

**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**

DATE: 08/07/2024	Ben Jensen, Chair	2025
	*Ray Lee, Vice Chair	2028
CALL TO ORDER: 4:00 PM	Debbie Younkin	2026
	*Kathy Mens	2027
PLACE: Public Meeting Room	Bart Clark	2025
Administration Building	*Gary Guthrie	2028
	Dalton Johnston	2024
	*Absent	

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

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

PUBLIC PRESENT: In person: Jeff Gibbons, Steven Osborne, Lacey Osborne, Jerry Sloan. Via Zoom: Rosalyn, Mary Gibbons.

APPROVAL OF AGENDA:

Voting Aye: All

Voting Nay: None

Not Voting: None

Absent: Lee, Mens, Guthrie

Motion passed. MCU.

APPROVAL OF MINUTES:

Voting Aye: All

Voting Nay: None

Not Voting: None

Absent: Lee, Mens, Guthrie

Motion passed. MCU.

PUBLIC COMMENTS: None.

PUBLIC HEARINGS:

Discussion and Consideration of Dayton Ridge, Plat 2, A Major Subdivision Preliminary Plat--Andrea Wagner

Wagner presented on the Dayton Ridge Plat 2 Major Subdivision Preliminary request.

Jeff Gibbons, 2305 Dayton Ridge Road, Ames, the applicant, presented his request.

Bob Gibson, Civil Design Advantage, 4121 NW Urbandale Dr., Urbandale, addressed the conditions presented by staff. For the first condition, he explained that the preliminary plat does not contain parcel J because State law does not require, when cutting off a small part of a parcel, to include the whole parcel. However, they will take care of that. Second condition, the Geotechnical Analysis condition, Gibson explained that it is in process and it will get done. Gibson addresses the note on that analysis, he explained he has talked about this with staff, but asked staff to repeat that part of the condition.

Wagner read from the staff reporting, stating "A geotechnical analysis has been recorded with this subdivision plat. Lot owners shall consult this analysis prior to developing the lots." She confirmed that staff had a conversation with Gibson and explained that change can be made on the Final Plat.

Gibson added it would be updated on the Final Plat to include that language before the plat gets recorded.

On the third condition, the easement condition, Gibson explained there is an existing easement that splits thirty feet on either side of the common property line. Gibson stated that Gibbons had a document from 1978 showing that but it was never recorded, but they are working on getting formalized. He added that is the reason the flag lot onto Lot four is forty feet wide, but only thirty were given as an easement and the other thirty are still on the north side. Gibson stated that condition will be taken care of, and the required easement with a minimum of fifty feet wide would be met.

Gibson stated condition five is not a problem, as it has already been fixed. He then addressed the condition about the archeological survey, saying it would be done the following week. Gibson also stated that Gibbons have had conversations with staff about the maintenance of the road, so that condition would not be a problem, and the title will be corrected, removing "Private Road" when referring to Dayton Parkway.

Gibson explained on the map projection why it makes sense for this to be a flag lot, and all the properties that have access from Dayton Parkway.

PUBLIC COMMENTS:

Liz Pehl, 2020 and 2017 Dayton Parkway, stated they received notice of the meeting the previous Saturday and details of the Staff report that morning, so she was not prepared. She explained her family has lived there for over thirty years and their desire was to live in a quiet, secluded, wooded country atmosphere, without neighbors; where they could enjoy wildlife, trees, peace and quiet, but this subdivision will change all that. Pehl mentioned a lot of trees have already been cut down, and she believes more will be cut down. She said wildlife patterns and quantities have already been altered, and construction will disturb their peace.

Pehl expressed the road is their biggest concern, she explained they have graded, plowed and maintained the road for thirty years and if gravel was needed the cost was split three ways, as per their abstract of title. She voiced questions related to "Who pays for the road? How will it be maintained? Who will maintain it? How much will it cost to maintain? With the asphalt road only going to the cul-de-sac, is the rest of the road to their house gravel?" She expressed she has not seen a maintenance agreement and asked if this was because it's a public road, but privately owned. She asked if the road has two lanes, with a stripe down the center of it, and if it has side ditches, and if they would have to pay for potential damages to the road.

