing of this report, they will be provided at the meeting.



NAME	ADDRESS	CITY	STATE	ZIP	COMMENTS
David J. & Lavonne I. Blutt	RR 2	Sioux City	IA	51106	
Melanie Robinson	5845 Morningside Ave.	Sioux City	IA	51106	
David J. Blutt	1900 Decatur Ave.	Sioux City	IA	51106	
Thomas A. & Debra S. Schroeder	6500 6th Ave.	Sioux City	IA	51106	
James E. & Twila M. Wikstrom	6600 6th Ave.	Sioux City	IA	51106	
Kenneth R. & Linda Sue Wikstrom	6600 6th Ave.	Sioux City	IA	51106	
Clarence M. & Herthel C. Uhl	6701 6th Ave.	Sioux City	IA	51106	
Morningside Estates LLC	19435 39th Ave.	Golden Beach	FL	33160	
Juan L. Ramirez	6014 Morningside Ave.	Sioux City	IA	51106	
Handy L C	2201 4th St.	Sioux City	IA	51101	
Randy A. & Linda C. Olsen	6707 6th Ave.	Sioux City	IA	51106	Inquired whether there would be any soil erosion onto his property to the east. – 7/22/21.
Jab Holding Co LLC	6003 Morningside Ave.	Sioux City	IA	51106	
Edward & Delphine M. Klingensmith	36 Eastview Dr. Apt 321	Sioux City	IA	51106	
Matthew C. Donovan	6011 Morningside Ave.	Sioux City	IA	51106	
David A. Greene	6015 Morningside Ave.	Sioux City	IA	51106	
Edward H. & Delphine M. Klingensmith	36 Eastview Dr. Apt 321	Sioux City	IA	51106	
David K. & Dianna R. Wrenn	5309 Stone Ave.	Sioux City	IA	51106	
Morningside Bible Church	6100 Morningside Ave.	Sioux City	IA	51106	
Morningside Avenue Propco LLC	6120 Morningside Ave.	Sioux City	IA	51106	
Daniel L. & Stormie J. Westphal	6023 Morningside Ave.	Sioux City	IA	51106	
David J. Wiich	6111 Morningside Ave.	Sioux City	IA	51106	
John K. & Jody A. Backer	6115 Morningside Ave.	Sioux City	IA	51106	
Jason D. & Debra L. Davis	6117 Morningside Ave.	Sioux City	IA	51106	
Mark R. & Regina R. Rawlings	6119 Morningside Ave.	Sioux City	IA	51106	
Deanna F. De Forrest	5410 Glenn Ave.	Sioux City	IA	51106	
Melanie Robinson	5845 Morningside Ave.	Sioux City	IA	51106	
Leonard P. & Betty J. Kraker	3309 S. Nicollet St.	Sioux City	IA	51106	
Austin G. & Jessica J. Struble	2515 S. Lyons St.	Sioux City	IA	51106	
James L. & Jolene Smith	2525 S. Lyons St.	Sioux City	IA	51106	
Jesus J. Ochoa & Maria De Los Angeles Cardenas	2529 S. Lyons St.	Sioux City	IA	51106	
Matthew J. & Ruth B. Liston	5505 Bushnell Ave.	Sioux City	IA	51106	
Lewis Patricia M Rev Trust	5511 Bushnell Ave.	Sioux City	IA	51106	
Donald E. & Regina M. Hanna	5515 Bushnell Ave.	Sioux City	IA	51106	
Madonna R. Nitzke	2500 S. Lyons St.	Sioux City	IA	51106	
Christopher P. & Jamie J. Blatchford	2504 S. Lyons St.	Sioux City	IA	51106	
Jeanne M. Chamberlain	2508 S. Lyons St.	Sioux City	IA	51106	
Scott W. & Nancy A. Cochrane	2526 S. Lyons St.	Sioux City	IA	51106	
Tyler L. Donnelly	2530 S. Lyons St.	Sioux City	IA	51106	
Jerry E. Jr. & Gina N. Plathe	5605 Bushnell Ave.	Sioux City	IA	51106	
Clinton P. & Heather C. Baker	5611 Bushnell Ave.	Sioux City	IA	51106	
Randall W. & Candi C. Whitead	5615 Bushnell Ave.	Sioux City	IA	51106	
John & Connie Sponder	5621 Bushnell Ave.	Sioux City	IA	51106	
Adrianna E. & Andrew J. Mullins	5625 Bushnell Ave.	Sioux City	IA	51106	
Douglas T. & Jerilyn K. Watkins	5900 Morningside Ave.	Sioux City	IA	51106	
Duane E. & Jeanne R. McCallum Joint Revocable Trust	5910 Morningside Ave.	Sioux City	IA	51106	
Richard E. & Jean E. Turner	5920 Morningside Ave.	Sioux City	IA	51106	
Gerald W. Knutson	5950 Morningside Ave.	Sioux City	IA	51106	
Oscar L. Alvarez	5952 Morningside Ave.	Sioux City	IA	51106	
Jose Eduardo Garza	2512 S. Lyons St.	Sioux City	IA	51106	
Kevin J. & Sharon L. Godwin	2520 S. Lyons St.	Sioux City	IA	51106	
Aleandra & Alicia Mata Ledezma	5940 Morningside Ave.	Sioux City	IA	51106	
Mike & Sarah Ohrtman	5930 Morningside Ave.	Sioux City	IA	51106	
Handy L C	2201 4th St.	Sioux City	IA	51101	
Troy A. & Cara H. Kern	2600 Willow St.	Sioux City	IA	51106	
Asael Joaquin	2604 Willow St.	Sioux City	IA	51106	
Shannon Claxton	2608 Willow St.	Sioux City	IA	51106	
Miguel D. & Ana B. Leyva	2612 Willow St.	Sioux City	IA	51106	
Michael & Chelon R. Busch	2616 Willow St.	Sioux City	IA	51106	
Kyle & Kaela Wiig	2620 Willow St.	Sioux City	IA	51106	
Douglas Roehrich	2624 Willow St.	Sioux City	IA	51106	
Jeffery T. & Tavia L. Heyer	2601 S. Lyons St.	Sioux City	IA	51106	
Charles B. Polkinghorn	2605 S. Lyons St.	Sioux City	IA	51106	
Kenneth F. & Debra J. Lasher	2615 S. Lyons St.	Sioux City	IA	51106	
Adam G. Heath	2619 S. Lyons St.	Sioux City	IA	51106	
Daniel G. & Diane M. Varner Joint Revocable Trust	2623 S. Lyons St.	Sioux City	IA	51106	
Carol Barker	2627 S. Lyons St.	Sioux City	IA	51106	
James A. Jr. & Julie S. Peck	2631 S. Lyons St.	Sioux City	IA	51106	
Glenn A. & Cynthia M. Brunick	2635 S. Lyons St.	Sioux City	IA	51106	
Heath J. & Jennifer L. Albert	2600 S. Lyons St.	Sioux City	IA	51106	
Judith K. Peterson	2612 S. Lyons St.	Sioux City	IA	51106	
Dennis G. & Nancy L. Labrone	2618 S. Lyons St.	Sioux City	IA	51106	
James A. & Dolores B. Shay	2601 S. Roswell St.	Sioux City	IA	51106	
Eriencfield Lucille Trust	2609 S. Roswell St.	Sioux City	IA	51106	
Dier R. Vandebrake & Alyssa R. Lyon	2617 S. Roswell St.	Sioux City	IA	51106	
Marx Mary Rise Dee	5601 Windsor Ave.	Sioux City	IA	51106	
Schmit Properties Lc	204 1st St. Ste B4	Sergeant Bluff	IA	51054	
Matthew E. Gilbert	5617 Windsor Ave.	Sioux City	IA	51106	
Sara Alvarez & Oscar Alvarez-Lopez	5600 Windsor Ave.	Sioux City	IA	51006	

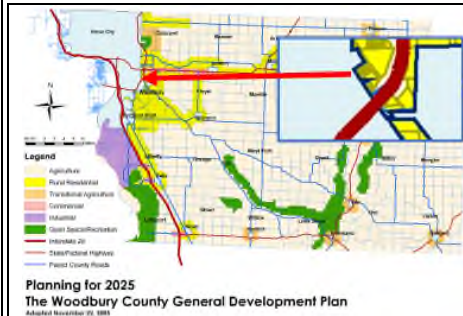
Nicholas H. & Maggie D. Beccard	5610 Windsor Ave.	Sioux City	IA	51106
Ivan A. Streeter Revocable Trust	5618 Windsor Ave.	Sioux City	IA	51106
Rex A. & Marcia R. Schroder	2600 S. Roswell St.	Sioux City	IA	51106
William G. & Linda F. Prescott	2608 S. Roswell St.	Sioux City	IA	51106
Keith & Amy Horn	2612 S. Roswell St.	Sioux City	IA	51106
Jeff & Colleen Loffswold	2616 S. Roswell St.	Sioux City	IA	51106
Cheryl Sikma & Carmen Park	2620 S. Roswell St.	Sioux City	IA	51106
Kenneth V. & Cheryl I. Hoffman	5620 Windsor Ave.	Sioux City	IA	51106
Loving Faith Fellowship	PO Box 1146	Sioux City	IA	51102
Chad G. Menefee	2633 S. Walker St.	Sioux City	IA	51106
Richelle L. Burr	2645 S. Walker St.	Sioux City	IA	51106
Verdin N. & Linda Guevara	2637 Walker St.	Sioux City	IA	51106
Kenneth F. & Cornelia Lubbers	2641 Walker St.	Sioux City	IA	51106
Henry D. & Dottie J. Baker	2641 S. Lyons St.	Sioux City	IA	51106
Perry E. & Jeanine E. Sales	2647 S. Lyons St.	Sioux City	IA	51106
Kristine C. Frye	PO Box 65712	W. Des Moines	IA	50265
Callie J. Koza	2640 S. Lyons St.	Sioux City	IA	51106
Robert V. Blades & Angie L. Macklern	5603 Myers Ave.	Sioux City	IA	51106
Harlan H. & Barbara B. Montgomery	403 C St. #129	Sergeant Bluff	IA	51054
Jade E. Meier & Joshua J. Montagne	5611 Myers Ave.	Sioux City	IA	51106
Emily M. Jones	5615 Myers Ave.	Sioux City	IA	51106
Adam Erickson	5701 Myers Ave.	Sioux City	IA	51106
Karl J. & Rebecca S. Staben	5705 Myers Ave.	Sioux City	IA	51106
Justin C. & Alison M. Benson	5713 Myers Ave.	Sioux City	IA	51106
Robert J. & Kimberly S. Fisher	5709 Myers Ave.	Sioux City	IA	51106
Nancy M. Davis & Kristine E. Bata	5600 Myers Ave.	Sioux City	IA	51106
Tyler C. & William R. Hanna	2704 S. Lyons St.	Sioux City	IA	51106
Bruce A. & Peggy S. Simpson	5606 Myers Ave.	Sioux City	IA	51106
Patricia A. Hanson	5610 Myers Ave.	Sioux City	IA	51106
Jeremy M. & Sharolynn M. Gosch	5613 Myers Ave.	Sioux City	IA	51106
William E. Cortez	5700 Myers Ave.	Sioux City	IA	51106
Patrick E. & Sandra M. Odonnell	5704 Myers Ave.	Sioux City	IA	51106
Kyle M. George	5708 Myers Ave.	Sioux City	IA	51106
Aron Hoffmeier	5712 Myers Ave.	Sioux City	IA	51106
James J. Svoboda	5615 Seger CT.	Sioux City	IA	51106
Richard & Virginia Sokolovski	5617 Seger CT.	Sioux City	IA	51106
Darin L. & Jami R. Pixler	5621 Seger CT.	Sioux City	IA	51106
Travis S. & Michelle B. Helt	5625 Seger CT.	Sioux City	IA	51106
George D. Jr. & Elisa J. Stickney	5630 Seger CT.	Sioux City	IA	51106
Norman J. & Doris E. Trompeter	2707 Walker St.	Sioux City	IA	51106
Dennis W. & Gayle P. Cosgrove	2713 Walker St.	Sioux City	IA	51106
Angel Wallace	2715 Walker St.	Sioux City	IA	51106
Zachary D. & Hillary Teska	5628 Seger CT.	Sioux City	IA	51106
Lance M. Weaver	2719 S. Walker St.	Sioux City	IA	51106
Jaime M. Young	2723 Walker St.	Sioux City	IA	51106

