



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

“Commitment, Vision, Balance”

**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> 04/03/2024	*Ben Jensen, Chair	2025
	Ray Lee, Vice Chair	2028
<b>CALL TO ORDER: 4:00 PM</b>	Debbie Younkin	2026
	Kathy Mens	2027
<b>PLACE:</b> Public Meeting Room	Bart Clark	2025
Administration Building	Gary Guthrie (left at 6:15 pm)	2028
	Dalton Johnston (left at 5:45 pm)	2024
	*Absent	

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

**STAFF PRESENT:** Leanne Harter, Director; Marcus Amman, Senior Planner; Andrea Wagner, Planner; Leslie Day, Recording Secretary

**PUBLIC PRESENT:** In Person: Karin Werner, Connie Buss, Jon Buss, Marilyn Baldus, Janice Ballantyne, Bonnie Ballantyne, Donovan Olson, Austin Vier, Kevin Vier, Jack Burkhalter, Brad Perkins, C. Dean Scott, Gary Tichenor, Cathy Tichenor, Kim Bilsing, Sam Bilsing, Brooke Brewer, Leonard Larsen, Cale Bultman, Mark Kruse, Karen Kruse, Phil Iasevoli, Becky Christiansen, Liesel Danielson, Allie Danielson, Gina Perkins, Corrie Perkins, Caitlin Perkins, Cole Perkins, Craig Okerberg, Sharon Okerberg, R. Vier, Dave Warner, CJ Warner, Loni Pringnitz, Lisa Rodgers, Doug

McCay, Diane Akin, Lee Akin. On Zoom: Gary Clem, Erin Bullock, Brooks Witter, Lisa Witter, Ben Jensen, Christian Haley, Daniel G. Clark, Sara, Joe Strottman, Heather Moorman.

**APPROVAL OF AGENDA:**

**MOTION:** Mens moved to approve the agenda as presented.

**Motion:** Mens

**Second:** Johnston

**Voting Aye:** All

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen

**Motion passed. MCU.**

**APPROVAL OF MINUTES:**

**MOTION:** Mens moved to approve the minutes from the March 6<sup>th</sup>, 2024 meeting.

**Motion:** Mens

**Second:** Johnston

**Voting Aye:** All

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen

**Motion passed. MCU.**

**PUBLIC COMMENTS:** None.

**PUBLIC HEARINGS:**

**Discussion and Consideration of CUP24-000009, Mental Health Office--Marcus Amman**

Amman presented on the proposed Mental Health Office.

Lee asked applicant to speak.

Brooks Witter (applicant) mentioned he was pleased with the presentation Amman gave.

Guthrie asked the applicant why they chose this site and not another place and what was their motivation to purchase this specific property and change the use of the property.

Brooks Witter responded that both him and his wife are Mental Health counselors and have practiced sharing an office for a long time and have been wanting a place to welcome clients to a place of healing, they both value the natural world and view nature as something that is itself powerful in promoting mental health and wellbeing so they have been looking for a place that has access to wooded areas to meet clients and use the beauty of nature as part of the healing process. So, this specific property fits as far as affordability, peacefulness, quietness and they are hoping to maintain the peace in that space.

Guthrie said that was what he thought, but did not want to make that assumption.

Lisa Witter added that because they see a lot of students and professionals that work around Iowa State University (ISU) it is very convenient. They did not want a place too far and this is as peaceful as you can get as close as you can get to ISU. They don't plan to hike with the clients or using those woods, but opening windows or sitting on the back deck to enjoy nature. She thinks they would be much quieter than most people because they would be using the space during the day.

**PUBLIC COMMENTS:**

Connie Buss, 4453 246<sup>th</sup> St. spoke against the Mental Health Office CUP, based on the abstract deed which states that the well, should not be used for agricultural or commercial purposes. Buss brought copies of the Trust Deed, Well Agreement and Concern letter signed by neighbors. Buss also spoke about other issues including transportation, safety, ADA compliance.

Leonard Larson, 3158 S. Dakota Ave. spoke against the Mental Health Office CUP, and distributed pictures identifying issues.

