

**STORY COUNTY  
PLANNING AND ZONING**  
STORY COUNTY ADMINISTRATION  
900 6<sup>TH</sup> STREET  
NEVADA, IOWA 50201-2087



"Commitment, Vision, Balance"

**515-382-7245**  
**515-382-7294 (FAX)**

**MINUTES  
STORY COUNTY  
PLANNING AND ZONING COMMISSION**

<b>DATE:</b> January 7, 2013	Daryle Vegge, Chair	2013
	Nancy Couser	2015
	Steven	
	Gast	2013
<b>CALL TO ORDER:</b> 5:30 p.m.	Vacant	2017
<b>PLACE:</b> Public Meeting Room	David Struthers	2012
Administration Building	David Weigel	2015
	Nancy Miller	2016
	*Absent	

**ADJOURNMENT:** 7:25 p.m.

**PUBLIC PRESENT:** Doug MacCrea, Norine Black

**STAFF PRESENT:** Leanne Harter, Director; Kristin Cook, Recording Secretary

**ROLL CALL:** Vegge, Couser, Gast, Struthers, Weigel, Miller

**ABSENT:** None

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**APPROVAL OF AGENDA (MCU)**

Motion: Couser  
Second: Struthers

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**APPROVAL OF MINUTES (MCU) - October 1, 2012**

Motion: Miller  
Second: Gast

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**PUBLIC COMMENTS: Opened 5:31 p.m. - Closed 5:31 p.m.**

None.

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**OLD BUSINESS:**

None.

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**NEW BUSINESS:**

**7. I ELECTION OF OFFICERS**

**MOTION: Motion made to retain the same Commission officers as last year (2012). (MCU)**

Motion: Miller  
Second: Gast

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**NEW BUSINESS:**

**7. II ADOPT 2013 CALENDAR**

**APPROVED (MCU)**

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**NEW BUSINESS:**

**7. III ORD217 TABLE 10-1 OF THE LAND DEVELOPMENT REGULATIONS**

**NATURE OF REQUEST:** Amending Chapter 10 of the Land Development Regulations Consistent with the Requirement of Chapter 15 Amendment

**STAFF MEMBER:** Leanne Harter

Ms. Harter gave an overview of the proposed amendment. Ms. Harter reviewed action taken since the proposed amendment was last presented to the Commission. Ms. Harter stated that staff officially recommended the amendment be withdrawn per County Attorney Jessica Reynolds.

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**NEW BUSINESS:**

**7. IV Tillable Land Mapping**

**Staff Member:** Leanne Harter

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**STAFF PRESENTATION:**

Ms. Leanne Harter gave an overview of the Tillable Lands Mapping plan and history of said plan.

Ms. Harter defined feasible properties, and located such properties via aerial map.

Ms. Harter reviewed future goals and steps regarding said plan.

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**COMMISSION COMMENTS:**

Ms. Miller questioned long range planning goals. Ms. Harter gave an overview of the approved strategic plan.

Commission members and staff discussed future plans of said plan.

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**PUBLIC COMMENT:**

None

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**NEW BUSINESS:**

**7. V CUP03-12 CHAMNESS CONDITIONAL USE PERMIT**

**Applicant:** Black's Enterprises, Inc./Chamness

**Nature of Request:** Conditional Use Permit for a yard/wood waste disposal site in the A-1 district.

**Staff Member:** Leanne Harter

**Parcel Number:** 09-28-200-225

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**STAFF PRESENTATION:**

Ms. Leanne Harter gave an overview of property ownership, size, location, and land use. Ms. Harter reviewed the requested action, proposed use, and operation.

Ms. Harter provided a map and site shots of the proposed location. Ms. Harter gave an overview of current structures and debris on the proposed site via site shots.

Ms. Harter reviewed current findings of proposed property. Ms. Harter reviewed the compatibility of the proposed site with surrounding property.

