



STORY COUNTY

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

*"Commitment, Vision, Balance"*

**515-382-7245**

**MINUTES  
STORY COUNTY  
PLANNING AND ZONING COMMISSION**

**AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING [WWW.STORYCOUNTYIOWA.GOV](http://WWW.STORYCOUNTYIOWA.GOV)**

<b>DATE:</b> September 6, 2017	*Aaron Steele, Chair	2018
	Jerry Cable, Vice Chair	2019
	Linda Murken	2020
	Marvin Smith	2018
	Ruth Hulstrom (Arrived at 5:04)	2017
	P.J. McBride	2021
	Jonathan Sherwood	2020
	(*Absent)	

**CALL TO ORDER:** 5:00 p.m.  
**PLACE:** Public Meeting Room  
Administration Building

**ADJOURNMENT:** 7:13 p.m.

**STAFF PRESENT:** Jerry Moore, Director; Amelia Schoeneman, Planner; Emily Zandt, Planner; Stephanie Jones, Recording Secretary

**PUBLIC PRESENT:** Jeff Gibbons, Lisa Lorenzen Dahl, Scott Dahl, Martin Aust, Liz Pehl, Norm Marty, Ron Pehl, Jerry Sloan, Bob Jensen, Marty Kelly

**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES (MCU)**

August 2, 2017

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**PUBLIC COMMENTS:**

None

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**PUBLIC HEARING ITEMS:**

**REZ06-17 AND SUB10-17 DAYTON PARK MAJOR SUBDIVISION PRELIMINARY PLAT**

Emily Zandt presented the staff report and gave an overview of the proposed request. Ms. Zandt stated that the rezoning request from the A-1 Agricultural District to the R-1 Transitional Residential District for a Major Subdivision request for four (4) lots to accommodate three (3) additional single-family dwellings with access off of a proposed private street. Ms. Zandt stated that Planning staff recommend approval of the proposed rezoning and Major Subdivision Preliminary Plat.

Smith asked Ms. Zandt to summarize the comments made by Planning and Development during conceptual review. Jeff Gibbons spoke and stated that he purchased the property 4 years ago and is very familiar with the area. Hulstrom asked about the concern from residents about removing trees. Mr. Gibbons stated that he has spent many hours cleaning up the property. Many of the trees were damaged or diseased. Mr. Gibbons stated that he has planted 71 trees and that he plans to plant more for beautification. Mr. Gibbons stated that the trees removed were invasive trees. Murken asked Mr. Gibbons if he has a fire wood business. Mr. Gibbons stated that he does not have a fire wood business, however he has a wood burning stove and a sawmill. Mr. Gibbons stated that what he does not burn himself he gives to friends. Smith asked the purpose of the sawmill, and Mr. Gibbons stated that woodworking is his hobby. Murken asked if there are plans to put in a pond and Mr. Gibbons stated that initially he wanted a pond, but is not proposing a pond at this time. Mr. Gibbons stated in 1916 there was a manmade lake on the property, but at some point after 1950, the dam was broken. Smith asked about regrading and filling in the culvert along Dayton Parkway, which would change water run off patterns. Mr. Gibbons stated that in the time he has been there he has not seen water and that the culvert is still there.

Scott Dahl spoke and stated he is opposed to this proposed project. Mr. Dahl does not feel that the neighborhood is comparable to other subdivisions in the area. Mr. Dahl stated that the regrading that Mr. Gibbons did along Dayton Parkway did create a change in the water runoff. Mr. Dahl stated that he is concerned about Mr. Gibbon's developing the back (western) portion of the property. Mr. Dahl stated that if this proposal were approved, he would like to request that it not be named with anything containing Dayton. Mr. Dahl felt Dayton would create confusion for mail delivery.

Jerry Sloan spoke and stated that he is concerned about development destroying wooded or prairie property would change the nature of the neighborhood. Mr. Sloan asked if current or future applicants could subdivide the back lots. Jerry Moore stated that Dayton Parkway is considered to be like a driveway. The early plats of survey indicate it as an ingress/egress easement, but later the terminology on other Plats of Survey's began to change the reference as a road. Mr. Moore stated that in order to meet development regulations there needs to be access from a public or private road. Current regulations do not allow the back lots to be divided without another road being created.

