

STORY COUNTY PLANNING AND ZONING

STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087



"Commitment, Vision, Balance"

515-382-7245
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MINUTES STORY COUNTY PLANNING AND ZONING COMMISSION

DATE: July 2, 2012

Daryle Vegge, Chair	2013
Nancy Couser	2015
Steven Gast	2013
Nick Merfeld	2012
*David Struthers	2012
*David Weigel	2015
Nancy Miller	2016
*Absent	

CALL TO ORDER: 5:30 p.m.

PLACE: Public Meeting Room
Administration Building

ADJOURNMENT: 7:30 p.m.

PUBLIC PRESENT: Jim Athen, Chuck Winkleblack, Bob Finch, Katherine Fromm, Marcy Chaussee, Victoria Feilmeyer, Jim Weaver

STAFF PRESENT: Leanne Harter, Director; Charlie Dissell, Planner; Kristin Cook, Recording Secretary

ROLL CALL: Vegge, Couser, Gast, Merfeld, Miller

ABSENT: Struthers, Weigel

APPROVAL OF AGENDA (MCU)

Motion: Merfeld
Second: Couser

APPROVAL OF MINUTES (MCU) - June 4, 2012

Motion: Gast
Second: Miller

PUBLIC COMMENTS: Opened 5:32 p.m. - Closed 5:32 p.m.
None.

OLD BUSINESS:

None.

NEW BUSINESS:

6.I AMD01-12: Athen Amendment

Applicant: Hunziker Land Development Company, LLC

Nature of Request: Ames Urban Fringe Plan Amendment from the Priority Transitional Residential and Environmentally Sensitive Lands to Urban Residential
Staff Member: Charlie Dissell
Parcel Number(s): 05-29-200-210, 05-29-200-305, 05-29-200-410, 05-29-200-460, 05-20-400-410

STAFF PRESENTATION:

Mr. Charlie Dissell presented the current land use, parcel size, zoning, vicinity map, and proposed development as submitted. Mr. Dissell reviewed the dates of legal notification and publication requirements.

Mr. Dissell outlined the Conceptual and Interagency Reviews completed by the Interagency Review Team.

Mr. Dissell presented site shots of the property and reviewed the applicable standards for approval for the Commission to consider in reviewing the proposed amendment. Mr. Dissell also gave an overview of the Ames Urban Fringe Plan Amendment procedures.

Mr. Dissell reviewed City of Ames' concerns regarding the city sewer capacity and emergency response.

Mr. Dissell stated that ultimately, this amendment request is being proposed by the applicant in order to have the land annexed into the City of Ames, so the development, which is being proposed at this time, can take advantage of full municipal services, such as utilities, EMS, etc. The applicant's proposal of a senior housing project would fit into the Rural/Urban Services land use class and the Priority Transitional Residential land use designation, however, that land use class and designation does not allow for the land to be annexed, and if there was no change, the development would be placed on traditional rural services such as rural water, septic systems, and rural fire department. Furthermore, Story County does not have a zoning district which would apply to the current proposal; however, such a district could be created and adopted, or a conditional use could be created and adopted.

Mr. Dissell concluded by presenting five alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends waiving review of the Athen County Development Plan, put forth in case AMD01-12, with conditions, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
- 2) *The Story County Planning and Zoning Commission recommends approval of the Athen County Development Plan, put forth in case AMD01-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
- 3) *The Story County Planning and Zoning Commission recommends approval of the Athen County Development Plan, put forth in case AMD01-12, with conditions, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
- 4) *The Story County Planning and Zoning Commission recommends denial of the Athen County Development Plan, put forth in case AMD01-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
- 5) *The Story County Planning and Zoning Commission tables the Athen County Development Plan, put forth in case AMD01-12, back to the applicant for further review and/or modifications, furthermore requiring that copies of any new item to be reviewed be submitted no less than twenty-one (21) days before the desired Planning and Zoning Commission meeting.*

COMMISSION COMMENTS:

Mr. Nick Merfeld asked for clarification regarding the description and process. Mr. Dissell stated it is merely a policy and not legal.

Mr. Steven Gast asked for clarification regarding the alternatives, more directly alternative one. Mr. Dissell clarified. Mr. Dissell continued with an overview of the city approval process and timelines.

Mr. Vegge questioned whether the 28E Agreement process is necessary. Mr. Dissell concurred.

Ms. Nancy Couser asked for clarification regarding the natural area being protected and if it is the intention of the applicant to develop such area. Mr. Dissell clarified and stated the applicant may be able to provide further explanation.

APPLICANT COMMENT:

Mr. Chuck Winkleblack

Mr. Winkleblack explained the plans to develop the proposed areas stating that walking paths would be the only development within the floodplain area. Mr. Winkleblack stated the current property owner has a possible buyer for a portion of the land. Said buyer has plans to develop 10 acres into independent, assisted, and skilled care living. Mr. Winkleblack also stated that there is no intention for high density or commercial development.

Ms. Couser asked for clarification regarding access to the senior living center. Mr. Winkleblack stated the access would be from Weston Drive. Mr. Winkleblack gave an overview of current and future traffic flow.

