

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



"Commitment, Vision, Balance"

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

MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION

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

ADJOURNMENT: 8:18 p.m.

PUBLIC PRESENT: Randy Collings, Carol Collings, Brant Lemer, Lowell Langsbury, Debbie Langsbury, Wayne Satre, Vellareddy Anantharam, Ronald Huhn, Steve Thompson, Karsen Rumpf, Mark Steffen, Jay David Armstrong, Sandra Lester, Todd Lester, Brad Lester, Merlin Bowers, Brent Honnold, Albert Claussen, Scott Wendt, Linda Wendt, Randy Brekke, Suzanne Brekke, Mark Gannon

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

ROLL CALL: Couser, Gast, Miller, Donaldson, Miller, Vegge
ABSENT: Struthers

APPROVAL OF AGENDA (MCU)
Motion: Gast
Second: Miller

APPROVAL OF MINUTES (MCU) – July 1, 2013
Motion: Gast
Second: Miller

PUBLIC COMMENTS: Opened 5:31 p.m. – Closed 5:31 p.m.
No public present.

OLD BUSINESS:
None

NEW BUSINESS:

7. I REZ03-13 VELLAREDDY

Applicant: Vellareddy Anantharam

Nature of Request: Rezone Property from A-1 to A-2

Staff Member: Charlie Dissell

Parcel Number(s): 0518300360

STAFF PRESENTATION:

Mr. Charlie Dissell reviewed the proposed application for requested rezoning and outlined the applicable land use designation, ownership, current zoning, land use information and provided site shots of the property.

Mr. Dissell outlined the requirements applicable to rezoning requests.

Mr. Dissell reviewed the notifications in regards to the Planning and Zoning Commission meeting.

Mr. Dissell outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

- 1) The Story County Planning and Zoning Commission recommends approval of the Official Zoning Map Amendment, as put forth in case REZ03-13, to the Story County Board of Supervisors.
 - 2) The Story County Planning and Zoning Commission recommends conditional approval of the Official Zoning Map Amendment, as put forth in case REZ03-13, to the Story County Board of Supervisors.
 - 3) The Story County Planning and Zoning Commission recommends denial of the Official Zoning Map Amendment, as put forth in case REZ03-13, to the Story County Board of Supervisors.
 - 4) The Story County Planning and Zoning Commission tables the Official Zoning Map Amendment, as put forth in case REZ03-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 4, 2013.Planning and Zoning Commission Agenda under Old Business.
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COMMISSION COMMENTS:

None

APPLICANT COMMENTS:

Mr. Vellareddy Anantharam addressed the Board stating that he has partnered with Mr. Mark Gannon to rezone the proposed property.

Ms. Nancy Miller asked Mr. Anantharam if he resides on the proposed property. Mr. Anantharam stated he lives in Gilbert and rents out the proposed property. Mr. Anantharam stated he plans to lease the property to the current residents on a five year lease.

Mr. Merlin Bowers stated there will be field demonstrations and seed corn sales on said property. Mr. Bowers also stated there will be a projected 10-20 semis per year on site between February-June.

Mr. Daryle Vegge questioned whether future expansion is expected. Mr. Bowers stated there are plans for future structure growth.

PUBLIC COMMENT:

No public comment.

MOTION: The Story County Planning and Zoning Commission recommends approval of the Official Zoning Map Amendment, as put forth in case REZ03-13, to the Story County Board of Supervisors. (MCU)

Motion: Gast

Second: Couser

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

Voting Nay: None

Not Voting: None

Absent: Struthers

NEW BUSINESS:

7. II CUP06-13 SWANSON CONDITIONAL USE PERMIT

Applicant: Dale Swanson

Nature of Request: Conditional Use Permit to allow the construction and use of a Commercial Wind Energy System (CWECS) in the A-1, Agricultural zoning district

Staff Member: Charlie Dissell

Parcel Number(s): 0733400100, 0733400300, 0733400400

STAFF PRESENTATION:

Mr. Charlie Dissell reviewed the proposed Conditional Use Permit as submitted. Mr. Dissell provided site shots of the proposed property and gave location information. Mr. Dissell reviewed current ownership and easements.

