

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



“Commitment, Vision, Balance”

**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**

DATE: October 15, 2025	Matthew Neubauer, Chair	2026
	Andrew Friend	2027
CALL TO ORDER: 4:00 pm	Kelli Excell	2028
	Nathan Hovick	2029
PLACE: Public Meeting Room	Elara Jondle	2025
In the Administration Building and Zoom	*Absent	

Special Note: Members of the public could also participate via Zoom.

STAFF PRESENT: Leanne Harter, Director; Marcus Amman, Senior Planner; Leslie Day, Planner; Chloe Mitchell, Recording Secretary

PUBLIC PRESENT: Erin Ollendike, Brad Baumler

ROLL CALL/QUORUM DETERMINED:
All Present

APPROVAL OF AGENDA:

Motion: Elara Jondle
Second: Kelli Excell
Voting Aye: All
Voting Nay: None
Not Voting: None
Absent: None

Motion passed. MCU.

APPROVAL OF MINUTES:

[September 17, 2025 Minutes](#)

Motion: Andrew Friend
Second: Kelli Excell
Voting Aye: All
Voting Nay: None
Not Voting: None
Absent: None

Motion passed. MCU.

PUBLIC COMMENTS: None.

NEW BUSINESS: None.

APPROVAL OF FINDINGS OF FACT FROM PREVIOUS MEETING:

CUP25-000018 YSS Phase 2 Conditional Use Permit Request Findings of Fact

[YSS FINDINGS OF FACT TO BOA.PDF](#)

Motion: Kelli Excell
Second: Elara Jondle
Voting Aye: All
Voting Nay: None
Not Voting: None
Absent: None

Motion passed. MCU.

PUBLIC HEARINGS:

Discussion and Consideration of Case Number CUP25-000012 CTI Ready Mix Permanent Concrete Batch Plant Facility Construction

[STAFF REPORT CUP25000012 BOA.PDF](#)

Leanne Harter presented Discussion and Consideration of Case Number CUP25-000012 CTI Ready Mix Permanent Concrete Batch Plant Facility Construction.

Andrew Friend asked about the connection between the extraction and the concrete plant and if that was a part of the CUP accepted conditional uses.

Harter responded confirming it has been worded that way in the conditional use chapter.

Friend asked if it came from the accepted conditional uses.

Harter confirmed and added if it was zoned heavy industrial that arrangement would not be necessary; a concrete batch plant on site under the heavy industrial use with just a zoning permit is a permitted use by right.

Friend requested more information on “in conjunction with and adjacent to” and asked what the agreement is that is being put together that will satisfy the conjunction.

Harter stated there will be different owners and that it will be different ownership patterns.

Friend asked if it was going to be an agreement to work together that was going to be supplied to satisfy the requirement.

Harter confirmed.

Kelli Excell asked if it was across Interstate 35 or US Highway 30.

Harter said no and showed the proposed location in the presentation.

Harter added the applicant does own contiguous property that may be used in the future for gravel extraction so that agreement may not be necessitated but until that CUP is granted this was the solution created.

Excell asked about trips per day.

Harter stated her understanding from the applicant is each truck will go out and in one time per day on average.

Excell asked for anything above that, would the applicant need to come back for a modification.

Harter stated if the County hears it becomes excessive; staff will work with the applicant.

Excell stated 10-14 trips seemed low.

Harter noted it does say in the presentation that anything above the number of employees on site in that will be tied by default to the materials that are presented in the application.

Excell referred to the presentation and asked for clarification on the verbiage with about 10-14 trips per day and asked if that was the total per day.

Harter stated that is what the applicant has indicated.

Matthew Neubauer asked if the County has any conditions in existence that are applying today and how does the County monitor and enforce that.

Harter stated the County Engineer, Darren moon, would send out information and if it came to that point where the Engineer’s Office would go to the Board to embargo roads, that would immediately cease operations.

Harter referred to the presentation to show what roads are publicly and privately owned.

Excell asked what the County’s water concerns are and if the Board should be aware of them.

Harter referred to the presentation to show City of Nevada's well field marked with a red star.

Harter stated without knowing where exactly where the well is going to go, the depth of the well, there was not a way for Environmental Health to ascertain any potential impacts to public water supply.