Marty Kelly spoke and stated that many of his concerns have already been addressed. Mr. Kelly is concerned about the trees that have been removed. Mr. Kelly does not feel that only damaged trees were removed. Mr. Kelly is concerned about erosion into the stream.

Lisa Lorenzen Dahl stated that she does not feel the rezoning is compatible with the current houses in the area. Ms. Dahl stated that she is concerned that the applicant would like to do further development than what is being proposed. Ms. Dahl asked about the new proposed road being a T road (hammerhead) rather than a cul-de-sac. Ms. Dahl stated that she suspects the western area of proposed Lot 4 would be a staging area for the construction being proposed. Smith asked about the purpose of the hammerhead and stated that the county requires a certain length of roads for emergency vehicles to turn around. Mr. Moore stated that a cul-de-sac and a hammerhead are permitted under Story County's current Land Development Regulations.

Liz Pehl stated that she has not heard about 7 lots being developed. Cable stated that a couple of months ago the applicant came to a Planning and Zoning Commission meeting to get a feel for the commission's thoughts on the proposed development. Ms. Pehl stated that several years ago, there was proposed development in the area and she fought it and won. Ms. Pehl was under the assumption that the commission had information about this proposal. Smith explained that the commission is a recommendation board. Murken stated that the recommendations being proposed tonight are from staff and not the commission. Ms. Pehl stated that she is concerned about construction noise and extra traffic.

Marty Kelly asked if anyone from staff has gone out to look at the property. Ms. Zandt stated yes, two members from the Planning and Development staff had been out to look at the property.

Ron Pehl stated that he has a 4' culvert and there has been water over the road twice. Mr. Pehl is concerned about more development in the area will cause more erosion.

Mr. Gibbons stated that when he took possession of the land he planned to put the lake back, but realized it was a large undertaking so decided not to build the lake. Mr. Gibbons stated that the lake was only a wish and he has no plans of building a pond to that scale. Mr. Gibbons stated that he has improved the property compared to what it was when he purchased. Smith asked if it is correct that he cut approximately 1 acre of trees. Mr. Gibbons stated there were some trees taken out, but not 1 acre. Mr. Gibbons said that he has done regrading. Mr. Gibbons went through pictures of what the property looked like when he purchased it compared to what it looks like currently. Mr. Gibbons stated that he does plan to continue to plant more trees. Smith asked for clarification of the telephone poles being delivered to the sawmill. Mr. Gibbons stated that the telephone poles were free and he made lumber out of them to make chairs and that he gave some to a friend. Smith asked if there is a sawmill business being ran from the property and Mr. Gibbons stated he is not running a sawmill business. Hulstrom asked Gibbons if he plans to have a road built before any construction would begin since the neighbors have concerns about additional traffic. Bob Gibson stated that the road would have a rock surface before any construction could begin. Mr. Gibson stated that there would not be a staging area for construction. Sherwood asked about distance from the proposed driveway to Dayton Parkway. Mr. Gibson stated there was room left for the future in case the road was ever widened. Murken asked what the office is being used for and Mr. Gibbons stated that he has a financial business and that he has applied for a home business permit.

Sherwood asked where the septic would be located and how many acres the lots are. Mr. Gibbons stated that the smallest lot is just over an acre. Sherwood stated that the other lots in the neighborhood seem larger and that these proposed homes seem like they would be crammed in. Mr. Moore stated that the minimum lot size is 25,000 square feet in an R-1 district.

Hulstrom asked about clear cutting and Mr. Moore stated that many of the items being discussed took place prior to the current submittal. Smith asked if there is permitting required for a pond. Mr. Moore stated there are currently no County regulations for constructing a pond, but we are in the process of developing regulations for grading. Sherwood asked if a sawmill is permitted. Mr. Moore stated that it is permitted as a hobby, but not as a home business. Ms. Zandt stated that Dayton Parkway is private property. Cable stated that the neighbors' homes that were built in the past also changed the area.

**MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed Story County Zoning Map Amendment from the A-1 Agricultural District to the R-1 Transitional Residential District as put forth in case REZ06-17 to the Story County Board of Supervisors.**

**Motion: Smith  
Second: Hulstrom  
Voting Aye: Smith, Cable, Murken  
Voting Nay: Hulstrom, McBride, Sherwood  
Not Voting: None  
Absent: Steele  
Vote: (3-3)**

**MOTION: The Story County Planning and Zoning Commission recommends denial of the proposed Dayton Park Major Subdivision as put forth in SUB10-17 to the Story County Board of Supervisors.**

**Motion: Murken  
Second: Sherwood  
Voting Aye: Hulstrom, McBride, Sherwood, Smith, Murken  
Voting Nay: Cable  
Not Voting: None  
Absent: Steele  
Vote: (5-1)**

Smith asked Murken what her primary reason for recommending denial is. Murken stated that she felt the rezoning was appropriate for the land, but she did not feel that the proposal is consistent with the neighborhood and types of existing uses and has concerns about the applicant's activities on the subject property.

**REZ07-17 AND SUB12-17 LOWMAN'S 4<sup>TH</sup> MINOR SUBDIVISION PLAT**

Emily Zandt presented the staff report and gave an overview on the request to remove existing conditions placed on the subject property in a 2006 rezoning request approved by the Board of Supervisors and a Minor Subdivision request for three (3) lots to accommodate two (2) additional single-family dwellings. Alternative Compliance is requested from General Site Planning Standard 88.04: maximum width of shared access easement requirement. Planning staff recommend approval of the proposed rezoning and Minor Subdivision Plat with the Alternative Compliance requested.

Ben Jensen stated that he is the property owner. Mr. Jensen stated that the property had been foreclosed before he purchased and gave a brief summary about his intentions for the property.

**MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed Story County Zoning Map Amendment from the A-R Agricultural Residential District with Conditions to the A-R Agricultural Residential District without Conditions as put forth in case REZ07-17 to the Story County Board of Supervisors.**

**Motion: Murken**

**Second: Hulstrom**

**Voting Aye: Murken, Cable, McBride, Smith, Hulstrom, Sherwood**

**Voting Nay: None**

**Not Voting: None**

**Absent: Steele**

**Vote: (6-0)**

**MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed Lowman's 4th Minor Subdivision as put forth in SUB12-17 with the requested alternative compliance to the Story County Board of Supervisors.**

**Motion: McBride**

**Second: Smith**

**Voting Aye: Smith, Cable, McBride, Sherwood, Hulstrom, Murken**

**Voting Nay: None**

**Not Voting: None**

**Absent: Steele**

**Vote: (6-0)**

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#### **ADDITIONAL ITEMS:**

##### **FERNALD UPDATE**

Jerry Moore gave an overview of a Work Program item to assess the needs of citizens in Fernald. Mr. Moore stated approximately 30 citizens attended a neighborhood meeting. The citizens raised concerns about missing road signs, missing 911 address signs on private property, potholes in the road, dilapidated structures, issues with septic systems, construction without permits, the property on corner of Richland Street and Winchester Avenue with stacked cut logs obstructing view of road, and storm water drainage and flooding. Mr. Moore stated that after the Fernald meeting, Planning and Development staff met with the Environmental Health staff and the County Engineer to reassess and determine what items could be addressed administratively and the role of each department in addressing the various concerns. Planning staff also met with Deb Schildroth, and Darren Moon to discuss and learn more about the existing tile system in Fernald. Mr. Moore reported that Darren Moon explained the tile system drains as originally designed, however storm water backs up during rainfall events that are larger than the system was designed to handle. Darren suggested that the tile system and the area be studied to determine options to address the storm water drainage and flooding concerns. Amelia Schoeneman spoke about funding opportunities. Sherwood asked if there could be Community Development Block Grants. Ms. Schoeneman stated that it is a possibility.

**MOTION: Recommend that staff move forward with seeking further assistance and approval from the Board of Supervisors to continue work in Fernald.**

**Motion: Smith**  
**Second: McBride**  
**Voting Aye: Hulstrom, McBride, Cable, Murken, Sherwood**  
**Voting Nay: None**  
**Not Voting: None**  
**Absent: Steele**  
**Vote: (5-0)**

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**COMMENTS**

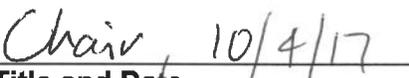
**STAFF:** None

**COMMISSION:** None

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**ADJOURNMENT:** 7:13 p.m.

  
**Approval of Minutes**

  
**Title and Date**