

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

Date: 9/30/21

Weekly Agenda Date: 10/5/21

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

**WORDING FOR AGENDA ITEM:**

Ordinance for Zoning District Map Amendment to Rezone a portion of GIS Parcel 894634300004, owned by Flewelling Farms, LC, 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 re-zone a portion of GIS Parcel 894634300004 from Limited Industrial (LI) 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:**

Flewelling Farms LC has filed an application for a zoning ordinance map amendment (rezone) on a portion of the property identified as GIS Parcel 894634300004 from the Limited Industrial (LI) to the Agricultural Estates (AE) Zoning District to facilitate a parcel combination for a boundary adjustment, under the subdivision ordinance, by combining the northern 7.293-acre portion of this parcel with their abutting farm ground, 4.28-acres, which is identified as Parcel 894634300005. Parcel 894634300004 is located in Section 34, SW 1/4, SW 1/4, T89N R46W (Concord Township) and is not located in the floodplain.

Legal notifications were made in the Sioux City Journal for all required public hearings. The neighbors within 1000 FT have been duly notified via a September 10 letter about the September 27 Zoning Commission public hearing and have been requested to comment. As of September 29, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. This property is not located in the floodplain.

Based on the information received and the requirements set forth in the General Plan and Zoning Ordinance, this proposal meets the appropriate criteria for approval. 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, 10/12/21 at 4:40 PM, and Tuesday, 10/19/21 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 Parcel 894634300004 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, 10/12/21 at 4:40 PM, and Tuesday, 10/19/21 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 Parcel 894634300004 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

**FLEWELLING FARMS LC – REZONE FROM LI TO AE ZONING DISTRICT  
FINAL REPORT – 9/29/21**

APPLICATION DETAILS	PROPERTY DETAILS	TABLE OF CONTENTS
<p><b>Applicant(s):</b> Flewelling Farms LC (Steve Flewelling)  <b>Application Type:</b> Zoning Ordinance Map Amendment (Rezone)  <b>Current Zoning District:</b> Limited Industrial (LI)  <b>Proposed Zoning District:</b> Agricultural Estates (AE)  <b>Total Acres:</b> 7.293 Acres  <b>Current Use:</b> Farmland <b>Proposed Use:</b> AE (Farming)  <b>Corn Suitability Rating(s):</b> 32, 91, 86, and 60  <b>Pre-application Meeting:</b> August 8, 2021  <b>Application Date:</b> August 26, 2021  <b>Legal Notice Date:</b> September 11, 2021  <b>Stakeholders' (1000') Letter Date:</b> September 10, 2021  <b>Zoning Commission Public Hearing Date:</b> September 27, 2021</p>	<p><b>Parcel(s):</b> 894634300004  <b>Township:</b> T89N R46W (Concord)  <b>Section:</b> 34; <b>Quarter:</b> SW ¼ SW ¼  <b>Zoning District:</b> Limited Industrial  <b>Floodplain District:</b> Zone X (Not in Floodplain)  <b>Address:</b> No address (farm ground)</p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Summary, Recommendation, Aerial &amp; Plat Excerpt</li> <li><input type="checkbox"/> Review Criteria</li> <li><input type="checkbox"/> Legal Notification</li> <li><input type="checkbox"/> Adjacent Owners' Notification</li> <li><input type="checkbox"/> Stakeholder Comments</li> <li><input type="checkbox"/> Supporting Documentation</li> <li><input type="checkbox"/> Application</li> </ul>

**SUMMARY**

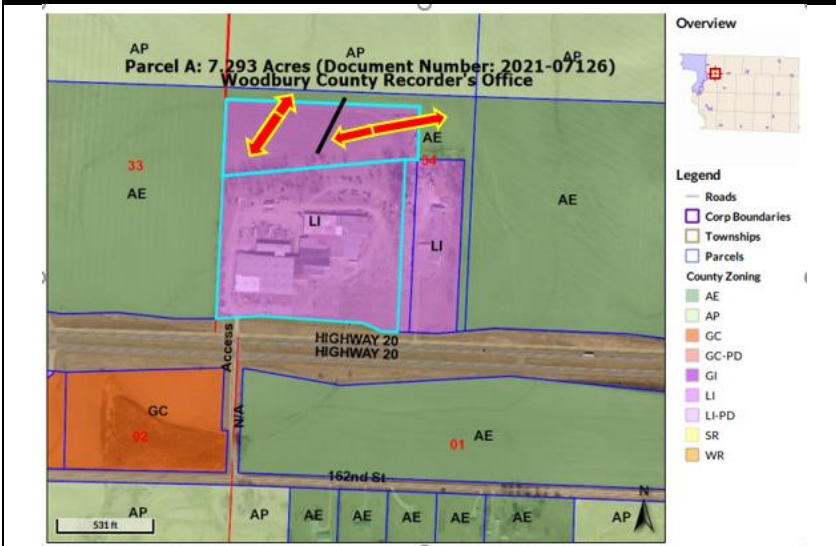
Flewelling Farms LC has filed an application for a zoning ordinance map amendment (rezone) on the property (Parcel #894634300004) as referenced above from the Limited Industrial (LI) to the Agricultural Estates (AE) Zoning District for the purpose of combining this 7.293-acre parcel with their abutting farm ground, 4.28-acres, which is identified as Parcel #894634300005. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 11. The neighbors within 1000 FT have been duly notified via a September 10 letter about the September 27 Zoning Commission public hearing and have been requested to comment. As of September 28, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. This property is not located in the floodplain. Based on the information received and the requirements set forth in the General Plan and Zoning Ordinance, this proposal meets the appropriate criteria for approval. It is the recommendation of the Zoning Commission and the staff to approve this proposal.