Ms. Harter reviewed traffic access, proximity to city limits, and stock piling concerns. Ms. Harter also reviewed concerns related to directional signage on said property.

Ms. Harter reviewed environmental protection steps that will be taken by the applicant for the proposed Conditional Use Permit.

Ms. Harter stated possible conditions the Commission may consider.

Ms. Harter presented the Commission with four (4) alternatives:

- 1. The Story County Planning and Zoning Commission recommends approval of the conditional use permit request, as put forth in case CUP03-12, to the Story County Board of Adjustment, and directs staff to place the matter on their January 30, 2013, agenda.*
- 2. The Story County Planning and Zoning Commission recommends conditional approval of the conditional use permit request, as put forth in case CUP03-12, to the Story County Board of Adjustment, and directs staff to place the matter on their January 30, 2013, agenda.*
- 3. The Story County Planning and Zoning Commission recommends denial of the conditional use permit request, as put forth in case CUP03-12, to the Story County Board of Adjustment, and directs staff to place the matter on their January 30, 2013, agenda.*
- 4. The Story County Planning and Zoning Commission remands the application, as put forth in case CUP03-12, back to the applicant and/or staff for further review and/or modifications furthermore requiring that one copy 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:**

Mr. Weigel questioned the reason for which Story County is involved in this type of application. Ms. Harter stated the reason being that the County and City have a 28E agreement. Ms. Harter went on to review such agreement between and explained how this application applies.

Ms. Couser questioned the current for sale sign on said property. Ms. Harter stated the conditional use permit would transfer ownership and stated the property owner should answer any questions regarding a sale of the property.

Mr. Daryle Vegge asked for clarification regarding the location of wells on site. Ms. Harter stated all wells on site need to be clearly marked also stating that unmarked wells can be a possible hazard.

Mr. Vegge asked for clarification regarding dust control. Ms. Harter provided an explanation via map.

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#### **APPLICANT COMMENTS:**

Mr. Doug MacCrea gave an overview of the proposed use and goals of the proposed property. Mr. MacCrea stated he was unaware of the violations on said property. Mr. MacCrea also stated the property will be brought into compliance along with the approval of the proposed conditional use permit.

Ms. Nancy Miller questioned how many free days exist for drop off. Mr. Doug MacCrea stated there will be five days of free drop off for Story County residents. Ms. Miller questioned how much traffic exists in the proposed area. Mr. MacCrea stated there is not a current accurate traffic count, but would comply with any traffic count requirements as well as signage requirements. Ms. Miller asked whether the estimated volume of vehicles for drop-off is accurate. Mr. MacCrea stated a majority of the vehicles expected will be a quick unload. Ms. Miller questioned how many other facilities are owned by the applicant and the traffic created by such. Mr. MacCrea reviewed traffic amounts at other site locations.

Ms. Miller gave her opinion regarding dust control.

Ms. Miller questioned which conditions would be the responsibility of the applicants and which would be the current property owner responsibility. Ms. Harter stated the property owner is ultimately responsible, but could be a condition of a sale or lease. Ms. Harter stated that County staff members do not get involved in such decisions regarding private

agreements. Mr. Gast questioned the process of a conditional approval and the responsibility of the conditions. Ms. Harter explained the process. Ms. Harter also reviewed the Notice of Violation process and timeline of such. Mr. Vegge questioned whether the well on the property would be considered out of compliance. Ms. Harter stated such a question should be posed to the Environmental Health Department.

Mr. Gast asked for clarification regarding the traffic circulation pattern. Mr. MacCrea complied via aerial map.

Mr. David Weigel asked for clarification regarding business hours and staffing. Mr. MacCrea gave an overview of the proposed hours and staffing.

Mr. Vegge questioned the applicant regarding the proposed conditions. Mr. MacCrea stated he needed to review the proposed conditions further, but only deems the dust control condition as a possibly unattainable at this time.