Lee asked staff to clarify the request was for a Conditional Use Permit and not rezoning.

Amman responded that is correct.

Felice Iasevoli, 3108 S. Dakota Ave. spoke against the Mental Health Office CUP and asked if they will meet ADA compliance and fire code for the commercial use of the building.

Wagner read out loud a Zoom public comment: "Daniel G. Clark: I am one of the sellers. We want happy neighbors! Our impression has been that the Witters had received some favorable feedback from neighbors. Evidently, we're mistaken. Also, the only concern we had heard was about adding to demand on the well. My wife observed that the proposed water feature would surely be recirculating and use little if any water".

Sam Bilsing, 3188 S. Dakota Ave. spoke against the Mental Health Office CUP, and asked if the Conditional Use Permit would only apply to these applicants or if it stays with the property if they leave. Bilsing claimed the applicant admitted on the Zoom call that they would also be using the

property for their business on weekends or nights for special functions with large numbers of people.

Lisa Witter clarified that they did not state they would use it nights or weekends but instead she said it would be quieter than having something on nights or weekends.

Mens asked if the well issue had been considered.

Amman responded the well agreement is a civil agreement, and Story County does not get into civil issues.

Lee asked if Mens was referring to the demands on the well.

Amman stated that Environmental Health did not provide any concerns about the well and the case was routed to them.

Brooks Witter stated their considerations for the well and their demands on the water would not be as many demands as a family living in that home.

Buss asked if the documents she shared with the board do not mean anything, they say no commercial or agricultural use, and they are long lasting agreements.

Clark asked if there is anything in the code of ordinances that talks about the applicant not living in the property.

Amman stated Conditional Use Permits do not require the applicant to live in the property.

Lee asked staff to clarify what would happen with the conditional use permit if the business closed.

Amman clarified that if the business were to close or move the conditional use permit no longer applies.

Iasevoli asked staff to clarify if the conditional use permit only applies to that specific business or any other business could run with it.

Amman responded this CUP is only for the specific use they applied for.

Wagner added that the code of ordinances says that after a year of a CUP not being used, the CUP would expire.

Becky Christiansen, 2985 S. Dakota Ave. spoke against the Mental Health Office CUP.

Lee clarified the Planning and Zoning Commission is just making a recommendation, but the CUP is also going to the Board of Adjustment.

Younkin stated she has driven by the property, and understands the concerns but the amount of people that would be coming to the property is not much. Better to have these clients on the property than Airbnb or rental people, or college kids having parties. There is also need for Mental Health places in the community.

**MOTION:** Younkin moved to approve Alternative 1 as presented: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the Mental Health Office CUP24-000009, as submitted, to the Story County Board of Adjustment.

**Motion:** Younkin

**Second:** Johnston

**Voting Aye:** Johnston, Younkin, Lee

**Voting Nay:** Guthrie, Clark, Mens,

**Not Voting:** None

**Absent:** Jensen

**Motion to approve failed by a 3-3 vote. No other motions were made.**

**Discussion and Consideration of CUP24-000003, Cultivating Hope Farms--Leanne Harter**

Harter presented on the proposed Cultivating Hope Farms Conditional Use Permit.

Clark asked if it was responsibility of the applicant to keep the log for the traffic.

Harter responded the applicant will be required to maintain the log for the traffic

Clark asked what would happen if the count increases significantly.

Harter responded Planning and Development will rely on what the County Engineer Department has to say, if levels of service are being impacted and it can be re- evaluated on annual basis.

Clark asked if the parking lot was paved.

Harter said she thinks it is gravel but the applicant can clarify.

Mens asked how many houses are there and who would pay for the dust control.

Harter stated that in the past if dust control is a condition of the CUP approval, responsibility for payment is on the applicant

Applicant, Brad Perkins, gave a presentation on Cultivating Hope Farms

Mens commented that she has been around the area and Cultivating Hope Farms seems suitable.

Younkin asked if the applicant is required to take that sign (Suzie's Roundup) down.

