

STORY COUNTY PLANNING AND DEVELOPMENT
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087
515-382-7245



"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: September 2, 2020	Cheryl Moss (Zoom)	2020
	PJ McBride (Zoom)	2021
CALL TO ORDER: 4:01 PM	*Kathy Mens, Vice Chair (Zoom)	2022
PLACE: Zoom Meeting Originating	*Wendie Schneider	2023
From Administration Building	Ben Jensen (Zoom)	2020
	*Ray Lee	2023
	Dalton Johnston (Zoom)	2024
	*Absent	

Special Note: Due to recommendations to social distance in order to help slow the spread of the COVID-19 virus, public access to the meeting was provided via Zoom. Members of the public could participate by using the information at the end of the agenda.

STAFF PRESENT: Jerry Moore, Director; Amelia Schoeneman, Planner; Stephanie Jones, Recording Secretary

PUBLIC PRESENT: Rodney Osborne Jr, Michael Roth, Glen Anderson Jr, Ray Ringgenberg, Wayne Ruble

APPROVAL OF AGENDA (MCU)

Motion by McBride, Second by Jensen to approve agenda

APPROVAL OF MINUTES

August 5, 2020

Motion by McBride, Second by Jensen to approve the August 5, 2020 minutes.

Voting Aye: Moss, McBride, Jensen, Johnston

Voting Nay: None

Absent: None

PUBLIC COMMENTS: None

PUBLIC HEARINGS

REZ02-10 B&L Properties, LLC

Amelia Schoeneman presented the Staff Report. The request is for a Story County Zoning Map Amendment request from the C-LI Commercial/Light Industrial District with the condition that “the uses shall be limited to a warehouse for the storing and distribution of seed, research plots with an associated office building and commercial storage” to the C-LI Commercial/Light Industrial District, removing the use restrictions, the property is located at 11261 US Highway 69, Story City, Iowa (parcel number 01-10-200-275). The property will be the location of Maverick, Inc., which refurbishes and sells Ditch Witch trenchers and directional drills, reel trailers, and tile locators. The subject property was zoned to a commercial district with a condition limiting principal permitted uses in 1994. The proposed rezoning is consistent with the C2C plan, which identifies the area as part of Story City’s Urban Expansion Area. The City had no concerns other than ensuring that the outdoor display area of products for sale is kept neat. Staff recommends approval of the request.

MOTION: The Story County Planning and Zoning Commission recommends approval of the proposed Story County Zoning Map Amendment from the C-LI Commercial/Light Industrial District with the condition that “the uses shall be limited to a warehouse for the storing and distribution of seed, research plots with an associated office building and commercial storage” to the C-LI Commercial/Light Industrial District with no use restrictions for the property located at 11261 US Highway 69, Story City, Iowa (parcel number 01-10-200-275) as put forth in case REZ02-20.

Motion: Johnston

Second: McBride

Voting Aye: Johnston, McBride, Moss, Jensen

Voting Nay: None

Absent: Mens, Schneider, Lee

(4-0)

CUP06-20 Nevada Wastewater Treatment Facility

1. Amelia Schoeneman presented the Staff Report. The request is for a conditional use permit for a new Wastewater Treatment Facility and preliminary interceptor sanitary sewer alignment for the City of Nevada, proposed to be located on parcel 11-31-200-305, on the south side of 270th Street and west of West Indian Creek. The new facility will replace the existing facility, located at 457 S 6th Street, Nevada. The existing wastewater treatment facility is approximately 60 years old. It does not have the capacity to support the population growth of the City of Nevada or the expansion of Burke Corporation. The applicant stated that the facility is “not readily amenable to be modified to provide additional effluent disinfection and nutrient removal requirements” and could not meet separation requirements from inhabitable buildings. The proposed facility will provide a higher level of treatment than the existing facility. An interceptor sewer is proposed between the existing Wastewater Treatment Facility and the new location—a lift station and force main are proposed to pump effluent from the existing facility to the proposed facility along Country Road S-14 (620th Avenue). The project will be completed in multiple phases with final completion by November 2023. Planning and Development staff recommend that the

Planning and Zoning Commission recommend approval of the conditional use permit with conditions:

1. A stormwater management plan meeting the requirements in Section 88.05 of the Story County Land Development regulations shall be submitted with the zoning permits for the facility.
2. Upon completion of the property value study, if the consultant finds property values will be negatively impacted, the permit is brought back to the Board of Adjustment for consideration and the applicant presents options to address any negative findings.
3. The applicant shall work with County Conservation on native landscaping to ensure compatibility with the Jennette Heritage Area and to develop a management plan to maintain the site in functional native environmental systems.
4. Planning and Development staff shall inspect all site, building, and other waste water treatment plant improvements during the construction phase of the project.

Cheryl Moss asked staff about the property value study and what would occur if the property value study was not completed until construction had begun. Schoeneman stated that the applicant anticipates the study will be completed by late September or early October. Grading work is proposed to begin in November.

Michael Crow, who owns a lot to the east of the proposed wastewater treatment facility, expressed concerns about the location as he would like to construct a dwelling on his property in the future. Crow also had concerns about the notice, which was mailed August 27, due to mail delays. He received the notice on August 31. Crow asked about the possibility of paving 270th to reduce dust and asked if there was a comparative study between the odor from the existing facility and the proposed facility. He noted he hadn't noticed an odor from the existing facility when he lived in Nevada several decades ago. Schoeneman addressed the question on road paving. The County Engineer reviewed the proposed traffic volumes and had no concerns about the impact on the County road condition. Staff is not aware of any paving plans for 270th Street, the typical daily traffic will be 24 trips—when sludge is being applied annually, there will be 84 trips a day for a three-week period.

