



**STORY COUNTY
PLANNING AND DEVELOPMENT
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087**

"Commitment, Vision, Balance"

515-382-7245

**MINUTES
STORY COUNTY
BOARD OF ADJUSTMENT**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: February 19, 2020	Steve McGill, Chair	2022
	Randy Brekke, Vice Chair	2020
	Kelly Winfrey	2024
CALL TO ORDER: 4:00 PM	Matthew Neubauer	2021
PLACE: Public Meeting Room Administration Building	Wendie Schneider	2023

PUBLIC PRESENT: Mark Thiessen, Neil Grant, Jim Mareck, Ron & Liz Pehl, Gary Houdeshell

STAFF PRESENT: Jerry Moore, Planning and Development Director; Amelia Schoeneman, Planner; Stephanie Jones, Recording Secretary

ROLL CALL: McGill, Winfrey, Neubauer, Schneider, Brekke

ABSENT: None

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES

Motion by Neubauer, Second by Schneider to approve the January 15, 2020 Minutes. (MCU)

**APPROVAL OF FINDINGS OF FACT From January 15, 2020 Meeting
Motion by Neubauer, Second by Schneider (MCU)**

Written Findings of Fact CUP11-19 Story County Animal Control
Written Findings of Fact CUP12-19 Ballard Golf and Country Club
Written Findings of Fact VAR06-19 Ballard Golf and Country Club

PUBLIC COMMENTS: None

HEARINGS:

CUP02-90.6 Martin Marietta Ames Slurry Drops And Off-Site Rescue Equipment Storage

Amelia Schoeneman provided a summary of the case and stated that this request is for a minor modification to a conditional use permit to allow the off-site storage of rescue

equipment/trailer for the mine in an existing 40' x 60' steel utility building and the addition of four slurry drops at the Ames Martin Marietta Mine. An off-site location is preferable for the rescue trailer and equipment to ensure accessibility during an emergency.

The Board of Adjustment previously heard the request at their December 18, 2019, meeting. The Board had several questions about the impact on the South Skunk River if the pipeline were to leak and the contents of the slurry. The Board approved a motion to table the request until testing and analysis of the slurry could be completed. Martin Marietta submitted the requested slurry testing results and pipeline leak prevention plan. Schoeneman went over the test results. Staff sought additional information on the applicable standards and specifically the substance that was present in range of gasoline. Martin Marietta is currently in the process of obtaining a permit through the EPA's Underground Injection Control Program. In addition, the EPA's Underground Injection Program website notes that the Iowa Department of Natural Resources Water Quality Bureau must be contacted for review of injection activities and Martin Marietta has agreed to do this. Staff believes the review of the EPA's determination is necessary for the Board to find that the standard for environmental protection for a conditional use permit is met and recommends this item be tabled until EPA's determination is provided.

Winfrey acknowledged that slurry drop 3 had been moved away from the neighboring property to the east and asked if it is anticipated that the rock wall and silt fencing would be also necessary to prevent any leaks running onto the neighboring property. Schoeneman stated that Martin Marietta moved the original location of the east slurry drop (#3) to a distance of approximately 200 feet from the common property line and in addition, based on the contour maps it is not believed to be an issue.

Neil Grant stated that contact has been made with the EPA and explained the regulations. Grant does not believe the EPA is going to require a permit at this time, but will Martin Marietta will register with the EPA. The DNR will review any input from the EPA.

MOTION: The Story County Board of Adjustment remands the Conditional Use Permit for the addition of slurry drops and off-site rescue equipment/trailer storage at the Martin Marietta Ames Mine as put forth in case CUP02-90.6, back to the applicant for further review and/or modifications and directs staff to place this item on the March or April, 2020 Story County Board of Adjustment Agenda once the applicant provides the registration or permit from the EPA under the Underground Injection Control program and required permits for the slurry drop activity/injection from the Iowa Department of Natural Resources or a copy of the communications from the Iowa Department of Natural Resources that no permitting is required.

