

# STORY COUNTY PLANNING AND ZONING

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



"Commitment, Vision, Balance"

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## MINUTES STORY COUNTY PLANNING AND ZONING COMMISSION

<b>DATE:</b> June 4, 2012	Daryle Vegge, Chair	2013
	Nancy Couser	2015
	Steven Gast	2013
<b>CALL TO ORDER:</b> 5:30 p.m.	Nick Merfeld	2012
<b>PLACE:</b> Public Meeting Room	*David Struthers	2012
Administration Building	David Weigel	2015
	Nancy Miller	2016
	*Absent	

**ADJOURNMENT:** 6:13 p.m.

**OTHER PEOPLE PRESENT:** Ryan Heldt, Wavern DeJong

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

**ROLL CALL:** Vegge, Couser, Gast, Merfeld, Weigel, Miller

**ABSENT:** Struthers

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### APPROVAL OF AGENDA (MCU)

Motion: Gast

Second: Miller

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### APPROVAL OF MINUTES (MCU) - April 2, 2012

Motion: Gast

Second: Merfeld

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### PUBLIC COMMENTS: Opened 5:31 p.m. - Closed 5:31 p.m.

None.

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### OLD BUSINESS:

None.

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### NEW BUSINESS:

#### CUP01-12 CORNERSTONE CHURCH OF CHRIST CONDITIONAL USE PERMIT REQUEST

**Nature of Request:** Conditional Use Permit for Construction of Two Classrooms

**Applicant:** Cornerstone Church of Christ

**Parcel Identification Number:** 04-29-400-450

**Staff:** Charlie Dissell

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**STAFF PRESENTATION:**

Mr. Charlie Dissell presented the current land use, parcel size, zoning, vicinity map, proposed development as submitted, and covered the dates of legal notification and publication requirements.

Mr. Dissell outlined the Conceptual and Interagency Reviews completed by the Interagency Review Team.

Mr. Dissell reviewed the current available parking and traffic count of the proposed property on Highway 65.

Mr. Dissell presented site shots of the property and reviewed the applicable standards for approval for the Commission to consider in reviewing the proposed conditional use permit.

Mr. Dissell reviewed U.S. Code Title 42 - The Public Health and Welfare Chapter 21C - Protection of Religious Exercise in Land Use and by Institutionalized Persons (RLUIPA).

Mr. Dissell outlined potential conditions of approval as suggested by staff:

1. *Congregation numbers and use days/times shall be submitted to determine if there are peak traffic times which would cause a concern.*
2. *An updated site plan shall be submitted to reflect the additional gravel parking area on the south side of the building and to show total available parking spaces and layout.*
3. *The east side of the property between the parking lot and US Highway 65 right-of-way shall be planted with a vegetation buffer similar and consistent with the buffer used on the south, west and north sides of the property to help buffer the parking lot area from the highway.*

Mr. Dissell concluded by presenting four alternatives for the Commission to consider:

1. *The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit as put forth in case CUP01-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the July 11, 2012, Board of Adjustment agenda.*
  2. *The Story County Planning and Zoning Commission recommends approval, with conditions, of the Conditional Use Permit as put forth in case CUP01-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the July 11, 2012, Board of Adjustment agenda.*
  3. *The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit as put forth in case CUP01-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the July 11, 2012, Board of Adjustment agenda.*
  4. *The Story County Planning and Zoning Commission tables the Conditional Use Permit as put forth in case CUP01-12, back to the applicant for further review and/or modifications, furthermore requiring that copies of any new item to be reviewed be submitted no less than twenty-one (21) days before the desired Planning and Zoning Commission meeting.*
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**COMMISSION COMMENTS:**

Mr. Daryle Vegge questioned whether the vegetation condition staff suggested is to protect the highway and surrounding property owners or the church. Mr. Dissell stated that the vegetation regulation is more of a buffer for traffic control and also stated it is only a recommendation by staff.

Ms. Nancy Miller asked if there had been any accidents in area. Mr. Dissell stated he tried to contact the DOT regarding such and did not receive a response.

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**APPLICANT COMMENT:**

**RYAN HELDT**

Mr. Heldt provided the Commission and staff with a revised site plan, which includes the south parking lot and proposed improvements. Mr. Heldt stated that the parking lot is currently gravel, which does not allow for parking lines to be painted. Mr. Heldt gave an overview of the church attendance since 2003 and stated the church's goal is not to grow excessively, but to accommodate current members.

Mr. Steven Gast questioned how many cars, on average, are parked in the lot on any given Sunday. Mr. Heldt felt the normal usage would be around 70 vehicles. Mr. Gast asked how that number was deduced. Mr. Heldt stated a visual count of vehicles had been conducted.

Mr. Vegge asked Mr. Heldt's feeling regarding the vegetation. Mr. Heldt stated more vegetation could be planted.

**WAVERN DEYOUNG**

Mr. DeYoung reviewed the current vegetation on the parcel. Mr. Deyoung stated he feels added vegetation along Highway 65 may cause a visual problem for drivers as they leave the parking lot and enter the highway.

Mr. Gast asked for clarification of the distance from the current church signage to the highway. Mr. DeYoung complied and added he has no objection to planting trees to the south of the sign, but feels planting to the north could be more hazardous.

Ms. Nancy Miller inquired as to how many surrounding property owners there are to the church. Mr. Heldt gave an overview of the surrounding property owners. Mr. DeYoung stated that no complaints had been received from such.

Mr. Nick Merfeld asked whether any comments were submitted. Mr. Dissell stated no comments were submitted.

Mr. Vegge asked for clarification regarding the staff's proposed conditions. Mr. Dissell concurred.

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**PUBLIC COMMENT:**

NONE

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**MOTION: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit as put forth in case CUP01-12, as submitted, to the Story County Board of Adjustment, and directs staff to place the case on the July 11, 2012, Board of Adjustment agenda.**

Commission discussed the proposed motion.

Motion: Miller  
Second: Couser  
Voting Aye: Miller, Weigel, Merfeld, Gast, Couser, Vegge  
Voting Nay: None  
Not Voting: None  
Absent: Struthers

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**OTHER BUSINESS:**

**Long Range Planning**

NONE

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

Ms. Leanne Harter stated the new Land Development Regulations will be going into effect July 1, 2012.

**COMMISSION COMMENTS:**

Mr. Gast asked for clarification of RLUIPA. Ms. Harter complied.

Mr. Nick Merfeld commented he is comfortable with the decision regarding the item on the current agenda.

**STAFF COMMENTS:**

Mr. Harter informed Commission members that mileage reimbursement forms are available for their submittal for fiscal year 2012.

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**ADJOURNMENT: 6:13 p.m.**

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**Approval of Minutes**

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**Title and Date**