

Minutes - Woodbury County Zoning Commission Meeting December 18, 2013

The meeting convened on the 18th of December, 2013 at 6:05 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 – Vice-Chairperson Christine Zellmer Zant, Tom Bride, and David McWilliams. Zoning Staff Present: John Pylelo and Peggy Napier. From the public was Dennis Butler from the County Auditor's Office.

The first agenda item was approval of Commission Minutes from meeting of November 25, 2013.

Mr. McWilliams made a motion to accept the minutes as read. Mr. Bride seconded the motion; motion carried 4-0.

The next agenda item is review of the 2013 Amendment to Liberty Park Urban Renewal Area and to authorize your Chairman to execute a letter providing your recommendation to the Board of Supervisors. The letter is to provide your recommendation as to whether or not the 2013 Amendment conforms to, or is consistent with, the County's 2005 General Development Plan.

Iowa Code Section 403.5 requires a county's Zoning Commission review the proposed adoption of any urban renewal area determining if the area is consistent and conforms to the County's development plan. The Commission then must make written comment to its Board of Supervisors of its findings.

Woodbury County's has previously entered into a development agreement with CF Industries for a roadway and right-of-way improvements related to the company's plant expansion within portions of Section 19 of Liberty West Township. A component of the development agreement the county was to provide certain improvements or benefits to CF a portion of which the County wishes to recoup through tax increment financing (TIF). As part of the TIF mechanism an urban renewal area was established for an area totaling 458.16 acres.

Woodbury now intends to make significant investment in the installation or improvement of county roadway right-of-way within or servicing the Port Neal Industrial Complex and the surrounding area. To recoup the infrastructure investment through TIF requires the County expand the geographic area of the existing Urban Renewal Area. Descriptions of the specific improvements are:

1. A new road installation from Port Neal Rd. west to the property line of CF Industries Nitrogen, LLC.
2. Improvements of 260th St. from its intersection with I-29, west to Port Neal Rd., and south on Port Neal Rd. from the new CF Industries entrance to Port Neal Circle, and including all of Port Neal Circle.

The proposed debt to be incurred in the Urban Renewal Area as a result of this amendment is ten million dollars (\$10,000,000).

The Twenty-seven (27) parcels comprising the amended plan area are represented upon the attached mapping. The 27 parcels represent an addition of approximately 520 acres. All property owners for which consents are required to be included to the 2013 Plan Amendment have done so in writing.

The 2013 Amendment locations range from approximately 2.0 to 3.5 miles south from the Sioux City corporate limits and from 0.00 to 1.0 miles north and west of the Salix corporate limits. The Salix Town Council has approved the Plan's 2013 Amendment.

The 2013 Amendment to the Urban Renewal plan applies to 27 parcels having a GI (General Industrial) zoning district designations. Portions or all of approximately eight (8) of the parcels lie within a Zone A special flood hazard area (SFHA) commonly referred to as the 100 year flood plain. Four of those parcels are located at the northwest corner of the Port Neal Interchange north of 260th St. between I-29 and Barker Avenue right-of-way. The remaining four parcels in the flood plain lie between Port Neal Rd. and Port Neal Circle. Mapping is provided.

Access/egress to the amended urban renewal area will be provided from existing public roadway. Portions of Union Pacific Railroad spur right-of-way lie adjacent to a number of parcels to be included within the 2013 Amendment.

Business operations existing upon parcels included under the 2013 Amendment or upon a parcel adjacent or serviced by right-of-way included within the Amended Plan are:

- CF Industries Nitrogen LLC
- MidAmerican Energy (Neal Energy Center North Units #1 #2 and #3)
- Larry Eisenhauer – Star Tree Service
- Doug Wiggs (Business destroyed by fire 2013)
- Road to Rail (Transload Flyash Facility on parcel leased from MidAmerican Energy Company)
- Nulex, Inc.
- Koch Nitrogen Company
- AG Processing Inc.
- MidAmerican Energy (Neal Energy Center South Unit #4)
- Dan Lee – Port Neal Welding, Inc. (Located upon portion of former Design Homes site)
- Design Homes (Model home site)
- A&A Cattle Company Inc.
- In addition numerous parcels are used in row-crop agricultural production

