

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@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) 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 MORNINGSIDES AVE
Property Address 6003 MORNINGSIDES AVE Acreage n/a SIOUX CITY, IA 51106
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 & 5 IRVING PLACEN 1/2 SW 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 884704302006 to the General Commercial (GC) Zoning District to facilitate the construction of a new veterinarian hospital to replace their current facility. Parcel 884704302005 is located in the Agricultural Preservation (AP) Zoning District and Parcel 884704302006 is located in the Suburban Residential (SR) Zoning District. Both parcels are located in the N ½ of the SW ¼ of Sec. 4, T88N R47W (Woodbury Township) and neither are not located in the floodplain. Once rezoned, the two parcels will be combined in to one unified parcel. Both properties are adjacent to the City of Sioux City's corporate lines and are not located in the floodplain. Rick Swanson, contractor for JAB Holding, offered a summary of the project. Bride inquired about an adjacent property owner's comment about possible erosion. Swanson offered information about a retention pond and reseeding. Motion to close public hearing: Meister. Second: Bride. Vote 5-0. A motion was made to recommend approval to the Board of Supervisors for the request as proposed: O'Tool. Second: Meister. Motion approved 5-0.

Public Hearing: Zoning Ordinance Map Amendment (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

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

Notification of the three public hearings before the Woodbury County Board of Supervisors on August 3 at 4:45 PM, August 10 at 4:45 PM, and August 17 at 4:45 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 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	
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. Wilch	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. DeForrest	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 Roebrich	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. Labruno	2618 S. Lyons St.	Sioux City	IA	51106	
James A. & Dolores B. Shay	2601 S. Roswell St.	Sioux City	IA	51106	
Dierenfield Lucille Trust	2609 S. Roswell St.	Sioux City	IA	51106	
Eric R. Vandebake & 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	

Inquired whether there would be any soil erosion onto his property to the east. – 7/22/21.

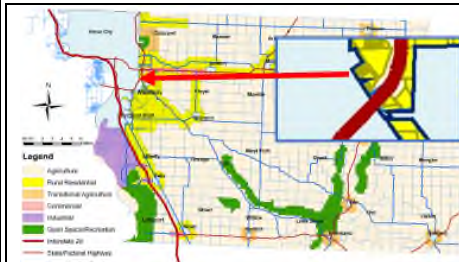
Nicholas H. & Maggie D. Beccard	5610 Windsor Ave.	Sioux City	IA	51106
Ivan A. Streeter Revocable Trust	5618 Windsor Ave.	Sioux City	IA	51106
Rex A. & Marcia R. Schroder	2600 S. Roswell St.	Sioux City	IA	51106
William G. & Linda F. Prescott	2608 S. Roswell St.	Sioux City	IA	51106
Keith & Amy Horn	2612 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.
LONGLINES:	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.



Planning for 2025
The Woodbury County General Development Plan
Adopted November 16, 2011

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.

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AN INDEX TO TRADE NAMES No. 2

WOODBURY COUNTY, IOWA

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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	Date of Statement	Date of Instrument		Street Number	Town	Street Number	Town
7174	Mustangs, Inc.	2300 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays Frank H. Hays Frank H. Hays			2300 S. Clinton St. Lincoln	
7200	Mustangs, Inc.	2300 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2300 S. Clinton St. Lincoln	
7206	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7244	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7257	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7259	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7273	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7292	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7296	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7297	Midwest Kite Manufacturing Co.	2404 S. Clinton St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			2404 S. Clinton St. Lincoln	
7335	Mitchell's Hair Stylist	512 N. 1st St.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			512 N. 1st St. Lincoln	
7350	Morningside Veterinary Hospital	6003 Morningside Ave.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			6003 Morningside Ave. Lincoln	
7369	Morningside Veterinary Hospital	6003 Morningside Ave.	Lincoln	Jan 1, 1965	7-1965	Frank H. Hays			6003 Morningside Ave. Lincoln	

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 MORINGISDE 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 MORINGISDE 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 MORINGISDE 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