Elara Jondle asked if anyone knows what the existing the existing well depth is and information on that is.

Harter stated that she does not think Environmental Health knows that yet.

Friend confirmed that if the applicant pulls a permit the County could investigate further.

Harter confirmed.

Jondle asked if the applicant will have to have a septic NPDES permit. Harter advised the Board to ask the applicant that question so they can answer on the record.

Erin Ollendike, Civil Design Advantage, addressed question on NPDES question and stated concrete facilities require a General Permit Number 3 which has been obtained. She also stated with regards to the concrete washout, the system is completely contained and they are required to have it that way so the runoff from that concrete washout cannot run across the property. It is all self-contained and they clean it out however often they need to, so it doesn't interact with the well. She also stated they have submitted a septic report that the septic engineer had put together. The perc tests have already been done, but they haven't applied for the septic permit yet. CTI is working with Gingerich who indicated that there is no issue, and the wells would only be 50-100 feet deep which is much shallower than the city wells. She asked for contingent approval upon getting the well permits and that they are ready to submit for them as soon as they get approval.

Jondle asked the applicant where they had the perc testing done.

Ollendike said Brad Baumler could speak more on that.

Brad Baumler, owner of CTI Ready Mix, stated they have started the permitting process for the well and septic. The septic, as shown in the application, was perc tested in two locations. The one that CTI expected to go is on the east side of the site, and they feel that is where it will end up at the point it is finalized. He stated Gingerich felt very confident because the wells will be very shallow and the demand is low.

Friend asked if the water is used for production or just side activities.

Baumler confirmed that it will be used for production.

Jondle asked with the uses if Baumler will need to have any DNR permits for septic, well, or anything.

Baumler confirmed it will be a very low use sanitary system and that there will likely be 4-5 employees at the site.

Baumler added that they have been working on this for some time and asks for it to be conditional so they can keep moving through the process.

Neubauer asked for clarification on well permitting process and the differences on projects.

Harter stated the County does not know where the location of the well and septic are going to go on the site and if there were any changes to the site plan it would require a modification that may have to come to the Board of Adjustment. She also stated she's wanting to acknowledge the concerns of Story County Environmental Health department in this they voiced the previous concerns and especially in relation to the City of Nevada well field.

Neubauer asked about the Planning and Zoning Commission conditions of approval.

Harter stated the condition of approval by the Planning and Zoning Commission is in the presentation and referred to 'D' and 'G' on Planning and Zoning Commission recommended conditions of approval slide and stated she made the decision to bring it forward to the Board even without those two items and rightfully should have not brought it forward but did so in the interest of moving it along.

Jondle asked if the Board were to grant the CUP before the permits go through for septic and water and then the septic and water do not go through, does the CUP become null and void or is it still active because it was approved.

Harter stated she would like to think that through a little bit but staff's perspective, we would want to come back to you to rescind that CUP due to not all conditions of approval having been satisfied and those conditions of approval are set by the Board of Adjustment.

Ollendike asked if the condition could read that CTI must obtain a permit for construction to start.

Neubauer asked if there was a way to create a condition that offers the protection we need to have but allows the applicant to move forward.

Harter confirmed.

Friend requested clarification on the process of approving with conditions.

Jondle stated from her understanding of septic designs typically that area cannot be disturbed unless you are doing a mound system or something like that and without knowing that location, it is harder to understand how construction will start.

Ollendike stated based on this conversation Baumler is going to submit for those permits as soon as able and they anticipate having locations figured out in a short time.

Neubauer asked once those locations are known, does the site plan change.

Ollendike stated it is not going to change the building and asked if they could adjust some grading if needed. She stated Baumler owns property to the east and south that is not being disturbed.

Jondle asked if there are operations that could possibly expand into those areas.

Ollendike stated she doesn't know if it could potentially expand into that in phase 2 and reassured that everything will be located in a short time frame because all the preliminary testing has been done.

Jondle asked from the construction side, what the applicant was looking to start first.

Ollendike stated Baumler is looking to grade and get the grading done.

Baumler confirmed he wants to get started on grading and depending on conditions possibly get some foundations in.

Jondle asked if one of the conditions somewhere was something about in the conjunction and if the conjunctions aren't aligned anymore, the applicant would have to take the site back to original. She also questioned if the applicant could start grading before they get the permits so they could at least start that part.

