

**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: April 7, 2014	Nancy Couser, Chair	2015
	Susan Donaldson, Vice-Chair (via phone)	2015
	Nancy Miller	2016
	*Scott Wendt	2017
CALL TO ORDER: 5:30 p.m.	*David Struthers	2017
PLACE: Public Meeting Room	Aaron Steele	2018
Administration Building	*Marvin Smith	2018
	*Absent	

ADJOURNMENT: 7:16 PM

PUBLIC PRESENT: Duane Black, Norine Black, Elizabeth Tokle

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

ROLL CALL: Couser, Donaldson, Miller, Steele

ABSENT: Smith, Wendt, Struthers

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

March 3, 2014

PUBLIC COMMENTS: Opened 5:32 p.m. – Closed 5:33 p.m.

None

TABLED BUSINESS:

SUB09-13 NADY SUBDIVISION

Applicant: Orson Nady

Nature of Request: Subdivision of one parcel into seven lots and four outlots in the A-R, Agricultural Residential zoning district.

Staff Member: Leanne Harter

Parcel Number: 0636200225

No further application materials have been brought forward at this time and the item will remain tabled until such time revisions are submitted.

OLD BUSINESS:

None

NEW BUSINESS:

CUP03-14 BLACK ADAPTIVE REUSE CONDITIONAL USE PERMIT

Applicant: Norine Black

Nature of Request: Conditional Use Permit for adaptive reuse (Grand Daddy's).

Staff Member: Ryan Newstrom

Parcel Number: 0928200225

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed nature of the Conditional Use Permit request. Mr. Newstrom reviewed the Standards for Approval relative to conditional use permits and the application's adherence to said standards. Mr. Newstrom discussed surrounding land uses and future land use designation.

Mr. Newstrom stated that the property is currently leased to Mr. Dan Habhab and Mrs. Shelly Habhab of Ames.

Mr. Newstrom cited all pertinent Inter-agency comments made by affected County Departments.

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

Mr. Newstrom reviewed staff recommended Conditions of approval:

1. *Prior to issuance of a Conditional Use Permit a detailed parking plan shall be submitted identifying the size and location of parking spaces as well as the required number of ADA accessible spaces. Staff shall ensure parking plan is in conformance with the Ordinance prior to issuing a Conditional Use Permit. The applicant shall submit plans to prevent traffic congestion on 530th Ave.*
2. *Prior to the issuance of a Conditional Use Permit the applicant shall provide a copy a license or letter from Iowa's Alcoholic Beverage division stating no license needed to allow patrons to bring beer and/or wine on the premise. No hard alcohol shall be brought on to the premises at any time.*
3. *The hours of operation for Grand Daddy's shall be limited from 7 PM to 12 AM Thursday through Saturday.*
4. *The Event Center shall be open from 8 AM to 11 PM seven days a week, and shall be limited to weddings, family reunions and gatherings, birthday parties, and corporate functions. Other events shall be submitted as a modification and reviewed and approved by Planning and Development staff on a case by case basis.*
5. *No raffles shall take place without proper permitting from the Iowa Department of Inspections and Appeals. Once a permit is obtained, a copy of the permit shall be presented to the Planning and Development Office.*
6. *Prior to the issuance of a Conditional Use Permit, a permit shall be obtained for the sign currently on site. The sign shall be permitted in accordance to the County Ordinance.*
7. *Prior to the issuance of a Conditional Use Permit, a lighting plan shall be submitted showing adequate safety lighting along all access drives, property and building entrances. Such lighting shall be in conformance with Section 88.09 of the County Ordinance, as determined by staff.*
8. *At no time shall vehicles be parked in the Road Right of Way.*
9. *The Conditional Use Permit shall be reviewed by the Board of Adjustment six months from the date of approval. If it is found at that time that any of the above conditions are not met or other issue are presented that cannot be corrected through additional conditions, the permit shall immediately expire.*