STAKEHOLDER REVIEW	
CENTURYLINK:	No comments.
CITY OF SIOUX CITY:	The City of Sioux City Planning Office has no comments regarding the requested rezoning for the Elk Creek Animal Hospital. – Jeff Hanson, 7/8/21.
FIBERCOMM:	FiberComm has no objection. – Jeff Zyzda, 7/8/21.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION:	No comments.
LOGLINES:	No comments.
MAGELLAN PIPELINE:	No comments.
MIDAMERICAN ENERGY COMPANY:	I have reviewed the proposed rezoning for MEC electric. We do have facilities in the area and the owner should be aware that we will retain easement. Any costs associated with relocation are at the owner's expense. – Casey J. Meinen, 7/8/21.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	No comments or concerns from NNG. – Nathan Hanneman, 7/8/21.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	No comments.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	I have no comments or concerns. – Rebecca Socknat, 7/8/21.
WOODBURY COUNTY ENGINEER:	I have reviewed the application and have no concerns with this rezoning. The veterinary clinic has been there as long as I can remember. I am a customer of the clinic and if they follow through with their plan to build a new animal hospital and provide off street parking, the area will be better served. Current parking for customers of the animal hospital have to back into traffic on Morningside Avenue. Off road parking will hopefully be provided under a new clinic construction that will hopefully eliminate this potential hazard. – Mark Nahra, PE, 7/27/21.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	No comments.

ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

CONFORMANCE WITH THE GOALS AND OBJECTIVES SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN FOR WOODBURY COUNTY INCLUDING THE FUTURE LAND USE MAP.



The 2005 Future Land Use Map shows this area as Rural Residential which is equivalent to today's Suburban Residential (SR) Zoning District. The parcels are currently zoned Agricultural Preservation (AP) and Suburban Residential (SR), and the request is to change to General Commercial (GC). The request conforms to the goals and objectives of the general development plan as it relates to the economic development where "Woodbury County should support growth and stabilization of existing and new, diverse enterprises that effectively leverage public investments to create jobs, payrolls and tax base that contribute to a healthy, stable local economy." This includes economic goal 2.2:

- Support existing, growing businesses in Woodbury County

COMPATIBILITY AND CONFORMANCE WITH THE POLICIES AND PLANS OF OTHER AGENCIES WITH RESPECT TO THE SUBJECT PROPERTY.

This property abuts the corporate boundary with the City of Sioux City. The Sioux City Planning and Zoning office had no comments about this proposal.

CONSIDERATION OF THE CORN SUITABILITY (CSR) OF THE PROPERTY.

The CSR2 rating for this property includes ratings of 39, 24, and 95. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitability rating (e.g. over 65 CSR) from conversion to other land uses. With two ratings that are not high on that scale, this would be a suitable location to continue the non-agricultural use. The property has not been part of a farming operation over the past 54 years. There is not enough land area available to farm.

Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
4001D	Ida-Urban land complex, 9 to 14 percent slopes	39	0.0	1.2%
4001E	Ida-Urban land complex, 14 to 20 percent slopes	24	2.3	73.8%
4010B	Monona-Urban land complex, 2 to 5 percent slopes	95	0.8	25.0%
Totals for Area of Interest			3.1	100.0%



COMPATIBILITY WITH ADJACENT LAND USES.

This property abuts Morningside Avenue, an area with mixed uses including a mobile home park, single-family dwellings, two churches, Mid-Step Services, and Countryside Healthcare. As noted, the adjacent parcels in the City of Sioux City include the Neighborhood Conservation 2 (NC.2) and the Neighborhood Conservation (NC.4) Zoning Districts. The NC.4 District includes several uses that are comparable with a veterinarian hospital. In this district and with administrative approval, the city allows hospitals, clinics, medical labs, medical offices, dental offices, and childcare centers. The NC.2 district includes conditional approval of childcare centers, funeral homes, medical offices, and dentist offices.

COMPATIBILITY WITH OTHER PHYSICAL AND ECONOMIC FACTORS AFFECTING OR AFFECTED BY THE PROPOSED REZONING.

The proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required. The final project would result in an increased taxable valuation in comparison to the previous facility. An addition of a new commercial facility would complement the existing commercial businesses within the project area.

ANY OTHER RELEVANT FACTORS.

This veterinarian hospital has been operating at this location for over 54 years. As of today's zoning ordinance, this property is legal nonconforming and has operated under the transitional provisions of Section 1.03. This request will put this property into compliance with the use and building requirements of the current ordinance. The Woodbury County Recorder's office includes records in their "Index to Trade Names" book under file #7350 that Morningside Veterinary Hospital was conducting business at 6003 Morningside Avenue on September 15, 1966. Below is an image of the recorded document. Since that time, the animal hospital has operated under several property owners as per the Auditor Transfer Books from 1960 to 2020 in the Recorder's office.

149		AN INDEX TO TRADE NAMES No. 2				WOODBURY COUNTY, IOWA				149	
File No.	TRADE OR ASSUMED NAME OF PERSON OR CO-PARTNERSHIP	ADDRESS WHERE BUSINESS IS CONDUCTED		VERIFIED STATEMENT		Name of Person Owning or Having an Interest in the Business	POST OFFICE ADDRESS		RESIDENCE ADDRESS		
		Street Number	Town	Mo. Year	Mo. Year		Street Number	Town	Street Number	Town	
7174	Printing, Inc	2300 S. Lincoln	Lincoln	Jan 1 1965	Jan 7 1965	Frank Meyer Blair Black Frank Origen			2300 S. Lincoln	Lincoln	
7200	Tracy's Cafe	512 5th St	Lincoln	Jan 25 1965	Jan 28 1965	Tracy Jacobs			512 5th St	Lincoln	
7206	Mid-West Kite Manufacturing Co	2404 S. Clinton St	"	Apr 15 "	Apr 12 "	Robert P. Wilson			2404 S. Clinton St	"	
7244	Richard Santiago	844 6th St	"	June 29 1965	June 29 1965	Richard A. Santiago			844 6th St	Lincoln	
7257	James Cook & Son	1403 7th St	"	Aug 6 1965	Aug 5 1965	James Cook August Cook			1403 7th St	"	
7259	Mid-West Vertical Postings	221 Commerce Alley	"	" 16 "	" 2 "	Walter H. Myron Paul H. Myron			1510 Commerce St 221 W. 4th St	"	
7273	Precher Contracting	3426 E. 5th St	"	Oct 13 1965	Oct 11 1965	Carl A. Precher			3426 E. 5th St	"	
7293	Midwest Trucking Service	2325 Douglas St	"	Jan 11 1966	Jan 6 1966	Edgar J. Koch Nathan M. Koch			2325 Douglas St	"	
7296	Monty Bank Slip	519 7th St	"	Feb 1 "	Feb 1 "	Martin A. Kuller			519 7th St	"	
7297	Marion Park Park Linen City	426 Liberty Blvd	"	" 1 "	Jan 28 "	Ernie H. Hutchison			2427 Liberty Blvd	"	
7335	Mitchell Hair Stylist	512 7th St	"	July 1 "	Oct 5 1965	Ronald E. Mitchell			1412 7th St	"	
7350	Morningside Veterinary Hospital	6003 Morningside	"	Sept 15 1966	Sept 6 1966	Dr. John P. Stoll			6003 Morningside	"	
7369	Morningside Florist	1353 S. St. Catharine	"	Nov 10 "	Nov 7 "	Don Van Maanen	P.O. Box 2525	Mobile Station	1642 W. 20th	"	

ORDINANCE NO. __

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2021.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Rocky De Witt, Chairman

Mathew A. Ung, Vice Chairman

Mark Monson

Keith Radig

Justin Wright

Adoption Timeline:

Public Hearing and 1st Reading:

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Effective:

ITEM ONE (1)

Property Owner: JAB Holding Co. LLC, 6003 Morningside Ave., Sioux City, IA 51106

Petitioner Applicant: JAB Holding Co. LLC, 6003 Morningside Ave., Sioux City, IA 51106

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, July 26, 2021, to review and make recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the General Commercial (GC) Zoning District for 0.84 acres located in the NW ¼ of the SW ¼ of Sec. 4, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel #884704302005.

THE PART OF THE NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT (88), NORTH, RANGE FORTY-SEVEN (47), WOODBURY COUNTY, IOWA, BEING PART OF VACATED BLOCKS THREE (3) AND FIVE (5), IRVING PLACE ADDITION, INCLUDING ALLEYS AND STREETS ABUTTING VACATED BLOCKS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE CENTER LINE OF VACATED RUDGE STREET AND THE EASTERLY LINE OF MORNINGSIDE AVENUE (FORMERLY SMITHLAND ROAD OF ELK CREEK ROAD), SAID POINT BEING FIVE HUNDRED SIXTY-ONE AND ONE HUNDREDTHS FEET (561.1') NORTHWESTERLY FROM THE SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION FOUR (4); THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MORNINGSIDE AVENUE FOR SIXTY-NINE AND THIRTY HUNDREDTHS FEET (69.30') THENCE EASTERLY PARALLEL TO THE SAID CENTER LINE OF VACATED RUDGE STREET FOR SEVENTY-NINE AND SEVEN HUNDREDTHS SOUTHERLY PARALLEL TO THE EASTERLY LINE OF SAID MORNINGSIDE AVENUE FOR NINE AND SIXTY-FIVE HUNDREDTHS FEET; THENCE EASTERLY PARALLEL TO THE CENTER LINE OF SAID VACATED RUDGE STREET TO THE WESTERLY RIGHT OF WAY LINE OF THE C M ST P & PAC R ROAD; THENCE NORTHWESTERLY ALONG THE SAID WESTERLY RIGHT OF WAY LINE TO THE CENTER LINE OF SAID VACATED RUDGE STREET; THENCE WESTERLY ALONG THE CENTER LINE VACATED RUDGE STREET TO THE PLACE OF BEGINNING.