Pehl expressed that this road will be an increased expense for them and their taxes will more likely go up again. Other concerns she expressed about the road were if there is a plan when constructing the road, to where the water will be diverted, because they live downhill and water runoff is causing a lot of soil erosion on their property. She voiced concerned that if water is diverted into the creek, it would affect the creek on their property because they are downhill, so they get all of that. Pehl also wanted to know how close the house is to her property line, noting it looked really close. She expressed the road easement is a top priority for them, and any modification to the road easement will have to be discussed with their attorneys before consent of agreeing to anything, as well as how this subdivision will affect their future plans or sale of their property.

Steven Osborne, 2001 Dayton Parkway, asked how the access to his driveway would be, because on the presentation map it looks like it is off the cul-de-sac, further commenting that he would like to know how that will work and where would their connection would be. He also wanted to know if the existing gravel road would be removed or kept next to the new road. Osborne also asked if this project would change the setbacks for his property, or their easement, since their property is not included on the plan.

Jensen asked staff to clarify the review process for this subdivision.

Wagner explained that major subdivisions have a two-part review process. So preliminary plat comes to the Planning and Zoning Commission and they make a recommendation, then the Board of Supervisors vote to approve it or deny it. If it is approved, the preliminary plat is valid for one year from that date, and applicant has one year to submit the final plat. Typically, there are no changes between the preliminary plat and the final plat, so then the Board of Supervisors acts on it. In regards to the City of Ames, Gibbons or Gibson would need to be in communication with the City of Ames, to either request that they waive their subdivision review authority or take it up with their city council for a vote, they have different subdivision standards. If the City of Ames changes the plat, that nullifies the County approval of the preliminary plat because it is no longer the same plat. So, the new plat would have to brought back and the whole process would start again.

Wagner explained that the tentative date for the subdivision to be brought to the Board of Supervisors was the following Tuesday (August 13, 2024), but that was not happening.

Pehl asked if the notices could be sent earlier.

Wagner explained staff tries to send notices over a week in advance, but sometimes the decision if an item is going forward or not is last minute. She added that the turnaround times for the application deadline, to when the agenda gets posted is really quick.

MOTION: Younkin moved to approve Alternative 2 as presented: The Story County Planning and Zoning Commission recommends approval of the major subdivision preliminary plat—Dayton Ridge, Plat 2, with the following conditions:

1. Prior to the preliminary plat being scheduled for review and consideration by the Story County Board of Supervisors, the following must be addressed, corrected, and provided to County staff for review:
 - a. The preliminary plat does not contain all of Parcel J or Lot 1 of Dayton Ridge, Plat 1. Including these parcels/lots in their entirety is required because both of them are being divided for the purpose of creating the street lot.
 - b. Per 88.03: A development envelope will be shown on the site plan or the preliminary and/or final plat for each lot that contains significant, natural slopes to show the area where a dwelling or other proposed development may be sited. When the development envelope includes slopes greater than or equal to 15%, or includes an area within a buffer of two (2) feet for every one (1) foot of vertical rise measured from the toe or summit of a significant slope, a geotechnical analysis shall be required, and shall be submitted with the site plan or preliminary plat.
 - c. Per 88.04, easements serving two or more dwellings must be a minimum of 50-feet in width. The easement shown on the plat is only 30-feet wide.
 - d. The plat refers to “building envelopes.” To be in complete conformance with Chapter 88, this will need to be changed to “development envelopes.” Additionally, note #11 on sheet two (2) of the plat explains that a geotechnical analysis is required. Since this analysis is required to be submitted with the preliminary plat, staff is recommending the following language instead: “A geotechnical analysis has been recorded with this subdivision plat. Lot owners shall consult this analysis prior to developing the lots.”
 - e. The existing rural 911 addresses for Lot 4 of Dayton Ridge Plat 1 and Parcel J are not shown on the plat.
 - f. The maintenance agreement for Dayton Parkway that was included in the submittal refers to Dayton Parkway multiple times as a private road. Dayton Parkway must be dedicated to the public, but privately maintained. To clarify this, all the references to Dayton Parkway being a private road must be removed from the maintenance agreement.
 - g. The maintenance agreement for Dayton Parkway does not include information on which lots or parcels are being served by it and which lot or parcel owners are expected to pay into a maintenance fund. The maintenance agreement must be revised to indicate under section three (3) which properties are served by Dayton Parkway and subject to the terms of the covenant.
2. In accordance with 88.05, a Phase 1 archaeological survey will be underway later this month. Staff recommends that all archaeological surveys deemed necessary by the Office of the State Archaeologist (OSA) be completed prior to the final plat being brought forward to the Board of Supervisors.

