



**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  
BOARD OF ADJUSTMENT**

**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> January 17, 2018	Steve McGill	2017
	Lynn Scarlett	2018
<b>CALL TO ORDER:</b> 4:02 PM	Karen Youngberg	2019
<b>PLACE:</b> Public Meeting Room	*Randy Brekke	2019
Administration Building	Steve Bruns	2021
	*Absent	

**PUBLIC PRESENT:**

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

**ROLL CALL:** McGill, Scarlett, Youngberg, Bruns

**ABSENT:** Brekke

**APPROVAL OF AGENDA (MCU)**

**APPROVAL OF DECEMBER 20, 2017 MINUTES Motion Carried Unanimously (MCU)**

**PUBLIC COMMENTS:** None

**HEARINGS:**

**CUP02-08.3 AYA RANCH, LC**

**MOTION:** To remove CUP02-08.3 from the table from the December 20, 2017 meeting.  
**MCU**

Amelia Schoeneman presented the background information for this proposed minor modification to a conditional use permit to allow Alluvial Brewing Company to expand its operations and add several new uses to the site. New, more efficient brewing equipment is proposed to be located

in an existing accessory structure located to the north of the existing brewery. The move would expand space for customers in the existing brewery building where the old equipment is currently housed and add restrooms. Cornbred, a food truck that serves barbecue, proposes to serve on-site exclusively and would operate during the brewery's hours of operation. Cornbred also proposes a new commercial kitchen be added to the accessory structure where the brewing equipment is proposed to be moved. The kitchen would be used to prepare food for the food truck. The item was initially heard at the December 20, 2017, Board of Adjustment Meeting and tabled to the January 17, 2018, meeting. At the December meeting, there were several issues raised specific to the conditions proposed for Cornbred, and Cornbred asked that the commercial kitchen and food truck use be approved without conditions. The argument was also made that the standards for agritourism uses were not being applied equally to the proposed brewery expansion and new proposed uses of the food truck and its commercial kitchen. The standards require a use to be accessory to agriculture. Serving the winery or brewery's customers would make the foodtruck accessory to agritourism uses and indirectly to agricultural uses. The brewery proposes investments in berry and hop production to incorporate in the beer as part of the expansion and to meet standards. Beer is the brewery's main product. Further, through the chronology of the brewery arising in part out of the need to support agricultural production on the site, investments in the prairie, and the rural character it provides, the brewery is accessory to agriculture.

Additionally, at the December meeting it was brought up that it was not feasible for Cornbred to have all livestock and produce on its menu provided by on-site produces, as they initially indicated to staff. Since Cornbred has stated it is not feasible to have all livestock and produce on its menu provided by on-site produces, staff recommends the board approve the request with amended conditions including the elimination of the conditions allowing the food truck to be permanently located on site if all produce and livestock for the menu were obtained from on-site producers. If Cornbred is able in the future to obtain livestock and produce from on-site producers, an application for a modification to the conditional use permit can be made.

Youngberg asked for clarification on the standard for agritourism uses being accessory to agricultural uses and the related condition on Cornbred that food items be grown or raised on-site. Schoeneman explained that the standards for agritourism were recently amended to require agritourism to be an accessory to agricultural production in size and operation. When the proposal was originally submitted the applicant indicated their goal was to get 100% of the products from on-site producers. Staff felt that this proposal met the requirement if Cornbred was able to meet the expressed goal of 100% and recommended a condition that Cornbred's presence on the site and use of the commercial kitchen be limited until Cornbred's menu consists exclusively of produce and livestock produced on-site. However, at the last meeting it was made clear that a menu consisting exclusively of produce and livestock produced on-site was not attainable. The recommended condition was subsequently amended to allow Cornbred to serve on-site for special events highlighting bumper crops, produce from community support agriculture shares, or other produce or livestock raised/produced on-site, and use the kitchen similarly. The part of the condition allowing them to be located on the property full-time and use the kitchen full-time when the menu consists exclusively of produce and livestock produced on-site was removed.

Elliott Thompson spoke and stated that he is in support of the staff recommendations.

