

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



"Commitment, Vision, Balance"

**515-382-7245
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**MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION**

DATE: November 4, 2013	Daryle Vegge, Chair	2013
	Nancy Couser	2015
	Steven Gast	2013
CALL TO ORDER: 5:30 p.m.	Vacant	2017
PLACE: Public Meeting Room	David Struthers	2012
Administration Building	Susan Donaldson	2015
	Nancy Miller	2016
	*Absent	

ADJOURNMENT: 7:29 PM

PUBLIC PRESENT: Karsen Rumpf, John Boorman, Chuck Meyers, Andrea Erickson, Brenda Hobson, Emily Sorensen, Eldon Boswell, Brad Samson, Scott Renaud, Kory Wilkinson, Erin Zehm, Joann Morrison, Kate Jones, David Oakey, Keith Hobson

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

ROLL CALL: Vegge, Couser, Gast, Struthers, Donaldson, Miller

ABSENT: None

APPROVAL OF AGENDA (MCU)

Motion: Struthers

Second: Donaldson

APPROVAL OF MINUTES (MCU) – July 1, 2013

Motion: Gast

Second: Couser

PUBLIC COMMENTS: Opened 5:34 p.m. – Closed 5:34 p.m.

None

OLD BUSINESS:

None

NEW BUSINESS:

7. I AMD01-13 ISU Research Park Amendment

Applicant: Steve Carter, ISU Research Park Director

Property Owner: Iowa State University

Nature of Request: Amendment to the Ames Urban Fringe Plan

Staff Member: Leanne Harter

Parcel Number(s): 0922100100, 0922100205, 0922100300, 0922100400

STAFF PRESENTATION:

Ms. Leanne Harter reviewed the proposed ISU Research Park CDP Amendment as submitted. Ms. Harter reviewed the current Ames Urban Fringe Plan. (AUF) Ms. Harter also named the property owners affected and location via site map.

Ms. Harter stated that the Commission will recommend to the Board of Supervisors.

Ms. Harter outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

- 1) The Story County Planning and Zoning Commission recommends approval of the CDP Amendment as put forth in case AMD01-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 12, 2013.
- 2) The Story County Planning and Zoning Commission recommends conditional approval of the CDP Amendment as put forth in case AMD01-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 12, 2013.
- 3) The Story County Planning and Zoning Commission recommends denial of the CDP Amendment as put forth in case AMD01-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 12, 2013.
- 4) The Story County Planning and Zoning Commission tables the CDP Amendment as put forth in case AMD01-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the December 4, 2013, Planning and Zoning Commission Agenda under Old Business.

COMMISSION COMMENTS:

Mr. Gast stated he feels that the proposed development will be of very high quality. Mr. Vegge concurred.

APPLICANT COMMENTS:**Scott Renaud; Fox Engineering**

Mr. Renaud asked for Commission questions. Mr. Vegge asked for clarification regarding boundaries. Mr. Renaud clarified stating the location of the southern and western boundaries.

Ms. Nancy Couser asked for information regarding future projects. Mr. Renaud stated that future annexation into the City of Ames is planned. Mr. Renaud stated a desired timeline would be an annexation by the end of the current calendar year and the Research Park expansion over the next three years.

PUBLIC COMMENT:**Mr. Joeseeph Riley on behalf of father Arthur Riley; 2959 S. Riverside Drive, Ames**

Mr. Riley gave concerns regarding plans for his father's land and home and how said plans would be affected by the proposed expansion and annexation.

Mr. Charlie Kuester

Mr. Kuester stated that the City of Ames is putting together a FAQ handout for property owners that will be affected by the proposed annexation. Mr. Kuester also stated that the properties are allowed to continue as residential properties. Mr. Kuester also noted that the annexed properties will be required to follow City ordinances once annexation is complete. Mr. Kuester stated a property would need to be damaged by 70% to be required to be rebuilt to current City Code.

Mr. Vegge questioned future development of the fringe area. Mr. Renaud stated that a master plan for the park would be shared at the time of the City annexation. Mr. Renaud also stated that the plans are for a high quality campus type atmosphere with 2-3 story multi-use buildings.

