

Minutes - Woodbury County Zoning Commission Meeting November 06, 2006

The meeting convened on the 6th of November, 2006 at 6:10 PM in the Board of Supervisor's meeting room on the first floor of the Court House, Downtown, Sioux City, Iowa. Present were the following Commission members – Chairman Don Groves, Dwight Rorholm and Grady Marx. Arvin Nelson and Christine Zellmer Zant were absent. Zoning Staff Present: John Pylelo and Peggy Napier. Present from the public was Riley Simpson, the County's consultant with Flat Earth Planning. Also present from the public were Ken Gard and Mike L. Patterson.

The first agenda item was approval of October 30, 2006 Commission Minutes.

A discussion ensued regarding how much is included in “summarized” minutes. Mr. Marx agreed to summarizing minutes as long as it included the essential information.

Mr. Marx made a motion to add the comment he made at the Dutch View Addition hearing that the shared dual drive be separated to avoid future property owner disputes. Mr. Rorholm seconded the motion; motion carried 3-0.

Mr. Rorholm made a motion to approve the October 30, 2006 meeting minutes subject to the above comment being added; Mr. Marx seconded the motion; motion carried 3-0.

Chairman Groves moved the 3rd agenda item into the second position so Mr. Mike Patterson could approach the commission with his comments.

Mr. Pylelo offered to summarize what Mr. Patterson was present to offer. Pylelo explained Patterson owned property at the Southeast corner of the I-29 Sloan exit. The Hochunk Hotel, owned by the Winnebago Tribe, Mr. Patterson's Nursery and Greenhouse, and the former concrete plant now exist on this land.

The Kum & Go organization out of Des Moines has approached Mr. Patterson for the construction of a convenience store/truck stop complex. The problem is the new complex would be built partially on one parcel which is zoned highway commercial (CHS) and partially on another parcel which is zoned Agricultural (AG). Mr. Patterson is aware of the 2005 Development Plan and potential changes in regulations and ordinances, therefore finding this an appropriate time to meet with the commission about rezoning these parcels.

A discussion ensued regarding which parcels were being considered, what exactly would they be used for, and whether rezoning, subdividing, or both would be required.

It was decided Mr. Pylelo would help Mr. Patterson with Kum & Go's timeline and whether it would be in Patterson's best interest to go through a rezoning process with the Zoning Commission or to wait until the new zoning map was finished before construction was started.

The second agenda item was the Work Session, Zoning, Subdivision Ordinances and Mapping – 2005 Development Plan.

Chairman Groves introduced Mr. Simpson's present direction for the new zoning map.

Mr. Pylelo told the commission he and Mr. Simpson had been meeting for the purpose of moving ahead through the townships, reviewing and changing zoning where necessary. Pylelo said they had completed Banner Township.

Mr. Simpson told the commission Mr. Marx and Mr. Ken Gard had met with him in Mr. Marx's work office to bring up issues they hoped could be resolved in the work session meeting. Simpson asked it be noted in the minutes so it was of record. Questions were raised about the process and certain issues Mr. Simpson hoped to resolve in the interest of moving on with the work sessions.

Mr. Marx claimed to represent 200 + local citizens who believed with him the Zoning Commission was trying to control too much. Mr. Gard agreed with Marx. Mr. Rorholm and others present claimed it was necessary. This issue was discussed at length.

A decision was finally reached at the end of the meeting. Mr. Simpson conceded if a developer wanted to develop an AR (agricultural residential) subdivision, they can state the limits, but they should put the specific use in writing. They have to follow an agreement and go through the exercise of telling the Zoning Commission he (the developer) does not want to have any restrictions whatsoever on agriculture and it becomes a matter of record. If somebody buys they at least have the ability of finding out what and who is living next door.

Mr. Rorholm added they would have the ability to develop a covenant and put it on the plat and put the setbacks for AR where they apply. Limits and uses must be expressed in writing and the plat is the place to put it.

Mr. Rorholm said it's a legal document; it goes with the plat forever. It goes with the abstract, every parcel, and every lot. It would be a separate piece of paper filed immediately after the plat and would be referenced on the plat that it exists.

The meeting for November 14, 2006 was cancelled. The next meeting will be November 27, 2006.

Mr. Rorholm made a motion to adjourn; seconded by Mr. Marx; motion carried.

Meeting adjourned 9:10 PM