

**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 7, 2014	Nancy Couser, Chair	2015
	Susan Donaldson, Vice-Chair	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: 7:10 PM

PUBLIC PRESENT: Emily Sorensen, Mike Bieniek, John Litzel, Orson Nady, Keith Hobson, Crystal Johnson

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

ROLL CALL: Couser, Donaldson, Miller, Wendt, Smith

ABSENT: Struthers, Steele

APPROVAL OF AGENDA (MCU)

APPROVAL OF MINUTES (MCU)

June 5, 2014

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

Motion: Move to remove SUB09-14 Nady Subdivision from the table. (MCU)

Motion: Wendt

Second: Donaldson

STAFF PRESENTATION:

Ms. Leanne Harter reviewed the proposed subdivision as submitted. Ms. Harter reviewed the proposed location and current zoning of such lands. Ms. Harter also reviewed the current 28E agreement between the County and the City of Nevada. Ms. Harter provided site shots of the property noting proposed

changes. Ms. Harter stated that the City of Nevada submitted a letter to staff containing seven concerns of the proposed subdivision.

Ms. Harter gave an overview of the Major Subdivision plat process.

Ms. Harter reviewed previous Inter-Agency comments as well as notating where concerns had been addressed by the applicant. Ms. Harter also gave an overview of plat requirements.

Ms. Harter reviewed the standards of approval and the dates legal notifications were published. Ms. Harter highlighted previous concerns and notated changes to the plat to address such concerns.

Ms. Harter stated that the proposed subdivision has not yet gone before the City of Nevada and is not currently scheduled to be on the City of Nevada Planning and Zoning Commission agenda.

Ms. Harter provided the following alternatives for the Commission to consider:

1. *The Story County Planning and Zoning Commission recommends approval of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on July 15, 2014.*
2. *The Story County Planning and Zoning Commission recommends conditional approval of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on July 15, 2014.*
3. *The Story County Planning and Zoning Commission recommends denial of the Major Subdivision -Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on July 15, 2014.*
4. *The Story County Planning and Zoning Commission tables the Major Subdivision-Preliminary Plat as put forth in case SUB09-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the August 4, 2014, Planning and Zoning Commission Agenda under Old Business.*

COMMISSION COMMENTS:

Commission members asked for clarification regarding floodplain location. Ms. Harter indicated via plat map. Commission members also asked for clarification regarding lot 7 and buildability. Ms. Harter clarified locations via site map.

Ms. Susan Donaldson asked for clarification regarding Mr. Mike Cox, Story County Conservation Director, Inter-agency comments. Ms. Harter stated that such concern could be placed as a condition of approval.

Mr. Marvin Smith asked for clarification regarding easements. Ms. Harter defined access easement vs. dedicated easement.

APPLICANT COMMENTS:

Mr. Orson Nady

Mr. Nady gave an overview of a meeting with Mr. Shawn Cole to address City concerns.

- turnaround - plans to discuss with the City of Nevada Fire Chief.
- street light, construction specs of fire hydrants - covenants
- lot 7; floodplain - add plat note to make them accessible
- recent flooding - water was at least 100' out of bank
 - Mr. Nady stated that he would address such flooding and runoff

Mr. Wendt asked for clarification regarding lot 7 access and floodplain location. Mr. Dissell clarified.

Ms. Nancy Couser asked for clarification regarding lots 1-6 accessibility. Mr. Nady stated that he would continue an existing lane west into lot 4 and then south. Mr. Nady also stated that further discussions are needed with the Fire Chief regarding such. Mr. Nady also stated that there are existing easements on lots 1 and 2 for access to lot 3.

Ms. Couser questioned whether lot 7 would be completed in the initial construction. Mr. Nady stated that he plans to initially develop lots 1-6 and possibly keep lot 7 for himself.

Mr. Wendt asked for the location of the access road for lot 7. Mr. Nady indicated said access via plat map.

PUBLIC COMMENT:

Mr. Keith Hobson

Mr. Hobson stated that the proposed subdivision wraps around his property. Mr. Hobson reviewed multiple concerns regarding the proposed subdivision including the protection of native grasses in the area, turnaround requirements, and the amount of needed removal of existing trees to ensure buildable lots.

Ms. Erin Wilkinson

Ms. Wilkinson asked for clarification regarding lot access. Ms. Harter and Mr. Nady indicated proposed access via plat map. Ms. Wilkinson also stated concerns with sustainability of natural grasses. Ms. Wilkinson also stated that her property has the possibility of being annexed into the city.

Mr. Hobson

Mr. Hobson stated that part of Outlot C is outside of the current floodplain and asked if the area could be subdivided again. Ms. Harter stated that the plat comments do not allow the proposed outlots to be subdivided in the future.