Harter clarified the condition is that the applicant would submit a sign permit so staff can determine if signs meet the cumulative requirements.

Mens commented it (Suzie's Roundup) did not look like a sign to her.

Harter read the definition of "sign" from code of ordinance and added that the sign permit application would assist staff with that determination.

Clark asked for clarification if the sign was not being debated.

Harter said that was correct, the Conditional Use Permit is what is being discussed, but signs and lighting are part of the standards of approval, and the condition is that they meet code.

Lee followed up asking if the sign issue was a separate process.

Harter clarified that the applicant would have to follow up by applying for a sign permit.

Perkins asked staff questions on the sign permit and process

Harter responded the sign permit application is an administrative process and staff would look at the cumulative square footage of all signage on site. If the sign permit is denied, that decision could be appealed to the Board of Adjustment.

Mens asked if staff calls that (Suzie's Roundup) a sign.

Harter responded yes, and explain per code staff can not look at the content of the sign. Harter also explained sign permit requirements.

Sharon (meeting attendee) shouted "Is it a sign or a portal?"

#### **PUBLIC COMMENTS:**

Austin Vier, 62708 Michelle Dr. Nevada, stated he is the applicant for the next case to be presented and wanted clarification on what constitutes a sign.

Karen Warner, lives in Hamilton County, used to live in Story County, volunteered at One Heart and Cultivating Heart as an equine specialist, spoke in favor of the Cultivating Hope Farms Conditional Use Permit.

Sharon Okerberg, therapist, spoke in favor of the Cultivating Hope Farms Conditional Use Permit.

Heather Moorman, (on Zoom) lives in Wayne County, stated she is the mother of Suzie and sister of the applicant Brad Perkins. Moorman talked of her experience with Suzie going to Cultivating Hope Farms and spoke in favor of the Cultivating Hope Farms Conditional Use Permit and explained the sign was put up to honor her daughter.

Donovan Olson, lives in Boone County, Regional Director for Story County Extension Outreach 1421 S. Bell Ave. spoke in favor of the Cultivating Hope Farms Conditional Use Permit. He explained after meeting Gina Perkins in 2022 to partner with Cultivating Hope Farms. They started a 4H Club that serves primarily kids with autism, which he believes is the first one in Iowa.

Mark Kruse, 5750 Quarry Dr. Ames, spoke in favor of the Cultivating Hope Farms Conditional Use Permit.

Karen Kruse, 5750 Quarry Dr. Ames, spoke in favor of the Cultivating Hope Farms Conditional Use Permit and the Suzie's Roundup sign.

Sharon Okerberg, spoke off record.

Becky Christiansen, spoke in favor of the Cultivating Hope Farms Conditional Use Permit and the Suzie's Roundup sign.

Liesel Danielson, 2981 S. Dakota, spoke in favor of the Cultivating Hope Farms Conditional Use Permit and the Suzie's Roundup sign.

Okerberg, spoke in favor of the Suzie's Roundup sign.

Harter clarified that the part of the property where the Suzie's Roundup sign is not going to be used as part of the Conditional Use Permit, because that part does not meet the 50ft setback requirement.

Mens asked to clarify if the sign can be taken out

Harter clarified the regulation is cumulative and applies to the entire property, not based on the use.

**MOTION:** Clark moved to approve Alternative 2 as presented: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the proposed Human services Use Case No. CUP24-000003, to the Story County Board of Adjustment with the following conditions:

1. Dust control measures are recommended as a condition of approval to be placed two times a year in front of existing houses along 240th Street.
2. Annually, the applicant to provide logs documenting for the complete traffic trips generated by this proposed conditional use permit as well as that associated with the approved conditional use permit on site. These will be forwarded to the County Engineer for review and determination whether additional improvements are necessitated based on traffic counts.
3. Applicant shall submit a parking plan that demonstrates adequate stall depth and aisle widths, as well as clearly marked van accessible parking space, meeting the requirements of the American with Disabilities Act to clearly delineate the layout and design of the parking.