ITEM TWO (2)

Property Owner: JAB Holding Co. LLC, 6003 Morningside Ave., Sioux City, IA 51106

Petitioner Applicant: JAB Holding Co. LLC, 6003 Morningside Ave., Sioux City, IA 51106

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, July 26, 2021, to review and make recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

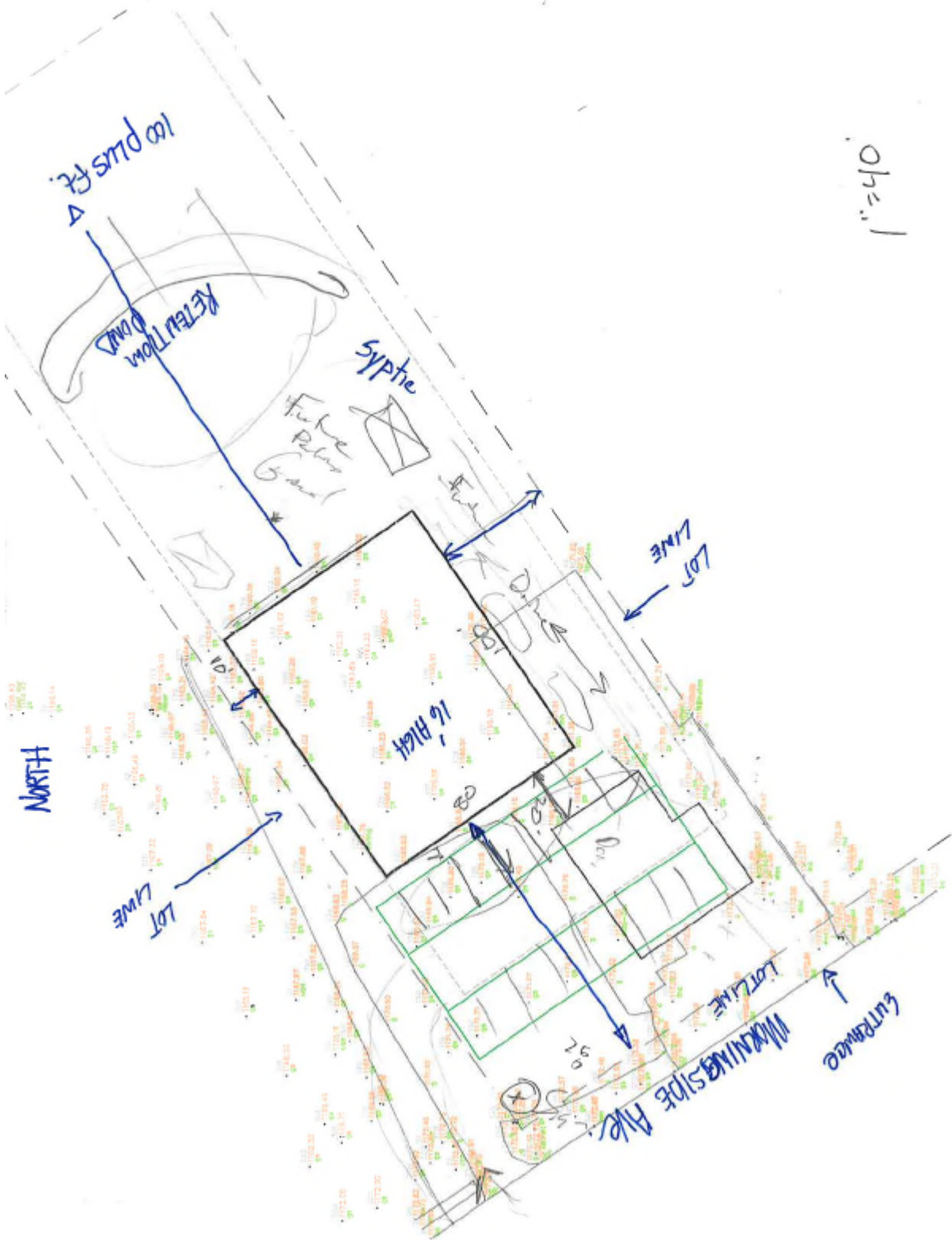
Amendment to rezone from the Suburban Residential (SR) Zoning District to the General Commercial (GC) Zoning District for 0.58 acres located in the NW ¼ of the SW ¼ of Sec. 4, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. The property is known as GIS Parcel # 884704302006.

THAT PART OF THE NORTHWEST QUARTER (NW 1/4) OF SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-EIGHT (88), NORTH, RANGE FORTY-SEVEN (47), WOODBURY COUNTY, IOWA, BEING A PART OF VACATED BLOCKS THREE (3) AND FIVE (5), IRVING PLACE ADDITION,

INCLUDING ALLEYS AND STREETS ABUTTING VACATED BLOCKS DESCRIBED AS FOLLOWS:
COMMENCING AT A POINT ON THE CENTER LINE OF VACATED RUDGE STREET AND THE EASTERLY
LINE OF MORNINGSIDE AVENUE (FORMERLY SMITHLAND ROAD OR ELK CREEK ROAD), SAID POINT
BEING FIVE HUNDRED AND SIXTY-ONE AND ONE TENTH (561.1) FEET NORTHWESTERLY FROM THE
SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF
SECTION FOUR (4); THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID MORNINGSIDE AVENUE
FOR SEVENTY-EIGHT AND NINETY-FIVE HUNDREDTHS (78.95) FEET TO THE PLACE OF BEGINNING OF
THIS DESCRIPTION; THENCE EAST PARALLEL TO THE CENTER LINE OF VACATED RUDGE STREET TO
THE WESTERLY RIGHT OF WAY LINE OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC
RAILROAD; THENCE SOUTHERLY ALONG THE SAID WESTERLY RIGHT OF WAY LINE TO A POINT
WHICH IS ONE HUNDRED THIRTY AND EIGHT-TENTHS (130.8) FEET SOUTH AND PERPENDICULAR TO
THE SAID CENTER LINE OF VACATED RUDGE STREET; THENCE WEST PARALLEL TO THE SAID CENTER
LINE OF VACATED RUDGE STREET TO THE EASTERLY LINE OF SAID MORNINGSIDE AVENUE; THENCE
NORTHWESTERLY ALONG SAID EASTERLY LINE FOR FIFTY-ONE AND EIGHTY-FIVE HUNDREDTHS
(51.85) FEET TO THE PLACE OF BEGINNING; AND THAT PART OF THE NORTHWEST QUARTER (NW 1/4)
OF SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY- EIGHT (88), NORTH,
RANGE FORTY-SEVEN (47), WOODBURY COUNTY, IOWA, BEING A PART OF VACATED BLOCKS THREE
(3) AND FIVE (5), IRVING PLACE ADDITION; INCLUDING ALLEYS AND STREETS ABUTTING VACATED
BLOCKS DESCRIBED AS FOLLOWS: COMMENCING AT A POINT ON THE CENTER LINE OF VACATED
RUDGE STREET AND THE EASTERLY LINE OF MORNINGSIDE AVENUE (FORMERLY SMITHLAND ROAD
OR ELK CREEK ROAD), SAID POINT BEING FIVE HUNDRED SIXTY-ONE AND ONE-TENTH (561.1) FEET
NORTHWESTERLY FROM THE SOUTH LINE OF THE SAID NORTHWEST QUARTER (NW 1/4) OF THE
SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4); THENCE SOUTHERLY ALONG THE EASTERLY
LINE OF SAID MORNINGSIDE AVENUE FOR SEVENTY-EIGHT AND NINETY-FIVE HUNDREDTHS (78.95)
FEET TO THE PLACE OF BEGINNING OF THIS DESCRIPTION; THENCE EAST PARALLEL TO THE SAID
CENTER LINE OF VACATED RUDGE STREET FOR SEVENTY-NINE AND SEVEN TENTHS (79.7) FEET;
THENCE NORTHWESTERLY PARALLEL TO THE EASTERLY LINE OF SAID MORNINGSIDE AVENUE FOR
NINE AND SIXTY-FIVE HUNDREDTHS FEET (9.65'); THENCE WESTERLY PARALLEL TO THE CENTER
LINE OF SAID VACATED RUDGE STREET FOR SEVENTY-NINE AND SEVEN-TENTHS FEET (79.7') TO THE
EASTERLY LINE OF SAID MORNINGSIDE AVENUE THENCE SOUTHEASTERLY FOR NINE AND SIXTY-
FIVE HUNDREDTHS FEET (9.65') TO THE PLACE OF BEGINNING.

SITE PLAN

1"=40'



APPLICATION

REZONE APPLICATION & ZONING ORDINANCE MAP AMENDMENT APPLICATION

JAB HOLDINGS CO INC

Owner Information: EIK CREEK A/H
Owner: AARON BESSMER
Address: 6003 MORNINGSIDE AVE
SIOUX CITY, IOWA
Phone: 712-771-5368

Applicant Information: Geneva Costa
Applicant: RICK D. SWANSON
Address: 512 So Ridge Dr.
SOUTH SIOUX CITY, NEB
Phone: 712-251-1165 68776

Engineer/Surveyor: TRUE ENGINEERING (SCOT) Phone: 712-870-9709

Property Information: 6003 + 6001
Property Address or Address Range: 6003 MORNINGSIDE AVE, SIOUX CITY, IOWA
Quarter/Quarter: North 1/2 Sec. SW Sec. 4 Township/Range: 8847
Parcel ID #: 884704302001 + 005 or GIS #: 831315 + 884704302005 Total Acres: 0.58/15.2157
Current Use: VET CLINIC Proposed Use: SAME
Current Zoning: AP/SR Proposed Zoning: General Commercial
Average Crop Suitability Rating (submit NRCS Statement): N/A

Woodbury

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date: ^{LACT PRE} May 28 2021 Staff present: DANIEL

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner: [Signature] Date: May 25th 2021

Applicant: [Signature] Date: May 25th 2021

Fee: \$400 Case #: 6670
Check #: CK # 4452 5/25/21
Receipt #: # 586729



WOODBURY COUNTY BOARD OF SUPERVISORS AGENDA ITEM(S) REQUEST FORM

Date: 7/29/21

Weekly Agenda Date: 8/3/21

ELECTED OFFICIAL / DEPARTMENT HEAD / CITIZEN: David Gleiser, CED Director

WORDING FOR AGENDA ITEM:

Ordinance for Zoning District Map Amendment to Rezone GIS Parcel 884724300005, owned by Lieber Properties LLC, to Agricultural Estates

A.) Public Hearing and Approval of 1st Reading

ACTION REQUIRED:

Approve Ordinance

Approve Resolution

Approve Motion

Public Hearing

Other: Informational

Attachments

EXECUTIVE SUMMARY:

The Board of Supervisors will hold a public hearing to discuss a proposed Zoning Ordinance Map Amendment to rezone GIS Parcel 884724300005 from Agricultural Presentation (AP) to Agricultural Estates (AE).