Ms. Couser asked for clarification regarding the timeframe of the proposed Conditional Use Permit and whether or not there would be an expiration date. Ms. Harter stated that Conditional Use Permits are reviewed annually.

Mr. Gast stated he thought the City of Ames is currently looking at a five year contract with the proposed business. Mr. MacCrea stated the City of Ames is currently looking at a three year contract with a possible two year extension.

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**PUBLIC COMMENT:**

Ms. Norine Black gave an overview of the history of the proposed property.

Ms. Couser questioned whether Ms. Black sees a possible traffic flow issue. Ms. Black stated the property has never had an issue with traffic in or out of the property.

Mr. Vegge questioned whether the junk vehicles would need to be brought into conformance. Ms. Black stated any junk vehicles would be brought into compliance.

Ms. Couser questioned the for sale sign on said property. Ms. Black stated the sale has expired and the sign will be removed.

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**BOARD DISCUSSION:**

Mr. Gast questioned whether another condition should be placed stating that the proposed property site should be brought into compliance. Ms. Harter stated why staff felt this unnecessary.

Mr. Weigel stated concern for surrounding property owners and possible dumping on surrounding sites as well as extra traffic.

Mr. Gast stated he has a similar concern. Mr. Gast said he feels the annual review of the Conditional Use Permit should alleviate such improper use.

Ms. Miller stated the proposed dust control can be quite expensive and questioned whether the applicant took such into consideration. Mr. Struthers stated he felt the dust control could be more minimal than the proposed condition. Ms. Miller again gave her opinion regarding dust control. Ms. Harter reviewed the Story County Engineer recommendation for dust control in the proposed area.

Mr. Vegge stated he recommends the motion stand.

Commission members discussed the dust control condition.

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**MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the conditional use permit request, as put forth in case CUP03-12, to the Story County Board of Adjustment, and directs staff to place the matter on their January 30, 2013, agenda.**

**MOTION AMENDMENT: Motion to only require dust control 200' to the North of the intersection of 260<sup>th</sup> Street and 530<sup>th</sup> Avenue and City of Ames dust control required area.**

**Discussion of Amendment:**

Commission members discussed the proposed amendment.

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

**VOTE ON AMENDED MOTION:**

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

**Conditions of Approval**

1. *Any future new structure used wholly or in part for the established nursery shall acquire a Conditional Use Permit modification prior to the issuance of a Zoning Permit. Such modification shall not be approved unless it is determined that the issuance of a Zoning Permit will be in accord with the intent, purpose and spirit of the Story County Land Development Regulations.*
2. *Any signage on the property must apply for a Sign Permit before being erected.*
3. *The conditional use permit will be reviewed annually.*
4. *The applicant shall submit an annual report that reviews drop-off day traffic and includes a daily log of users and traffic flow.*
5. *Prior to action by the Board of Adjustment, the applicant shall submit an operational site plan that provides more details as to the specific uses on the site, including: Location of the stockpile site(s) of the various materials; where materials will be stored once ground (before being removed from site); placement of any refuse material that inadvertently is brought in; parking (for employees) and accessible space; sanitation facilities (for employees; how circulation patterns through the site will be clearly demonstrated to the public as they visit the site, and whether directional signage will need to be located on the property to assist with flow of vehicles through the site; and the local of the wells.*
6. *Prior to action by the Board of Adjustment, the applicant shall address how traffic related to the existing CUP will co-exist with that associated with the proposed application.*
7. *Dust control measures will be required and additional 200' north of that required by the City of Ames.*
8. *Any wells present on the site must be located and all applicable protective measures put in place prior to any activity related to the conditional use permit occurring.*

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**OTHER BUSINESS:**

**Long Range Planning**

None

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

None

**COMMISSION COMMENTS:**

None

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**STAFF COMMENTS:**

None

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**ADJOURNMENT: 7:25 p.m.**

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**Approval of Minutes**

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**Title and Date**