4. Applicant shall plant at least four trees be placed to provide additional screening of the proposed parking area in accordance with the regulations.
5. An application for sign permit shall be submitted for review and action, and total square footage for cumulative signage on the property shall be met in order for the application to be approved.

**Motion:** Clark

**Second:** Guthrie

**Voting Aye:** Guthrie, Clark, Mens, Johnston, Younkin, Lee

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen

**Motion passed. MCU.**

**Discussion and Consideration of CUP24-000008, Indian Creek Golf Course Renovation And Reconstruction--Andrea Wagner**

Wagner presented on the proposed Indian Creek Golf Course Renovation and Reconstruction.

Lee asked applicant to speak.

Guthrie explained he would have to leave at 6:15 pm and apologized.

Austin Vier, applicant, asked, before he presented if Conditions could be removed or altered by the Planning and Zoning Commission.

Wagner responded that some conditions could be altered or removed, if the Commission disagrees with what staff proposed. However, when the zoning and grading permits for the project are processed the standards and regulations still apply.

Vier spoke about the Conditions presented by staff that are concerns:

Condition 1: Archeological Survey, Conditions 3 and 7: Determination of Savanna or Prairie remnants Conditions 8, 9 and 10: Parking

Guthrie asked if applicant is taking some land that has never been touched for the golf course and redesigning of the existing holes as part of the new design.

Vier confirmed that was correct.

Guthrie asked why do the archeological requirements apply to the existing areas of the golf course and not just the new.

Wagner stated the Ordinance requires the archeological assessment for Conditional Use Permits and does not make any reference to what the site is currently or previously been used for, or if it has been previously been disturbed. The assessment has been done, and the Office of State Archeologists recommended that a more intensive survey takes place, because there was not enough information to rule out potential burial sites on the property.

Guthrie, stated that his recommendation would be to survey only the areas that have not been touched and not the entire golf course.

Vier asked Guthrie what his recommendation be for areas where soil would be added, and are not being dug.

Guthrie responded that in his opinion if areas are not being destroyed or dug deep or disturbing the soils, is does not seem reasonable to be searched.

Mens asked about the location of the area of archaeological interest.

Vier showed the location on the projected map.

Mens asked if applicant was not moving much dirt.

Vier confirmed he was not, and added that the basis of his comments is that the more restrictions they have to work around is limiting them from building a great golf course.

Mens stated she agreed with the applicant parking statement.

Clark asked if applicant would agree with the Maintenance Building option.

Vier said the Engineer would approve number 2. Vier said they talked to the neighbors and they had concerns even with the buffering so they want to be good neighbors and move it further West but keep the driveway in the same location.

Wagner explained the location of the driveway is what is the concern, not the location of the building, so a revised site plan could be submitted with the new location of the building and the driveway on the location that the engineer approved.

**PUBLIC COMMENTS:** None

Clark asked why is the savanna and prairie remnants an issue if a professional said it is good.

Wagner explained the code of ordinances specifies when prairie and savanna remnants have to be delineated, it has to be during the growing season, which is June 15<sup>th</sup> to August 15<sup>th</sup>, so per the ordinance the standards have not yet been met, so it cannot be concluded yet that there is no savanna or prairie remnant vegetation, it would need to be done during growing season.

Vier asked clarifying questions on the code of ordinances

Wagner clarified what the ordinance defines as remnant, and specified again that it needs to be looked at during growing season.

Clark asked to confirm that it has not been done during growing season.

Vier responded that was correct, and argued about the unplowed and uncropped prairies wording on the ordinance. He also asked if the studies need to be done in the whole property.

Wagner specified not the whole property, but just the areas that show evidence of remnant based on the aerals. Wagner also explained the Impact 7G study that was submitted.

Clark asked if the applicant was comfortable with that answer.

Vier said he stands by his request to have that condition removed and explained cost.

**MOTION:** Mens moved to approve Alternative 2: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the Indian Creek Golf Course Renovation and Reconstruction, as put forth in case CUP24-000008, to the Story County Board of Adjustment with an amendment to condition #10, regarding parking. Mens amended the condition to state that the owner of the property can place 75 parking spaces where they deem appropriate.