Moss asked if dust control had been considered. Schoeneman stated that they had asked the applicant about their dust control plans. Michael Roth, HR Green, spoke on behalf of the City of Nevada as the applicant and noted that if dust control was required during the sludge application period, it would be part of the contract for that work. Roth also noted that the city will be using the same sludge application sites as it does presently and using the same haul routes. Crow asked if the traffic generated by the land application of sludge would be east- or west-bound. Roth indicated that it would mostly be west-bound given the grade and bridge to the east on 270th. Roth indicated that the project was reviewed by the County Engineer and paving the County road isn't a requirement. Roth also answered the question about the odor study. An odor study has not been completed. However, HR Green has done work at the existing facility, and based on their knowledge from that work, there are no known odor complaints. The processes to be used in the proposed facility are not the same at the existing facility and have a very lower odor generation potential. They do not anticipate odor in excess of the existing facility.

Stephanie Jones, Recording Secretary, noted that one member of the public had been trying to

get into the meeting but had called the Board of Adjustment Zoom number instead of the Planning and Zoning Commission number. Amelia Schoeneman, Planner, was working to conference them into the meeting.

Robert Ringgenberg was conferenced into the meeting. His family owns the property to the north of the proposed facility. He stated that he was unable to connect to the Zoom meeting. He asked if the interceptor sewer would be in the road right-of-way. Schoeneman stated it would be, however, northeast of the intersection of S-14 and 270th, the sewer was proposed to cross onto private property. Roth stated that the trunk sewer would begin a half mile south of Highway 30 and continue in the right-of-way of S-14 until a half-mile north of 270th. The trunk sewer will either be on the east or west right-of-way of S-14, as needed to avoid utility conflict. Half of a mile north of 270th Street, the sewer is proposed to be routed to the east through private property for a half-mile. The sewer will then extend south to the proposed facility. The use of private property is needed due to the topography of 270th Street. The grade rises at the intersection and the sewer line would be required to be too deep for maintenance and require a very large open-cut installation. Ringgenberg asked if there would be a manhole every 400 feet when the sewer was not adjacent to a road. Roth stated that because it was a larger sewer, the Iowa DNR would allow up to 800-foot spacing between manholes. Ringgenberg asked if the sewer would run on the property line. Roth confirmed that was the intent. Ringgenberg asked where the dirt would be located when the sewer was being constructed. Roth stated that they would acquire temporary easements with property owners to allow material to be stored on their properties. Ringgenberg asked how wide the easement would be. Roth stated they did not have a width identified for the temporary construction easements. Roth stated that the preliminary layout of the sewer shows it on the west side of S-14 prior to crossing the road on to private property. Ringgenberg stated that the west side had four building sites (dwellings) in the last mile and a half. Roth stated that the dwellings may result in a change in the route. Ringgenberg asked if the public hearing was legal as it was limited to 10 people and Zoom was unavailable. Jerry Moore, Planning and Development Director, stated that conference calls and Zoom had been used for all public meetings and hearings since March as part of the County's response to the COVID-19 pandemic. Further, the public can submit letters, emails, and meet staff outside the building to make a comment. Moore stated he had several phone conversations with Ringgenberg about the City's proposal. Ringgenberg felt that Zoom was unavailable and he had tried to connect numerous times and received a message that the meeting had not started.

Staff clarified that Zoom was available and being used for the public hearing, however, it appeared some callers had called the Board of Adjustment Zoom number instead of the Planning and Zoning Commission number. Further, the limit of 10 people is on the public meeting room in the Story County Administration Building to adhere to social distancing guidelines to limit the spread of COVID-19, not on the number of participants in the Zoom call. The public meeting room was not being used for the meeting and the building is not open to the public due to COVID-19.

MOTION: 2) The Story County Planning and Zoning Commission recommends approval of the Conditional Use Permit for the City of Nevada Wastewater Treatment Facility as put forth in case CUP06-20, with the above conditions, and directs staff to place the case on the Board of Adjustment agenda.

2. A stormwater management plan meeting the requirements in Section 88.05 of the Story County Land Development regulations shall be submitted with the zoning permits for the facility.
3. Upon completion of the property value study, if the consultant finds property values will be negatively impacted, the permit is brought back to the Board of Adjustment for consideration and the applicant presents options to address any negative findings.
4. The applicant shall work with County Conservation on native landscaping to ensure compatibility with the Jennette Heritage Area and to develop a management plan to maintain the site in functional native environmental systems.
5. Planning and Development staff shall inspect all site, building, and other waste water treatment plant improvements during the construction phase of the project.

Motion: McBride

Second: Johnston

Voting Aye: McBride, Johnston, Jensen, Moss

Voting Nay: None

Absent: Mens, Schneider, Lee

(4-0)

COMMENTS

Staff: Jerry thanked the new Commission members for joining us on short notice. Moore stated that prior to the October meeting there will be an orientation provided for the new members, as well as an opportunity for planning and zoning training through the Iowa State University Extension.

COMMISSION: Ben Jensen and Dalton Johnston introduced themselves and provided background information. McBride stated that she would recommend the new commissioners take the ISU Extension Planning and Zoning training.

ADJOURNMENT: 5:32 PM

Cheryl Moss
Approval of Minutes

PZC Chair 10/30/20
Title and Date