**ZONING COMMISSION AND STAFF RECOMMENDATION**

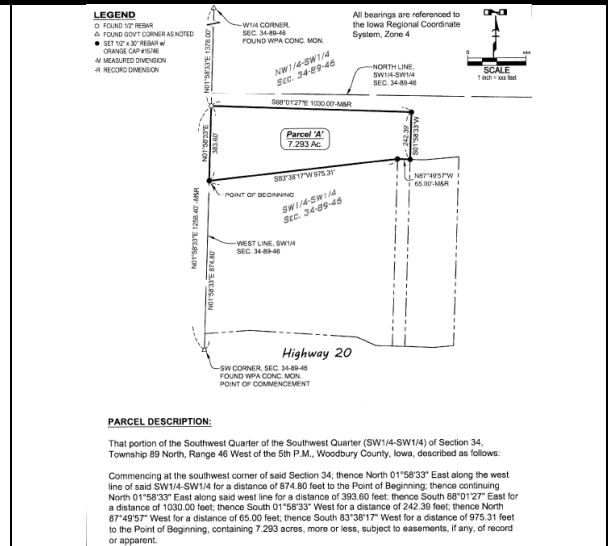
The Zoning Commission voted unanimously, 5-0, to recommend approval of this rezone proposal to the Board of Supervisors at their September 27, 2021 meeting following a public hearing.

Staff recommends approval of this rezone request as proposed.

**AERIAL MAP**



**SURVEY EXCERPT**



## ZONING COMMISSION DRAFT MINUTES – SEPTEMBER 27, 2021

### Minutes - Woodbury County Zoning Commission Meeting – September 27, 2021

The Zoning Commission (ZC) meeting convened on the 27th of September 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: Steve Flewelling, Linda Oertwick

#### 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

Motion to approve minutes: O'Tool. Second: Bride. Vote: 5-0.

#### Public Hearing: Flewelling Farms LC – Zoning Ordinance Map Amendment (Rezone) From The Limited Industrial (Li) Zoning District To The Agricultural Estates (Ae) Zoning District.

Priestley read the preliminary report and staff recommendation into the record. Flewelling Farms LC has filed an application for a zoning ordinance map amendment (rezone) on the property identified as Parcel #894634300004 from the Limited Industrial (LI) to the Agricultural Estates (AE) Zoning District for the purpose of combining this 7.293-acre parcel with their abutting farm ground, 4.28-acres, which is identified as Parcel #894634300005. This proposal has been properly noticed in the Sioux City Journal Legals Section on September 11. The neighbors within 1000 FT have been duly notified via a September 10 letter about the September 27 Zoning Commission public hearing and have been requested to comment. As of September 24, no comments or inquiries have been received about the proposal. Appropriate stakeholders including government agencies, utilities, and organizations have been notified and have been requested to comment. No objections were received from the stakeholders. This property is not located in the floodplain. Based on the information received and the requirements set forth in the General Plan and Zoning Ordinance, this proposal meets the appropriate criteria for approval. It is the recommendation of staff to approve this proposal. Motion to close public hearing: O'Tool. Second: Meister. Vote 5-0. A motion was made to recommend approval of the zoning ordinance map amendment from the Limited Industrial (LI) Zoning District to the Agricultural Estates (AE) Zoning District to the Board of Supervisors: O'Tool. Second: Parker. Vote 5-0.

#### Public Comment on Matters Not on the Agenda

None.

#### Staff Update

Director Gleiser offered a reminder about the Introduction to Planning and Zoning for Local Officials workshop that will be held on Wednesday, October 6 at Fireside Steakhouse in Anthon. Dinner will be provided at 6:00 PM and the training will begin at 6:30 PM. Reservations should be completed no later than October 4.

#### Commissioner Comment or Inquiry

Bride inquired about Iowa Department of Transportation's (IDOT) annexation of the borrow site just east of the US Highway 20/75 interchange. Gleiser indicated that the IDOT is conducting their grading work under a previous grading permit. No further information has been formally received from the city at this time.

Zellmer Zant inquired about a pipeline company that has been contacting area landowners about easements for a proposed pipeline. Gleiser stated that the Woodbury County Engineer, Mark Nahra, is working with the pipeline company (Midwest Carbon Express) on behalf of the county. Nahra and Priestley attended an Iowa Utilities Board informational meeting on September 16 that offered an overview of the pipeline proposal that was geared toward the property owners in the pipeline's path. The purpose of the pipeline is to capture carbon dioxide (CO2) emissions and transport them through the pipeline to North Dakota where they will be permanently stored underground in deep geologic storage locations. Priestley indicated that this is a multiyear project with various checkpoints including the pipeline companies' acquisition of easements.

Zellmer Zant inquired if companies have reached out to the county about solar energy. O'Tool indicated that he heard from a company about options on land he owns. Gleiser indicated that staff will be meeting with a renewables company representative on October 6 to discuss the county's regulations. He also indicated that the zoning ordinance is not designed for larger scale solar projects and could be reevaluated with public input to determine how we look at future solar projects including items of evaluation such as the Corn Suitability Rating (CSR). The MidAmerican solar site used a conditional use and was determined based on setbacks. Priestley indicated that residential and commercial solar energy fall under the conditional use permit. In the last couple years, a residential solar panel was approved as well as the MidAmerican solar project. Gleiser stated that Sioux City permits residential solar with a building permit. Bride suggested that in comparison with the appearance of metal roofs, solar panels might want to be considered as allowed uses.

#### Adjourn

Motion to adjourn: Meister. Second: Parker. Motion passed: 5-0. Meeting adjourned at 6:33 PM.

## EVALUATION CRITERIA

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 General Commercial. The parcel is currently zoned Limited Industrial (LI) and the request is to change to Agricultural Estates (AE). The request conforms to the goals and objectives of the general development plan as it relates to the following land use goals:



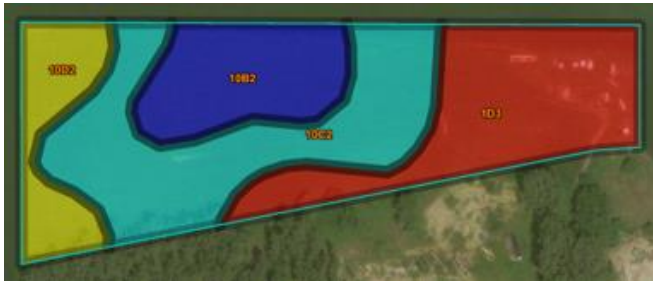
- **Land Use Goal 1.2:** Adopted development regulations that promote efficient, stable land uses with minimum conflicts and provision of public infrastructure.
- **Agricultural Goal 3.1:** Promote agriculture as the main industry in the rural portion of the county.
- **Agricultural Goal 3.4:** Protect prime farm ground as determined by high corn suitability ratings (i.e. over 65 CSR) from conversion to other land uses. Discourage non-agricultural uses in prime farmland areas and other agricultural districts by providing residential lot size requirements and property separation distances between residential and agricultural uses.