Following the public hearing, the Board may defer consideration of the proposal; or reject the proposal; or proceed to adopt an ordinance approving the amendment to the zoning district map.

A 60% majority of the Board of Supervisors shall be required to adopt the proposed amendment of the zoning district map if the owners of more than 20% of either, (a) the area of the subject property or (b) the area of real property lying within 500 feet of the subject property file a written objection prior to the conclusion of the public hearing.

The Board of Supervisors may impose restrictive conditions upon the approval of an amendment to the zoning district map if, before the conclusion of the public hearing, the owner agrees to the conditions in writing.

BACKGROUND:

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 rezone 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. Base Flood Elevations have been obtained by the IDNR and are reflected on the final plat. This area will continue to be farmed and will be available for future development.

The property is located in an area recognized as the Loess Hills. The 2005 Future Land Use Map shows this area as Rural Residential which is equivalent to today's Suburban Residential (SR) Zoning District, which allows a much higher population density than the AE Zoning District. AE is the predominant residential zoning district in that neighborhood. This parcel has a CSR2 rating of 53.32. The agricultural goal of the Woodbury County General Development Plan is to protect prime farmland as determined by a high corn suitable rating (e.g. over 65 CSR) from conversion to other land uses. With a rating of 53.32, this is a suitable location for non-agriculture development. The request also conforms with the goals and objectives of the Development Plan as it relates to Land Use Goals 1.3 (Encourage development near cities by discouraging leap-frog development outside municipalities), and 1.4 (Recognize the Loess Hills from the "front range" to the steeply rolling hills tapering off toward the east as a unique natural resource that should be conserved by good stewardship by the owners of the land involved). The proposal is compatible with adjacent land uses as there are six existing AE lots that include four dwellings northwest of the property and there is another dwelling south of the property across Old Hwy 141. The area northeast of the property is farm ground.

Legal notifications were made in the Sioux City Journal for all required public hearings. Relevant stakeholders were contacted regarding the proposal and 13 property owners within 1,000 ft. were notified by letter about the Zoning Commission public hearing on 07/26/21. As of 7/29/21, two written statements opposing the proposal and one inquiry regarding erosion from an adjacent neighbor have been received. On 07/26/21 the Zoning Commission held a public hearing on the application. Gary Walters, county resident and Farm Manager for Wendel Real Estate, property owners southwest of the Lieber parcel spoke in opposition to the project. Upon closing the public hearing, the Zoning Commission voted in favor of recommending approval to the Board of Supervisors. In addition to today, the following dates have been scheduled for the 2nd, and if necessary, 3rd public hearing for additional readings and formal adoption of the ordinance to amend the zoning map: Tuesday, 08/10/21 at 4:50 PM, and Tuesday, 08/17/21 at 4:50 PM.

FINANCIAL IMPACT:

0

IF THERE IS A CONTRACT INVOLVED IN THE AGENDA ITEM, HAS THE CONTRACT BEEN SUBMITTED AT LEAST ONE WEEK PRIOR AND ANSWERED WITH A REVIEW BY THE COUNTY ATTORNEY'S OFFICE?

Yes No

RECOMMENDATION:

Open and close the public hearing.

Approve the zoning district map amendment for GIS Parcel 884724300005 to Agricultural Estates.

Conduct the first reading of the ordinance.

The 2nd and 3rd public hearings and readings of the ordinance have been scheduled for Tuesday, 08/10/21 at 4:50 PM, and Tuesday, 08/17/21 at 4:50 PM, respectively.

ACTION REQUIRED / PROPOSED MOTION:

Open and close the public hearing.

Motion to approve the zoning district map amendment for GIS Parcel 884724300005 to Agricultural Estates.

Motion to conduct the first reading of the ordinance.



WOODBURY COUNTY
COMMUNITY & ECONOMIC DEVELOPMENT

620 DOUGLAS STREET – SIOUX CITY, IA 51101

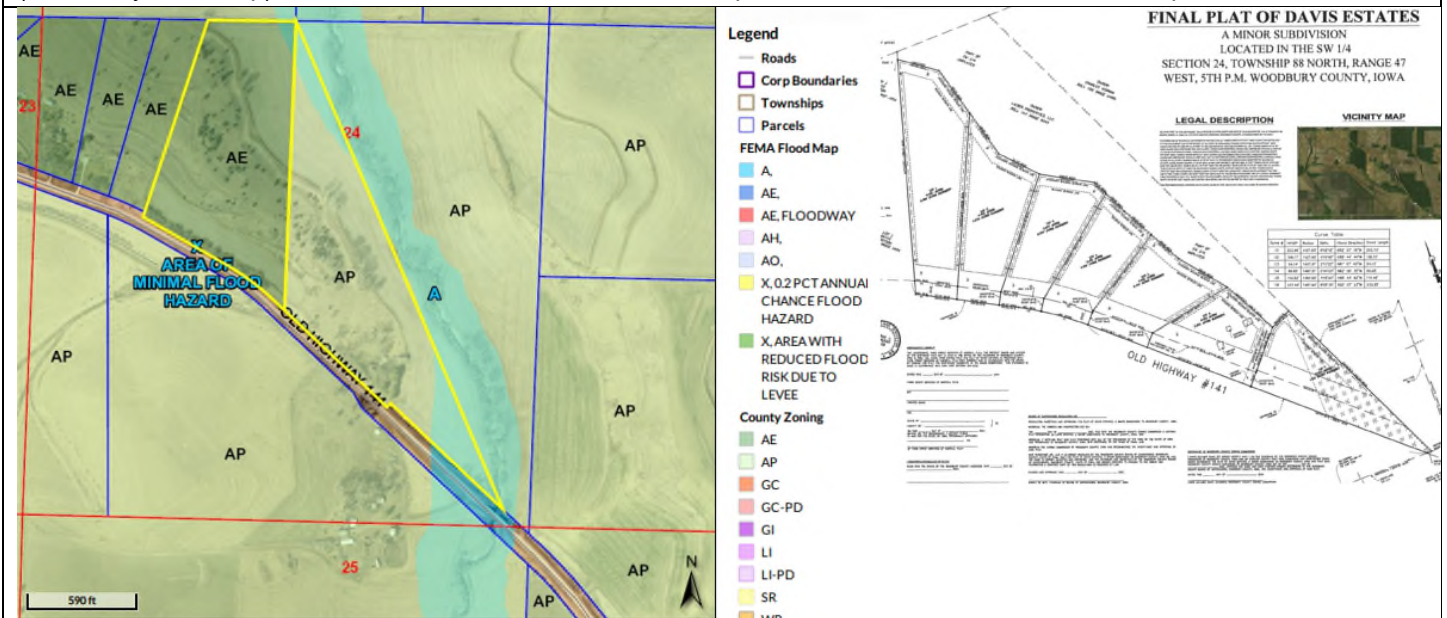
David Gleiser - Director - dgleiser@woodburycountyiowa.gov
Dan Priestley - Zoning Coordinator - dpriestley@woodburycountyiowa.gov
Dawn Norton - Sr. Clerk - dnorton@woodburycountyiowa.gov
Telephone (712) 279-6609 Fax (712) 279-6530

FINAL REPORT – 7/28/21

ZONING ORDINANCE MAP AMENDMENT (REZONE) PROPOSAL
AGRICULTURAL PRESERVATION (AP) to AGRICULTURAL ESTATES (AE)
Parcel # 884724300005

FACTS OF THE CASE

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 rezone 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.



ZONING COMMISSION RECOMMENDATION AND STAFF RECOMMENDATION

The Woodbury County Zoning Commission voted unanimously to recommend approval of the request to rezone the property to the Agricultural Estates (AE) Zoning District as proposed.

Staff recommends approval of this Zoning Ordinance Map Amendment (Rezone) as proposed.

ZONING COMMISSION – DRAFT MINUTES FROM JULY 26, 2021

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 (Rezone) 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 884704302008 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 884704302008 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 (Rezone) 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 rezone 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 rezone 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 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.

LEGAL NOTIFICATION

Notification of the public hearing before the Woodbury County Zoning Commission on Monday, July 26, 2021 at 6:00 PM was published in the Sioux City Journal's Legals Section as per Section 2.02.1(B) Administrative Procedures of the Woodbury County Zoning Ordinance.