**Motion:** Mens moved to amend the conditions.

**Second:** Clark

**Voting Aye:** Clark, Mens, Younkin, Lee

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen, Johnston, Guthrie

**Motion passed. MCU.**

Clark moved to amend condition #1 to state that there is no subsurface testing where the applicants are not cutting the grade.

**Motion:** Clark moved to amend the conditions

**Second:** Mens

**Voting Aye:** Clark, Mens, Younkin, Lee

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen, Johnston, Guthrie

**Motion passed. MCU.**

Clark moved to amend condition #1 that any archeological survey only be completed in the areas that have not been disturbed before.

**Motion:** Clark moved to amend the conditions

**Second:** Mens

Vier asked clarification on the amendments of the conditions.

Wagner clarified that Planning and Zoning Commission members can amend the conditions, but that would not change the regulation of the Ordinance. So, the amendments being made are ceremonial

**Voting Aye:** Clark, Mens, Younkin, Lee

**Voting Nay:** None

**Not Voting:** None

**Absent:** Jensen, Johnston, Guthrie

**Motion passed. MCU.**

**MOTION:** Clark moved to approve Alternative 2: The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the Indian Creek Golf Course Renovation and Reconstruction, as put forth in case CUP24-000008 with the conditions as amended, to the Story County Board of Adjustment.

1. No earthwork or construction for the CUP may occur until all archaeological surveys have been completed and the Office of the State Archaeologist has reviewed said surveys and accompanying reports and deemed them adequate per 88.05. No subsurface testing for archaeological surveys would occur where not cutting grade, nor would surveys be completed on acres previously disturbed.
2. If archaeological resources are found on the property, then the appropriate buffers shall be applied in accordance with 88.05. Archaeological resources and their buffer shall be left undisturbed.
3. County Conservation will conduct a site visit, with the proposed areas of disturbance marked, to assist in determining whether savanna or prairie remnants are in an area that is planned to be disturbed.
4. The applicant shall provide Planning and Development the NPDES permit from the DNR, as well as the approved SWPPP.
5. Any development in the floodplain, as defined in Chapter 80.02, Floodplain Management Program, will require a County floodplain permit.

6. The requirements of Chapter 88.11, Minimum Landscaping, may be waived in regard to impervious surfaces added if the applicant can demonstrate that the final plan set contains less impervious surface area than the current site layout. All other applicable regulations of Chapter 88 must be followed, including planting trees for the parking area and screening any refuse or mechanical equipment.

7. The applicant shall submit a report of the total native, significant tree canopy area that is being removed for renovation of the golf course. If savanna remnant is confirmed to be on-site, no native trees may be removed from those areas. Any mitigation of tree removal will be determined by the standards outlined in 88.05.

8. Per the County Engineer's comments, the proposed maintenance building will follow "Option 2" on the site plan submitted with the CUP application.

9. A hedge or treed windbreak, capable at maturity of obscuring the maintenance building, shall be installed east of the maintenance building to provide screening for the adjacent residential lot.

10. The total number of allowable parking spaces may be located where the applicant deems appropriate for the golf course.

11. All regulations for critical natural resource areas and archaeological resources outlined in Chapter 88.05 shall be followed, including applicable buffers and regulations pertaining to no-impact.

12. A post-construction stormwater management plan shall be submitted to Planning and Development for review and approval in accordance with Chapter 88.05 prior to zoning and/or grading permits being issued.

13. If the proposed clubhouse rises to the threshold of needing a sprinkler, per International Fire Code for an A-3 occupancy, then the applicant shall install a sprinkler system.

**Motion:** Clark

**Second:** Mens

**Voting Aye:** Clark, Mens, Younkin

**Voting Nay:** Lee

**Not Voting:** None

**Absent:** Jensen, Johnston, Guthrie

**Motion passed.**

**COMMENTS:**

**Staff:**

Harter stated there may be a May Planning and Zoning Commission Meeting.

**Commission:** None

**ADJOURNMENT:** 6:36 PM



**Approval of Minutes**

Chair 5/1/24

**Title and Date**