### Compatibility and conformance with the policies and plans of other agencies with respect to the subject property.

There are no conflicts with the policies and plans of other agencies.

### Consideration of the Corn Suitability (CSR) of the property.

The CSR2 rating for this property includes ratings of 32, 91, 86, and 60. 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. It is estimated that 68% of the said property has a CSR rating over 60.



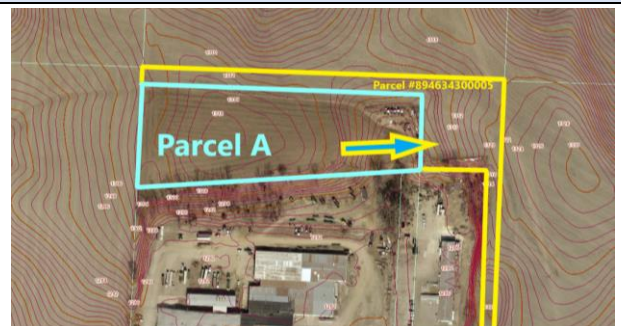
Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
10D3	Ia silt loam, 9 to 14 percent slopes, severely eroded	32	2.3	31.8%
10B2	Monona silt loam, 2 to 5 percent slopes, eroded	91	1.4	18.6%
10C2	Monona silt loam, 5 to 9 percent slopes, eroded	86	2.7	36.7%
10D2	Monona silt loam, 9 to 14 percent slopes, eroded	60	0.9	12.9%
Totals for Area of Interest			7.2	100.0%

USDA Natural Resources Conservation Service Web Soil Survey National Cooperative Soil Survey

### Compatibility with adjacent land uses.

The portion of this property being rezoned to AE is farm ground (Parcel A) and is compatible with the abutting farm ground to the west, north, and east. The intention is to combine this said 7.293-acre parcel with the 4.28-acre parcel (#894634300005) directly to the north and east through the Woodbury County Assessor. The property to the south is a truck and trailer sales business. The geography of the property makes this a natural fit to combine both farm areas.



### Compatibility with other physical and economic factors affecting or affected by the proposed rezoning.

This proposal is compatible with other physical and economic factors in the project area as there are no major infrastructure improvements required. This proposal combines farm ground.

**Any other relevant factors.**

The property owner purchased the said 7.293-acre parcel to add to their farming operation which has historically been farm ground. Typically, the acquisition of land from an abutting property would trigger a boundary adjustment under the subdivision ordinance. However, because there are two separate zoning districts, the boundary adjustment cannot be executed until the properties are zoned the same. Once, the same, the county assessor can complete the parcel combination under their guidelines.

**LEGAL NOTIFICATION**

Published in the Sioux City Journal's Legals Section on September 11, 2021.

**NOTICE REGARDING PUBLIC HEARING**  
**WOODBURY COUNTY ZONING COMMISSION**  
 The Woodbury County Zoning Commission will hold a public hearing on the following item hereafter described in detail on September 27, 2021 at 6:00 PM or as soon thereafter as the matter may be considered. Said hearings will be held in the Board of Supervisors' Meeting Room, Number 104, County Courthouse, 620 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: 712-454-1133 and enter the Conference ID: 516 721 135# during the meeting to listen or comment.

**Item One (1)**

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 (rezone) to the Woodbury County Zoning Ordinance and/or Map for the Unincorporated Area of Woodbury County Iowa by Flewelling Farms, L.C.

The proposal is to rezone from the Limited Industrial (LI) Zoning District to the Agricultural Estates (AE) Zoning District for 7.293-acres located in the SW ¼ of the SW ¼ of Section 34, T89N R48W (Concord Township) in the County of Woodbury and State of Iowa. The property is located on a portion of Parcel #694634300004 and is described as:

THAT PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTY-NINE (89) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION THIRTY-FOUR (34); THENCE NORTH ONE DEGREE FIFTY-EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) FOR A DISTANCE OF EIGHT HUNDRED SEVENTY-FOUR AND EIGHTY HUNDREDTHS FEET (874.80') TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH ONE DEGREE FIFTY EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") EAST ALONG SAID WEST LINE FOR A DISTANCE OF THREE HUNDRED NINETY-THREE AND SIXTY HUNDREDTHS FEET (393.60'); THENCE SOUTH EIGHTY-EIGHT DEGREES ONE MINUTE TWENTY-SEVEN SECONDS (S 88°01'27") EAST FOR A DISTANCE OF ONE THOUSAND THIRTY FEET (1030.00'); THENCE SOUTH ONE DEGREE FIFTY-EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") WEST FOR A DISTANCE OF TWO HUNDRED FORTY-TWO AND THIRTY-NINE HUNDREDTHS FEET (242.39'); THENCE NORTH EIGHTY-SEVEN DEGREES FORTY-NINE MINUTES FIFTY-SEVEN SECONDS (N 87°49'57") WEST FOR A DISTANCE OF SIXTY-FIVE FEET (65.00'); THENCE SOUTH EIGHTY-THREE DEGREES THIRTY-EIGHT MINUTES SEVENTEEN SECONDS (S 83°38'17") WEST FOR A DISTANCE OF NINE HUNDRED SEVENTY-FIVE AND THIRTY-ONE HUNDREDTHS FEET (975.31') TO THE POINT OF BEGINNING, CONTAINING 7.293 ACRES, MORE OR LESS.

Owner/Applicant: Flewelling Farms, L.C., 7462 Correctionville Road, Sioux City, IA 51106  
 Published in the Sioux City Journal September 11, 2021. LGL#34622

**PROPERTY OWNER(S) NOTIFICATION – 1000'**



The **six (6)** property owners within 1,000 FT; and listed within the certified abstractor's affidavit; were notified by a **September 10, 2021** letter of the public hearing before the Woodbury County Zoning Commission on **September 27, 2021 at 6:00 PM**.