Motion: Younkin

Second: Johnston

Voting Aye: Younkin, Johnston, Clark, Jensen.

Voting Nay: None

Not Voting: None

Absent: Lee, Mens, Guthrie

Motion passed. MCU.

Discussion and Consideration on the Representative to the Story County Economic Development Group

Harter explained the Story County Economic Development Group is a group that is established by the Board of Supervisors. They have their own working bylaws and program guidelines. Annually the Board of Supervisors gives funding in the amount of \$150,000 towards the Story County Economic Development Group. That amount is divided amongst the eligible communities. All the communities within Story County sit on the Story County Economic Development Group. There are criteria in place to determine whether or not a community is eligible. Both the Planning and Zoning Commission and Story County Conservation Board have an ex officio member on the group. Debbie Younkin has been ex officio two or three years. Meetings rotate around the county and are also available via Zoom, they are between an hour, to an hour and a half, and discussions are about the good things and the challenges that communities are facing, and possible solutions.

Harter explained that Younkin had indicated she would like to step down.

Younkin stated she has enjoyed her time at the Story County Economic Development Group, and there are others on the Commission that might want to be part of it and have that opportunity.

Harter explained that in May or June 2025 meetings, there will be an item on the agenda to set this for the next fiscal year, so whoever is nominated is able to attend starting July 2025.

Younkin asked if she would have to continue until then.

Harter responded she could be off the group now.

Younkin stated it is a great opportunity and she thinks there are others on the Commission that would have a more vested interest in being in the Development group, and she would like to nominate Bart Clark.

Clark stated he is on the Story City Economic Development, and asked if there was a conflict with that.

Harter stated there is no conflict, unless next year the board of directors takes a vote that Clark are appointed to represent the City of Story City. In that case, a change of representative would be needed

Clark accepted the nomination.

Johnston moved that Clark becomes the new ex officio representing the Planning and Zoning Commission on the Story County Economic Development Group.

Motion: Johnston

Second: Younkin

Voting Aye: Johnston, Younkin, Jensen, Clark.

Voting Nay: None

Not Voting: None

Absent: Lee, Mens, Guthrie

Motion passed. MCU.

COMMENTS

Staff:

Harter explained that Planning and Zoning Commission members can now attend the meetings online and that attendance would count towards quorum.

Commission:

Jensen had further questions about online attendance.

Harter referred those questions to the Story County Attorney's Office and stated staff would have an answer next meeting.

MOTION: Clark moved to adjourn the meeting.

Second: Johnston

Voting Aye: All

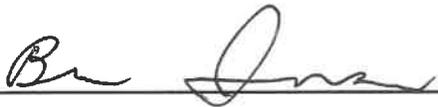
Voting Nay: None

Not Voting: None

Absent: Lee, Mens, Guthrie

Motion passed. MCU.

ADJOURNMENT: 4:58 PM



Approval of Minutes

Chair 9/4/24

Title and Date