Mr. Dissell gave an overview of Conditional Use Permit standards of approval regarding CWECS. Mr. Dissell also reviewed the proposed CWECS building specifications. Mr. Dissell reviewed the current location of the proposed CWECS and its proximity to surrounding single-family dwellings.

Mr. Dissell reviewed the notifications in regards to the Planning and Zoning Commission meeting.

Mr. Dissell outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

1) The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit, as put forth in case CUP06-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013 Story County Board of Adjustment agenda.

2) The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP06-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013 Story County Board of Adjustment agenda.

3) The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit, as put forth in case CUP06-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013 Story County Board of Adjustment agenda.

4) The Story County Planning and Zoning Commission tables the Conditional Use Permit request, as put forth in case CUP06-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 4, 2013 Planning and Zoning Commission agenda under Old Business.

COMMISSION COMMENTS:

Ms. Nancy Miller asked for clarification regarding recommended condition number three. Mr. Dissell clarified.

Ms. Nancy Couser asked whether the decommissioning information is needed before approval. Mr. Dissell stated that such information is usually submitted at the time a zoning permit application is submitted. Mr. Dissell provided a timeline of future meetings regarding the proposed Conditional Use Permit.

APPLICANT COMMENTS:

Mr. Mark Steffen stated he represents Mr. Dale Swanson, applicant. Mr. Steffen gave an overview of current CWECS built by Mr. Swanson.

Ms. Nancy Miller questioned whether the surrounding property owners had been notified regarding the proposed development. Mr. Steffen concurred.

Mr. Steffen provided locations of the six current CWECS within Mr. Swanson's ownership.

PUBLIC COMMENT:

Mr. Ron Huhn, surrounding property owner, stated he supports wind turbines, but stated he is concerned about the nearby wetlands and the proximity of such to the proposed development.

Mr. Dissell stated there are no required setbacks regarding wetlands.

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP06-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013 Story County Board of Adjustment agenda. (MCU)

CONDITIONS:

- 1. An Acoustical Analysis shall be completed prior to the Story County Board of Adjustment hearing.*
- 2. All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.*
- 3. The applicant shall enter in to an agreement with the County for purposes of a decommissioning escrow account, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.*
- 4. The applicant shall conduct a pre-construction survey in coordination with the impacted local road authorities to determine the pre-construction condition of the roads that will be used during construction of the C-WECS prior to an application for Zoning Permit.*
- 5. Story County road authorities shall be notified 24 hours prior to construction materials being transported across those respective jurisdiction's roads to the C-WECS site and shall give approval of the haul routes.*
- 6. Engineer's certification(s) shall be submitted with the application for zoning permit.*

Motion: Gast

Second: Donaldson

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

Voting Nay: None

Not Voting: None

Absent: Struthers

NEW BUSINESS:

7. III CUP03-13 OPTIMUM WIND 1 CONDITIONAL USE PERMIT

Applicant: Optimum Wind

Nature of Request: Conditional Use Permit to allow the construction and use of a Commercial Wind Energy System (CWECS) in the A-1, Agricultural zoning district

Staff Member: Ryan Newstrom

Parcel Number(s): 1327300200, 1327300400, 1327400100, 1327400305, 1327400200, 1327400400

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed proposed Conditional Use Permit as submitted. Mr. Newstrom provided site shots of the proposed property and gave location information. Mr. Newstrom reviewed current ownership and easements.

Mr. Newstrom gave an overview of Conditional Use Permit standards of approval regarding CWECS. Mr. Newstrom also reviewed the proposed CWECS building specifications. Mr. Newstrom reviewed current location of the proposed CUP and its proximity to surrounding single family dwellings.

Mr. Newstrom reviewed Inter-agency comments made by affected County Departments.

Mr. Newstrom reviewed the notifications in regards to the Planning and Zoning Commission meeting.