As of **September 29, 2021**, the Community and Development office has received:


- 0 Phone Inquiries
- 0 Written Comments

The names of the property owners are listed below.

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

Property Owner(s)	Mailing Address	Comments
Flewelling Farms, L.C. & L.T.D.	7462 Correctionville Rd., Sioux City, IA 51106	No comments.
Brian D. Peterson & Anita S. Peterson	1739 Charles Ave., Lawton, IA 51039	No comments.
Fabricators, Inc.	414 Clark St., Sioux City, IA 51101	No comments.
Warren Flewelling	7462 Correctionville Rd., Sioux City, IA 51106	No comments.
Avery Bros Sign Co.	PO Box 235, Sioux City, IA 51102	No comments.
Terry V. Swanger	1656 162nd St., Lawton, IA 51030	No comments.

## STAKEHOLDER COMMENTS

911 COMMUNICATIONS CENTER:	No comments.
CENTURYLINK / LUMEN:	<p>Below you will see a snapshot of Lumen's nearby facilities for the subject property in question. The only facilities in the area on in the ROW of Highway 20 on the North side, colored in blue. Please let me know if you have any questions. – Paul Kingrey, 9/7/21.</p> 
FIBERCOMM:	No comments.
IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR):	No comments.
IOWA DEPARTMENT OF TRANSPORTATION (IDOT):	No comments.
LONGLINES:	No comments.
MAGELLAN PIPELINE:	This will not impact Magellan. – Bryan Ferguson, 9/2/21.
MIDAMERICAN ENERGY COMPANY (Electrical Division):	I have reviewed the attached proposed rezoning for MEC electric and we have no conflicts. – Casey Meinen, 9/3/21.
MIDAMERICAN ENERGY COMPANY (Gas Division):	No conflicts for MEC "Gas" either. – Tyler Ahlquist, 9/3/21.
NATURAL RESOURCES CONSERVATION SERVICES (NRCS)	No comments.
NORTHERN NATURAL GAS:	No comments.
NORTHWEST IOWA POWER COOPERATIVE (NIPCO):	NIPCO has no issues with the Flewelling Farms rezone. – Jeff Zettel, 9/8/21.
NUSTAR PIPELINE:	Nustar pipeline is east of this parcel and will not affect Nustar. – Domingo Torres, 9/17/21.
SIOUXLAND DISTRICT HEALTH DEPARTMENT:	No comments.
WIATEL:	No comments.
WOODBURY COUNTY ASSESSOR:	No comments.
WOODBURY COUNTY CONSERVATION:	No comments.
WOODBURY COUNTY EMERGENCY MANAGEMENT:	No comments.
WOODBURY COUNTY EMERGENCY SERVICES:	No comments.
WOODBURY COUNTY ENGINEER:	I have no comments or concerns with the proposed rezoning. – Mark Nahra, PE, 9/13/21.
WOODBURY COUNTY RECORDER:	Split of parcel 894634300004 is on "hold" pending this rezoning. Also, parcel 894634300005 is currently in the name of Flewelling Farms LTD and the new split piece will be in the name of Flewelling Farms LC. A combination cannot take place unless both pieces are in the same name. – Diane Swoboda Peterson, 9/7/21.
WOODBURY COUNTY RURAL ELECTRIC COOPERATIVE (REC):	No comments.
WOODBURY COUNTY SOIL AND WATER CONSERVATION DISTRICT:	The WCSWCD has no comments regarding this proposal. – Neil Stockfleth, 9/8/21.

**PROPOSED ORDINANCE REZONE AMENDMENT**

**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**



**ITEM ONE (1)**

Property Owner: Flewelling Farms, LC, 7462 Correctionville Road, Sioux City, IA 51106

Petitioner Applicant: Flewelling Farms, LC, 7462 Correctionville Road, 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, September 27, 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 Limited Industrial (LI) Zoning District to the Agricultural Estates (AE) Zoning District for 7.293-acres located in the SW ¼ of the SW ¼ of Section 34, T89N R46W (Concord Township) in the County of Woodbury and State of Iowa. The property is located on a portion of Parcel #894634300004 and is described as

THAT PORTION OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP EIGHTY-NINE (89) NORTH, RANGE FORTY-SIX (46) WEST OF THE 5TH P.M., WOODBURY COUNTY, IOWA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION THIRTY-FOUR (34); THENCE NORTH ONE DEGREE FIFTY-EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") EAST ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) FOR A DISTANCE OF EIGHT HUNDRED SEVENTY-FOUR AND EIGHTY HUNDREDTHS FEET (874.80') TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH ONE DEGREE FIFTY EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") EAST ALONG SAID WEST LINE FOR A DISTANCE OF THREE HUNDRED NINETY-THREE AND SIXTY HUNDREDTHS FEET (393.60'); THENCE SOUTH EIGHTY-EIGHT DEGREES ONE MINUTE TWENTY-SEVEN SECONDS (S 88°01'27") EAST FOR A DISTANCE OF ONE THOUSAND THIRTY FEET (1030.00'); THENCE SOUTH ONE DEGREE FIFTY-EIGHT MINUTES THIRTY-THREE SECONDS (N 01°58'33") WEST FOR A DISTANCE OF TWO HUNDRED FORTY-TWO AND THIRTY-NINE HUNDREDTHS FEET (242.39'); THENCE NORTH EIGHTY-SEVEN DEGREES FORTY-NINE MINUTES FIFTY-SEVEN SECONDS (N 87°49'57") WEST FOR A DISTANCE OF SIXTY-FIVE FEET (65.00'); THENCE SOUTH EIGHTY-THREE DEGREES THIRTY-EIGHT MINUTES SEVENTEEN SECONDS (S 83°38'17") WEST FOR A DISTANCE OF NINE HUNDRED SEVENTY-FIVE AND THIRTY-ONE HUNDREDTHS FEET (975.31') TO THE POINT OF BEGINNING, CONTAINING 7.293 ACRES, MORE OR LESS.

