

**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**

**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> March 2, 2016	Aaron Steele, Chair	2018
	Scott Wendt, Vice-Chair	2017
<b>CALL TO ORDER:</b> 4:00 p.m.	Carla Barnwell	2020
<b>PLACE:</b> Public Meeting Room	Linda Murken	2020
Administration Building	*Nancy Miller	2016
	Marvin Smith	2018
	Jerry Cable	2019
	*Absent	

**ADJOURNMENT:** 9:17 PM

**PUBLIC PRESENT:** Steven Black, Deanna Black, Nicole Nechdnicky, Erin Wendt, Russell VanMaanen, Rosi Lee, Bethany Reeves, Harold Ault, Shelly Bake, DeDe Shoer, Ruth Mills, Wilma Jean Longnecker, Kenneth Larkin, Don Schumann, Ronda Page, Lindsey Page, Jael Kuip, Becky Bishop, Sharon Henry, John Henry, Allen Gay, JoAnn Moody, Linda Longnecker, Sandra Rush, Charlie Kuester, Gretta Reischauer, Deb Hartgers, Catherine VanMaanen, Susan Tankersley, Shannon Zeiser, Sonya Staudt, Jane Jones, Jarrett Wendt, Levi Shaffer, Neal Odden, Donna Couman, Renae Shepley, Casey Campbell, Cindy Hildebrand, Sarah Myers, Donnette & Chris Williams.

**STAFF PRESENT:** Jerry Moore, Director; Ryan Newstrom, Planner; Stephanie Jones, Recording Secretary; Deb Schildroth.

**ROLL CALL:** Steele, Wendt, Barnwell, Murken, Smith, Cable  
**ABSENT:** Miller

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**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES (MCU)**  
December 2, 2015

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**PUBLIC COMMENTS:** Opened 4:01 p.m. – Closed 4:02 p.m.  
None

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**NEW BUSINESS:**

**AMES URBAN FRINGE PLAN AMENDMENT – EAST INDUSTRIAL AMD01–16**

Ryan Newstrom presented the staff report and gave an overview of the proposed amendment to the Ames Urban Fringe Future Land Use Classes Map to the Commission. Charlie Kuester was in attendance on behalf of City of Ames Planning. Commission members asked questions of Staff and Charlie Kuester. Ryan Newstrom read a letter of concern regarding Ketelsen Greenwing Marsh into record from Susan Siev.

Steele opened the public comments at 4:45.

Jerod Wendt is concerned that factories being built in this area will affect his property values and quality of life.

Donald Shoeman spoke on behalf of his daughter, Linda Badger, and is concerned about property values decreasing or having to sell their home to businesses wanting to build.

Harold Ault is concerned that the proposed area involved is too large, and also access is limited. He requested that the Planning and Zoning Commission hold off on making a decision until after the Ames City Council votes on the issue first.

The public comments were closed at 5:15.

Commission members asked further questions of Charlie Kuester. They then began deliberations.

**MOTION: The Story County Planning and Zoning Commission recommended denial of the proposed amendment to the Board of Supervisors.**

**Motion: Murken**

**Second: Wendt**

**Voting Aye:** Wendt, Smith, Steele, Murken, Barnwell

**Voting Nay:** None

**Not Voting:** Cable (abstained from voting because he lives near the area)

**Absent:** Nancy Miller

**Vote: (5-0) with 1 Abstention**

#### **AMES URBAN FRINGE PLAN AMENDMENT – BURGASON AMD02-16**

Ryan Newstrom presented the staff report and gave an overview of the proposed amendment to the Ames Urban Fringe Future Land Use Classes Map to the Commission. An amendment to the Ames Urban Fringe Plan Land Use Framework Map would change Agriculture and Farm Service to Urban Residential. An amendment to the Ames Urban Fringe Plan Land Use Classes Map would change from Rural Services and Agricultural Conservation Area to an Urban Services Area.

Commission members asked questions of Ryan Newstrom and Charlie Kuester.

Public Comments: None

**MOTION: The Planning and Zoning Commission recommends approval of an amendment to the Ames Urban Fringe Plan Land Use Framework Map from Agriculture and Farm Service to Urban Residential and an amendment to the Ames Urban Fringe Plan Land Use Classes Map from Rural Services and Agricultural Conservation Area to Urban Services Area.**

**Motion: Cable**

**Second: Smith**

**Voting Aye:** Smith, Cable, Murken, Steele, Barnwell, Wendt

**Voting Nay:** None

**Not Voting:** None

**Absent:** Nancy Miller

**Vote: (6-0)**

A ten minute recess was announced by Steele at 5:32. Meeting reconvened at 5:45.