Mr. Gast asked for clarification of the proposed density. Mr. Winkleblack stated the intent is to develop the area consistent with the surrounding area.

Ms. Miller asked for clarification regarding the capacity of the proposed development. Mr. Winkleblack complied.

Ms. Couser asked what other avenues could be pursued rather than upsetting current agricultural ground. Mr. Winkleblack gave an overview of other options the applicant had previously pursued.

Ms. Miller inquired as to what the applicant would do if the buyer and developer did not follow through with the purchase. Mr. Winkleblack stated the development and sale are contingent upon the proposed amendment.

PUBLIC COMMENT:

NONE

BOARD DISCUSSION:

Commission members asked for a review of the submitted public comments. Mr. Dissell complied. Commission members discussed public concerns and the proposed amendment.

Mr. Vegge asked for clarification regarding land designation. Mr. Dissell complied.

Commission members discussed the proposed amendment.

Mr. Merfeld questioned whether the Commission could put conditional approval restricting the timeframe of approval or denial by the City of Ames. Mr. Dissell gave an overview of the City of Ames meeting schedules and stated the Commission could add a condition regarding such.

MOTION: The Story County Planning and Zoning Commission recommends waiving review of the Athen County Development Plan, put forth in case AMD01-12, with a condition to the Board of Supervisors to state the annexation to take place within one year or the review process would need to start over, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.

Commission members discussed the proposed motion.

Motion: Gast
Second: Merfeld

Voting Aye: Miller, Merfeld, Gast, Couser, Vegge
Voting Nay: None
Not Voting: None
Absent: Struthers, Weigel

NEW BUSINESS:

6.II AMD02-12: Oaks Amendment

Applicant: Hunziker Land Development Company, LLC

Nature of Request: Ames Urban Fringe Plan Amendment from Parks and Open Space and Environmentally Sensitive Lands to Rural Residential

Staff Member: Charlie Dissell

Parcel Number(s): 05-22-200-205, 05-22-200-405, 05-22-200-440

STAFF PRESENTATION:

Mr. Charlie Dissell presented the current land use, parcel size, zoning, elevation map, floodplain map, vicinity map, and proposed development as submitted. Mr. Dissell also reviewed the dates of legal notification and publication requirements.

Mr. Dissell outlined the Conceptual and Interagency Reviews completed by the Interagency Review Team. Mr. Dissell also reviewed comments received from the general public.

Mr. Dissell presented site shots of the property and reviewed the applicable standards for approval for the Commission to consider in reviewing the proposed amendment.

Mr. Dissell stated the Ames Urban Fringe Plan Amendment procedures apply.

Mr. Dissell concluded by presenting four alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends approval of the Oaks County Development Plan, put forth in case AMD02-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
 - 2) *The Story County Planning and Zoning Commission recommends approval of the Oaks County Development Plan, put forth in case AMD02-12, with conditions, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
 - 3) *The Story County Planning and Zoning Commission recommends denial of the Oaks County Development Plan, put forth in case AMD02-12, as submitted, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.*
 - 4) *The Story County Planning and Zoning Commission tables the Oaks County Development Plan, put forth in case AMD02-12, back to the applicant for further review and/or modifications, furthermore requiring that copies of any new item to be reviewed be submitted no less than twenty-one (21) days before the desired Planning and Zoning Commission meeting.*
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COMMISSION COMMENTS:

Ms. Miller asked for the current land owner to be stated. Mr. Dissell stated the current owner is Mr. Winkleblack.

APPLICANT COMMENT:

Mr. Chuck Winkleblack

Mr. Winkleblack stated the proposal is to create four building lots, two of which are in the Ada Hayden watershed and two which are not. Mr. Winkleblack stated the use of pesticides will be greatly reduced if the proposed amendment is approved and the Oaks Golf Course closes. Mr. Winkleblack stated the intent is to stabilize the natural vegetation and Ada Hayden. Mr. Winkleblack also stated there would be

very little grading done to the existing land. Mr. Winkleblack stated he will agree to not subdivide further or to let property owners use phosphorus chemicals on the proposed properties. Mr. Winkleblack reviewed the current use of the golf course pro-shop building stating there is currently an apartment above the pro-shop and such tenants would be given the current pro-shop area to become additional living area.

Mr. Winkleblack gave an overview of the process to achieve City and County approval.

Mr. Vegge asked for clarification of the existing home location on the SE portion of the parcel. Mr. Winkleblack clarified.

Mr. Vegge asked for clarification regarding covenants. Mr. Winkleblack stated covenants would be put in place to protect the land, owners and surrounding areas.

Ms. Couser asked why the golf course is not surviving. Mr. Winkleblack stated that golf courses are struggling nationwide. Mr. Winkleblack reviewed the number of golf courses that have been built since the Oaks opened and their locations.

Ms. Couser asked if each lot would have a septic system. Mr. Winkleblack concurred.

Ms. Miller questioned whether the intent was to be annexed or to stay within the County jurisdiction. Mr. Winkleblack gave an overview of the reasons he wishes to keep the land under County jurisdiction.