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 recommend conditional approval of the Conditional Use Permit, as put forth in case CUP03-14, to the Story County Board of Adjustment.*
2. *The Story County Planning and Zoning Commission recommend approval of the Conditional Use Permit, as put forth in case CUP03-14, to the Story County Board of Adjustment.*
3. *The Story County Planning and Zoning Commission recommend denial of the Conditional Use Permit, as put forth in case CUP03-14.*
4. *The Story County Planning and Zoning Commission tables the Conditional Use Permit, as put forth in case CUP03-14, back to the applicant and/or staff for further review and/or modifications.*

COMMISSION COMMENTS:

Ms. Nancy Couser asked if the applicant had been notified of the proposed conditions of approval. Mr. Newstrom stated that the applicant had not been contacted by staff regarding such. Mr. Newstrom also noted that the staff report had been placed on the County website for viewing, which included all proposed conditions.

Mr. Newstrom stated that no surrounding property owners had contacted staff.

Mr. Aaron Steele asked if parking and paving surface material had been addressed by the applicant. Mr. Newstrom stated that the applicant had not submitted such information. Mr. Newstrom also stated that the County does not regulate such.

Mr. Steele questioned whether an approval by the Commission would trigger the requirement of a more detailed site plan including parking spaces and runoff management. Staff stated that the Commission makes recommendations to the Board of Adjustment at which time the applicant could submit an updated site plan.

Ms. Couser asked if there are any security lights on site. Mr. Newstrom stated that the site plan does not indicate such.

APPLICANT COMMENTS:**Mrs. Norine Black**

Mrs. Black stated that this is the first time she is seeing the proposed conditions of approval.

Mrs. Black gave a history of the property as well as past businesses and functions held on said property.

Mrs. Black also gave an overview of the proposed Grand Daddy's establishment.

Mrs. Black reviewed the proposal of port-a-potties on said property. Mrs. Black also reviewed current onsite traffic and parking.

Mrs. Black gave an overview of the proposed layout as well as current security lighting locations via site map.

Mr. Steele questioned how the proposed occupancy had been calculated. Mrs. Black stated that such calculations were determined by the number of seats the space would allow.

Mr. Steele asked for clarification regarding the proposed parking as well as public access. Mrs. Black stated all proposed uses would use the north entrance.

Ms. Couser questioned the type of surface material being proposed at the entrance. Mrs. Black stated that the drive would be rocked. Mrs. Black indicated the location of public parking, campers, and staff parking via site map.

Ms. Couser questioned the business hours of the current Chamness business. Mrs. Black stated that Chamness closes by 4 pm.

Ms. Miller stated that when Chamness CUP was proposed it was a reasonable addition to an agriculturally related farm.

Ms. Miller questioned the number of employees Mrs. Black expects to employ if the CUP is approved and Grand Daddy's opens. Mrs. Black stated that she is expecting to have at least 10-20 employees.

PUBLIC COMMENT:

None

COMMISSION COMMENTS:

Ms. Couser questioned staff's arrival at the proposed nine conditions. Mr. Newstrom stated that staff drafted conditions based on possible concerns.

MOTION: The Story County Planning and Zoning Commission recommend denial of the Conditional Use Permit, as put forth in case CUP03-14, to the Story County Board of Adjustment, and directs staff to place the case on the April 28, 2014 Board of Adjustment agenda.

Motion: Steele

Second: Miller

Voting Aye: Donaldson, Steele, Miller

Voting Nay: Couser

Not Voting: None

Absent: Struthers, Wendt, Smith

NEW BUSINESS:

CUP05-14 BLACK CONDITIONAL USE PERMIT (CHURCH)

Applicant: Norine Black

Nature of Request: Conditional Use Permit for church.

Staff Member: Ryan Newstrom

Parcel Number: 0928200225

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed nature of the Conditional Use Permit request. Mr. Newstrom reviewed the Standards for Approval relative to conditional use permits and the application's adherence to said standards.

Mr. Newstrom cited all pertinent Inter-agency comments made by affected County Departments.