Harter stated staff cannot issue a grading permit, and aside from that we also have the issue of the floodplain permit. too. Staff would need the State floodplain permits before we can act on our floodplain permit. We will not approve a grading permit until we have approved a floodplain permit.

Marcus Amman added the difficulty in approving a grading permit when we don't know where the well or septic are going to be.

Jondle agreed.

Friend clarified the general thought is we are hoping that this goes well permit, septic permit, then CUP, and then you can start issuing permits to speed things up.

Jondle asked how the floodplain permit fits into that.

Harter stated Story County cannot act on a floodplain permit until the CUP is approved and the State of Iowa and Army Corps of Engineers, if they are requiring permits, approve their permits.

Excell asked if the CUP had to come first.

Harter confirmed and stated she cannot issue a floodplain permit for a building or use that is not a permitted land use.

Harter stated Staff drafted, for Board's benefit, two additional conditions of approval, however noting the fact that Staff is offering these additional conditions does not change Staff's recommendation. She stated number 1, if septic and well permits are not approved by all regulatory authorities within 60 days of action by Story County Board of

Adjustment, this CUP is revoked and number 2, all septic and well permits are required prior to any work, including grading, beginning on site.

Excell asked if this would allow for the process to move along.

Neubauer confirmed and stated that the applicant could start as soon as permits are received.

Jondle questioned rushing approval because of the upcoming weather.

Friend asked what prevented the applicant from applying for these permits sooner.

Ollendike stated for the septic and water permits it is uncommon to get those before having an approved land use and that Baumler has contractors and consultants on board, but he wanted to have a confirmed land use before spending the money on all of that.

Friend stated it is a risk anyone takes into a building project, and it is just a larger risk at the business level verses a homeowner's level.

Neubauer stated if the Board wants to do that, they have the language.

Harter asked Board if they are closing public comment.

Neubauer confirmed and closed public comment.

Jondle stated developmentally she understands the applicant's side but hasn't received any push from staff to go against them.

Harter stated she did not share all alternatives and jumped to number 4 and reminded the Board of alternatives presented in the presentation.

Neubauer stated if it is up to him, it is between number 2 with additional conditions and number 4.

Jondle agreed.

Friend asked if there were any concerns about precedents for this because he's wondering how often this happens.

Harter stated not very often, and said she should have held off on taking it to Planning and Zoning Commission but was trying to be cognizant of upcoming seasons.

Excell agreed and stated with the wording Harter and Amman worked up, she would be in favor of alternative 2.

Neubauer agreed and stated it offers the County some protection.

Friend asked for clarification on the two outstanding permits and if they were septic and well.

Jondle added floodplain as well.

Harter stated the floodplain is a condition of approval that is always put on and added that condition 4 and 5 state the other State permits as well.

Friend stated number 1, if septic and well permits are not approved by all regulatory authorities within 60 days of action by Story County Board of Adjustment, this CUP is revoked and number 2, all septic and well permits are required prior to any work, including grading, beginning on site.

Friend asked staff how they picked 60 days and if it was a common time frame.

Harter confirmed.

Excell stated it is reasonable to believe that can occur.

Friend moved to approve Findings of Fact with the two additional conditions stated above.

Nathan Hovick added he thinks there needs to be something for condition 7 regarding wet roads.

Neubauer asked Hovick to elaborate.

Hovick stated he wasn't sure what he would propose but the condition is too vague.

Neubauer added perhaps at the discretion of the County Engineer.

Hovick agreed and suggested taking condition 7 out and adding if the County Engineer determines road conditions are not appropriate for trucks, they cannot operate.

Neubauer asked Staff for suggestions.

Harter stated this was comments provided by the County Engineer and added if it is removed and there is an embargo placed on a County road, that will cease operations for heavy traffic.

Hovick stated if that is how the County operates, he suggests deleting condition 7.

Amman added so it is either deleting it or modifying at the end "at the County Engineer's discretion."

Neubauer agreed.

Hovick agreed and asked if applicant is okay with limits on hours of operation.

Neubauer reopened public comment.

Baumler stated 7:00AM-7:00PM is restrictive due to people hauling and having material on site by 7:00AM and employees show up by 6:00AM, load by 6:30PM, and then on the road but wintertime is a little more reasonable.