COMMISSION COMMENTS:

Mr. Smith questioned whether conditions should be placed as conditional approval or remand the application back to staff. Ms. Harter reviewed reasons for conditional approval and remanding back to staff.

Ms. Donaldson asked for clarification regarding the protection of native grasses. Ms. Harter stated that the subject should not be overlooked and could be placed as a condition of approval.

Mr. Nady provided a vegetation plan via site map.

Mr. Wendt asked for further clarification regarding access roads. Mr. Nady stated that the road would be constructed and the cost of maintenance would be split among of the six property owners.

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on August 12, 2014. (MCU)

CONDITIONS:

- 1. Plat Corrections**
 - a. indicate access to lot 7 by either culvert/elevated road or both**
 - b. correction of single lane access road and access**
 - c. an approved emergency turnaround**
 - d. access easements are measured from the boundaries as if it were a public easement**
 - e. widen lot D based on guidance from Mr. Cox**
- 2. Add a plan to mitigate loss of native prairie grasses and trees**

Motion: Smith

Second: Wendt

Amended Condition:

- 3. Concurrence from Nevada Fire Chief of an approved emergency turnaround**

Motion: Smith

Second: Wendt

Voting Aye: Miller, Wendt, Couser, Donaldson, Smith

Voting Nay: None

Not Voting: None

Absent: Struthers, Steele

OLD BUSINESS:

None

NEW BUSINESS:

CUP08-14 BIENIEK (VERIZON WIRELESS) CONDITIONAL USE PERMIT

Applicant: Michael Bieniek

Nature of Request: Conditional Use Permit to construct a wireless telecommunications facility and equipment shelter

Staff Member: Charlie Dissell

Parcel Number: 0529300410

STAFF PRESENTATION:

Mr. Charlie Dissell reviewed the proposed Conditional Use Permit as submitted. Mr. Dissell reviewed the proposed location and current zoning.

Mr. Dissell reviewed Inter-Agency comments.

Charlie Kuester, City of Ames Planning:

This site is within the Northwest Growth Area of the City of Ames. No division of land can occur without annexation. When it is annexed, it will be a non-conforming structure unless it is built to City of Ames standards. Annexation is not pending for this site, at this time.

Mr. Dissell reviewed the standards of approval and the dates legal notifications were published.

Mr. Dissell provided the following alternatives for the Commission to consider:

1. *The Story County Planning and Zoning Commission recommend conditional approval of the Conditional Use Permit, as put forth in case CUP08-14, 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 CUP08-14, 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 CUP08-14.*
4. *The Story County Planning and Zoning Commission postpone decision on the Conditional Use Permit, as put forth in case CUP08-14, to August 4, 2014 and request further information from the applicant and/or staff for further review and/or modifications.*

COMMISSION COMMENTS:

Ms. Miller asked for clarification regarding setbacks. Mr. Dissell clarified via site map.

Mr. Wendt asked for clarification regarding possible annexation into city limits and how the use would be allowed. Mr. Dissell stated that the property would then become the jurisdiction of the City of Ames and their regulations.

APPLICANT COMMENTS:

Mr. Bienieck

Mr. Bienieck gave a short overview of the proposed Conditional Use Permit and the need for such. Mr. Bienieck also stated that the proposed tower is intended to be a co-location site. Mr. Bienieck also stated that the equipment would be enclosed with a wooden fence.

Mr. Smith questioned the proposed lighting. Mr. Bieniek stated that the FAA does not have additional requirements.

Mr. Smith asked if fiber material is used. Mr. Bieniek concurred.

PUBLIC COMMENT:

Mr. Don Litzel

Mr. Litzel stated concerns with possible drain tile changes. Mr. Bieniek stated that drain tile would not be disturbed.

Ms. Miller asked for clarification regarding the project timeframe. Mr. Bieniek stated that the goal is the fall of 2014.

COMMISSION COMMENTS:

None

MOTION: The Story County Planning and Zoning Commission recommend approval of the Conditional Use Permit, as put forth in case CUP08-14, to the Story County Board of Adjustment. (MCU)

Motion: Donaldson

Second: Wendt

Voting Aye: Smith, Miller, Wendt, Couser, Donaldson

Voting Nay: None

Not Voting: None

Absent: Struthers, Steele

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

Mr. Dissell gave updates regarding the Pyramid Conditional Use Permit and Cameron Farms Subdivision.

LONG-RANGE PLANNING

Ms. Harter gave an update of Visioning meetings and Coordinated Long-Range Planning.

STAFF COMMENTS:

None

COMMISSION COMMENTS:

Ms. Donaldson thanked Ms. Harter for time Directing the Planning and Development Department.

ADJOURNMENT: 7:10 PM

Approval of Minutes

Title and Date