



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**  
**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> July 5, 2017 | Aaron Steele, Chair (Absent)    | 2018 |
|                           | Jerry Cable, Vice Chair         | 2019 |
|                           | Linda Murken                    | 2020 |
|                           | Marvin Smith (Left at 5:46)     | 2018 |
|                           | Ruth Hulstrom (Arrived at 4:02) | 2017 |
|                           | P.J. McBride                    | 2021 |
|                           | Jonathan Sherwood               | 2020 |

**CALL TO ORDER:** 4:00p.m.  
**PLACE:** Public Meeting Room  
Administration Building

**ADJOURNMENT:** 5:54 p.m.

**STAFF PRESENT:** Jerry Moore, Director; Amelia Schoeneman, Planner; Stephanie Jones, Recording Secretary; Haley Weber, Intern

**PUBLIC PRESENT:** Bill Lyle, Wanda Kamp, Mike Kamp, Anna Sheets, Zereda Grooms, Jodi French, Jonathon Schroeder

**APPROVAL OF AGENDA (MCU)**

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**APPROVAL OF MINUTES (MCU)**

June 7, 2017

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**PUBLIC COMMENTS:**

None

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**PUBLIC HEARING ITEMS:****CUP07-17 ADAPTIVE REUSE OF SHIPLEY SCHOOLHOUSE**

Amelia Schoeneman stated that she and Haley Weber worked on this proposed Conditional Use Permit together and would both be presenting tonight. The staff report was presented. This request is for a conditional use permit to allow for the adaptive reuse of the Shipley School as a multi-family dwelling (rental units). Fourteen (14) units total are planned to be available to rent. Seven (7) units will be located on the first floor and seven (7) on the second floor. Each floor will have a shared bathroom, kitchenette, and study/meeting area. The lower level currently consists of the applicant's private living quarters, kitchen, and lounge space. The lower level is planned to be used as a shared kitchen and lounge space for tenants. The applicant has received conditional use permits in the past for this property, including one for the same use as a multi-family dwelling. The Nevada Fire Chief inspected the building and provided a list of fire code items to address prior to occupancy. These items have been included as recommended conditions of the Conditional Use Permit.

Sherwood asked about other A-1 zoning district conditional uses. Ms. Schoeneman gave these examples: childcare centers, agricultural lime storage sites, bed and breakfasts, churches, dog kennels, yard waste composting facilities, temporary asphalt batch plants. Sherwood stated that with units not having separate kitchens and bathrooms they should not be compared to a \$700.00 median rent and expressed concerns about statements made about the proposal being affordable housing. Ms. Schoeneman stated that the units are more similar to a dorm room and that affordable housing did not imply they would be subsidized. Sherwood asked how many people are allowed per unit, and Ms. Schoeneman stated that she believed the applicant's submitted narrative and rules allowed 1 person per unit. Murken asked if they can legally only take students. Schoeneman stated the applicant's expressed target tenant was graduate students. More discussion took place amongst the commission about whether or not it is legal to determine whom the applicant can rent to. Cable stated that he does not feel that this commission should be saying whom the applicant can and cannot rent to. Sherwood asked about the history of the applicant not complying with conditions. Ms. Schoeneman stated that the conditions must be met prior to occupancy and the fire chief will be coming back for a follow up visit before the applicant could operate. Sherwood questioned if there were other examples elsewhere in the County to make comparisons of similar uses. Ms. Schoeneman stated that there was a precedent in 2002 when a conditional use permit was issued for this same use, but the conditions were not met and the request was withdrawn. Ms. Schoeneman stated that the scrap metal pile has been significantly cleaned up since then.

Wada Kamp spoke and stated that she purchased the school building in 2000 and have lived there since then. Murken asked for clarification about how she would handle it if a parent with a small child wanted to rent a room. Ms. Kamp stated that she would have to seek advice from her legal counsel on that. She said that she is concerned if the rooms would be spacious enough to accommodate more than 1 person. Murken also asked if they would rent as transitional housing. Smith rephrased the question and asked the applicant if she intends to do month-to-month renting or a set lease. Ms. Kamp stated the intention is to lease by the school year. McBride asked if the ideal tenant is a graduate student and Ms. Kamp agreed. Sherwood asked Ms. Kamp if she would be open to renting to anyone else besides students. Ms. Kamp stated she would not know until there was a situation of someone else wanting housing. Much discussion took place about if it is up to this commission to determine whom the applicant rents to. Smith stated that he does not feel the commission can set specifications about whom the

applicant can rent to. Hulstrom asked about the photos that showed what looked like a passageway through some of the units. Ms. Kamp stated that some of the rooms were not large enough so a door way was put in some of the rooms to make those units larger. Ms. Kamp stated that the rooms would be locked and the common areas would be open. Hulstrom asked if the applicant has any concerns about the staff recommendations. Bill Lyle spoke and stated that he is concerned about the condition for adequate water supply coming into the building is a concern because the water company will not say if there is enough, but they did tell him the water intake is a 3" main and the meter is capable of 10 gallons per minute. Discussion took place and it was determined that the water supply should be adequate. Mr. Lyle stated that many of the other conditions have already been met. Murken asked if tenants will have outdoor access and Mr. Lyle stated yes, they would be able to have a picnic or small gathering in the outside area.