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

Mr. Newstrom reviewed staff recommended Conditions of approval:

1. *Prior to issuance of a Conditional Use Permit a detailed parking plan shall be submitted identifying the size and location of parking spaces as well as the required number of ADA accessible spaces. Staff shall ensure parking plan is in conformance with the Ordinance prior to issuing a Conditional Use Permit.*
2. *Applicant shall keep weekly records of the approximate number of people and vehicles attending services and shall supply records to staff one year after approval.*
3. *The Permit shall be reviewed by staff and the Board of Adjustment one year after approval. They shall determine at that time whether the number of people and vehicles attending church services warrants any additional conditions of approval, and/or further review in the future.*

4. Any use of a different structure for church services shall apply for a modification to the original Conditional Use Permit, as well as any changes to what has been presented to staff in the application materials and this report.

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 recommend conditional approval of the Conditional Use Permit, as put forth in case CUP05-14, to the Story County Board of Adjustment.
2. The Story County Planning and Zoning Commission recommend approval of the Conditional Use Permit, as put forth in case CUP05-14, to the Story County Board of Adjustment.
3. The Story County Planning and Zoning Commission recommend denial of the Conditional Use Permit, as put forth in case CUP05-14.
4. The Story County Planning and Zoning Commission tables the Conditional Use Permit, as put forth in case CUP05-14, back to the applicant and/or staff for further review and/or modifications.

COMMISSION COMMENTS:

None

APPLICANT COMMENTS:

Mrs. Norine Black

Mrs. Black stated that they feel a need to provide a place for people to get away from stress and to have a meal after service. Mrs. Black stated the hope is to have service and a meal every Sunday. Mrs. Black also stated that local churches are willing to assist.

Ms. Miller asked if the proposed church would be non-denominational. Mrs. Black concurred. Mrs. Black also stated that they have had services over the past 10-13 years on their properties.

PUBLIC COMMENT:

None

COMMISSION COMMENTS:

None

MOTION: The Story County Planning and Zoning Commission tables the Conditional Use Permit, as put forth in case CUP05-14, back to the applicant and/or staff for further review and/or modifications.

Motion: Miller

Second:

Motion fails to pass due to lack of a second.

MOTION: The Story County Planning and Zoning Commission recommend conditional approval of the Conditional Use Permit, as put forth in case CUP05-14, to the Story County Board of Adjustment, and directs staff to place the case on the April 28, 2014 Board of Adjustment agenda. (MCU)

CONDITIONS:

1. Prior to issuance of a Conditional Use Permit a detailed parking plan shall be submitted identifying the size and location of parking spaces as well as the required number of ADA accessible spaces. Staff shall ensure parking plan is in conformance with the Ordinance prior to issuing a Conditional Use Permit.

2. *Applicant shall keep weekly records of the approximate number of people and vehicles attending services and shall supply records to staff one year after approval.*
3. *The Permit shall be reviewed by staff and the Board of Adjustment one year after approval. They shall determine at that time whether the number of people and vehicles attending church services warrants any additional conditions of approval, and/or further review in the future.*
4. *Any use of a different structure for church services shall apply for a modification to the original Conditional Use Permit, as well as any changes to what has been presented to staff in the application materials and this report.*

Motion: Steele

Second: Donaldson

Voting Aye: Steele, Couser, Miller, Donaldson

Voting Nay: None

Not Voting: None

Absent: Struthers, Wendt, Smith

NEW BUSINESS:

CUP06-14 BLACK CONDITIONAL USE PERMIT (CAMPGROUND)

Applicant: Norine Black

Nature of Request: Conditional Use Permit for campground.

Staff Member: Ryan Newstrom

Parcel Number: 0928200225, 0927100105

STAFF PRESENTATION:

Mr. Ryan Newstrom reviewed the proposed nature of the Conditional Use Permit request. Mr. Newstrom reviewed the Standards for Approval relative to conditional use permits and the application's adherence to said standards. Mr. Newstrom discussed surrounding land uses and future land use designation.