# PARCEL REPORT (Parent Parcel)

At this time, there is no parcel report available for the 7.293-acre portion of this parcel that was sold by Brian D. Peterson and Anita S. Peterson to Flewelling Farms, LC. Below is the report of the unsplit parcel.

## Summary

Parcel ID 894634300004  
 Alternate ID 882391  
 Property 1709 HWY 20  
 Address SIOUX CITY IA 51106  
 Sec/Twp/Rng 34-89-46  
 Brief 51258.4' W1030' EX PART FOR HWY & EX E65' W1030' S966' LYING N OF HWY  
 Tax Description 5W SW 34-89-46  
 (Note: Not to be used on legal documents)  
 Deed Book/Page 689-8249 (2/28/2007)  
 Gross Acres 26.17  
 Net Acres 26.17  
 Adjusted CSR Pts 0  
 Zoning LI - LIMITED INDUSTRIAL  
 District 0025 CONCORD/LAWTON-BRONSON  
 School District LAWTON BRONSON  
 Neighborhood N/A



## Owner

**Deed Holder** Peterson Brian D & Anita S  
 1739 Charles Ave  
 Lawton IA 51030

**Contract Holder**

**Mailing Address**  
 Peterson Brian D & Anita S  
 1739 Charles Ave  
 Lawton IA 51030

## Land

Lot Area 26.17 Acres; 1,139,965 SF

## Commercial Buildings

Type	Base Area	Year Built
Metal Warehouse - Steel Frame	8160	1972
Manufacturing (Light)	60501	1961
Metal Warehouse - Steel Frame	22121	1971
Metal Warehouse - Steel Frame	31200	1967
Metal Warehouse - Steel Frame	33600	1969
Metal Warehouse - Steel Frame	7820	1976
Office - General	4000	1961

## Yard Extras

- #1 - (1) Paving 10,000 SF, Concrete Parking, Average Pricing, Built 1970
- #2 - (1) Paving 101,500 SF, Asphalt Parking, Low Pricing, Built 1970
- #3 - (1) Fencing - Chain 3 Strand Barb, 7 Ft-High, 1,020 LF, 30 LF-Gates, Built 1970
- #4 - (1) Shed 70 SF, Metal, Low Pricing, Built 1980
- #5 - (1) Sign Poles (Wood and Steel) 15 LF, 15" Steel, 2 Diameter, Built 2005

## Sales

Date	Seller	Buyer	Recording	Sale Condition - NUTC	Type	Multi Parcel	Amount
2/28/2007	SIOUXLAND ELEVEN L.L.C.	PETERSON BRIAN D & ANITA S	689/8249	NORMAL ARMS-LENGTH TRANSACTION	Deed		\$595,000.00
5/17/2004	SIOUXLAND ELEVEN L.L.C.			OFFER TO BUY	Deed		\$0.00
10/1/2003	SCHAEFF	SIOUXLAND ELEVEN LLC	617/985	VACANT BUILDINGS	Deed		\$500,000.00

## Permits

Permit #	Date	Description	Amount
6011	09/30/2015	Misc	25,000
4581	03/29/2005	Misc	0

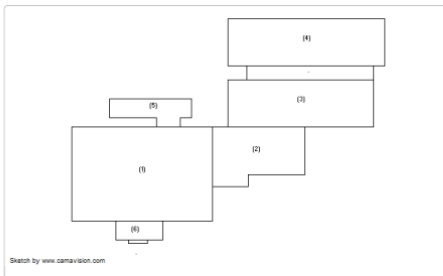
## Valuation

Classification	2021	2020	2019	2018	2017
	Commercial	Commercial	Commercial	Commercial	Commercial
+ Assessed Land Value	\$180,000	\$178,020	\$178,020	\$178,020	\$178,020
+ Assessed Building Value	\$543,560	\$537,580	\$537,580	\$490,890	\$490,890
+ Assessed Dwelling Value	\$0	\$0	\$0	\$0	\$0
= Gross Assessed Value	\$723,560	\$715,600	\$715,600	\$668,910	\$668,910
- Exempt Value	\$0	\$0	\$0	\$0	\$0
= Net Assessed Value	\$723,560	\$715,600	\$715,600	\$668,910	\$668,910

## Photos



## Sketches

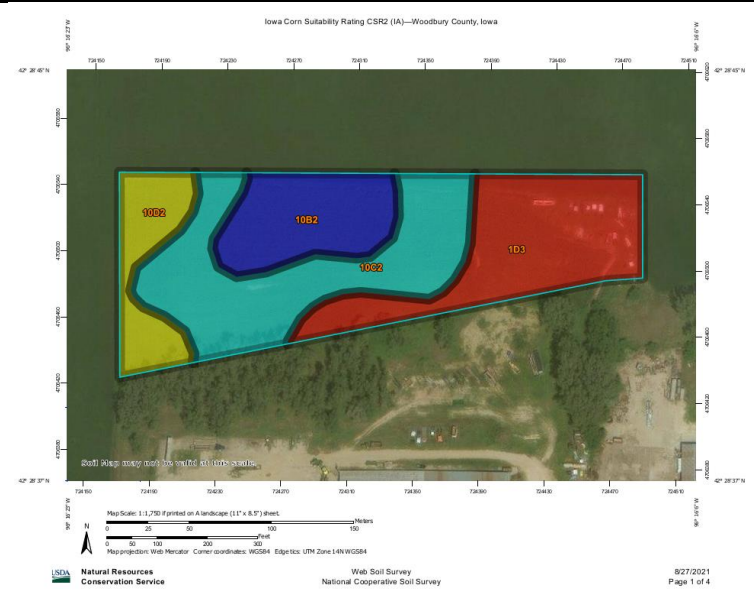


No data available for the following modules: Residential Dwellings, Agricultural Buildings, Sioux City Tax Credit Applications.