Hovick asked if applicant will be doing overnight work.

Baumler stated it could happen.

Hovick asked Staff if there is any residential near the site or just the gravel plant and Hallett's.

Baumler stated it is just the gravel plant and Hallett's.

Harter stated at this point no, but there is a proposal to put 300+ units where the old truck stop was.

Neubauer asked if we have hour limitations on other industrial enterprises within A-1 districts.

Harter stated yes, past CUP's have hours of operation limitations.

Friend asked why.

Harter stated it is to recognize potential impacts for traffic and coming in and out of the site onto Highway 30.

Hovick stated he is not sure if they take it out or say it in general with limited exceptions.

Neubauer asked if the intention of the hours are to stick to daylight hours.

Harter confirmed.

Neubauer asked if it could say daylight hours.

Hovick added that it doesn't work for overnight construction.

Neubauer stated he didn't agree with adding overnight operations.

Excell asked if there has been any previous discussion about changing hours.

Harter stated the conditions have been forwarded to the applicant and shared at Planning and Zoning Commission meeting.

Jondle asked if the project will come back to the Board before phase 2.

Harter confirmed.

Jondle asked if it is possible to make condition 8 conditional to phase 1 and review it again at phase 2.

Harter stated staff would not support that due to difficulties for enforcement and adding generally makes it difficult as well, but it is in the Board's purview to remove it or leave it.

Baumler asked to remove condition 8 and asked for flexibility since the majority of work will happen from 6:30AM-5:00PM.

Harter stated within heavy industrial district this is a use by right in that district, if it was zoned that way. There is a set of criteria that goes along with use by right, one that is concrete and asphalt crushers may only operate during the hours of 7:00Am-7:00PM and that is a crushing operation, and some conditions are for those types of uses.

Neubauer closed public comment.

Friend asked if there is a limit to trips per day.

Harter stated no, just parking spaces.

Excell asked about needing to do friendly amendment to 7 or 8.

Neubauer stated Board will do the two conditions first and then amendments.

Friend withdrew previous motion.

Jondle asked if Board should consider changing hours of operation.

Excell asked how it is monitored.

Harter stated enforcement is largely based on a complaint-based approach but if Staff see something that is not in compliance we are bound to enforce on them.

Friend stated he would be open to daylight hours or something more akin to standard operation.

Excell stated 6:00AM is logical.

Hovick stated he thinks 8 need to be removed due to potential lost bids for projects due to restrictions.

Excell agreed.

Jondle asked what Hallett's and Inroads hours of operation are.

Harter stated she wasn't sure about Inroads and Hallett since Hallett has been there since before her time with the County.

Hovick asked about Manatt's hours of operation.

Neubauer stated he wasn't sure about Manatt's hours.

Friend stated he was okay removing it.

Motion: Andrew Friend moved to approve Findings of Fact with the following edits to conditions; Condition 7 to say during wet conditions on gravel, concrete operations will cease at discretion of County Engineer; Remove condition 8 that states proposed hours of operation will be limited to 7:00AM-7:00PM from April-October and 7:00AM-5:00PM remaining months; Condition 9 to say landscaping and required screenings; Add 2 conditions; number 1, if septic and well permits are not approved by all regulatory authorities within 60 days of action by Story County Board of Adjustment, this CUP is revoked and number 2, all septic and well permits are required prior to any work, including grading, beginning on site.

Second: Elara Jondle

Voting Aye: All

Voting Nay: None

Not Voting: None

Absent: None

Motion passed. MCU.

Motion: Andrew Friend moved alternative number 2 with conditions established in Findings of Fact.

Second: Kelli Excell

Voting Aye: All

Voting Nay: None

Not Voting: None

Absent: None

Motion passed. MCU.

NEW BUSINESS: None.

OTHER BUSINESS: None.

BOARD COMMENTS: None.

STAFF COMMENTS:

Harter stated Board will have a November meeting to approve meeting calendar to build in monthly submission guidelines.

ADJOURNMENT

Motion: Elara Jondle

Second: Kelli Excell

Voting Aye: All

Voting Nay: None

Not Voting: None

Absent: None

Motion passed. MCU.

ADJOURNMENT: 5:23PM



Approval of Minutes

Vice Chair 11-17/2025

Title and Date