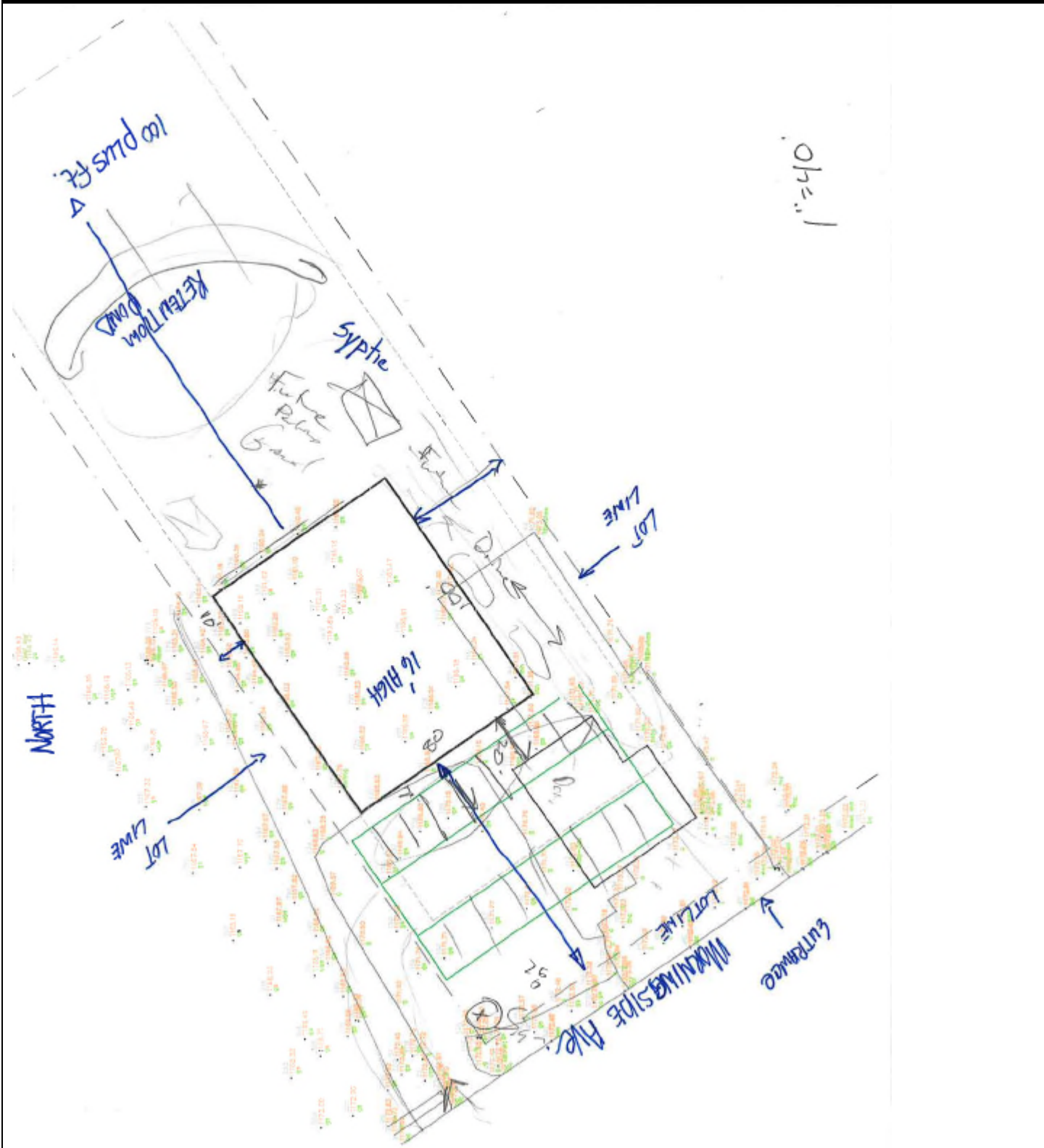
Pursuant to Section 2.02:4 of the Woodbury County Zoning Ordinance, and in accordance with Section 335 of the Code of Iowa, the Woodbury County Zoning Commission held a public hearing on Monday, July 26, 2021, to review and make recommendation for amendments to the Woodbury County Zoning Ordinance and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



APPLICATION

REZONE APPLICATION & ZONING ORDINANCE MAP AMENDMENT APPLICATION

JAB HOLDINGS CO INC

Owner Information: EIK CREEK A/H

Owner AARON BESSMERAddress 6603 MORNINGSIDE AVESIOUX CITY, IOWAPhone 712-778-5368Applicant Information: Genevieve CostaApplicant RICK D. SWANSONAddress 512 So Ridge Dr.SOUTH SIOUX CITY, NEBPhone 712-251-1165 68776Engineer/Surveyor TRUE ENGINEERING (SCOT) Phone 712-870-9709Property Information: 6603 + 6601Property Address or Address Range 6603 MORNINGSIDE AVE, SIOUX CITY, IOWAQuarter/Quarter North 1/2 Sec. 4 Township/Range 8847Parcel ID # 884704302005 or GIS # 831315 + 884704302005 Total Acres 0.58/25.12/51Current Use VET CLINIC Proposed Use SAMECurrent Zoning AP/SR Proposed Zoning General CommercialAverage Crop Suitability Rating (submit NRCS Statement) N/ANW 3rd
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 May 28 2021 Staff present DAINEE

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 XDate May 25th 2021Applicant XDate May 25th 2021Fee: \$400 Case #: 6670Check #: CK # 4452 5/25/21Receipt #: 586729