Mr. Newstrom outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

1) The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit, as put forth in case CUP03-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

2) The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP03-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

3) The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit, as put forth in case CUP03-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

4) The Story County Planning and Zoning Commission tables the Conditional Use Permit request, as put forth in case CUP03-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 4, 2013, Planning and Zoning Commission Agenda under Old Business.

COMMISSION COMMENTS:

None

APPLICANT COMMENTS:

Mr. Steve Thompson, CEO Optimum Wind LLC

Mr. Karsen Rumpf, Project Manager

Mr. Thompson stated he could field any questions the Commission may have. Commission members stated they do not have any questions at this time.

PUBLIC COMMENT:

Ms. Sandra Lester stated she lives within ¼ mile of one of the proposed CWECS locations. Ms. Lester asked for clarification regarding proposed locations and proposed size of each CWECS. Mr. Newstrom complied via site map.

Mr. Newstrom gave a timeline of upcoming meetings regarding the proposed Conditional Use Permit.

Ms. Lester questioned the ownership of the proposed CWECS. Mr. Thompson stated the turbines will be all the same type turbine and built by the same manufacturer. Mr. Lester also questioned the effect of property value once a CWECS is placed near single-family dwellings.

Proposed CWECS location and the effect on surrounding properties was discussed.

Mr. Steven Gast stated that any concerned citizens regarding property values may speak with the Story County Assessor's office regarding such.

Mr. Todd Lester questioned whether the power would be directed to the surrounding area. Mr. Thompson stated Alliant would purchase all power and Alliant would resell to local residences and businesses.

Ms. Lester asked if there are plans for future CWECS development. Mr. Thompson stated there are no future plans to expand beyond the current proposed application.

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP03-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda. (MCU)

CONDITIONS:

- 1. An Acoustical Analysis shall be completed prior to the Story County Board of Adjustment hearing.***
- 2. All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.***
- 3. The applicant shall enter in to an agreement with the County for purposes of a de-commissioning escrow account, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.***
- 4. The applicant shall conduct a pre-construction survey in coordination with the impacted local road authorities to determine the pre-construction condition of the roads that will be used during construction of the C-WECS prior to an application for Zoning Permit.***
- 5. Story County road authorities shall be notified 24 hours prior to construction materials being transported across those respective jurisdiction's roads to the C-WECS site and shall give approval of the haul routes.***

Motion: Gast

Second: Miller

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

Voting Nay: None

Not Voting: None

Absent: Struthers

NEW BUSINESS:

7. IV CUP07-13 OPTIMUM WIND 2 CONDITIONAL USE PERMIT

Applicant: Optimum Wind

Nature of Request: Conditional Use Permit to allow the construction and use of a Commercial Wind Energy System (CWECS) in the A-1, Agricultural zoning district

Staff Member: Ryan Newstrom

Parcel Number(s): 1016200200, 1010300200, 1010100400, 1010100205, 1010100110, 1010100300, 1010300100

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed Conditional Use Permit as submitted. Mr. Newstrom provided site shots of the proposed property and gave location information. Mr. Newstrom reviewed current ownership and easements.

Mr. Newstrom gave an overview of Conditional Use Permit standards of approval regarding CWECS. Mr. Newstrom also reviewed the proposed CWECS building specifications. Mr. Newstrom reviewed current location of the proposed CUP and its proximity to surrounding single family dwellings.

Mr. Newstrom reviewed Inter-agency comments made by affected County Departments.

Mr. Newstrom reviewed the notifications in regards to the Planning and Zoning Commission meeting.

Mr. Newstrom outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

1) The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit, as put forth in case CUP07-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

2) The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP07-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

3) The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit, as put forth in case CUP07-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda.

4) The Story County Planning and Zoning Commission tables the Conditional Use Permit request, as put forth in case CUP07-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 4, 2013, Planning and Zoning Commission Agenda under Old Business.

COMMISSION COMMENTS:

Ms. Miller asked if the road issue has been addressed. Mr. Newstrom stated the applicant has not provided any information as of yet regarding such issue.