Jodi French spoke and stated that she is not in support of this project as a dormitory. Ms. French is afraid of big parties and feels that a better use would be office space. Ms. French stated that she is also concerned about future use if the current owner is no longer there. Ms. French stated there is also a concern about law enforcement being readily available to the area. Ms. French asked for clarification about whether or not there are showers in the bathrooms and that she is concerned about decreased property values

Zereda Groomes spoke and stated that she is not in favor of rental units at the school. Ms. Groomes stated there have been problems with equipment and vehicles being stolen in the area. Ms. Groomes stated that she questions how the Kamp's will be able to control the students and that her main concern is fire because being in a rural area the water has to be hauled in to fight a fire.

Anna Sheets spoke and stated that she is not in support of rental units due to the types of people it could bring to the area. Ms. Sheets stated that their truck was recently stolen from their driveway. Ms. Sheets stated she is terrified of the demographic of 14 people that could occupy these rooms. Ms. Sheets also stated that she looked into the Fair Housing Act and found that it is illegal to deny house to people with children under the age of 18. Ms. Sheets stated that as a former graduate student she does not feel that most students would be interested in living so far away from campus. Ms. Sheets stated that she is concerned about shared spaces because people leave things messy and steal food, which will cause turmoil in the public spaces.

Wanda Kamp spoke again and stated that she has a lot of faith in the fact that she is a good judge of people. Ms. Kamp asked if the conditional use permit would be passed down to a new owner or if it would pass down with the property. Jerry Moore stated that it typically runs with the land unless there is a condition that says otherwise. Ms. Kamp stated that with a lease and having an attorney that can help with difficult times that she does not feel there will be any problems. Sherwood asked what kind of agreements would be made with tenants. Ms. Kamp stated there would be a lease. Mr. Lyle stated that there will be rules, but the lease will have the conditions built into it. Mr. Lyle stated that he has owned several rental properties in the past and the application, along with an investigation beforehand is how to avoid problems. Mr. Lyle stated that the fire marshal is pleased with the building. Besides being brick, there is 14" of concrete between the floors. More discussion took place about the fire safety. Smith asked if there could be additional conditions added to the conditional use permit that the permit was in effect as long as Kamp resides on the property and conditions related to the terms of the lease. Mr. Moore stated that conditions could be added. Smith stated that short-term leases would not meet the intent of the proposal and thus conditional use permit.

**MOTION: Approval of the Conditional Use Permit with all conditions as approved by staff for the purposes of discussion.**

**Motion: Murken**  
**Second: None**

Murken withdrew motion.

McBride asked if Ms. Kamp is willing to get rid of any tenants that do cause problems and Ms. Kamp agreed.

Sherwood expressed concerns over the lack of a concrete definition for the use and that staff's conditions did not address the concerns of the citizens that spoke at the meeting. Mr. Moore provided the definition of a boarding house in the code and stated that the conditions did address safety concerns. Additional discussion took place about other apartment buildings that are being built in Ames with shared kitchen spaces, fire safety and other safety concerns, neighbor concerns, the need of affordable housing, and increased traffic. Murken stated that she feels the fire safety is adequate and Ray Reynolds', Fire Chief City of Nevada letter addresses many concerns. McBride asked if the main safety concerns were about the safety of the families living in the area. Murken also feels that public safety is reasonably adequate and that she cannot deny the proposal based potential changes to the neighborhood. Hulstrom stated that she can empathize, but she feels that the fact that the property owner is residing at the property that will mediate some concerns. Hulstrom stated that more people located on the Kamp property coming and going could actually decrease crime in the area as well.

**MOTION: Approval of the Conditional Use Permit for the Adaptive Reuse of the Shipley School based on a site review, the information provided in this staff report, and material provided by the applicant as put forth in case CUP07-17 with the following Conditions:**

1. The Conditional Use Permit shall remain in effect as long as Wanda Kamp is a permanent resident and the owner of the property.
2. The Nevada Fire Department shall inspect the property annually and the applicant shall make improvements as required by the Nevada Fire Department.
3. All scrap, appliances, tires, and other items of this nature shall be removed prior to occupancy.
4. Gravel shall be added to the north parking area to meet the Story County Land Development Regulations Section 88.08 that all parking spaces and circulation routes are well defined and clearly marked.
5. The development shall incorporate best management practices as outlined in the Iowa Storm Water Management Manual – 2D-1 General Information for BMPs, as amended, and erosion and sediment control practices that meet or exceed the Iowa Statewide Urban Design and Specifications (SUDAS) guidelines. The applicant shall submit a statement that these requirements are met prior to occupancy.
6. A maximum of 14 tenants shall be permitted. (Note: this condition has been met)
7. The following items shall be addressed and another building review conducted by the Nevada Fire Department shall occur to confirm the following requirements are met prior to occupancy:
  - i. A complete fire alarm system shall be installed, maintained, and inspected annually in accordance with NFPA 72. The following items shall

be complete: All hallways shall have smoke detection, all sleeping areas shall have smoke detection, adequate heat detector coverage shall be installed in the gym and stage (shop) and connected to the existing fire alarm, strobe devices shall be installed on all levels of the occupancy, pull stations at exit doors shall be connected into the existing fire alarm.