<p>Attorneys & Legals</p> <p>NOTICE REGARDING THREE PUBLIC HEARINGS</p> <p>WOODBURY COUNTY ZONING COMMISSION</p> <p>The Woodbury County Zoning Commission will hold three public hearings on the following item(s) hereinafter described in detail on July 26, 2021 at 6:00 PM (if not soon thereafter) as the matter may be considered. Said hearings will be held in the Board of Supervisors Meeting Room, Nurses 104, County Courthouse, 600 Douglas Street, Sioux City, Iowa. Copies of said items may now be examined at the office of the Woodbury County Community and Economic Development, on the 6th floor of said courthouse by any interested persons. All persons who wish to be heard in respect to this matter should appear at the aforesaid hearing in person or call: 712-254-1135 and enter the Conference ID: 5167211358 during the meeting to listen or comment.</p> <p>Item One (1)</p> <p>Pursuant to Section 335 of the Code of Iowa, the Woodbury County Zoning Commission will hold a public hearing to consider the application for a zoning ordinance map amendment relating to the Woodbury County Zoning Ordinance and a Map for the Unincorporated Area of Woodbury County Iowa by Laker Properties, LLC.</p> <p>The proposal is to remove from the Agricultural Preservation (AP) zoning District to the Agricultural Estates (AE) zoning District for 28.539 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa and for 12.084 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. Both properties are known as GIS Parcels #884224300005 and #884784800004 and the areas are described as:</p> <p>ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 24, T88N R47W NORTH AND EAST OF OLD HIGHWAY NO. 141 IN TOWNSHIP 88 NORTH RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 24, THENCE NORTH 89°25'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ FOR 80.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°25'03" WEST ALONG SAID SOUTH LINE FOR 247.78 FEET TO THE CORNER OF OLD HIGHWAY NO. 141; THENCE NORTH 47°07'58" WEST ALONG SAID CENTERLINE FOR 1672.31 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 350.13 FEET ON A 1027.69</p>	<p>FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 320.38 FEET, BEARING NORTH 51°18'00" WEST; THENCE NORTH 69°02'04" WEST ALONG SAID CENTERLINE FOR 422.95 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 84.14 FEET ON A 1402.51 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 54.43 FEET, BEARING NORTH 61°57'48" WEST TO THE EASTERLY LINE OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE NORTH 77°18'21" EAST ALONG SAID EASTERLY LINE FOR 192.11 FEET; THENCE SOUTH 59°14'40" EAST FOR 184.00 FEET; THENCE SOUTH 19°47'45" EAST FOR 499.00 FEET; THENCE SOUTH 41°38'25" EAST FOR 211.00 FEET; THENCE SOUTH 29°43'19" EAST FOR 258.00 FEET; THENCE SOUTH 24°55'35" EAST FOR 181.00 FEET; THENCE SOUTH 07°07'29" EAST FOR 330.00 FEET; THENCE SOUTH 37°30'27" EAST FOR 680.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 83°29'07" EAST FOR 1026.00 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, PAGE 8049 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE SOUTH 22°48'52" EAST ALONG SAID EASTERLY BOUNDARY LINE FOR 822.89 FEET TO THE POINT OF BEGINNING.</p> <p>SAID DESCRIBED PARCEL CONTAINS 28.539 ACRES, MORE OR LESS, WHICH INCLUDES 2.332 ACRES IN ROADWAY EASEMENT AND</p> <p>ALL THAT PART OF THE SOUTHWEST ¼ OF SECTION 24 IN TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:</p> <p>COMMENCING AT THE SOUTH ¼ CORNER OF SAID SECTION 24, THENCE NORTH 89°25'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST ¼ FOR 80.00 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, PAGE 8049 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE NORTH 29°48'52" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 629.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 29°48'52" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 1839.90 FEET TO THE NORTH LINE OF SAID SOUTHWEST ¼; THENCE SOUTH 89°39'58" WEST ALONG SAID NORTH LINE FOR 484.29 FEET TO THE NORTHEAST CORNER OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA;</p>	<p>THENCE SOUTH 17°32'20" WEST ALONG THE EASTERLY LINE OF SAID DAVIS ADDITION FOR 35.74 FEET; THENCE SOUTH 53°21'40" EAST FOR 169.00 FEET; THENCE SOUTH 13°37'45" EAST FOR 480.00 FEET; THENCE SOUTH 41°38'25" EAST FOR 411.20 FEET; THENCE SOUTH 59°43'10" EAST FOR 238.00 FEET; THENCE SOUTH 20°48'39" EAST FOR 191.00 FEET; THENCE SOUTH 27°37'25" EAST FOR 320.00 FEET; THENCE SOUTH 37°30'27" EAST FOR 280.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 89°28'57" EAST FOR 156.80 FEET TO THE POINT OF BEGINNING.</p> <p>SAID DESCRIBED PARCEL CONTAINS 12.084 ACRES, MORE OR LESS.</p> <p>Owner/Applicant: Laker Properties, LLC, 1138 S. Darby Lane, North Sioux City, SD 57249</p> <p>Item Two (2)</p> <p>PROPOSED MINOR SUBDIVISION, to be known as Davis Estates Addition - a minor subdivision in a 26.536 acre portion of Parcel #884784800004, located in T88N R47W (Woodbury Township), Section 24, W 8 SW ¼, Agricultural Estates (AE) Zoning District and Parcel #884224300005 located in T88N R47W (Woodbury Township), Section 24, E 21 SW ¼, Agricultural Preservation (AP) Zoning District, abutting the north side of Old Highway 141. The parcel areas are located approximately 2.1 miles east of Sioux City and 2.5 miles west of Erwinson. A portion of Parcel #884224300005 is located in the Zone A floodplain. This area to be subdivided in Parcel #884224300004 is not located in the floodplain. Owner/Applicant: Laker Properties, LLC, 1138 S. Darby Lane, North Sioux City, SD 57249</p>
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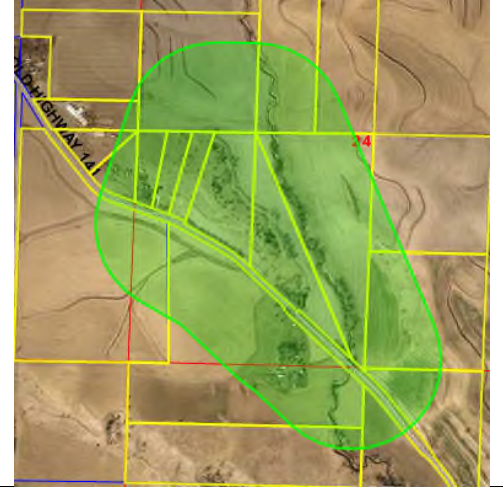
Notification of the three public hearings before the Woodbury County Board of Supervisors on August 3 at 4:50 PM, August 10 at 4:50 PM, and August 17 at 4:50 PM was published in the Sioux City Journal's Legals Section on Friday, July 30, 2021 as per Section 2.02.1(B) Administrative Procedures of the Woodbury County Zoning Ordinance.

PROPERTY OWNERS' NOTIFICATION – 1000 FT

The 13 property owners within 1,000'; and listed on the certified abstractor's affidavit; were notified by a July 12, 2021 letter about the Zoning Commission public hearing on July 26, 2021 as per Section 2.02.1(B) of the Woodbury County Zoning Ordinance.

As of July 23, 2021, the Community & Economic Development office has received two written statements and one inquiry. Those communications are listed below.

When more comments are received after the printing of this report, they will be provided at the meeting.



PROPERTY OWNER	ADDRESS	CITY	STATE	ZIP	COMMENTS
Lieber Properties, LLC	1062 Pebble Beach Drive	North Sioux City	SD	57049	No comments.
Charles F. Widman & Charlene M. Widman	2360 220th Street	Bronson	IA	51007	No comments.
Bryan Waddell	1732 Old Hwy 141	Sgt. Bluff	IA	51054	No comments.
Francis E. Waddell Trust	4000 S. Westport Avenue, Apt. 344	Sioux Falls	SD	57106	No comments.
Douglas D. Rush & Dennis M. Rush & Dale L. Rush	1629 10th Street	Onawa	IA	51040	No comments.
Trustees of Joint Revocable Trust of Marlan J. Hill and Mavis L. Hill	1360 Maple Street	Sioux City	IA	51106	No comments.
Lee Brennan	1713 Old Hwy 141	Sergeant Bluff	IA	51054	Phone inquiry about if the development was to cause erosion that would impact his adjacent property.
Trustees of Joint Revocable Living Trust of Edward J. Beacom and Coleen J. Beacom	1709 Old Hwy 141	Sergeant Bluff	IA	51054	No comments.
Cheryl Watterson	1705 Old Hwy 141	Sergeant Bluff	IA	51054	No comments.
Casey J. Vandekop & Rachel L. Vandekop	1701 Old Hwy 141	Sergeant Bluff	IA	51054	No comments.
Abu Bekr Shrine White Horse Patrol	1689 Old Hwy 141	Sergeant Bluff	IA	51054	No comments.
Lynette Mennen	2519 E 2nd Street	Long Beach	CA	90803	No comments.
Wendell Real Estate	26638 Wirt Plaza	Waterloo	IA	68069	See letter below.

July 16, 2021

Dan Priestley, Zoning Coordinator
Woodbury County Community & Economic Development
Woodbury County Courthouse
620 Douglas St., 6th Floor
Sioux City, IA 51101

RE: Woodbury County Zoning Commission public hearing July 26, Lieber Properties request to rezone Davis Estates Addition

To the Zoning Commission:

We are the property owners of Wendel Real Estate, LLC, located on Old Highway 141 in proximity to the property under discussion. With this letter, we wish to register our concern over the rezoning of the Davis Estates Addition into seven residential lots.

With the advisement of our Farm Manager, Gary Walters, who will be in attendance at the meeting on July 26, we oppose the currently proposed residential use for that property for the following reasons:

- Seven ingress and egress **driveways** to be established off Old Highway 141 would create even further hazard to the traveling public on a highway with a speed limit of 50 (where everyone goes at least that and more) on a curving part of the highway with limited visibility for slowing and turning vehicles with no wide shoulders. One access drive, as exists now, would be preferable into a housing development with the same tax revenue or more. Don't be swayed by a developer who doesn't want to spend the money to put in a road.
- If the US Postal Service allows streetside **mailboxes**, that's another seven stops for a mail carrier creating even further hazard for the carrier and the vehicles on that roadway. In particular, additional mailboxes near the street are difficult to avoid when large and wide farm equipment is moving on Highway 141.
- **Public safety** must be your number one priority (over tax revenue), and we are wondering if the county roads and engineering staff have made an assessment and can report their findings for the additional traffic during construction over the next several years and then ongoing traffic to the area.
- Damage to the **Loess Hills** themselves. We hope the Loess Hills preservation groups will weigh in here, but once the integrity of this natural wonder is changed, we would suggest there would be problems with silt and erosion with this type of soil. Have you consulted experts on these land forms?
- Other parts of the Old Highway 141 area are being developed for residential use. Is there even a **need or demand** for these types of properties, or will the lots remain eyesores for decades without development? Shouldn't the developers be asked to show they have



confirmed buyers and even contracts before the zoning is changed as opposed to creating lots on a whim without market demand? Case in point, our property was for sale for two years with no takers for residential building. Lots remain unsold on newly rezoned property at the intersection of Old Highway 141 and the airport road. We don't need more unsold, half-baked housing developments.

In addition, by way of background, I refer you to the Woodbury County Zoning meeting a few years ago on our farm property in which a zoning change was requested for 125 acres of Loess Hills for a borrow pit for dirt for the same applicant (Lieber). Minutes of that meeting will record how at least forty **neighbors** of that property showed up to express their concern over the additional traffic the occasional trucks would post for the highway. They pleaded and cried and told stories of traffic accidents, deaths, and the potential for more danger. We hope these same neighbors will record their dissatisfaction with this current proposal for the same reasons.

Bird enthusiasts showed up to plead the case for the preservation of the Loess Hills as a landmark and bird nesting and flyway area.

Bicyclists were worried that truck traffic would pose even more danger for them on their country rides.

Neighbors were fearful that the **landscape** would be harmed and the view obliterated.