User: Brian D. Peterson  
 User ID: 1739 Charles Ave  
 Last Data Update: 8/26/2021, 6:05:18 PM



# SOIL REPORT



Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa

### MAP LEGEND

- Area of Interest (AOI)**
  - Area of Interest (AOI)
- Soils**
  - Soil Rating Polygons
    - <= 32
    - > 32 and <= 60
    - > 60 and <= 86
    - > 86 and <= 91
    - Not rated or not available
  - Soil Rating Lines
    - <= 32
    - > 32 and <= 60
    - > 60 and <= 86
    - > 86 and <= 91
    - Not rated or not available
  - Soil Rating Points
    - <= 32
    - > 32 and <= 60
    - > 60 and <= 86
    - > 86 and <= 91
    - Not rated or not available
- Water Features**
  - Streams and Canals
- Transportation**
  - Rails
  - Intrastate Highways
- Background**
  - Aerial Photography
- Other**
  - US Routes
  - Major Roads
  - Local Roads

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

**Warning:** Soil Map may not be valid at this scale. Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL: [http://www.nrcs.usda.gov/wss](#)  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Woodbury County, Iowa  
Survey Area Date: Version 30, Jun 10, 2020  
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Feb 1, 2014–Nov 25, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

USDA Natural Resources Conservation Service | Web Soil Survey National Cooperative Soil Survey | 8/27/2021 Page 2 of 4

Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa

## Iowa Corn Suitability Rating CSR2 (IA)

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
10D3	Ida silt loam, 9 to 14 percent slopes, severely eroded	32	2.3	31.8%
10B2	Monona silt loam, 2 to 5 percent slopes, eroded	91	1.4	18.6%
10C2	Monona silt loam, 5 to 9 percent slopes, eroded	86	2.7	36.7%
10D2	Monona silt loam, 9 to 14 percent slopes, eroded	60	0.9	12.8%
<b>Totals for Area of Interest</b>			<b>7.2</b>	<b>100.0%</b>

### Description

This attribute is only applicable to soils in the state of Iowa. Corn suitability ratings (CSR2) provide a relative ranking of all soils mapped in the State of Iowa according to their potential for the intensive production of row crops. The CSR2 is an index that can be used to rate the potential yield of one soil against that of another over a period of time. Considered in the ratings are average weather conditions and frequency of use of the soil for row crops. Ratings range from 100 for soils that have no physical limitations, occur on minimal slopes, and can be continuously row cropped to as low as 5 for soils that are severely limited for the production of row crops.

When the soils are rated, the following assumptions are made: a) adequate management, b) natural weather conditions (no irrigation), c) artificial drainage where required, d) no frequent flooding on the lower lying soils, and e) no land leveling or terracing. The weighted CSR2 for a given field can be modified by the occurrence of sandy spots, local deposits, rock and gravel outcrops, field boundaries, and noncrossable drainageways. Even though predicted average yields will change with time, the CSR2 values are expected to remain relatively constant in relation to one another over time.

### Rating Options

*Aggregation Method:* No Aggregation Necessary

USDA Natural Resources Conservation Service | Web Soil Survey National Cooperative Soil Survey | 8/27/2021 Page 3 of 4

Iowa Corn Suitability Rating CSR2 (IA)—Woodbury County, Iowa

Aggregation is the process by which a set of component attribute values is reduced to a single value that represents the map unit as a whole.

A map unit is typically composed of one or more "components". A component is either some type of soil or some nonsoil entity, e.g., rock outcrop. For the attribute being aggregated, the first step of the aggregation process is to derive one attribute value for each of a map unit's components. From this set of component attributes, the next step of the aggregation process derives a single value that represents the map unit as a whole. Once a single value for each map unit is derived, a thematic map for soil map units can be rendered. Aggregation must be done because, on any soil map, map units are delineated but components are not.

For each of a map unit's components, a corresponding percent composition is recorded. A percent composition of 60 indicates that the corresponding component typically makes up approximately 60% of the map unit. Percent composition is a critical factor in some, but not all, aggregation methods.

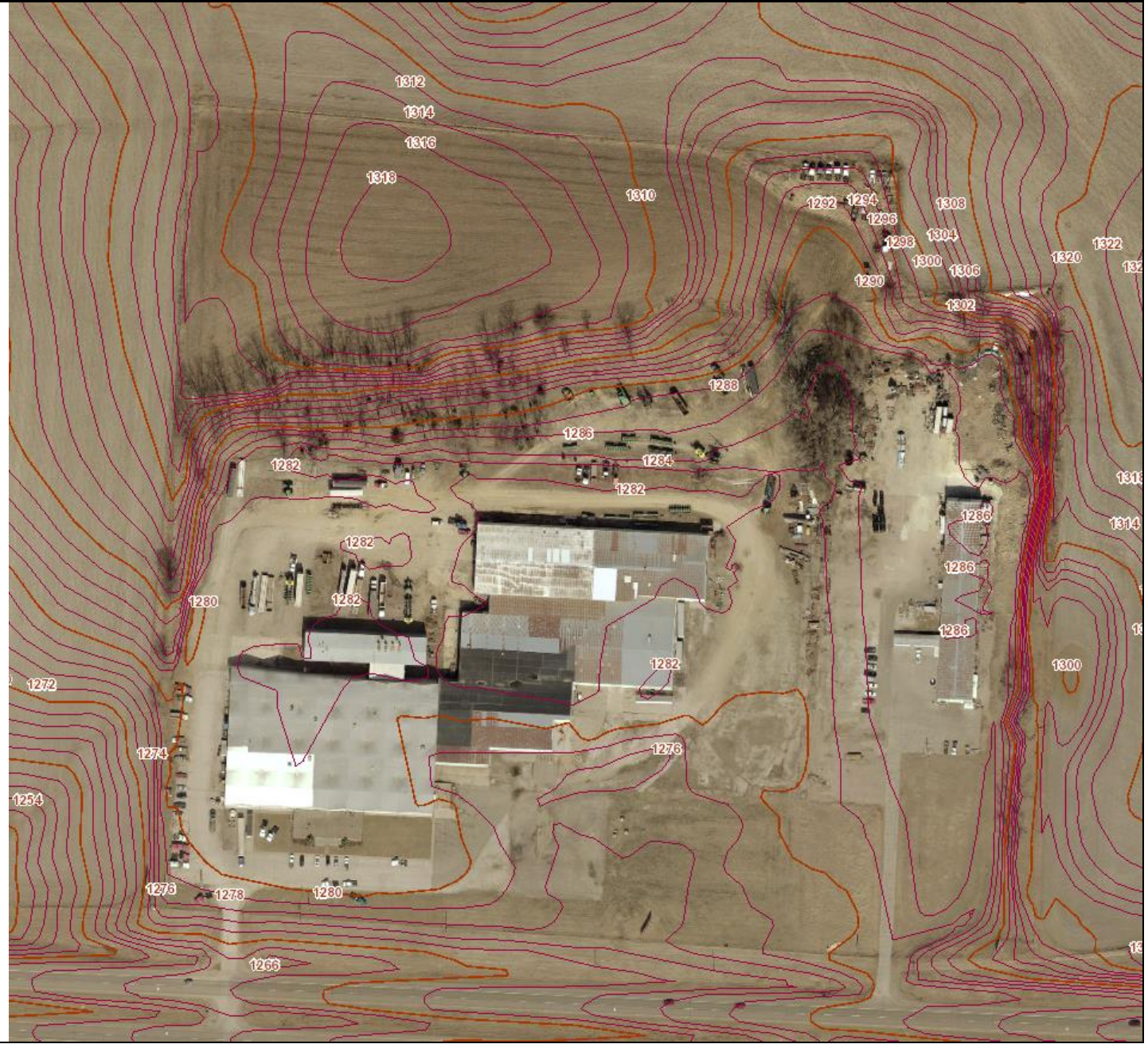
The majority of soil attributes are associated with a component of a map unit, and such an attribute has to be aggregated to the map unit level before a thematic map can be rendered. Map units, however, also have their own attributes. An attribute of a map unit does not have to be aggregated in order to render a corresponding thematic map. Therefore, the "aggregation method" for any attribute of a map unit is referred to as "No Aggregation Method".

