



PLANNING AND ZONING Cerro Gordo County Courthouse

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May 16, 2023

TO: Cerro Gordo County Planning and Zoning Commission
FROM: John Robbins
SUBJECT: Next Meeting – **Thursday, June 1, 2023; 4:00 p.m.; Boardroom**

Ladies and Gentlemen:

The next meeting of the Cerro Gordo County Planning and Zoning Commission is scheduled for **June 1, 2023 at 4:00 p.m., in the Boardroom at the Courthouse.** You will be considering four rezoning requests.

The option to attend the hearing via conference call will be made available. You may join the conference call by using phone number below and entering the conference ID when prompted. Please let me know if you have any questions or if you are not able to attend in advance of the hearing.

Conference phone: (641) 421-3113
Conference ID: 3044#

1. Aaron R. Donaldson 4748-A 240th Street (Parcel C in Lot 7 in the Subdivision of Government Lot 2, Section 22, Clear Lake Township)

This 1.35-acre parcel is located adjacent to the west side of Mr. Donaldson's acreage, which was recently purchased from the Dodge's Point Marsh Preservation Group, LC to have the entirety of the pond on the acreage entirely under a single ownership (See Figures 1 & 2). It is less than 10 acres, so a rezoning from A-1 Agricultural to A-2 Agricultural Residence is being requested to make it consistent with the A-2 zoning of Mr. Donaldson's acreage and be compliant with the requirements of the Zoning Ordinance.

Parcel C contains no structures (See Figure 1) No new conformities are being created as a result of the request. The parcel is located adjacent to Mr. Donaldson's existing acreage. There is a single-family property located to the north, a boat hoist storage business located to the east, and a wildlife preservation area located to the west and south. The parcel will be accessed through Donaldson's existing acreage, so no access issues will be created as a result of the request.

The rezoning request is in general compliance with the comprehensive plan: it is an existing building site, no agricultural land will be taken out of production, and there are no access issues. **I recommend the request be forwarded to the Board of Supervisors for approval.**

2. RT Grain & Cattle, LLC 21313 305th Street (NE¹/₄ of the SW¹/₄, Section 21, Falls Township)

This 11-09-acre parcel is located in the NE¹/₄ of the SW¹/₄, Section 21, Falls Township. The applicant redrew parcel lines for estate planning purposes. The parcel is currently split-zoned with a mix of R-1 Single Family Residential, A-1 Agricultural, and M-1 Light Industrial (which was spot zoned for the purpose of car sales in the 1980's), so a rezoning to A-1 Agricultural is being requested to create consistent zoning on the parcel, which meets the minimum size of 10 acres (See zoning map highlight included in your packet).

The property contains a house, a detached garage, a wellhouse, four farm buildings, four grain bins, and two silos (See Figures 1-6). The north silo is less than the required setback from the front lot line (See Figure 7). A 50' front yard setback is required in the A-1 District. Some of the grain bins are separated by less than 10' where the Zoning Ordinance requires a minimum 10' separation distance between detached structures. This property was developed as a farm during the time of construction and were considered agriculturally exempt at the time, so all the noted existing buildings and structures are considered legally non-conforming. No new conformities are being created as a result of the request.

The parcel is adjacent to fields in agricultural production to the south and west, and residential lots to the north and east. The farms fields can be accessed to the west via 305th Street. The Comprehensive Plan's Future Land Use Map has this property as future agricultural and is also within the cooperation area around the city limits of Rock Falls. Generally, the rezoning request is in general compliance with the comprehensive plan: it is an existing building site, no agricultural land will be taken out of production, and there are no access issues. If there is any future residential development desired in the future, the consistent zoning will create a simpler situation to consider whenever that may occur. **I recommend the request be forwarded to the Board of Supervisors for approval with the non-conforming structures noted.**

3. Robert D. Barnes 15456 155th Street (SE¹/₄ of the NW¹/₄, Section 4, Geneseo Township)

The applicant is proposing to rezone the original acreage and the survey "Parcel A" A-1 Agricultural to A-2 Agricultural residence (See Figures 1 & 2). The original 1.9-acre building site was grandfathered in the A-1 District. When the existing house was originally constructed, it was mistakenly constructed across the west side lot line. As a result, Mr. Barnes recently purchased the additional 1.06-acre "Parcel A" to correct this situation. With the additional land, the original building site has abandoned its grandfather status since the combine land will be under the minimum 10 acres size of the A-1 District, and it meets the minimum 2 acre size of the A-2 District.