We sincerely hope these same neighbors will come to this meeting and present their cases again. Because in the matter of our property, the zoning change was not affirmed, and the neighbors' wishes were heard (despite the fact that we lost a property sale, we bear no ill will), and the deal never materialized.

Also by way of history, the FAA wished to place a radar tower at the top of Carroll Avenue as part of a national radar system serving the airport grid. We fought for five years to get the FAA to rethink the location of that tower, mustered neighbors in that battle, received legal counsel, and presented surveys by entomologists, ecologists, and bird tower experts to show that the site was unsuitable for the environment (on the central flyway, Loess Hills, proposed design was going to plant the pesky red cedar, disrupt the ecosystem on 18 acres of virgin prairie, among other issues). That tower was eventually located some distance away.

Therefore, we ask that you consider **not favoring tax revenue over public safety and environmental considerations** and vote NOT TO ALLOW a change in zoning for residential property under review at this hearing.

With all due respect,


Scott and Sandra Wendel
Managing Partners
Wendel Real Estate, LLC

26638 Wirt Plaza

Gary Walters – July 17, 2021

From: Gary Walters <garywalters5504@gmail.com>
Sent: Saturday, July 17, 2021 4:10 PM
To: Daniel Priestley
Subject: Davis Estates

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from **OUTSIDE** of the organization. Please verify the sender and use caution if the message contains any attachments, links, or requests for information as this person may NOT be who they claim. If you are asked for your username and password, please call WCICC and **DO NOT ENTER** any data.

Dan,

I am opposed to the proposed rezone and subdivision by Lieber Properties of the parcels of land on Hwy 141 in Woodbury Twp for several reasons and would like to attend the meeting on July 26th. Can you give me the meeting details?

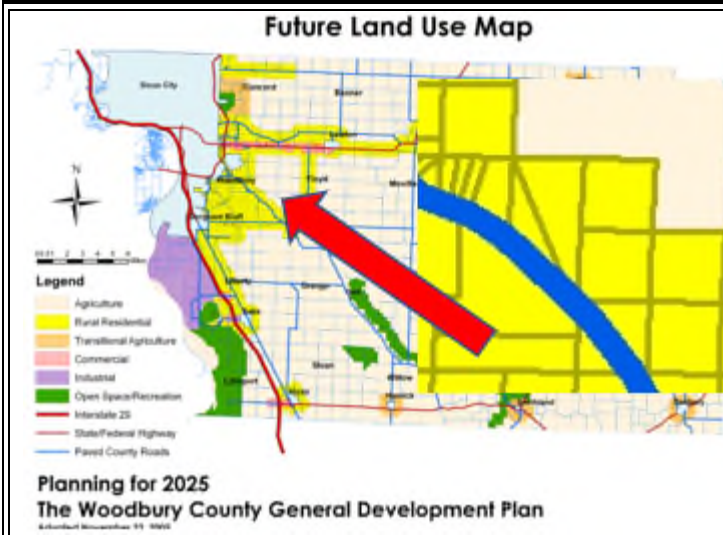
Gary Walters
text/cell: 712-251-1489
email: garywalters5504@gmail.com

STAKEHOLDER REVIEW	
911 COMMUNICATIONS CENTER	I have no issues with this. - Glenn Sedivy, 7/13/21
CENTURYLINK:	No comments.
CITY OF SIOUX CITY:	No comments.
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	<p>As I stated in my 3/22/2021 email regarding this property, it does not appear from the information provided that the access road for this proposed subdivision will be located in the special flood hazard area (SFHA) as identified by either the effective or preliminary Flood Insurance Rate Map (FIRM). So, it does not appear that the 100-year flood would affect wheeled access to/from the subdivision. It also does not appear that any fill or structures are being proposed for those portions of the property that are located within the SFHA. However, if any fill or structures are proposed within the SFHA, a request should be submitted to the DNR to determine the Base Flood Elevation (BFE) and floodway offset from the channel. Let me know if you have any questions. – Bill Cappuccio, 7/11/21</p> <p>I appreciate your comments about the Lieber Minor Subdivision proposal. I just wanted to let you know that the developer elected to not include an access road. Instead, each lot will be accessed directly from Old Highway 141. Because of this, it appears that the lot at the south west of the subdivision will be the one impacted by the floodplain. I have attached a copy of the final plat if you have any comments based on this revised plat. Thank you! We appreciate your help. – Dan Priestley to Bill Cappuccio on 7/16/21</p> <p>Are you talking about Lot 7? If so, the SFHA is delineated on the plat. And assuming it's mapped correctly, if someone wants to construct a building or perform filling/grading in the SFHA shown on that parcel, they'll likely need the DNR to determine the BFE and floodway offset. Because the County's ordinance requires subdivisions in the SFHA that are "greater than five (5) acres or fifty (50) lots (whichever is less)" to include the BFE for those areas shown in the SFHA, it might make sense for the developer to request that information now. As for wheeled access during a flood, I'd suggest the driveway to the property be constructed outside the SFHA. But even if its not, the stream only drains ~10 sq. miles. So, any flood event that occurs probably won't last very long. Let me know if you have additional questions. – Bill Cappuccio, 7/18/21</p> <p>The Base Flood Elevation has been subsequently received and is provided in the packet below. – 7/22/21</p>
LOESS HILLS PROGRAM:	<p><u>Preplat Comments:</u> First off, thanks for the opportunity to provide comments. The Nature Conservancy has been committed to conservation in the Loess Hills for decades due to the landform's unique geology and high quality tallgrass prairie habitat. The Loess Hills provide essential habitat for the region's wildlife, migratory birds, and countless insect species, and are home to vegetation not found elsewhere in the state. The Nature Conservancy has identified the Loess Hills as being one of the few areas in the state of Iowa with the topographical variation and habitat connectivity to provide resiliency for wildlife in a changing climate. For these reasons I would encourage the County to examine the proposed subdivision and consider ways to mitigate potential impacts to high quality habitat. I would be happy to be involved in such discussions. It is also important to note that portions of Highway 141 are part of the Loess Hills National Scenic Byway, which attracts thousands of visitors and residents annually. Similarly, I would encourage the County and developer to consider efforts to mitigate negative impacts to the viewsapes provided by the land identified below. I am currently scheduled to be in the field next Tuesday during the meeting, but the forecast shows rain. If my field work is rescheduled I will plan to attend in person. If not, I will join by phone for the first 30 minutes. Thanks again for the opportunity to share our thoughts. – Graham McGaffin, 3/19/21</p> <p><u>Postplat Comments:</u> No comments received.</p>
LONGLINES:	No comments.
MAGELLAN PIPELINE:	This also will not impact Magellan. Have a good one! – Bryan Ferguson, 7/12/21
MIDAMERICAN ENERGY COMPANY:	<p>There are no MEC gas facilities in the proposed subdivision. – Tyler Alquist, 7/12/21</p> <p>I have reviewed the proposed rezone for MEC electric – The developer should be made aware that they are responsible for any costs associated with extending power to the proposed subdivision. – Casey Meinen, 7/10/21</p>
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	No comments.
NUSTAR PIPELINE:	As far as Nustar Pipeline is concern, work is west of this property. All clear with Nustar. – Domingo Torres, 7/12/21
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY ENGINEER:	No comments.
WOODBURY COUNTY RECORDER:	No comments.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	Woodbury Co REC has not comments or concerns. – Kent Amundson, 7/9/21
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT (WCSWCD):	The WCSWCD recommends against allowing this subdivision to proceed. The Loess Hills are an unique landform in Iowa in which development and buildings detract from the natural attractiveness of the area. In this case the proposed subdivision is just outside of Sioux City and along the scenic byway which many people travel to enjoy an undeveloped landscape. The terrain is quite steep and developing the lots will likely result in significant soil erosion during construction. In general, additional development should be curtailed all along the front range of the Loess Hills landform to preserve the unique characteristics of the area. - Neil Stockfleth, 7/11/21
WOODBURY COUNTY TREASURER:	Taxes for both parcels are paid in full. – Kim Koepke, 7/9/21

ZONING ORDINANCE EVALUATION CRITERIA FOR BOARD APPROVAL

The Zoning Commission shall base their recommendations and the Board of Supervisors shall base their decision on any requested amendment of the zoning district map on the following criteria:

CONFORMANCE WITH THE GOALS AND OBJECTIVES SET FORTH IN THE APPROVED GENERAL DEVELOPMENT PLAN FOR WOODBURY COUNTY INCLUDING THE FUTURE LAND USE MAP.



The 2005 Future Land Use Map shows this area as Rural Residential which is equivalent to today's Suburban Residential (SR) Zoning District. The parcel is currently zoned Agricultural Preservation (AP), and the request is to change to Agricultural Estates (AE), which is the predominant zoning district within that neighborhood. The request conforms with the goals and objectives of the development plan as it relates to land use goals 1.3 and 1.4:

- Encourage development near cities by discouraging leap-frog development outside municipalities.
- Recognize the Loess Hills from the "front range" to the steeply rolling hills tapering off toward the east as a unique natural resource that should be conserved by good stewardship by the owners of the land involved.

COMPATIBILITY AND CONFORMANCE WITH THE POLICIES AND PLANS OF OTHER AGENCIES WITH RESPECT TO THE SUBJECT PROPERTY.

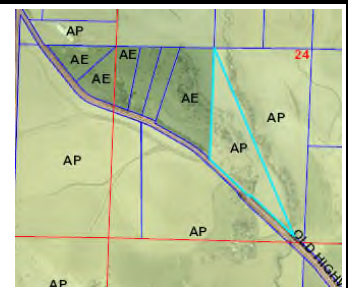
The subject property is located in the area recognized as the Loess Hills. The Woodbury County Soil and Water Conservation District offered their opposition to the proposal due to the effects of erosion and the impact to the natural view. The Loess Hills Conservancy offered initial concerns during the preplat process about the importance of mitigating the impacts to habitat and the negative impact to the viewscapes.

CONSIDERATION OF THE CORN SUITABILITY (CSR) OF THE PROPERTY.

This property has a CSR2 rating of 53.32. See attached soil report. The agricultural goal of the Woodbury County General Plan is to protect prime farmland as determined by a high corn suitable rating (e.g. over 65 CSR) from conversion to other land uses. With a rating that is not high on that scale, this would be a suitable location for non-agriculture.

COMPATIBILITY WITH ADJACENT LAND USES.

This proposal is compatible with adjacent land uses. Just northwest of the property, there are already six existing AE lots that include four dwellings. There is also a dwelling south of the property across Old Hwy 141. The area northeast of the property includes farm ground.



COMPATIBILITY WITH OTHER PHYSICAL AND ECONOMIC FACTORS AFFECTING OR AFFECTED BY THE PROPOSED REZONING.

The proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required. The physical factors affected by this proposed rezone relate to the subject property being located in the Loess Hills.

ANY OTHER RELEVANT FACTORS.

The southeast portion of the parcel is located within the special flood hazard area. The base flood elevation level as reported by the Iowa Department of Natural Resources is 1,114.9' NAVD88. This area will continue to be farmed but will be available for future development.

ORDINANCE NO. __

**A ZONING DISTRICT DESIGNATION MAPPING AMENDMENT
TO THE WOODBURY COUNTY, IOWA ZONING ORDINANCE**

WHEREAS the Board of Supervisors of Woodbury County, Iowa, adopted a Zoning Ordinance on July 22, 2008, by Resolution No. 10,455 being recorded in the Office of the Woodbury County Recorder, and

WHEREAS the Woodbury County Board of Supervisors has received a report in respect to amending the said Ordinance from the Woodbury County Zoning Commission which held a public hearing on the amendment; all as by law provided. Which the amendment is attached hereto marked item One (1), and hereby made a part hereof; and

WHEREAS the Woodbury County Board of Supervisors has received said report, studied and considered the same, and has held hearings on said amendment, all as by law provided; and

WHEREAS the Woodbury County Board of Supervisors has concluded that the said ordinance shall amend the aforesaid Zoning Ordinance;

NOW THEREFORE, BE IT RESOLVED by the Woodbury County Board of Supervisors, duly assembled, that the aforesaid Zoning District is amended as shown on said attached item One (1); and the previous zoning district designation shall be repealed upon the effective date of this amendment.

Dated this ____ day of _____ 2021.

THE WOODBURY COUNTY, IOWA BOARD OF SUPERVISORS

Rocky De Witt, Chairman

Mathew A. Ung, Vice Chairman

Mark Monson

Keith Radig

Justin Wright

Adoption Timeline:

Public Hearing and 1st Reading:

Public Hearing and 2nd Reading:

Public Hearing and 3rd Reading:

Effective:

ITEM ONE (1)

Property Owner: Lieber Properties, LLC, 1138 S. Derby Lane, North Sioux City, SD 57049

Petitioner Applicant: Lieber Properties, LLC, 1138 S. Derby Lane, North Sioux City, SD 57049

Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, July 26, 2021, to review and make a recommendation for amendments to the Woodbury County Zoning Ordinance and Mapping for the unincorporated area of Woodbury County, Iowa as follows:

Amendment to rezone from the Agricultural Preservation (AP) Zoning District to the Agricultural Estates (AE) Zoning District for 28.539 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa and for 12.094 acres located in the SW ¼ of Section 24, T88N R47W (Woodbury Township) in the County of Woodbury and State of Iowa. Both properties are known as GIS Parcels #884724300005 and #884724300004.

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24 LYING NORTH AND EAST OF OLD HIGHWAY NO. 141 IN TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 89°35'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 FOR 99.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°35'03" WEST ALONG SAID SOUTH LINE FOR 21.75 FEET TO THE CENTERLINE OF SAID OLD HIGHWAY NO. 141; THENCE NORTH 47°37'36" WEST ALONG SAID CENTERLINE FOR 1672.31 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 330.13 FEET ON A 1427.60 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 329.39 FEET, BEARING NORTH 54°15'05" WEST; THENCE NORTH 60°52'34" WEST ALONG SAID CENTERLINE FOR 422.95 FEET; THENCE NORTHWESTERLY ALONG SAID CENTERLINE FOR 54.14 FEET ON A 1427.51 FOOT RADIUS CURVE, CONCAVE SOUTHWESTERLY, HAVING A LONG CHORD OF 54.13 FEET, BEARING NORTH 61°57'45" WEST TO THE EASTERLY LINE OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE NORTH 17°15'20" EAST ALONG SAID EASTERLY LINE FOR 1082.11 FEET; THENCE SOUTH 53°31'40" EAST FOR 198.00 FEET; THENCE SOUTH 13°57'45" EAST FOR 469.00 FEET; THENCE SOUTH 41°35'25" EAST FOR 211.20 FEET; THENCE SOUTH 59°43'15" EAST FOR 258.00 FEET; THENCE SOUTH 24°35'33" EAST FOR 191.00 FEET; THENCE SOUTH 27°07'23" EAST FOR 330.00 FEET; THENCE SOUTH 37°50'27" EAST FOR 260.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 65°28'57" EAST FOR 105.85 FEET TO THE EASTERLY BOUNDARY LINE OF A SPECIAL WARRANT DEED RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE SOUTH 23°48'50" EAST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 28.539 ACRES, MORE OR LESS, WHICH INCLUDES 3.932 ACRES IN ROADWAY EASEMENT; AND

ALL THAT PART OF THE SOUTHWEST 1/4 OF SECTION 24 IN TOWNSHIP 88 NORTH, RANGE 47 WEST OF THE FIFTH PRINCIPAL MERIDIAN, WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 24; THENCE NORTH 89°35'03" WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST 1/4 FOR 99.00 FEET TO THE EASTERLY

BOUNDARY LINE OF A SPECIAL WARRANTY DEED RECORDED IN ROLL 747, IMAGE 9349 IN THE RECORDER'S OFFICE AT THE WOODBURY COUNTY COURTHOUSE; THENCE NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 922.89 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 23°48'50" WEST ALONG SAID EASTERLY BOUNDARY LINE FOR 1939.90 FEET TO THE NORTH LINE OF SAID SOUTHWEST 1/4; THENCE SOUTH 89°55'54" WEST ALONG SAID NORTH LINE FOR 454.29 FEET TO THE NORTHEAST CORNER OF DAVIS ADDITION TO WOODBURY COUNTY, IOWA; THENCE SOUTH 17°15'20" WEST ALONG THE EASTERLY LINE OF SAID DAVIS ADDITION FOR 35.74 FEET; THENCE SOUTH 53°31'40" EAST FOR 198.00 FEET; THENCE SOUTH 13°57'45" EAST FOR 469.00 FEET; THENCE SOUTH 41°35'25" EAST FOR 211.20 FEET; THENCE SOUTH 59°43'15" EAST FOR 258.00 FEET; THENCE SOUTH 24°35'33" EAST FOR 191.00 FEET; THENCE SOUTH 27°07'23" EAST FOR 330.00 FEET; THENCE SOUTH 37°50'27" EAST FOR 260.00 FEET; THENCE SOUTH 26°54'04" EAST FOR 280.77 FEET; THENCE NORTH 65°28'57" EAST FOR 105.85 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED PARCEL CONTAINS 12.094 ACRES, MORE OR LESS.

ELEVATION



BASE FLOOD ELEVATION (BFE) LETTER



IOWA DEPARTMENT OF NATURAL RESOURCES

GOVERNOR KIM REYNOLDS
LT. GOVERNOR ADAM GREGG
DIRECTOR KAYLA LYON

7/22/2021

JORDAN ROZEBOOM
LIEBER PROPERTIES LLC
1138 SOUTH DERBY LANE
NORTH SIOUX CITY, SD 57049

Project Description: BFE Determination – For a property located at 1719 Old Hwy 141, Sergeant Bluff, IA 51054; (Little Whisky Creek)

Project Latitude / Longitude Location(s): Buildings and Associated Fill 42.4184/-96.2643; Woodbury County

Iowa DNR Project ID Number: 2021-1362

Dear Jordan Rozeboom,

This is in reference to your request for determination of the "100-year" flood elevation (a.k.a. the base flood elevation, or BFE) for the property identified on your application. The Flood Insurance Rate Map (FIRM) for Woodbury County shows a portion of this property as being in the Special Flood Hazard Area (SFHA).

Based on the information available, we estimate the current existing condition 100-year flood elevation to be 1,114.9', NAVD88 at the location referenced above. You may download additional copies, or verify the Iowa DNR Flood Plain and Dam Safety Section (Department) official response document(s) for this project at the Iowa DNR Flood Plain PERMT website using the tracking number above. (PERMT Website Address: <https://programs.iowadnr.gov/permt/>)

Please contact me by phone at 515-725-8368 or by email at graham.young@dnr.iowa.gov with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Graham Young".

Graham Young
Flood Plain Management and Dam Safety Section

WALLACE BUILDING, 502 E 9TH ST, DES MOINES IA 50319

Phone: 515-725-8200

www.iowadnr.gov

Fax: 515-725-8202

PARCEL REPORT EXCERPTS - Parcel #884724300004 and Parcel #884724300005

Summary

Parcel ID 884724300004
 Alternate ID 826620
 Property Address SEIGNEUR BLUFF IA 51054
 Sec/7th/Rng ALL BETWEEN HWY & A LINE FROM NW COR TO PT URBDS W OF SE COR E1/2
 Brief Tax Description SW/4 24 88-47
 Deed Book/Page 747-9249 6/24/2016
 Gross Acres 20.62
 Net Acres 20.62
 Adjusted CSR Pts 996.5
 Zoning AGRICULTURAL PRESERVATION
 School District 0039 WOODBURY/SBL
 Neighborhood SGT BLUFF LUTON
 Main Area Square Feet N/A

Owner
 Deed Holder Contract Holder
 Lieber Properties LLC
 1042 Pebble Beach Dr
 North Sioux City SD 57049

Land
 Let Area 20.10 Acres : 875,556 SF

Sales

Date	Seller	Buyer	Recording	Sale Condition	Multi-Parcel	Amount
4/23/2012	HURD TOMMY LEE & HURD MARY A	LIEBER DUSTIN D & MELISSA A	722/6444	722/6444	Deed	\$0.00

ⓘ Show There are other parcels involved in one or more of the above sales:

Classification	2021	2020	2019	2018	2017
+ Assessed Land Value	\$18,300	\$17,290	\$17,290	\$25,170	\$25,170
+ Assessed Building Value	\$0	\$0	\$0	\$0	\$0
+ Assessed Dwelling Value	\$18,300	\$17,290	\$17,290	\$25,170	\$25,170
- Exempt Value	\$0	\$0	\$0	\$0	\$0
* Net Assessed Value	\$18,300	\$17,290	\$17,290	\$25,170	\$25,170



Mailing Address
 Lieber Properties LLC
 1042 Pebble Beach Dr
 North Sioux City SD 57049

Contract Holder
 Lieber Properties LLC
 1042 Pebble Beach Dr
 North Sioux City SD 57049