Motion: Brekke

Second: Neubauer

Ayes: Brekke, Neubauer, Winfrey, McGill, Schneider

Nays: None

Not Voting: None

Absent: None

Vote: (5-0)

CUP02-16.1 Saints Peter and Paul Catholic Church Parking Lot Expansion

Amelia Schoeneman presented the staff report and stated that the request is to construct an addition to the existing parking lot at Saints Peter and Paul Church. Currently, parishioners park in the right of way or use stacked parking during larger events. The existing parking lot has 81 parking stalls. The addition would add 49 parking stalls on the east side of the existing parking lot. The expanded parking area would allow the church to provide adequate parking for larger

events (weddings, funerals, holiday masses). The parking lot is gravel, as is the proposed addition. A 40-foot-by-46-foot area in the existing parking lot is proposed to be paved to provide three additional Americans with Disabilities Act-compliant (accessible) parking spaces. The applicant also proposes to extend a driveway from the expanded area of the parking lot to connect with an existing circular drive to the south for additional ingress and egress. The County Engineer has reviewed and approved this plan. The applicant has also requested alternative compliance to allow the required parking lot trees to count towards the required landscaping to be added to offset the additional impervious surfaces.

Schneider had concerns about combining landscaping requirements. Schoeneman stated that there are two separate landscaping requirements. The parking lot tree landscaping requirement provides landscaping and shading for the parking lot. New trees were already planted around the parking lot, including the area where the parking lot expansion is occurring, with the previous CUP request, which meets the intent of the parking lot requirement to provide shading and landscaping. Schoeneman stated that the only place to put more trees would be along the southern edge of the new parking area, which is where the runoff flows, meeting the intent of the landscaping to be added to offset impervious surfaces. Schoeneman stated that this type of alternative compliance request has been requested before. Moore stated that another thing to consider is the adjacent land use to the east is agricultural row crops and the future use of that property is not likely to change and accommodating trees is case specific.

Mark Thiessen stated that where the septic field is located between the expanded parking lot expansion areas there is a large grass area so trees cannot be planted in that area to avoid the roots getting into the septic system. Schoeneman confirmed that landscaping is not an option in the grassy area where septic field is located.

Tom Gust stated that he has some concerns with the traffic speed on 500th Ave and wondered if the speed limit signs could have flashing red lights. Schoeneman stated that would be a request for the County Engineer. Moore stated that information would be shared with the County Engineer and Sheriff about the traffic concerns. Gust stated that he is in favor of the church's parking lot expansion.

MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the Saints Peter and Paul Catholic Church parking lot expansion as put forth in case CUP02-16.1 and alternative compliance request, with the following conditions:

- 1. The 10 trees required for the proposed parking lot, to be installed south of the proposed parking area, shall be installed and count towards the requirement that 20% of the impervious area added be landscaped.**
- 2. A demolition permit from the Story County Planning and Development Department shall be obtained before the demolition of the shed.**
- 3. A permit from the Story County Engineer shall be obtained for any work in the right of way including widening and paving accesses.**
- 4. Cordoning of the septic laterals during construction to keep all traffic off shall occur. The applicant shall contact the septic engineer to determine if the pipe between the tanks and the distribution box is strong enough for heavy construction vehicles if that line will be driven over during construction.**
- 5. No parking in the right of way of 500th Avenue is permitted prior to or after the completion of the parking lot expansion.**
- 6. The southern access of the circular drive shall be an entrance only and the northern portion be an exit only. Signage indicating this shall be installed.**
- 7. The church shall monitor if stacked parking continues after the parking lot expansion and explore methods of marking the parking stalls, such as**

curb stops, if stacked parking continues to occur.

Motion: Neubauer

Second: Brekke

Ayes: Neubauer, Brekke, Winfrey, Schneider, McGill

Nays: None

Not Voting: None

Absent: None

Vote: (5-0)

BOARD/STAFF COMMENTS:

Staff: Moore provided information about the Iowa State University Extension Planning and Zoning training. Work program update – Census, surveys for reusing accessory structures, building codes, and a needs assessment of the unincorporated villages of Shipley and Iowa Center. Discussion took place about the zoning of Shipley and Iowa Center. Moore also provided information about the AUFPA Agreement Extension, Citizenserve, and City of Nevada street improvement project.

Board: Schneider asked for clarification of repurposing accessory buildings. Moore stated that we are only gathering information currently. Schoeneman stated that we have received requests to allow a family member to live in the accessory building, or to convert accessory buildings to a rental unit.

ADJOURNMENT: 5:15 PM

Approval of Minutes

Title and Date