- ii. Remove hoses and render standpipes inoperable if they are not currently connected to a water supply system. The hose cabinets were installed but do not work. Hose cabinets give residents a false sense of security, especially if they are not currently working.
- iii. Install address numbers to the south side of the building showing the numerical address for responders. Letters shall be contrasting color with a height of not less than 4 inches and a minimum of ½ inch.
- iv. Fire escape routes shall be posted in conspicuous places for easy access to information about evacuating the building.
- v. Furniture and other combustibles shall be removed from the stairwell inside the building.
- vi. The exit corridor near the kitchen shall be maintained clear and unobstructed. Some minimal decorations are permitted.
- vii. Outlets within 5 feet of the kitchen sink shall be replaced with GFCI outlets.
- viii. Dead bolts are only permitted on front egress doors if they are equipped with a thumb turn device. Exits shall be accessible without special keys, tools, or knowledge. Remove deadbolts on the interior doors.
- ix. Install a minimum of 10 lb. ABC rated fire extinguishers so a person does not have to travel more than 75 feet to reach a fire extinguisher. Fire extinguishers shall be permanently mounted to the wall not higher than 5 feet at the neck of the extinguisher.
- x. The fire rating between the shop and living spaces needs to be maintained. The following items apply to the firewall separation.
  - a. The wood paneling partition near the entryway door and the boy's bathroom shall be 1-hour fire rated construction. 5/8 inch sheet rock on both sides of 2X4 wood or metal studs is the equivalent of a 1-hour fire rating.
  - b. Replace the kitchen pass through wall with a 1-hour fire rated wall using 5/8 inch sheet rock on both sides of wood or metal studs.
  - c. The door from the gym (shop) and the entry way shall be replaced with a fire rated door of 1-hour fire rating (stamped 20-minute fire rated door).
  - d. The door from the gym (shop) and the kitchen shall be replaced with a fire rated door of 1-hour fire rating (stamped 20-minute fire rated door).
- xi. Assure emergency lighting is placed throughout the facility and existing units have working batteries. Several of the emergency lights were not working at the time of the inspection.
- xii. Replace open voids on the electrical panel in the first floor washroom near the furnace closet with approved metal or plastic cover plates.
- xiii. Assure washroom closets remain free of combustible storage or the rooms will need to be completely sheet rocked with a fire rated door installed.

- xiv. Install doorknobs to the first floor and second floor stairwell doors separating the exit stairs from the sleeping rooms.
- 8. The fire escape shall be inspected and improved as necessary for its use prior to occupancy.
- 9. An inspection of the second floor shall be conducted by the Nevada Fire Department upon completion and prior to its occupancy.
- 10. Alternative compliance to allow parking in the Center Street right of way to the south of the school is supported with the following conditions:
  - i. The applicant shall assume all maintenance duties of the south parking area in the Center Street right of way, including adding gravel and removing snow, and shall release the county from those duties.
  - ii. The parking area in the Center Street right of way shall be reserved for tenants and limited to 16 spaces. A sign shall be posted limiting the use of the spaces to tenants. The north parking area shall be for tenants, guests, and others.
  - iii. If traffic increases in the future on Center Street to the point at which the parking is impeding traffic flow and no longer safe, as determined by the Story County Engineer, all parking shall be provided on-site. The completion of the on-site parking must occur within six months after notice is given by the Planning and Development Department.
- 11. If a public accommodation is established, the applicant shall take the appropriate steps to determine the building is in compliance by contacting a proper authority or expert on the ADA such as the U.S. Access Board.
- 12. The applicant shall take the appropriate steps to determine if reasonable modification and accommodation requirements of the Fair Housing Act are met/are required to be met by contacting an expert or proper authority such as the Iowa Civil Rights Commission.

**Motion: Smith**  
**Second: Murken**  
**Voting Aye: McBride, Hulstrom, Murken, Cable, Sherwood, Smith**  
**Voting Nay: None**  
**Not Voting: None**  
**Absent: Steele**  
**Vote: (6-0)**

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**COMMENTS**

**STAFF:** Jerry Moore gave updates about the C2C Implementation, Fernald, Ames Urban Fringe Plan, and Crestview Mobile Home Park.  
**COMMISSION:** None

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**ADJOURNMENT:** 5:54PM

  
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**Approval of Minutes**

 8-2-17  
\_\_\_\_\_  
**Title and Date**