Mr. Newstrom cited all pertinent Inter-agency comments made by affected County Departments.

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

Mr. Newstrom reviewed staff recommended Conditions of approval:

1. *Prior to issuance of a Conditional Use Permit, a detailed site plan showing the parking spaces and size of each space shall be provided. The number of spaces nor location as detailed on the site plan, shall not be increased or changed without a modification to the Conditional Use Permit. Campers shall only be allowed to park in those designated spaces. If there is not appropriate screening of the campground area using existing structures, the applicant shall also provide plans for creating a screen where necessary.*
2. *Prior to the issuance of a Conditional Use Permit, a lighting plan shall be submitted showing adequate safety lighting along access drives and entrances. Such lighting shall be in conformance with Section 88.09 of our Ordinance, as determined by staff.*
3. *Prior to the issuance of a Conditional Use Permit plans for access drives shall be submitted and reviewed by staff to determine conformance to Section 90.11.A.*
4. *Site number signs shall be posted in accordance to Ordinance 161.*
5. *Applicant shall keep a log of all campers visiting the site, including license plate number and camping space number.*
6. *The Permit shall be reviewed by staff and the Board of Adjustment one year after approval. They shall determine at that time whether the applicant is meeting the conditions and any other issues that may require additional conditions or revocation of the Permit.*

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 recommend conditional approval of the Conditional Use Permit, as put forth in case CUP06-14, to the Story County Board of Adjustment.*
 2. *The Story County Planning and Zoning Commission recommend approval of the Conditional Use Permit, as put forth in case CUP06-14, to the Story County Board of Adjustment.*
 3. *The Story County Planning and Zoning Commission recommend denial of the Conditional Use Permit, as put forth in case CUP06-14.*
 4. *The Story County Planning and Zoning Commission tables the Conditional Use Permit, as put forth in case CUP06-14, back to the applicant and/or staff for further review and/or modifications.*
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COMMISSION COMMENTS:

County campground locations were discussed in regards to sizing.

APPLICANT COMMENTS:

Mrs. Norine Black

Mrs. Black gave an overview of the proposed campground and goals of such.

Mr. Steele questioned the number of proposed camping spaces. Mrs. Black stated that 40-80 campsites are proposed. Mrs. Black stated that they might expand to the north. Mr. Steele stated that a complete application should show all sites. Mrs. Black indicated, via site map, the proposed location of the campsites. Mrs. Black stated that they are not educated yet on the waste disposal portion of campsites.

PUBLIC COMMENT:

None

COMMISSION COMMENTS:

Ms. Miller stated that possible conditions could be made to ensure that the property is 2.5 acres in total as well as temporary versus permanent campsites, and a site plan indicating the location of each site.

Mr. Steele concurred.

MOTION: The Story County Planning and Zoning Commission tables the Conditional Use Permit, as put forth in case CUP06-14, back to the applicant and/or staff for further review and/or modifications. (MCU)

Motion: Steele

Second: Donaldson

Voting Aye: Miller, Steele, Donaldson, Couser

Voting Nay: None

Not Voting: None

Absent: Struthers, Wendt, Smith

FOLLOW-UP ON ITEMS RECOMMENDED TO THE BOARD OF SUPERVISORS AND BOARD OF ADJUSTMENT

Ms. Leanne Harter gave an update to the Board of Adjustment motions on the Prairie Rivers' application stating that it had been approved with a condition of having an annual review also stating that the Wulfekuhle application had been approved.

LONG-RANGE PLANNING

None

STAFF COMMENTS:

None

COMMISSION COMMENTS:

Conditional Use Permit annual reviews were discussed.

Ms. Couser questioned staff procedures regarding proposed conditions of approval and the notifying of the applicant regarding such. Ms. Harter stated that staff deems the applicant responsible for researching the staff report online.

ADJOURNMENT: 7:16 PM

Approval of Minutes

Title and Date