MOTION: The Story County Planning and Zoning Commission recommends approval of the CDP Amendment as put forth in case AMD01-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 12, 2013. (MCU)

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

NEW BUSINESS:

7. II CUP08-13 OPTIMUM WIND 3 CONDITIONAL USE PERMIT

Applicant: Optimum Wind

Nature of Request: Conditional Use Permit to allow the construction and use of a wind turbine in the A-1, Agricultural and C, Commercial zoning district.

Staff Member: Leanne Harter

Parcel Number(s): 1105400300, 1105400100

STAFF PRESENTATION:

Ms. Leanne Harter reviewed the proposed Conditional Use Permit as submitted. Ms. Harter provided site shots of the proposed property and gave location information. Ms. Harter reviewed current ownership and easements.

Ms. Harter gave an overview of CW ECS Conditional Use Permit standards of approval. Ms. Harter also reviewed the proposed CW ECS building specifications.

Ms. gave an overview of the Conditional Use Permit process and approval stages.

Ms. Harter reviewed Inter-agency comments made by affected County Departments.

Ms. Harter reviewed the notifications in regards to the Planning and Zoning Commission meeting.

Ms. Harter outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

- 1) The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit, as put forth in case CUP08-13, to the Story County Board of Adjustment, and directs staff to place the item on the December 4, 2013, Story County Board of Adjustment agenda.
- 2) The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP08-13, to the Story County Board of Adjustment, and directs staff to place the item on the December 4, 2013, Story County Board of Adjustment agenda.
- 3) The Story County Planning and Zoning Commission recommends denial of the Conditional Use Permit, as put forth in case CUP08-13, to the Story County Board of Adjustment, and directs staff to place the item on the December 4, 2013, Story County Board of Adjustment agenda.
- 4) The Story County Planning and Zoning Commission tables the Conditional Use Permit request, as put forth in case CUP08-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the December 2, 2013, Planning and Zoning Commission Agenda under Old Business.

COMMISSION COMMENTS:

Mr. Gast stated that the applicant has a confident firm application, which makes the Commission's job easier.

Ms. Couser questioned whether the County has a plan to regulate the number of CW ECS allowed in the County. Ms. Harter stated there are no such regulations at this time. Ms. Harter also stated that if the number of CW ECS in the County is a concern, it should be discussed with the Board of Supervisors and

could be placed on the Planning and Development Work Program.

APPLICANT COMMENTS:

Mr. John Boorman

Mr. Boorman gave an overview of the proposed project and goals. Mr. Gast questioned whether Mr. Boorman felt the proposed conditions to be attainable. Mr. Boorman concurred.

Ms. Couser questioned how the property would be accessed. Mr. Boorman stated that T Avenue would be used as an access road. Mr. Boorman also stated that extra construction on roads and an extra wide access drive to the proposed property would be necessary.

Mr. Vegge asked for clarification regarding the project start date. Mr. Boorman stated that the project could start as early as December 2013 depending on weather and project approval.

Ms. Nancy Miller questioned the decommissioning of the proposed CWECS. Mr. Boorman stated an escrow account would be started to fund decommissioning. Mr. Boorman stated the 'book life' of a CWECS is 20 years. Mr. Boorman also stated that in year 15 monies would begin to be deposited into the said escrow account.

Ms. Couser asked where Optimum Wind headquarters is located. Mr. Boorman stated that Optimum Wind is an Iowa based business.

PUBLIC COMMENT:

None

MOTION: The Story County Planning and Zoning Commission recommends conditional approval of the Conditional Use Permit, as put forth in case CUP08-13, to the Story County Board of Adjustment, and directs staff to place the item on the December 4, 2013, Story County Board of Adjustment agenda. (MCU)

CONDITIONS:

1. All vehicular parking associated with the construction, operation, or maintenance of the C-WECS shall take place on site and shall not at any time take place in the public right-of-way.
2. The applicant shall enter in to an agreement with the County for purposes of a de-commissioning escrow account, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.
3. The applicant shall enter in to an agreement with the County for purposes of providing financial security for road and bridge restoration, and a copy of the signed agreement shall be submitted to the Planning and Development Department along with or prior to an application for Zoning Permit.
4. The applicant shall conduct a pre-construction survey in coordination with the impacted local road authorities to determine the pre-construction condition of the roads that will be used during construction of the C-WECS prior to an application for Zoning Permit.
5. Story County road authorities shall be notified 24 hours prior to construction materials being transported across those respective jurisdiction's roads to the C-WECS site and shall give approval of the haul routes.
6. The applicant shall provide a driveway entrance permit for access onto T Avenue prior to an application for Zoning Permit.