Mr. Gast asked whether the strip in the floodplain would be restricted. Mr. Winkleblack stated he would comply with all regulations. Mr. Gast asked for clarification regarding the watershed area. Mr. Dissell complied.

Mr. Merfeld asked for clarification of the process and what the next steps will be. Mr. Dissell explained.

PUBLIC COMMENT:

Mr. Jim Weaver

Mr. Weaver questioned whether the properties would be used for horses. Mr. Winkleblack stated no.

Mr. Weaver asked for the septic location to be shown for the existing building on the property. Mr. Winkleblack complied and stated the septic is approved by the County. Mr. Winkleblack stated the Moose Lodge and the Oaks Golf Course share the septic system.

Mr. Weaver asked for clarification regarding the location of the proposed four homes and what type of material will be used for access. Mr. Winkleblack complied via map and explained the home owners would decide what type of material would be used for individual access.

MOTION: The Story County Planning and Zoning Commission recommends approval of the Oaks County Development Plan Amendment, put forth in case AMD02-12, with conditions being such that the floodplain be designated as Natural Areas, to the Story County Board of Supervisors, and directs staff to place the case on the July 31, 2012, Board of Supervisors agenda.

Commission discussed the proposed motion.

Motion: Gast

Second: Miller

Voting Aye: Merfeld, Gast, Couser, Vegge, Miller

Voting Nay: None

Not Voting: None

Absent: Struthers, Weigel

6.III CUP02-12: Jensen Conditional Use Permit

Applicant: Dickson & Luann Jensen
Nature of Request: Conditional Use Permit for a Golf Course
Staff Member: Charlie Dissell
Parcel Number(s): 09-23-300-305; 09-23-300-405

STAFF PRESENTATION:

Mr. Charlie Dissell presented the current land use, parcel size, zoning, vicinity map, and proposed development as submitted. Mr. Dissell also reviewed the dates of legal notification and publication requirements.

Mr. Dissell stated the property owner intends the golf facility to be private, but will allow the Iowa State men's and women's golf team to use the facility and such lease agreements would be made with the University.

Mr. Dissell reviewed the current Land Development Regulations, conditional use permits, allowed parking and signage within the proposed area.

Mr. Dissell stated staff recommends that any development application for this property shall be accompanied by an FAA "Determination of No Hazard to Air Navigation".

Mr. Dissell outlined the Conceptual and Interagency Reviews completed by the Interagency Review Team.

Mr. Dissell presented site shots of the property and reviewed the applicable standards for approval for the Commission to consider in reviewing the proposed conditional use permit.

Mr. Dissell concluded by presenting four alternatives for the Commission to consider:

- 1) *The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit as put forth in case CUP02-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the August 1, 2012, Board of Adjustment agenda.*
 - 2) *The Story County Planning and Zoning Commission recommends approval, with conditions, of the Conditional Use Permit as put forth in case CUP02-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the August 1, 2012, Board of Adjustment agenda.*
 - 3) *The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit as put forth in case CUP02-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the August 1, 2012, Board of Adjustment agenda.*
 - 4) *The Story County Planning and Zoning Commission tables the Conditional Use Permit as put forth in case CUP02-12, back to the applicant for further review and/or modifications.*
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COMMISSION COMMENTS:

Ms. Couser asked for clarification regarding the next steps if approved. Mr. Dissell complied stating the item would be moved forward with the Board of Adjustment and also clarified that the item would not be put forth to the Board of Supervisors.

APPLICANT COMMENT:

Ms. Victoria Feilmeyer

Ms. Feilmeyer gave a brief overview of the proposed conditional use permit.

Ms. Miller asked whether the parcel would be annexed within the City of Ames. Ms. Feilmeyer stated the parcel would continue to be under County jurisdiction.

Mr. Vegge asked for clarification regarding illumination of the property. Ms. Feilmeyer stated any type of illumination would be within the County guidelines.

PUBLIC COMMENT:

NONE

BOARD DISCUSSION:

Mr. Gast asks that a conditional approval be put forth.

MOTION: The Story County Planning and Zoning Commission recommends approval, with a condition being Development Application for this property shall be accompanied by an FAA "Determination of No Hazard to Air Navigation" , of the Conditional Use Permit as put forth in case CUP02-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the August 1, 2012, Board of Adjustment agenda.

Commission discussed the proposed motion.

Motion: Miller

Second: Gast

Voting Aye: Gast, Couser, Vegge, Miller, Merfeld

Voting Nay: None

Not Voting: None

Absent: Struthers, Weigel

OTHER BUSINESS:

Long Range Planning

NONE

Follow-up on items recommended to the Board of Supervisors and Board of Adjustment

Ms. Leanne Harter gave an overview of upcoming agendas. Ms. Harter also stated the updated Land Development Regulations are now online.

Mr. Gast asked if the development plan map is available online. Ms. Harter stated the map is not available for viewing online at this time and also stated that staff is working to make such map available.

COMMISSION COMMENTS:

Mr. Gast asked if staff could schedule a commission training session. Ms. Harter stated she would set up such session in the near future and said training would be staff lead.

STAFF COMMENTS:

None

ADJOURNMENT: 7:30 p.m.

Approval of Minutes

Title and Date