**Tie-break Rule:** Higher

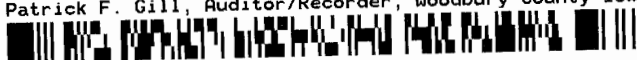
The tie-break rule indicates which value should be selected from a set of multiple candidate values, or which value should be selected in the event of a percent composition tie.

USDA Natural Resources Conservation Service | Web Soil Survey National Cooperative Soil Survey | 8/27/2021 Page 4 of 4

# ELEVATION



Instrument #: 2021-09193  
07/01/2021 03:39:30 PM Total Pages: 3  
WD WARRANTY DEED  
Recording Fee: \$ 22.00 Transfer Tax: \$120.80  
Patrick F. Gill, Auditor/Recorder, Woodbury County Iowa



**WARRANTY DEED  
Recorder's Cover Sheet**

**Preparer Information:** Jeffrey A. Johnson, 329 Pierce Street, #200, Sioux City, IA 51101,  
Phone: (712) 277-4561

**Taxpayer Information:**  
Flewelling Farms, L.C.  
7462 Correctionville Road  
Sioux City, IA 51106

**Return Document To:**  
Jeffrey A. Johnson  
329 Pierce Street, #200  
Sioux City, IA 51101

**Grantors:** Brian D. Peterson and Anita S. Peterson, husband and wife

**Grantees:** Flewelling Farms, L.C., an Iowa limited liability company

**Legal Description:** See Page 2

**Document or instrument number of previously recorded documents:** N/A

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**WARRANTY DEED**

For the consideration of One Dollar(s) and other valuable consideration, **Brian D. Peterson and Anita S. Peterson**, husband and wife, do hereby Convey to **Flewelling Farms, L.C.**, a limited liability company organized and existing under the laws of Iowa, the following described real estate in Woodbury County, Iowa:

See real estate described on Exhibit "A" attached hereto and incorporated herein by this reference.

Subject to and together with covenants, conditions restrictions and easements, of record, if any.

Grantors do Hereby Covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors Covenant to Warrant and Defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

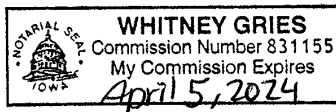
Dated: June 29, 2021.

Brian D. Peterson  
Brian D. Peterson, Grantor

Anita S. Peterson  
Anita S. Peterson, Grantor

STATE OF IOWA, COUNTY OF WOODBURY

This record was acknowledged before me on June 29, 2021, by Brian D. Peterson and Anita S. Peterson, husband and wife.



Whitney Gries  
Signature of Notary Public

**Exhibit "A"**

*That portion of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Thirty-Four (34), Township Eighty-Nine (89) North, Range Forty-Six (46) West of the 5<sup>th</sup> P.M., Woodbury County, Iowa, described as follows: Commencing at the Southwest corner of said Section Thirty-Four (34); thence North One Degree Fifty-Eight Minutes Thirty-Three Seconds (N 01°58'33") East along the West line of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) for a distance of Eight Hundred Seventy-Four and Eighty Hundredths Feet (874.80') to the point of beginning; thence continuing North One Degree Fifty-Eight Minutes Thirty-Three Seconds (N 01°58'33") East along said West line for a distance of Three Hundred Ninety-Three and Sixty Hundredths Feet (393.60'); thence South Eighty-Eight Degrees One Minute Twenty-Seven Seconds (S 88°01'27") East for a distance of One Thousand Thirty Feet (1030.00'); thence South One Degree Fifty-Eight Minutes Thirty-Three Seconds (N 01°58'33") West for a distance of Two Hundred Forty-Two and Thirty-Nine Hundredths Feet (242.39'); thence North Eighty-Seven Degrees Forty-Nine Minutes Fifty-Seven Seconds (N 87°49'57") West for a distance of Sixty-Five Feet (65.00'); thence South Eighty-Three Degrees Thirty-Eight Minutes Seventeen Seconds (S 83°38'17") West for a distance of Nine Hundred Seventy-Five and Thirty-One Hundredths Feet (975.31') to the point of beginning, containing 7.293 acres, more or less.*

# PLAT OF SURVEY

Document Number: 2021-07126  
 Recorded: 5/27/2021 at 10:46:24.0 AM  
 County Recording Fee: \$7.00  
 Iowa E-Filing Fee: \$3.13  
 Combined Fee: \$10.13  
 Revenue Tax:  
**PATRICK F. GILL, AUDITOR AND RECORDER**  
 Woodbury County, Iowa