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**NEW BUSINESS:  
PUBLIC HEARING ITEM  
CUP03-08.1 CENTERGROVE ORCHARD**

Jerry Moore presented the staff report and explained that the item was remanded by the Commission at their 12-2-15 meeting and explained the additional information received by the applicant and additional information staff obtained. Moore stated that given the concerns of the adjacent property owners including increases in traffic to the property and area and on-site noise and considering the applicant's needs to operate their business, staff recommendation is for approval with conditions that should assist the Commission and Board of Adjustment in making more informed decisions about the use. Moore went through the staff report and reminded the Commission to consider the proposed Conditional Use Permit for conformance to the following Standards for Approval: Compatibility, Transition, Traffic, Parking and Loading, Signs and Lighting, and Environmental Protection.

Steele reminded the Commission that they are only debating specific items that are being proposed to be added to current Conditional Use Permit and asked that questions and comments be geared in that direction. The Commission asked various questions of Staff.

Steele asked the applicant to present their case. Steve Black presented the case and spoke about the existing train, existing store, foodservice areas, parking area north of the cemetery, dog show, and the proposed building for indoor seating. He spoke about compatibility and explained that he felt all buildings maintain the Iowa farm style, no structures are unsightly in appearance, all structures and operations are a great distance away from adjacent properties, and that this farm sells crops to the general public. He spoke about transition and that the pastures and timber provide a buffer from the surrounding properties, and that they are over 500' from adjacent dwellings. He spoke about traffic and agreed that in the past traffic had been an issue. Mr. Black said that the parking lot has been redesigned and now uses seven driveways to control traffic. He showed video of traffic and the parking lot on one of their busiest days. He spoke about signs and lighting and said that those issues are now in accordance with regulations. He spoke about environmental protection and that they currently haul the septic waste to the Huxley Wastewater Plant. He also stated that they are currently in the process of obtaining a permit from the IDNR for their new septic system. He spoke about traffic complaints and noise concerns and feels they have taken care of those issues.

The Commission asked many questions of the applicant regarding outdoor speakers, traffic, severe weather safety, septic issues.

Steele opened the public hearing at 7:29.

Kenneth Larkin voiced his concerns that there are still traffic issues with taking a long time to get out of driveway. He added that there is much difficulty with using farm implements on the roads on the busy weekends. He also noted concerns with the water levels rising in the creek after CGO opens for the season.

Sandra Rush voiced her concerns about dust and cars speeding and visitors getting lost because it's not marked where to turn. She has concerns that the well water on her property is contaminated and isn't sure why, but wonders if issues with the septic could possibly cause the problems.

Donna Couman shared that traffic has gotten better, but it is still difficult to pull out from her property. She is concerned that if a new building is allowed that it could lead to more group activities such as weddings that could create longer hours and more traffic in the future.

Shelley Balke is a Center Grove Orchard employee who gives tours to school children. She read letters of appreciation from teachers.

Sonja Staudt is a Center Grove Orchard employee and spoke of the year round work that it takes to ensure that families are able to have a good time and making memories at the orchard.

Sarah Myers (veterinarian) spoke of her families frequent trips to the orchard. She is concerned about decreased hours during the week making it harder for some families to visit because the weekends are busy and she prefers to be there when the farm isn't as busy during the week.

Deb Hartgers spoke in regard to the high number of students who are employed by Center Grove Orchard who wouldn't have this employment opportunity without the farm.

Casey Campbell is an ISU student from Indiana. She is an employee at Center Grove Orchard and enjoys that she is able to obtain all of her hours on weekends only. She feels that sound issues with the speakers have been addressed.

Steele asked by a show of hands how many more wished to speak. He then called a five minute recess at 8:00. Meeting reconvened at 8:05.

Wilma Jean Longnecker stated that she still has concerns about noise. She also has questions regarding the definition of agriculture vs. theme park.

Susan Tankersley is employed at Center Grove Orchard. She spoke about the orchard being family. They are a family friendly farm creating great memories for families.

Deanna Black is the Director of Fun at Center Grove Orchard. She spoke about traffic being an issue in the past, but that it has been taken care of and they strive to make the farm as safe as possible. She spoke about education at the farm and that they make education fun and how their staff creates memories for so many kids.

Ronda Page is an employee of Center Grove Orchard and spoke about the great employment opportunities that the orchard creates. She enjoys teaching the visitors where the food comes from and that the experience of a farm has to be experienced up close.