Motion: Gast

Second: Donaldson

Voting Aye: Struthers, Donaldson, Miller, Couser, Gast, Vegge

Voting Nay: None

Not Voting: None

Absent: None

NEW BUSINESS:

7. III SUB09-13 NADY SUBDIVISION

Applicant: Orson Nady

Nature of Request: Subdivision of one (1) parcel into seven (7) lots and four (4) outlots in the A-R, Agricultural Residential zoning district

Staff Member: Leanne Harter

Parcel Number(s): 0636200225

STAFF PRESENTATION:

Ms. Leanne Harter reviewed the proposed subdivision as submitted. Ms. Harter reviewed the proposed location and current zoning of such. Ms. Harter also reviewed the current 28E agreement between the County and the City of Nevada. Ms. Harter provided site shots of the property noting proposed changes.

Ms. Harter gave an overview of the Subdivision process.

Ms. Harter reviewed Inter-Agency comments. Ms. Harter also gave an overview of plat requirements.

Ms. Harter reviewed the standards of approval and the dates legal notifications were published. Ms. Harter highlighted the main issues with the proposed subdivision noting said concerns can become conditions of approval.

Ms. Harter outlined four (4) alternatives for the Commission to consider.

The Story County Planning and Zoning may consider the following alternatives:

- 1) The Story County Planning and Zoning Commission recommends approval of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 19, 2013.
- 2) The Story County Planning and Zoning Commission recommends conditional approval of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 19, 2013.
- 3) The Story County Planning and Zoning Commission recommends denial of the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, to the Story County Board of Supervisors, and directs staff to schedule review by the Board of Supervisors on November 19, 2013.
- 4) The Story County Planning and Zoning Commission tables the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the December 2, 2013, Planning and Zoning Commission Agenda under Old Business.

COMMISSION COMMENTS:

Mr. Gast notated concerns regarding the prematurity of the application stating that there are many items that need to be addressed before a complete discussion of the proposed subdivision could be had.

APPLICANT COMMENTS:

Mr. Orson Nady

Mr. Nady stated he has a proposed building option for lot 7.

Ms. Couser asked who would be responsible for maintaining the shared road. Mr. Nady stated he has been in contact with his attorney and a decision has been made to split the cost between the property owners. Mr. Nady stated he is unsure if current landowners of the adjacent subdivision would also be responsible for road maintenance.

PUBLIC COMMENT:

Ms. Erin Zehm

Ms. Zehm stated concerns regarding the floodplain area within the proposed subdivision as well as a road maintenance concern. Mr. Gast asked for clarification of Ms. Zehm's property location. Ms. Zehm indicated her property via site map.

Mr. Keith Hobson

Mr. Hobson stated concerns regarding roads and easements. Mr. Hobson stated he would feel more comfortable with paved roads as were completed with the Krupp Subdivision located within two miles south of the City of Nevada. Mr. Hobson also asked whether the County Conservation Director has noted any concerns. Ms. Harter indicated that no comments had been submitted from the Director of Conservation. Mr. Hobson stated concerns regarding tree preservation. Mr. Hobson asked for clarification regarding the timeline of soil reports. Ms. Harter cited the Story County Code regarding such soil reports. Ms. Harter also stated that the proposal would also need to go before the City of Nevada Planning and Zoning Commission. Mr. Hobson also asked for clarification regarding building setbacks. Ms. Harter gave an overview of the lots, setbacks, double frontage, and easements. Mr. Hobson also asked for clarification regarding the use of outlots. Ms. Harter cited the definition of 'outlot' as defined in the Story County Code of Ordinances. Ms. Harter stated that an outlot is allowed to be subdivided. Mr. Hobson stated concerns regarding the small size of the proposed lots.