**MOTION: The Story County Board of Adjustment approves the Conditional Use Permit with the following conditions, as put forth in case CUP02-08.3:**

- 1) A zoning permit is submitted and approved for the 60-foot-by-90-foot accessory structure prior to beginning operations out of the building as it was previously approved through an agricultural exemption.
- 2) The east entrance shall be used only for entering traffic and sufficient directional signage be installed at the access within 30 days.
- 3) Overflow parking is limited to 46 spaces in the grassy area north of the brewery and 60-foot-by-90-foot accessory structure. Overflow parking is not permitted on the east side of the drive.
- 4) Shrubbery shall be installed to protect the lateral field near the overflow parking area/drive, to the south of the 60-foot-by-90-foot accessory structure and west of the drive, by June 29, 2018.
- 5) One van accessible space and two accessible spaces, for a total of six accessible spaces, all with proper signage and in compliance with Americans with Disabilities Act Standards shall be installed within 30 days.
- 6) The 50-foot-by-50-foot area east of the brewery shall be planted with hops by June 29, 2018, and the high tunnel completed by September 28, 2018, with berry production beginning in 2018. An inspection by Planning and Development staff shall be conducted to confirm their completion. If the condition is not met or the areas are taken out of production, the conditional use permit may be placed on the Board of Adjustment's agenda for review and consideration.
- 7) Cornbred may only serve on-site for special events highlighting bumper crops, produce from community support agriculture shares, or other produce or livestock raised/produced on-site.
- 8) The proposed kitchen may only be used to produce and/or hold classes on the value-added products from the produce and livestock produced on-site and/or prepare for special events highlighting these products.
- 9) The portable toilet shall be removed when the new bathroom is completed.
- 10) If distribution is planned to continue, the applicant shall submit a text amendment by March 19, 2018, to be heard at the April 4, 2018, Planning and Zoning Commission meeting.

**Motion: Scarlett**

**Second: McGill**

**Voting Aye: Scarlett, McGill, Youngberg, Bruns**

**Voting Nay: None**

**Not Voting: None**

**Absent: Brekke**

**Vote: (4-0)**

#### **CUP11-17 RPM ACCESS LLC**

Emily Zandt presented the staff report and gave an overview of the proposed conditional use permit. Zandt stated that this proposed request would allow the construction of a temporary 198' tall meteorological (MET) tower with guyed wires. The purpose of the tower is to gather and assess wind resource data to determine feasibility of a potential wind energy development that could include several Commercial Wind Energy Conversion System (CWECS) turbines. Zandt stated that the proposed temporary tower is planned to be removed on or before November 20, 2019.

Bruns asked if staff had spoken to the Farm Service Agency (FSA) office about the CRP ground and whether a tower would be permitted. Zandt stated that the board could add this as a

condition and discussion took place regarding the responsibility of the land owner to look into the possible issue with the CRP ground

**MOTION: The Story County Board of Adjustment approves the Conditional Use Permit for the Meteorological Tower as put forth in case CUP11-17, provided the FSA supports the tower on CRP ground, and with the following conditions:**

- 1. The Meteorological tower and all equipment must be removed on or before November 20, 2019. An extension of this time frame will require a modification to the conditional use permit.**
- 2. A 911 address will be required to be issued at the access for the MET tower.**
- 3. A decommissioning plan and financial security must be submitted to Story County Development Staff prior to the issuance of the zoning permit for the MET tower.**

**Motion: Bruns**

**Second: Youngberg**

**Ayes: McGill, Youngberg, Bruns, Scarlett**

**Nays: None**

**Not Voting: None**

**Absent: Brekke**

**Vote: (4-0)**

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**OTHER BUSINESS: None**

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**BOARD/STAFF COMMENTS:**

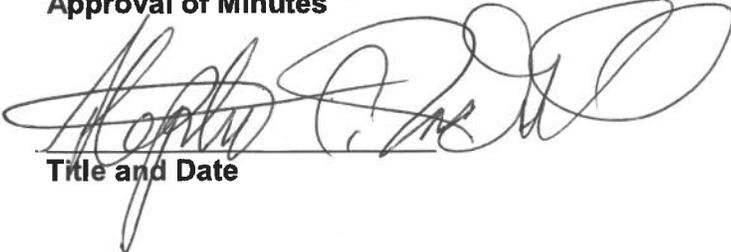
**Staff:** Moore gave an update about Hickory Grove Mobile Home Park that brought in new mobile homes and would be submitting a Variance Application and the Country Living Mobile Home Park that brought in RV's requiring submittal of a Conditional Use Permit Application. Moore also gave an overview about the Veterans of Foreign War requesting to install a memorial for a plane that crashed in 1944 which will also requires submittal of a Conditional Use Permit Application.

**Board: None**

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**ADJOURNMENT: 4:43 PM**

2-21-2018  
**Approval of Minutes**

  
**Title and Date**