APPLICANT COMMENTS:

Mr. Thompson, CEO Optimum Wind

Ms. Couser asked Mr. Thompson to expand on the road issues. Mr. Thompson stated 1/8th of a mile is currently a Level-B road. Mr. Thompson stated he has not yet had time to address the issue, but will work

with the County Engineer to come to a reasonable solution. Ms. Couser also asked for clarification regarding the overhead lines. Mr. Thompson gave an overview of the plans to hopefully not have any overhead lines. Mr. Thompson went on to state that if overhead lines were needed, they would be around one mile in length. Mr. Karsen Rumpf stated he will be working with Alliant Energy to address such issues.

PUBLIC COMMENT:

Mr. Noel Kingsbury asked for clarification regarding the amount of concrete, power lines, and tiles needed for said project.

Mr. Thompson stated he does not know the exact amount of concrete. Mr. Rumpf stated the foundation will be 20-25 square feet. Mr. Thompson stated that if tiles are damaged, Optimum Wind would repair such. Mr. Rumpf reiterated that power lines may need to run over highway 30 and is working with the DOT, County Engineer, and Alliant Energy to address possible solutions to the power lines.

Mr. Kingsbury asked whether there would be future expansion. Mr. Thompson stated the proposed application is the complete project and there are no future expansion plans.

Mr. Scott Wendt asked for clarification regarding the construction timeline and possible traffic issues. Mr. Thompson stated the construction would take place and be completed in the third quarter of 2014. Mr. Thompson also stated that the DOT would work with them regarding possible traffic concerns.

Mr. Gast asked whether the proposed turbines would be similar in structure materials to the turbines constructed south of Nevada. Mr. Thompson concurred.

Mr. Wendt questioned whether the funding has been secured for the project. Mr. Thompson stated that all applications for federal and state support has been granted. Mr. Wendt whether the construction company and support thereafter will be one in the same. Mr. Thompson stated the construction is contracted out and Optimum Wind supports the maintenance.

Ms. Linda Wendt stated her concern regarding the current landowners becoming boxed in by industry and voiced concern regarding land values. Ms. Nancy Miller stated her opinion regarding road use along the Lincolnway Corridor and future expansion.

Turbine lighting and flicker effect was discussed.

Mr. Randy Brekke stated his concern regarding the proposed turbine and asked how long Optimum Wind has been in existence. Mr. Thompson stated his business has been in existence for about two years. Mr. Brekke asked how much of the proposed project is subsidized. Mr. Thompson stated that the Capital amount is all privately funded. Mr. Thompson stated he did not have current figures at the time of the meeting.

The life of the turbines was discussed.

Ms. Suzanne Brekke stated her concerns regarding too much industry being built in the County.

Mr. Wendt asked if the blades would be built of carbon fiber. Mr. Thompson concurred. Mr. Wendt stated he would be concerned that the scrap would not be recyclable.

Mr. Randy Collings is one of the landowners where the proposed wind turbines are proposed to be built. Mr. Collings stated he is in full support of the proposal.

Energy efficiency was discussed. Mr. Thompson stated that Alliant Energy plans to purchase all the power and will resell it to their customers. Mr. Thompson also said more extensive studies could be conducted regarding the shadow flicker effect.

Ms. Couser asked whether other locations had been considered. Mr. Thompson stated studies have been conducted regarding location of the turbines and substations.

Mr. Thompson stated he would like the surrounding property owners to contact him to see if there is a way to mitigate the effects of the shadow flicker effect.

