

Minutes - Woodbury County Zoning Commission Meeting February 23, 2015

The meeting convened on the 23rd of February, 2015 at 6:00 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 – Tom Bride, Bruce Garbe, David McWilliams, Barb Parker and Christine Zelmer Zant. Zoning Staff Present: John Pylelo and Peggy Napier. From the public were Eric and Heather Hennings and Douglas Johnson.

Chairwoman Zant requested agenda item one (1) be exchanged with item four (4) so the Hennings didn't have to wait through election of new officers and approval of minutes for their rezone item.

Mr. McWilliams made a motion to switch the agenda items. Mr. Garbe seconded the motion; motion carried 4-0.

**The next agenda Item is public hearing and recommendation to the Board of Supervisors
Re: The re-zoning of a 7.57 acre portion of GIS Parcel #884633200008 FOR James L. and
Monica M. Young**

At their meeting of February 16, 2015 the Supervisors referred a re-zoning application to your Commission for public hearing and recommendation.

Property owners James L. and Monica M. Young have filed a rezoning application for the rezoning of a 7.57 gross acre portion of the 32.77 gross acre parcel they currently own. The 7.57 acres contain no improvements except for agricultural terracing and the acres have previously been used only in agricultural production. The re-zoning petition requests a change from the current AP (Agricultural Preservation) to a GC (General Commercial) zoning district designation.

The applicants have a purchase agreement in place with Henning Properties, LLC (Eric Henning, President) conditioned upon the successful re-zoning of the 7.57 gross acres requested. Mr. Henning currently operates a business known as *College Products* on the adjacent parcel to the west and north of the property to be rezoned. Mr. Hennings intends to expand the existing general commercial business operations onto the re-zoned property. He specifically intends to construct additional warehouse space by adding additional structure(s) and to refine parking/loading capabilities.

The 7.57 acre location is approximately 2,800 feet southeast of Bronson near the southeast corner of the intersection of paved 210th St. (Hwy D38) and graveled Eastland Ave. The property to be rezoned abuts the south side of 210th St.; abuts the east side of Eastland Avenue and is located within the NENE of Section 33 in Floyd Township. Access to the rezoned property will be by the existing drive addressed 2086 210th St. Bronson.

Find attached for you review:

- Rezoning Application
- Location Mapping
- Plat of Survey dated January 29, 2015
- A Proposed Post Expansion Site Plan
- Parcel information
- Corn Suitability Rating Report
- Aerial Photography
- Information about *College Products*
- Onsite photographs

The property owners within 1,000 feet have been advised in writing of the public hearing. As of February 18, 2015 no comment has been received.

We have also provided written notice of the public hearing to the Clerk for the Floyd Township Trustees, the Woodbury County Engineer and the City Clerk of the Town of Bronson requesting comment. As of February 18, 2015 no comment has been received.

STAFF RECOMMENDATION:

Subject to public hearing testimony the staff recommendation from the Office of Planning and Zoning supports the applicant's request. It should be noted the County's 2005 future land use mapping does not support the applications approval. However, since the mappings issuance in 2005 the adjacent parcel to the west and north was rezoned GC. As it is the applicant's intent to combine the purchased 7.57 acres with this general commercially zoned adjacent parcel staff supports the application request for the AP to GC re-zoning.

The CSR rating of 51.88 is within the County's policy allowing for the conversion from AP (Agricultural Preservation) zoning.

Your Commission is asked to hold a public hearing on this agenda item; then deliberate making a recommendation on the application to the Board of Supervisors.

Mr. Pylelo explained Mr. Hennings wished to expand his parcel to accommodate other inventory and distribution trucks. He purchased additional land to the east of his parcel from Mr. Young. A subdivision is not required since it will involve a simple border adjustment and Hennings will combine the new land to his existing parcel. However, it is necessary to change zoning of the additional land from AP (agricultural preservation) to GC (general commercial) to match his current parcel. The new structure will go on the additional piece of land and be accessed through 2086 210th St.

Mr. Douglas Johnson addressed the commission to give his approval for the improvements and expansion of Henning's business. Johnson says the property is well kept up and the community appreciates the economic boost as well as the additional jobs they provide.

Mr. McWilliams made a motion to close the public meeting. Mr. Garbe seconded the motion; motion carried 5-0.

Discussion:

The commission decided unanimously the re-zone should go through.

Mr. McWilliams made a motion to recommend re-zoning; Mr. Bride seconded the motion. Motion carried 5-0.

The next agenda item is the election of the Commission's 2015 Chairperson and Vice-Chairperson.

In a county wide effort to provide transparency in county government your Commission will be adjusting from your past ballot election process to a nomination and open vote process. Although a nomination process is not required should you wish to be considered for the 2015 Chair or Vice-chair position you may wish to visit with another commissioner requesting they nominate you. If made, any nomination must be seconded and then affirmed by vote from 3 or more commissioners.

Mr. McWilliams nominated Mrs. Zellmer Zant the 2015 Chairperson for the Zoning Commission. Mrs. Parker seconded the nomination. The commission voted unanimously to keep Mrs. Zellmer Zant as their chairperson.

Mrs. Zellmer Zant nominated Mr. McWilliams the 2015 Vice-Chairperson. Mrs. Parker seconded the nomination. The commission voted unanimously for Mr. McWilliams as their Vice-Chairperson.

The next agenda item is the 2015 Chairman's appointment of the Commission's 2015 Siouxland Interstate Metropolitan Planning Council (SIMPCO) representative.

Chairperson Zant wished to continue attending the SIMPCO meetings and appointed herself as the SIMPCO representative.

The next agenda item was approval of minutes of December 22, 2014 Zoning Commission Meeting.

Mr. McWilliams made a motion to accept the minutes as read. Mr. Garbe seconded the motion; Mrs. Parker abstained. Motion carried 4-0.

Next Agenda Item was Any Citizen wishing to be heard.

There were no citizens waiting to be heard.

Mr. Pylelo asked for opinions from the commission about bringing citizen comments to the beginning of the meeting rather than the end. He cited the Board of Supervisor's process of allowing anyone who has comments to speak on it for three (3) minutes. If they have more to say it is tabled until the end of the meeting when they can complete their comments.

Mr. Bride said he didn't think it would hurt.

It was decided the commission would try the new order of agenda items at the next meeting.

The Paving Agreement for the Clausen Subdivision.

Mr. Pylelo announced the controversial paving agreement from the Clausen Subdivision has been signed and recorded.

The issue had been brought up to the Board of Supervisors. Supervisor Monson is drafting a paving agreement that will go through the County Attorney's office. Mr. Pylelo will go over the draft and rewrite the agreement according to the attorney's suggestions and comments. County Engineer Nahra may not be agreeable to changes in the paving agreement.

Mr. Young had the opportunity to choose which of two (2) driveways he wanted to use to his parcel. He chose Buchanan Ave.

Mr. Garbe made a motion to adjourn. Mr. Bride seconded the motion; motion carried 5-0.

Meeting adjourned at 7:40 PM. Next scheduled meeting will be Monday, March 23, 2015.