The property contains a house and a dilapidated shed (See Figures 3 & 4). The dilapidated shed is 28' from the front lot line. A 50' front yard setback is required in the A-2 District (See Figure 5). No new conformities are being created as a result of the request and corrects existing ones.

The parcel is surrounded by fields in agricultural production. The fields can be accessed to the west via 155th Street.

The rezoning request is in general compliance with the comprehensive plan: it is an existing building site, no agricultural land will be taken out of production, and there are no access issues. **I recommend the request be forwarded to the Board of Supervisors for approval with the non-conforming structure noted.**

4. Five Star Cooperative South of Burchinal (SW¼ of the NW¼, Section 12, Mount Vernon Township)

Five Star Cooperative (Cooperative) is requesting to rezone the 9.12 acres indicated on the rezoning exhibit in your packets from A-1 Agricultural to M-1 Light Industrial. It is located in SW¼ of the NW¼, Section 12, Mount Vernon Township, which is just south of the unincorporated village of Burchinal. The reason for the request is for a proposed expansion of the Cooperative's existing facilities (See Figure 1). The site currently is in agricultural production and has an existing silo onsite (See Figure 2). The existing silo is planned to be removed as a part of the facility.

The Cooperative intends to construct liquid fertilizer storage and distribution buildings and a dry fertilizer building. The facilities will also include seed warehousing, storage, and distribution of crop protection products and will also have the liquid and dry fertilizer storage distribution activity onsite. According to the Cooperative, for the seed warehousing portion of the business, the Cooperative expects traffic to consist of 20 incoming semi-trucks mainly in the winter, and 75 outgoing vehicles with a combination of panel trucks, semi-trucks, and pick-ups with trailers mainly during the spring. For the crop protection portion of the business, the Cooperative expects to see 20-30 incoming vehicles including panel trucks and semi-trucks and 200 outgoing vehicles throughout the spring and summer including a combination of straight trucks, panel trucks, semi-trucks, and pick-ups. For the fertilizer portion of the business, the Cooperative expects to see 550 incoming vehicles primarily semi-trucks year-round and 1,100 outgoing vehicles in the spring, summer, and a fall combination of panel trucks, semi-trucks, straight trucks, and pick-ups with trailers. This portion of the property will be primarily accessed via the existing driveway from Lark Avenue.

The property sits adjacent to two residential properties: 12057 Tiffany Street to the north and 11636 Lark Avenue to the west (See Figures 3 & 4). Requiring vegetation be installed adjacent to property lines to mitigate potential impacts to these neighboring properties as required under Article 19.4 of the Zoning Ordinance is advisable. The Cooperative has told me that they are willing to agree to a Conditional Zoning Agreement as a part of the rezoning to mitigate potential impacts of the proposed development. A draft copy of the agreement has been included with your packets.

The Future Land Use Map in the Comprehensive Plan does not designate specific areas for future industrial development. Policy 6.1.8 states that industrial development would be allowed if subject to the criteria listed in the other policy statements. Rather than restating the goal, objective, and policies in the Industrial Development element of the comprehensive plan, a copy of pages 75 and 76 are included in the packet.

The overall goal of the Industrial Development element encourages new development to "be limited to uses that demonstrate a reliance on inputs from agricultural operations or provide market outputs for agricultural production." The Cooperatives business and services generally fit that description. However, the goal also states that, "those industrial uses that could be located either inside or outside of an incorporated community ... should be located within an incorporated municipality or within a coordination/cooperation area." This type of facility is normally located inside a city or unincorporated community. The site sits adjacent to the unincorporated village of Burchinal. These types of facilities generally need large areas of available land. The proposed location is adjacent to the Cooperative's existing facilities that have been in operation for decades.

Policy 6.1.1 discourages industrial development that would present a conflict with or pose a danger to dense development. Generally, this type of use needs a less dense area for the type of use and truck maneuverability. There are dwellings located adjacent to the subject property at 12057 Tiffany Street to the north and 11636 Lark Avenue to the west. Potential impacts can be mitigated with the installation of proper vegetative buffers along the shared property lines.

Policy 6.1.2 infers that industrial development that is in proximity to necessary infrastructure and to a supplier or customer base is permissible. The proposed location requires limited infrastructure – electricity service and a means of access. This site will provide both. The proposed access is from Lark Avenue (County Road S-34), which is paved. The Cooperative plans to use the existing driveway that connects to Lark Avenue.