Residential structures existing upon parcels included under the 2013 Amendment or upon parcels adjacent to impacted right-of-way are:

- Hugh Brian Heilman at 2695 Port Neal Rd. (within plan amendment area)

- Sandra J. Heilman at 2683 Port Neal Rd. (within plan amendment area)
- Casey Vanderhop & Rachel Worley at 2575 Barker Ave. (not within the plan area)

For Commission review find attached the following:

1. Site location mapping
2. Aerials indication location of the 23 impacted parcels
3. Key to the Aerial #2 identifying parcel to owner
4. Aerial indication floodplain designation
5. Aerial indication zoning district designation
6. A copy of the Urban Renewal Plan dated February 2013
7. A copy of Woodbury County General Development Plan-Adopted 2005

Staff Recommendation:

Staff is of the opinion the 2013 Amendment to the Liberty Park Urban Renewal Plan conforms to, or is consistent with, the County’s 2005 General Development Plan for the following reasons:

The 2013 Amendment to the Liberty Park Urban Renewal Plan is consistent and conforms with the County’s Vision Statement which states: “...*all people and business prosper, rooted in a diverse, agriculturally-based economy.*”

The 2013 Amendment to the Liberty Park Urban Renewal Plan is consistent and conforms to the Development Plan’s stated goals in each of the following areas:

Land Use Goal – In order to minimize conflict with agriculture, which is the principal land use in Woodbury County, guide future growth and development of non-agricultural uses to a compact pattern by efficient and economical expansion of public infrastructure.

Economic Development Goal – In cooperation with other communities, Woodbury County should support growth and stabilization of existing and new, diverse enterprises that effectively leverage public investments to create jobs, payrolls and tax base that contribute to a health, stable local economy.

Agricultural Goal – Recognize agriculture as a principal economic sector in Woodbury County and the primary economic sector in the rural portion of the county lying outside Sioux City based on the natural resource of fertile, tillable soil to be found in Woodbury County.

Commercial and Industrial Business Goal – Woodbury County shall build upon the strength of agriculture as the most important business in its rural area and shall encourage compatible commercial and industrial business development to develop a diverse, strong economic future in the rural portion of the county.

Transportation Goal – Woodbury County shall develop and support an efficient transportation system to serve current and future circulation and access needs. Specifically to:

Encourage frontage roads for safe access and to maintain traffic carrying capacity of the roads for development along major roads and highways; and

To continue working with the Iowa Department of Transportation via the County Engineer and public input to upgrade highways in and through the County by either resurfacing or widening of existing state or County Highways.

For the above reasons staff recommends you support a finding that the proposed 2013 Amendment to the Liberty Park Urban Renewal Plan conforms to, or is consistent with, the County's 2005 General Development Plan.

Your Commission is asked to review this information, voting on the agenda item including authorization of your Chairman to provide the appropriate written report of your findings to the Board of Supervisors as so subscribed by Iowa Code.

Discussion:

Ms. Zellmer Zant asked Mr. Pylelo to paraphrase the narrative. Pylelo explained the amendments adds 520 acres to existing Liberty Park land changing the geographical arrangement of the Liberty Park map. The CF Industries project has necessitated additional road construction, road and railway improvements. Future and current business and personal properties impacted by the current projects will benefit from the road improvements.

Because of its GI (General Industrial) zoning, human occupancy will eventually be kept at a minimum. This is covered by the land use map without disturbing it's primary goal of Ag Preservation. The current businesses support agriculture in one way or another. Our role is to make sure all plans comply with our development plan. Anyone who does not want to sign on will be removed from the plan.

Commissioner McWilliams made a motion to recommend approval of the Amendment to the Board of Supervisors.

Mr. Bride seconded the motion; motion carried 3-0.

Chairperson Zellmer Zant will sign a letter drafted by Planning and Zoning Director John Pylelo. The letter will be presented to the Board of Supervisors at the December 23rd Board meeting.

The next agenda item is any citizen wishing to be heard.

There was no public remaining.

Mr. McWilliams made a motion to adjourn. Mr. Bride seconded the motion; motion carried 3-0.

Meeting adjourned at 6:45 PM. Next meeting is scheduled for 6:30 PM, December 30th, 2013.