Residential Dwellings

Let Area 20.62 Acres : 898,207 SF

Residential Dwelling
 Occupancy Single Family / Owner Occupied
 Style 1 1/2 Story Frame
 Architectural Style N/A
 Year Built 1900
 Condition Normal
 Roof Asphalt / Gable
 Flooring Concrete
 Foundation Wood
 Interior Material Pls
 Brick or Stone Veneer
 Total Gross Living Area 1,714 SF
 Main Area Square Feet 1008
 Attic Type None;
 Number of Rooms 7 above, 1 below
 Number of Bedrooms 2 above, 0 below
 Basement Area Type Full
 Basement Finished Area 1,008
 Plumbing 252 - Standard Finish
 Appliances 1 Base Plumbing (Full);
 Central Air 1 Range Unit; 1 Oven - Single;
 Heat Yes
 Fireplaces Yes
 Porches 15 Frame Enclosed (64 SF); 15 Frame Enclosed (60 SF);
 Additions
 Garages 400 SF - Det Frame (Built: 1900);

Agricultural Buildings

Plot #	Type	Description	Width	Length	Year Built	Building Count
0	Barn - Flat	GP BARN	28	38	1950	1

Sales

Date	Seller	Buyer	Recording	Sale Condition	Multi-Parcel	Amount
4/23/2012	HURD TOMMY LEE & HURD MARY A	LIEBER DUSTIN D & MELISSA A	722/6444	722/6444	Deed	\$113,000.00

Valuation

Classification	2021	2020	2019	2018	2017
+ Assessed Land Value	\$25,200	\$23,850	\$23,850	\$34,710	\$34,710
+ Assessed Building Value	\$1,940	\$1,770	\$1,770	\$2,440	\$2,440
+ Assessed Dwelling Value	\$73,560	\$66,990	\$66,990	\$60,900	\$60,900
* Gross Assessed Value	\$100,700	\$92,610	\$92,610	\$98,050	\$98,050
- Exempt Value	\$0	\$0	\$0	\$0	\$0
* Net Assessed Value	\$100,700	\$92,610	\$92,610	\$98,050	\$98,050

SOIL REPORT - Parcel #884724300004 and Parcel #884724300005

Summary

Parcel ID	884724300004	
Gross Acres	20.10	
ROW Acres	0.00	
Gross Taxable Acres	20.10	
Exempt Acres	0.00	
Net Taxable Acres	20.10	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	38.84	(780.77 CSR2 Points / 20.1 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

Columns

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	11.47	43.29	496.55	496.55
Non-Crop	8.63	32.93	284.22	225.99
Total	20.10		780.77	722.54

Soil Summary

Columns

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.21	18.69	18.69
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	3.20	262.40	262.40
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	1.49	86.42	86.42
100% Value	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	0.77	24.64	24.64
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	5.80	104.40	104.40
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.02	1.64	0.89
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	2.84	164.72	107.98
Non-Crop	1D3	IDA SILT LOAM, 9 TO 14 PERCENT SLOPES, SEVERELY ERODED	32.00	1.00	32.00	31.26
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	4.77	85.86	85.86
Total				20.10	780.77	722.54

Summary

Parcel ID	884724300005	
Gross Acres	20.62	
ROW Acres	0.00	
Gross Taxable Acres	20.62	
Exempt Acres	0.00	
Net Taxable Acres	20.62	(Gross Taxable Acres - Exempt Land)
Average Unadjusted CSR2	53.32	(1099.54 CSR2 Points / 20.62 Gross Taxable Acres)

Agland Active Config 2017 CSR2

Sub Parcel Summary

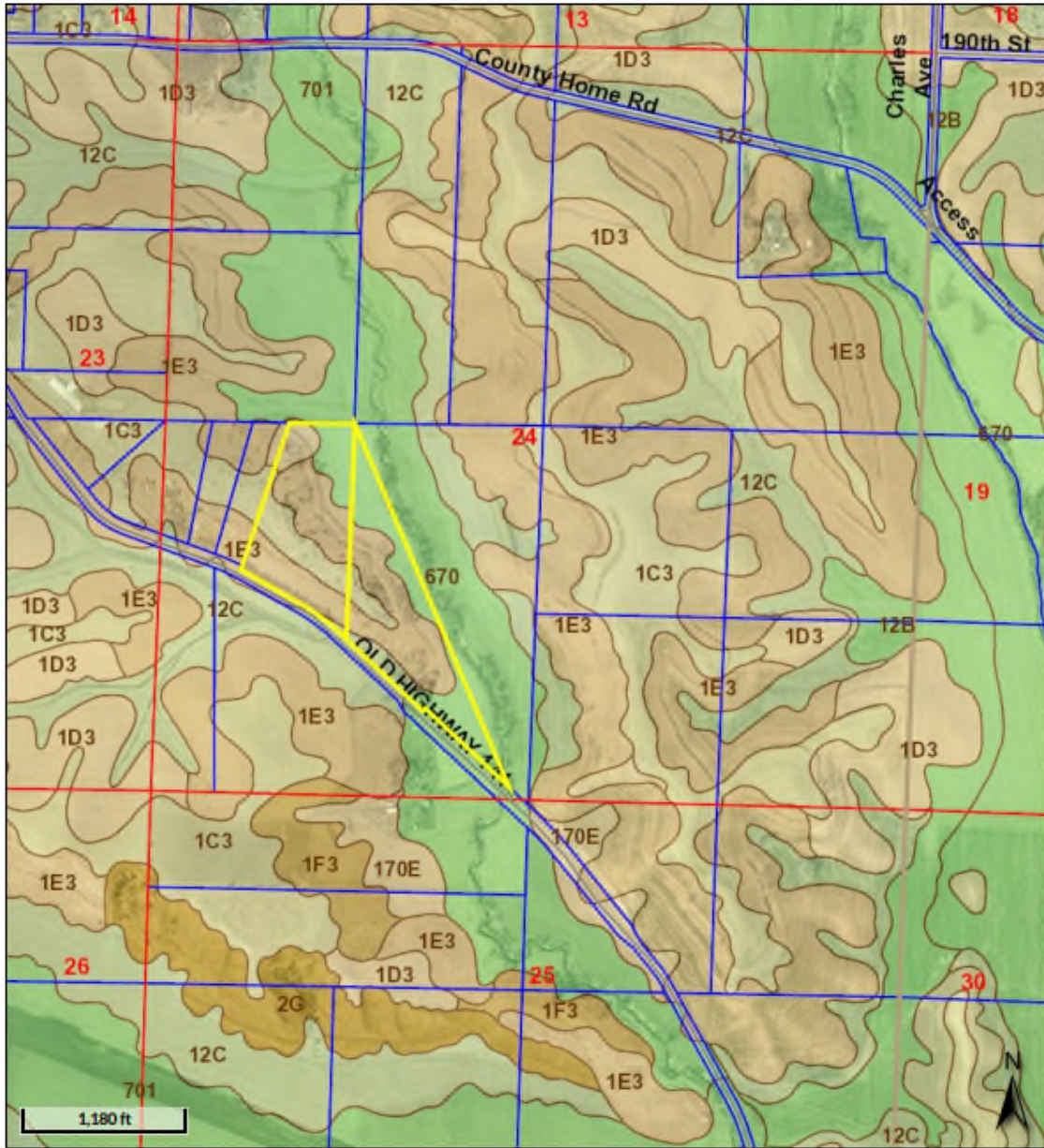
Columns

Description	Acres	CSR2	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	13.18	59.58	785.29	785.29
Non-Crop	7.44	42.24	314.25	211.21
Total	20.62		1,099.54	996.50

Soil Summary

Columns

Description	SMS	Soil Name	CSR2	Adjusted Acres	Unadjusted CSR2 Points	Adjusted CSR2 Points
100% Value	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	0.43	38.27	38.27
100% Value	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	8.03	658.46	658.46
100% Value	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	0.09	5.22	5.22
100% Value	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	4.63	83.34	83.34
Non-Crop	12C	NAPIER SILT LOAM, 5 TO 9 PERCENT SLOPES	89.00	1.19	105.91	54.84
Non-Crop	670	RAWLES SILT LOAM, 0 TO 2 PERCENT SLOPES, OCCASIONALLY FLOODE	82.00	0.71	58.22	31.42
Non-Crop	1C3	IDA SILT LOAM, 5 TO 9 PERCENT SLOPES, SEVERELY ERODED	58.00	1.26	73.08	47.91
Non-Crop	1E3	IDA SILT LOAM, 14 TO 20 PERCENT SLOPES, SEVERELY ERODED	18.00	4.28	77.04	77.04
Total				20.62	1,099.54	996.50



Overview



Legend

- Roads
- Soils**
- 0.000000 - 5.000000
- 5.000001 - 20.000000
- 20.000001 - 30.000000
- 30.000001 - 40.000000
- 40.000001 - 50.000000
- 50.000001 - 60.000000
- 60.000001 - 70.000000
- 70.000001 - 80.000000
- 80.000001 - 90.000000
- 90.000001 - 100.000000
- Corp Boundaries
- Townships
- Parcels



Rezoning Application & Zoning Ordinance Map Amendment

Owner Information:	Applicant Information:
Owner <u>Lieber Properties LLC</u>	Applicant <u>Lieber Properties LLC</u>
Address <u>1138 S Derby Lane</u> <u>N Sioux City, SD 57049</u>	Address <u>1138 S Derby Lane</u> <u>N Sioux City, SD 57049</u>
Phone <u>712-898-1024</u>	Phone <u>712-898-1024</u>

Engineer/Surveyor Tim Lamprecht Phone 712-253-5085

Property Information:

Property Address or Address Range 1719 Old Hwy 141, Sergeant Bluff, IA 51054

Quarter/Quarter SW 1/4 Sec 24 Twship/Range 88-47

Parcel ID # _____ or GIS # 884724300005/004 Total Acres 20.62(005) / 20.10(004)

Current Use Agriculture/Residential Proposed Use Agriculture/Residential

Current Zoning AP(005)/AE(004) Proposed Zoning AE (both 005+004)

Average Crop Suitability Rating (submit NRCS Statement) 62.2

The filing of this application is required to be accompanied with all items and information required pursuant to section 2.02(4)(C)(2) through (C)(4) of Woodbury County's zoning ordinances (see attached pages of this application for a list of those items and information).

A formal pre-application meeting is recommended prior to submitting this application.

Pre-app mtg. date 3/23/21 Staff present Don Pruehby, David Gleason, Mark Nelson

The undersigned is/are the owner(s) of the described property on this application, located in the unincorporated area of Woodbury County, Iowa, assuring that the information provided herein is true and correct. I hereby give my consent for the Woodbury County Planning and Zoning Office and zoning commission members to conduct a site visit and photograph the subject property.

This Rezoning Application / Zoning Ordinance Map Amendment is subject to and shall be required, as a condition of final approval, to comply with all applicable Woodbury County ordinances, policies, requirements and standards that are in effect at the time of final approval.

Owner [Signature] Agent of Lieber Properties LLC Applicant [Signature] Agent of Lieber Properties LLC

Date 6/30/2021 Date 6/30/2021

Fee: \$400 Case #: 6683

Check #: 2610

Receipt #: _____