Mr. Brad Samson

Mr. Samson stated he owns lot 3 of the existing subdivision. Mr. Samson stated concerns regarding the proposed subdivision access, setbacks, and easements. Ms. Harter stated that an access drive could be built abutting current property lines. Ms. Harter also gave clarification regarding access easement.

Ms. Erin Zehm

Ms. Zehm questioned access easements and the regulations regarding such. Ms. Zehm also asked for clarification regarding the regulated distance from the current cemetery and floodplain allowed for development. Ms. Harter stated that any driveway proposed in a floodplain would require a Floodplain Development Permit.

MOTION: The Story County Planning and Zoning Commission tables the Major Subdivision-Preliminary Plat, as put forth in case SUB09-13, back to the applicant and/or staff for further review and/or modifications, and directs staff to place this item on the December 2, 2013, Planning and Zoning Commission Agenda under Old Business. (MCU)

ADDRESSING CONDITIONS:

6.90. C.1.e – The property owner’s name does not appear on the plat.

6.90. C.1.h - The subdivision provides access to Lots 1-6 via access easements from 620th Avenue. The front setbacks as shown on the plat are measured from the edge of the access easement. While this meets the required language, staff would like to raise the issue that there is a potential for conflict with the placement of structures right along the edge of the access easement. The definition of a setback does require that it be measured from public easement; however, these are not being defined as public easements. Lot 1 will be considered a corner lot, and, as such, the applicable setbacks need to be shown. In addition, setbacks for Lot 7 cannot be clearly defined, as it is unclear as to how the potential building envelope will be located.

6.90. C.1.k – Through Interagency Review Team Comments, Margaret Jaynes, Environmental Health Director, noted the following:

“Developer needs to submit a soils report for each lot stating: Limiting layer (need 3’ of drainable soil below the trench bottom), Soil texture, soil structure, recommend a location for the system, recommend a type of system, estimate a perc rate or recommend a loading rate. We need to have original soil for septic systems, so try to avoid grading these lots and eliminating prime areas for septic laterals. Keep in mind that geothermal wells deeper than 20’) require setbacks of 100’ for secondary system and 50’ for tanks.”

6.90. C.1.l – Please refer to the memo prepared for the Commission dated August 2, 2010 (Attachment B) that addresses requirements regarding floodplain management applicable to this development.

6.90. C.2.b - Staff has reviewed the covenants for the proposed Nady Subdivision. Covenants are viewed as a civil issue from the County’s standpoint, and at no time will staff be part of any enforcement of the covenants. The County’s review of covenants is to make sure that there are no declarations that would be less restrictive than what is

regulation in Story County's Code of Ordinances, and staff notes that the item 18 in the covenants prohibits any variances from being approved to the applicable setback requirements. Only the Board of Adjustment may deny or grant a variance and staff would not enforce this item of the covenants. In addition, staff would also suggest that item 20 be placed as a plat note on the face of the plat in addition to the covenants, again, as it is a County regulation.

6.90. C.2.j – Letters regarding gas and electricity were not submitted with the application materials.

Motion: Gast

Second: Miller

Voting Aye: Gast, Struthers, Vegge, Donaldson, Miller, Couser

Voting Nay: None

Not Voting: None

Absent: None

8. OTHER BUSINESS:

1) Long Range Planning

None

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

Ms. Harter gave an update to Commission members regarding a previously approved rezoning, combining of C, Commercial, and Light-Industrial zoning, proposed conditional use permits.

8. I Adopt 2014 Calendar

Ms. Harter gave an overview of the proposed joint meetings trainings, and yearly reviews.

Motion: Move to adopt the 2014 Meeting Calendar as proposed.

Motion: Gast

Second: Couser

8. II Amendments to the Organizational Policy - Tabled

COMMISSION COMMENTS:

None

STAFF COMMENTS:

Ms. Harter reviewed an upcoming application that will be presented at the December PZC meeting.

ADJOURNMENT: 7:29 PM

Approval of Minutes

Title and Date