## INDEX LEGEND:

PART OF: SW1/4-SW1/4, Section 34-89-46

CURRENT PROPRIETOR: Brian & Anita Peterson

SURVEY REQUESTED BY: Brian Peterson

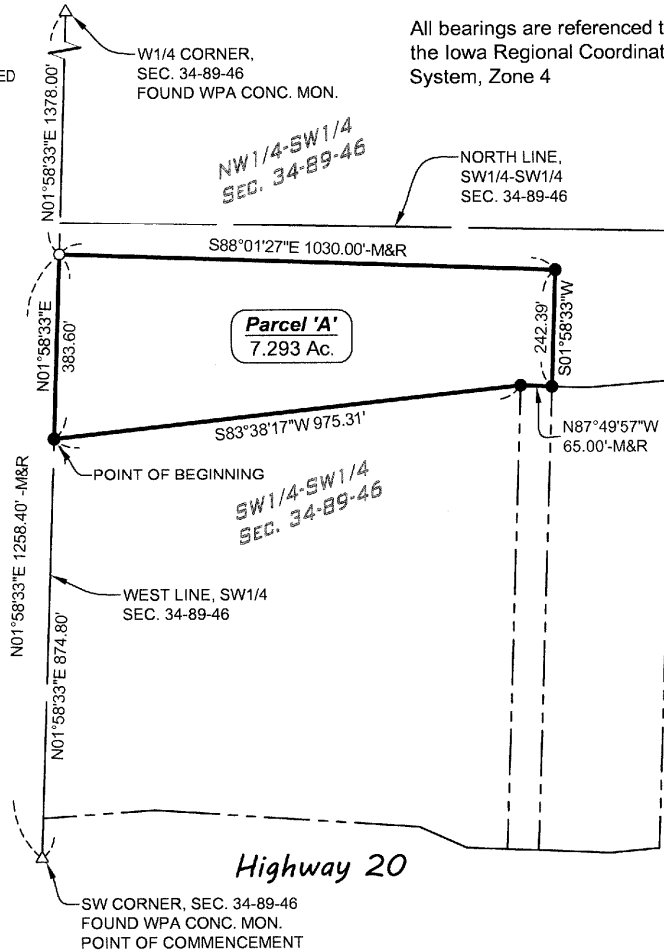
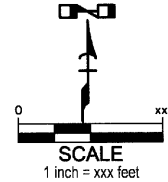
## PREPARED BY AND RETURN TO:

David A. Lamberton, DGR Engineering, 6115 Whispering Creek Dr.,  
 Sioux City, IA 51106 (712) 266-1554 dave.lamberton@dgr.com

## LEGEND

- FOUND 1/2" REBAR
- △ FOUND GOV'T CORNER AS NOTED
- SET 1/2" x 30" REBAR w/  
ORANGE CAP #15746
- M MEASURED DIMENSION
- R RECORD DIMENSION

All bearings are referenced to  
 the Iowa Regional Coordinate  
 System, Zone 4



## PARCEL DESCRIPTION:

That portion of the Southwest Quarter of the Southwest Quarter (SW1/4-SW1/4) of Section 34, Township 89 North, Range 46 West of the 5th P.M., Woodbury County, Iowa, described as follows:

Commencing at the southwest corner of said Section 34; thence North 01°58'33" East along the west line of said SW1/4-SW1/4 for a distance of 874.80 feet to the Point of Beginning; thence continuing North 01°58'33" East along said west line for a distance of 393.60 feet; thence South 88°01'27" East for a distance of 1030.00 feet; thence South 01°58'33" West for a distance of 242.39 feet; thence North 87°49'57" West for a distance of 65.00 feet; thence South 83°38'17" West for a distance of 975.31 feet to the Point of Beginning, containing 7.293 acres, more or less, subject to easements, if any, of record or apparent.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision, and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

*David A. Lamberton* 5/21/21  
 DAVID A. LAMBERTON License No. 15746 DATE  
 My license renewal date is December 31, 2022  
 Pages or sheets covered by this seal: 1 of 1

Drawn by: DAL  
 Checked by: DAL  
 Date of Field Survey: 05/19/2021  
 Project No. 271056  
 Sheet No. 1 of 1

Drawing # - P:\02\271056\dwg\271056fp01.dwg





### Rezoning Application & Zoning Ordinance Map Amendment

<b>Owner Information:</b> Owner <u>Flewelling Farms LC</u> Address <u>7462 C-Uille Rd</u> <u>Sioux City Ia</u> Phone <u>712-490-1714</u>	<b>Applicant Information:</b> Applicant <u>Flewelling Farms LC</u> Address <u>7462 C-Uille Rd</u> <u>Sioux City Ia 51106</u> Phone <u>712-490-1714</u>
Engineer/Surveyor <u>not applicable</u> Phone _____	
<b>Property Information:</b> Property Address or Address Range <u>not applicable</u> Quarter/Quarter <u>SWSW</u> Sec <u>34</u> Twship/Range <u>89-46</u> Parcel ID # <u>894634300004</u> or GIS # _____ Total Acres <u>7.293</u> Current Use <u>LI (farm/and)</u> Proposed Use <u>AE</u> Current Zoning <u>LI</u> Proposed Zoning <u>AE</u> Average Crop Suitability Rating (submit NRCS Statement) <u>32, 91, 86, 80</u>	
<p>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).</p> <p>A formal pre-application meeting is recommended prior to submitting this application.</p>	
Pre-app mtg. date <u>Aug 3-21</u> Staff present <u>Dan Coestly</u>	
<p>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.</p> <p>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.</p>	
Owner <u>Flewelling Farms LC Steve Flewelling</u> Applicant <u>Flewelling Farms LC Steve Flewelling</u> Date _____ Date <u>Aug 26-21</u>	
Fee: <u>\$400</u> <i>pd cert # 9121</i> Case #: <u>6704</u> Check #: <u>9121</u> Receipt #: _____	

Date Received

