

# Minutes - Woodbury County Zoning Commission Meeting May 29, 2018

The Zoning Commission (ZC) meeting convened on the 29th of May 2018 at 6:02 p.m. in the Board of Supervisors' Meeting Room Number 104 in the County Courthouse, 620 Douglas Street, Sioux City, Iowa.

ZC Members Present: Tom Bride, Barbara Parker, Christine Zellmer-Zant, Bruce Garbe  
ZC Members Absent: Shawn Streck  
Staff Present: Dan Priestley, Dawn Norton  
Staff Absent: David Gleiser  
Public Present: Michael & Terri Pagan, Gayle Mille, Jean & Jay Chesterman, Steve Flewelling, Gary Prescott, Andy & Ashley Ellensohn, Blake Flewelling, Brett Flewelling, Chad & Sara White, Mark Williams

Zellmer-Zant called the meeting to order at 6:02 p.m.

No citizens present for non-agenda items.

The April 24, 2018 meeting minutes were approved. Motion by Parker, second by Bride. Carried 4-0.

Discussion was held on an application submitted by Theresa & Mike Kuhlmann and Jean Chesterman to rezone GIS Parcels #8946344000023, 894634400027, and 894634476005. The Kuhlmann's intend to sell the 43.25 acres to Chesterman, proposing to use the property for a pet services business. The parcels are currently zoned AE, the Kuhlmann's are requesting a rezone to GC. Priestley explained the purpose of the request to rezone is to allow commercial activity such as dog and cat boarding, dog daycare, pet grooming, pet photography, pet transportation, pet food distribution, and dog training. Pet cremation would be an additional use but would be addressed in a CUP at later date.

Jean Chesterman is considering purchasing the parcels. Initially the business would include activities listed above, with pet cremation and horse stables added later. The parcel to the east would be used for a driveway, two buildings located on the middle parcel would be used for pet related activity, and west parcel would be used for farming and horse stables.

Priestley stated the rezone would be in line with the November 2005 Woodbury County General Plan, to promote General Commercial zoned future growth in the Hwy 20 corridor.

Parker asked about restrictions on numbers of pets, Priestley found no restrictions. Chesterman is planning 50 kennels for dog daycare & boarding, 6 cat kennels. There will be no breeding, kennels have 3 outdoor play areas, with fencing. Vet services will not be on premises. Well and septic will be addressed with Siouxland District health and shown with building permit application.

Ashley Ellensohn, 7586 Correctionville Road, asked about noise ordinance, odor from cremation service and pet and horse waste, hours of operation, lighting, indoor/outdoor kennels and traffic flow. Chesterman stated she is testing a composite dog waste receptacle which eliminates smell. She anticipates noise from barking outside dogs to be minimal, with dogs inside by approximately 5:00 pm, more barking noise from inside during feeding. Lighting will

face Hwy 20. In and out traffic will be reduced by their pick up and drop off service, she estimates about 12 individual drop-off and pick-ups per day. Hours operation will be 6:30am – 6:00pm Monday – Friday, 8:00-5pm Saturday, 1:00pm – 5pm Sunday. She is talking with a vendor for cremation services that has minimal noise, no odor, is EPA certified. She will check into references. There would be landscaping done for windbreak for dog noise, and lighting.

Bride pointed out rezone doesn't allow pet cremation, which would be addressed at a separate time. Horses are allowed under current zoning, if the west parcel was rezoned to GC it would need to be approved under a CUP.

Terri Pagan, 1589 Charles Ave., asked about design of entrance and buildings. Chesterman said the entrance will be from Charles Ave, going straight to a parking lot, cremation building will be to the far east, pet services west, front of building facing north, with fencing and landscaping including trees. Driveway will be concrete or asphalt, County Engineer stated 1 lane would be acceptable now, another lane could be added later. More information on turn around area and parking will be provided with a building permit application.

Chad White, 7558 Correctionville Road, expressed concerns about future development later if zoning were changed to GC and landowners would no longer have a say in what would go in. He would like to see landscaping plans, has concerns for safety. Traffic flow concerns from west to east, no turn lane, not wide enough for 2 cars.

Chesterman understands turn lane issues, has asked about turn lane off Hwy 20 but told no. Bride said that would not be an option, DOT would not approve it. Bride addressed larger parcel sale later, Priestley noted a building permit application would bring up issues, County Engineer would have input on traffic issues related to a large business creating increasing traffic and could recommend not to approve. Priestley also pointed out some uses are not approved in GC, and intended use would need to follow guideline for such things as parking spaces.

Chad White asked why it would need to be changed to GC, Bride stated Chesterman's intended uses are not allowed. Chesterman researched locations, this area was identified in Woodbury County's 2005 General Plan to include commercial businesses. The intent of the plan is to keep certain types of growth in one area and avoid spreading into other areas.

Zellmer asked how many acres will be used, Chesterman answered the main building, for pet services, will be approximately 6000 sq. ft. building, cremation services building will be around 2000 sq. ft. Buildings will be framed brick and mortar.

Steve Flewelling, 7530 Correctionville Road, addressed runoff and traffic concerns that may affect the farming community. Farming activities at times produce dust and odors that may not be acceptable to nearby businesses.

Chad White questioned why there can't be an access off Hwy 20 with turn lane. Bride understands the concerns, but Hwy 20 is controlled by DOT, County Engineer could make a request but DOT would most likely not approve. A turning lane or frontage road would be difficult to get approved from the State. Zellmer agrees the county road turn offs are dangerous, but also agrees approval from DOT would be hard to get.

Priestly summed up the process for the rezone application. If approved by Zoning Commission, the request would go to the Board of Supervisors for approval on 06/04/2018. If Zoning Commission does not approve rezone, it would stop the process.

Bride asked Chesterman if she has thought about just rezoning 2 parcels now and waiting with the parcel intended for horse purposes. Priestley stated that could be done, Bride states proceeding that way would decrease concerns for now with the future use for that parcel, since horse related activity is allowed uses in AE.

Garbe asked if dog kennels would be all concrete, Chesterman said it is all green space. Garbe suggested a retention pond if run off became an issue.

Parker left the room. Discussion about whether to proceed with vote without Parker.

Citizen stated Chesterman should be aware that normal farming operations will create certain conditions, such as dust, chemical drift, noise and odor that may affect the pet services business. Bride emphasized they all be good neighbors and work together on issues.

Decision was made to proceed with vote. Bride motioned to close the public hearing; second by Garbe. Motion carried 3-0.

Motion by Garbe to recommend rezone of parcels 894634400027 & 894634476005 from AE to GC, denying rezone of parcel 894634400023 and leave as AE. Seconded by Bride; carried 3-0.

The rezone for 894634400023 can be brought back for rezone later. Horse related activities are allowed on the parcel as currently zoned. Bride asked Chesterman if she understood and agreed with the motion, she stated yes. Bride also reminded those in attendance the Board of Supervisors will hear citizen concerns and vote on the zoning request on 06/04/2018.

No citizens wishing to be heard.

Priestley reported Gleiser will present the Board of Supervisors a request for updates to the Beacon website to allow online permitting and enhance information shared with the County Assessor and Secondary Roads.

Motion to adjourn by Bride; second by Garbe; motioned carried 3-0.