The public hearing was closed at 8:25.

The Commission asked further questions of staff. Steele clarified that the Commission is only being asked to consider the specific additions to the Conditional Use Permit. They then began their deliberations.

**MOTION: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit application CUP03-08.1 with the following conditions: Items (from the list of conditions presented by staff) 1,2,4,5,6,7,9 with the addition of a new condition, number 10 requiring applicant to produce a plan ensuring safety of staff and visitors in inclement weather and other emergencies.**

**Motion:** Murken

**Second:** Smith

**Voting Aye:**

**Voting Nay:**

**Not Voting:**

**Absent:**

After further deliberation the Motion was amended.

**MOTION: The Story County Planning and Zoning Commission recommends to the Story County Zoning Board of Adjustment approval of CUP03-08.1 Conditional Use Permit Major Modification with the following conditions.**

1. Annually, during peak operating periods, the applicant shall have at minimum two dust control applications applied on 610<sup>th</sup> Avenue starting from the intersection of HWY 210 and 610<sup>th</sup> Avenue north to the furthest north overflow access, north of the cemetery. Additional dust control applications may be requested to the Story County Engineering Department.
2. The applicant shall have an Iowa licensed engineer review the train track layout area and provide a written statement that storm water and water quality have been addressed using best management practices of the Iowa Storm Water Management Manual and the Iowa Statewide Urban Design and Specifications guidelines for erosion and sediment control both identified in the Story County Land Development Regulations. If these items were not adequately addressed, the engineer shall specify the measures needed to comply with these items and the applicant shall complete the measures within one year.
3. In accordance with the agreement between the applicant and the cemetery president, the applicant's staff shall walk the cemetery each Monday during the operating season to pick up any garbage located within the cemetery. In addition to the operating site, the applicant shall also check the adjacent road right-of-ways adjacent to their property and pick up any garbage each week.
4. The use of speakers outdoors is not permitted except for matters of public safety. The applicant may however submit a sound study or report from a professional sound company or related source addressing measures to adequately use outdoor speakers for the Story County Planning and Zoning Commission and Board of Adjustment to consider.
5. The applicant shall hire an Iowa licensed engineer to conduct a traffic study on HWY 210 and 610<sup>th</sup> St adjacent to the Center Grove Orchard property during peak and other operating times of the season for comparison and provide recommendations on any needed access, traffic, or road related improvements where appropriate. The engineer shall contact Planning staff prior to commencing with the traffic study to ascertain the basis and necessary details of the study.
6. This Conditional Use Permit (including the CUP granted in 2008) shall be valid for one (1) year. The Story County Planning and Zoning Commission and Board of Adjustment shall reconsider the Conditional Use Permit after reviewing and considering the results and findings of the traffic study at their regularly scheduled meetings two months prior to the end of the term of the Conditional Use Permit to determine whether the Conditional Use Permit shall be extended, conditions added, removed or revoked altogether. Any suggested improvements from the traffic study that are required by the Story County Planning and Zoning Commission and Board of Adjustment shall be completed at the applicant's expense and within the time limit determined by the Story County Planning and Zoning Commission and Board of Adjustment.
7. The applicant shall contact the Planning and Development Department to learn if any future proposed buildings, activities or uses of the property meet the Farm, Retail or Novelty use and about any required permitting process.
8. Within 90 days the applicant shall submit a safety plan to the Planning and Development Department staff that addresses at minimum measures for protecting customers from hazardous weather conditions and other situations. The safety plan will also be reviewed and considered by the Planning and Zoning Commission and Board of Adjustment at the same meetings the traffic study is reviewed and considered.
9. Within one year, the applicant shall submit a copy of the Iowa Department of Natural Resources certification and related information for the Planning and Zoning Commission and Board of Adjustment to review and consider for the proposed new wastewater treatment system.

**Motion:** Murkin

**Second:** Smith

**Voting Aye:** Cable, Steele, Smith, Barnwell, Murken, Wendt

**Voting Nay:**

**Not Voting:** None

**Absent:** Nancy Miller

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**COMMENTS:**

**STAFF:**

Jerry Moore gave an update on the C2C Plan, including the Citizens Task Force and last open house meetings. All Commission Members would like a hard copy of the C2C Plan to review prior to their April 6, 2016 meeting.

**COMMISSION:**

Steele welcomed new Commission members.

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**ADJOURNMENT:** 9:17PM



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Approval of Minutes

4/6/16 Chair

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Title and Date