Policy 6.1.3 provides a list of criteria that industrial development must meet in order to be permissible. The Cooperative already has existing facilities in which it would like to expand. Also, the Cooperative's existing site lacks sufficient space to expand beyond its current usage (Policy 6.1.5). The Cooperative plans to have well and wastewater. CG Public Health noted the requirements for well and septic permits for new systems, which is noted in the attached supplementary report. The site is located on a paved road, Lark Avenue (County Road S-34). The nearest dwellings are on adjacent properties (See Figures 3 & 4). The rezoning should not be approved without a guarantee that vegetative buffers will be installed to mitigate potential noise and visual impacts for the neighboring properties. The Cooperative has stated they are willing to agree to such conditions and have included these in their site plan included in your packet. The installation of vegetative buffering can be made a condition of a Conditional Zoning Agreement. Additionally, all buildings and structures should be at least 100' from all non-industrially zoned property lines to provide additional separation from neighboring properties.

Policy 6.1.4 directs that the criteria used for evaluating proposed special uses be employed when considering requests to rezone property to an industrial classification. The packet on this request includes a supplement applying the criteria to the proposed rezoning.

Policy 6.1.6 encourages that industrial development be required to contribute to any rural improvements needed to support the location of the development. It is possible that turning lanes would be needed, particularly if the Cooperative decides to expand the use in the future. Such improvements could include a left turn lane into the site for southbound traffic on Lark Avenue and a right turn lane into the site for northbound traffic. However, the County Engineer's Office's biggest concern is the potential for trucks being backed up on the county road waiting to enter the facility; the office does not want to see issues with trucks having to wait on the shoulder of S-34. Based on the site plan, it appears there will be plenty of space for staging trucks onsite, so this will not likely become an issue. This can be made a condition of the Conditional Zoning Agreement. Any improvements or work in the right-of-way will require a work in the right-of-way permit from the County Engineer's Office.

Finally, Policy 6.1.7 encourages the protection of known mineral and aggregate extraction areas. There are no known areas in proximity to this site.

The Cooperative plans to utilize the existing driveway from Lark Avenue (County Road S-34) for ingress and egress, so no access issues will be created from the facility. A driveway permit from the County Engineer's Office will be required for any modification of the existing driveway, including widening.

There is one issue with this request that must be addressed. This is the visual impact the industrial warehouse-style facilities and proximity of the property to residences. For this reason, the applicant making a commitment to adhere to the buffering requirements of the Zoning Ordinance and as a condition of the Conditional Zoning Agreement is necessary. A vegetative buffer, particularly along adjacent property lines, would help give the site a human scale. It would also assist in absorbing noise and containing any dust generated on the site. Requiring additional setback distance, such as 100', from shared property lines with these properties to further buffer the use would also be appropriate.

Aside from the size of the proposed development, the addition of up to hundreds of trucks each year turning into and coming out of the site during peak times in the spring and fall could impede the flow of traffic along S-34. S-34 currently carries 600 vehicles per day on average. The Cooperative intends to stage trucks onsite off of the public roadway, which addresses the concerns of the County Engineer's Office of trucks getting backed up on S-34 and can be made a condition of the Conditional Zoning Agreement. The County Engineer stated that the office reserves the right to require the installation of turning lanes at the Cooperative's cost, if necessary, for safety. Turning truck traffic signs will likely be posted near the property.

The site sits within a public drainage district, Drainage District 45. The County Auditor noted that the proposed expansion does not appear to impact any public drainage facilities. The County's GIS mapping system appears to confirm that there are no tile or drainage routes on the subject parcel. The Cooperative has also conducted drainage study and developed a grading plan that diverts water to a retention basin at the southern portion of the property, which is away from neighboring residential properties.

The site appears to be an appropriate industrial development site with similar development occurring already onsite and agricultural service-oriented industrial development already occurring adjacent to the site. Well and septic facilities will be installed but will have to meet all requirements of CG Public Health. The site is located on a paved road appropriate for the type of traffic serving the facility. And potential concerns can be alleviated via a Conditional Zoning Agreement. An emphasis should be placed on requiring vegetative buffers to screen the use along property lines adjacent to the nearby residential properties to the north and west and at least a 100' setback requirement for all buildings and structures from property lines adjacent to residential properties. Staff recommends that the Commission forward the request to the Board of Supervisors for approval contingent to signing a Conditional Zoning Agreement with the County prior to the hearing.