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP07-13, to the Story County Board of Adjustment, and directs staff to place the item on the November 6, 2013, Story County Board of Adjustment agenda. (MCU)

CONDITIONS:

1. *All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.*
2. *The applicant shall enter in to an agreement with the County for purposes of a decommissioning escrow account, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.*
3. *The applicant shall enter in to an agreement with the County for purposes of providing financial security for road and bridge restoration, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.*
4. *The applicant shall conduct a pre-construction survey in coordination with the impacted local road authorities to determine the pre-construction condition of the roads that will be used during construction of the C-WECS prior to an application for Zoning Permit.*
5. *Story County road authorities shall be notified 24 hours prior to construction materials being transported across those respective jurisdiction's roads to the C-WECS site and shall give approval of the haul routes.*
6. *The applicant shall provide completed plans for turbine interconnection design prior to an application for Zoning Permit. If the design proposes an overhead line, the applicant shall apply for a minor or major modification to the Conditional Use Permit to the Board of Adjustment as determined by the Director.*
7. *The applicant shall provide a driveway entrance permit for access onto 590th prior to an application for Zoning Permit.*
8. *Applicant shall meet with adjacent residents to fully discuss any shadow flicker mitigation that may be necessary before the November 6, 2013 Board of Adjustment meeting.*

Motion: Gast

Second: Donaldson

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

Voting Nay: None

Not Voting: None

Absent: Struthers

NEW BUSINESS:

7. V ORD02-13 AMENDMENTS TO THE CODE OF ORDINANCES (Combining C and I Districts)

Applicant: Story County

Nature of Request: Amendment to the Code of Ordinances to combine Commercial and Industrial Districts

Staff Member: Charlie Dissell

STAFF PRESENTATION:

Mr. Charlie Dissell gave an overview of the proposed zoning change. Mr. Dissell reviewed current land uses for Commercial and Light Industrial zoning. Mr. Dissell also reviewed the allowed uses for each type of zoning.

Mr. Dissell provided aerial views of the proposed area changes via site map.

Ms. Dissell reviewed a submitted comment.

Mr. Dissell outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

- 1) The Story County Planning and Zoning Commission recommends approval of the Code or Ordinances Amendment, as put forth in case ORD02-13, to the Story County Board of Supervisors.
 - 2) The Story County Planning and Zoning Commission recommends conditional approval of the Code or Ordinances Amendment, as put forth in case ORD02-13, to the Story County Board of Supervisors.
 - 3) The Story County Planning and Zoning Commission recommends denial of the Code or Ordinances Amendment, as put forth in case ORD02-13, to the Story County Board of Supervisors.
 - 4) The Story County Planning and Zoning Commission tables the Code or Ordinances Amendment, as put forth in case ORD02-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the November 4, 2013. Planning and Zoning Commission Agenda under Old Business.
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COMMISSION COMMENTS:

Mr. Vegge questioned the benefit of combining the two districts. Mr. Dissell gave examples of areas, which previously needed to rezone due to a change in use, which was not allowed in the light industrial zoning district.

Mr. Gast stated he feels that light industrial and commercial tend to be very similar

APPLICANT COMMENTS:

None

PUBLIC COMMENT:

Mr. Brant Lemer asked whether property taxes would change with the proposed Code Amendment. Mr. Dissell stated that properties are assessed differently than how they are zoned. Mr. Dissell stated most of the properties are currently assessed commercial already, but stated that assessment could be double-checked with the County Assessor's Office.

MOTION: The Story County Planning and Zoning Commission recommends approval of the Code or Ordinances Amendment, as put forth in case ORD02-13, to the Story County Board of Supervisors.

Motion: Gast

Second: Miller

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

Voting Nay: None

Not Voting: None

Absent: Struthers

OTHER BUSINESS:

1) Long Range Planning

None

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

Ms. Leanne Harter gave an update on cases previously brought before the Commission.

3) Amendments to the Organizational Policy - Tabled

COMMISSION COMMENTS:

Mr. Gast stated maybe conditional use permits should be a permitted use if no surrounding property owners object to the application. Staff stated they would take that under advisement.

STAFF COMMENTS:

Ms. Harter stated it is time to have a joint meeting with the Board of Supervisors. Ms. Harter will work to get such meeting scheduled.

Ms. Harter gave an overview of the current Community Planning Assistance program.

ADJOURNMENT: 8:18 p.m.

Approval of Minutes

Title and Date