North Iowa Cooperative SUPPLEMENTAL SITE REVIEW INFORMATION

This information is intended to satisfy Policy 6.1.4 of the Comprehensive Plan. This policy encourages the use of the "same criteria...for evaluating proposed special uses when considering request to rezone property to an industrial classification." These criteria are stated below with analysis following. The criteria are based on the provisions of Section 24.4(A)(2)(a-g) of the Zoning Ordinance.

1) HARMONY AND ACCORD WITH GENERAL PRINCIPLES AND PROPOSALS OF ZONING ORDINANCE -

The Zoning Ordinance states that, "The M-2 Heavy Industrial District is one of the light industrial uses designed to serve the needs of Cerro Gordo County for industrial activity least offensive to the uses in nearby Commercial and Residential Districts." The ordinance then places further restrictions on uses in the district. Uses in the M-2 District are prohibited from emitting "offensive odors, dust, noxious gas, noise, vibration, smoke, heat, glare, refuse matter or water-carried waste beyond the boundaries of the lot on which uses are conducted." Grain storage facilities often generate dust and noise as part of loading and unloading activities. The applicants should be asked how they will prevent noise and dust from reaching beyond the property lines. As a part of the Conditional Zoning Agreement, requiring vegetative buffer along lot lines is recommended, which can help to mitigate these potential impacts.

The applicant anticipates future need for anhydrous ammonia storage and warehousing. Anhydrous ammonia pumping and storage facilities are permitted with a Special Use Permit granted by the Board of Adjustment in the M-2 District. Additional conditions can be placed this type of use as the Board of Adjustment would deem appropriate.

COMPATIBILITY OF USE WITH APPEARANCE AND ESSENTIAL CHARACTER OF AREA -

The property is within the cooperation/coordination and adjacent to the east city limits of Thornton. It is currently used for agricultural production. Land to the north, east, and south of the site is in agricultural production. There are industrial properties to the northwest of the site. Ingebretson County Park and campground sits adjacent to the west of the property, though just under a ¼-mile from the proposed project site. There are no residences in the immediate vicinity of the proposed project site—the nearest rural dwelling is ½-mile to the east (3590 Heather Avenue). Otherwise, the closest dwellings are within Thornton city limits, the closest being just under ¼-mile to the west. Interstate 35 is about 1 mile to the east.

The immediate area is sparsely developed with few buildings, generally containing structures one story in height or trees and crops. Three 128-foot grain bins will be quite noticeable from some distance away. The overall height of the development will be noticeable due to their large diameter. The visual impact of the proposed project could be mitigated with significant vegetative buffering, particularly to the west. Vegetative buffering requirements are included in the Conditional Zoning Agreement that the applicant has indicated it is willing to abide by.

3) IMPACT ON EXISTING AND FUTURE USES, VICINITY, AND COMMUNITY AS A WHOLE -

The proposed use will result in moderately productive agricultural land being taken out of production. The soils in the 27.58 acres for which the rezoning was requested all have a corn suitability rating (CSR) below 65 (62-64). The county's comprehensive plan encourages that large tracts of highly productive agricultural land remain in production, those soils with a CSR of 70 or above. The Cooperative plans to keep those areas not developed for their operations in agricultural production.

The applicants states that most of the truck trips is existing traffic that will be diverted from the facility in Thornton. Further, the applicant says they will have plenty of room to stage trucks waiting to be processed by the facility. The County Engineer's Office has a concern for the potential of backed up trucks waiting on the shoulder of 125th Street (County Road B-65). A condition requiring all staging of trucks to be handled onsite is also included in the Conditional Zoning Agreement. The County Engineer's Office will likely post turning truck traffic signs for the site as well.

Other impacts include noise, dust, and visual impacts due to the height of the proposed bins.

4) ADEQUACY OF PUBLIC SERVICES (i.e., highways, streets, police, fire protection, drainage structures, refuse disposal, water and sewage facilities, or schools) -

County Road B-65 is a paved road, built to withstand the 100-150 grain trucks per day anticipated during peak times in the fall.

Law enforcement protection is provided by the Cerro Gordo County Sheriff's Department. Fire protection is provided by the Thornton Fire Department. The proposed use should not result in a high demand for either service.

The proposed project site is not located within a flood hazard area or drainage district, though there is a mapped floodplain along the creek south of the property. There may be private tile lines that run through the parcel, but it is not located in a Drainage District or contain public drainage facilities.

Refuse disposal will be the responsibility of the applicant. Water and wastewater facilities are not needed in the immediate future. The Cooperative plans to work with the city of Thornton to extend water and wastewater service to the site in the future. CG Public Health does not have any concerns as a result. The proposed use should not have an impact on schools.

5) PUBLIC COST FOR ADDITIONAL PUBLIC FACILITIES AND SERVICES -

It is possible that turning truck traffic at this location may necessitate upgrades to B-65 for safety reasons. The addition of a right turn lane for eastbound traffic and a left turn lane for westbound traffic on B-65 may become necessary. If deemed necessary by the County Engineer, a condition has been included in the Conditional Zoning Agreement that the Cooperative participate in the cost of such improvements.

6) POTENTIAL DETRIMENTS TO PERSONS, PROPERTY, OR GENERAL WELFARE (i.e., excessive traffic, noise, smoke, fumes, glare, or odors) -

According to 2017 data from the lowa Department of Transportation, B-65 carries 790 vehicles per day west of Interstate 35. 100 to 150 trucks per day is significant traffic on B-65, but according to the applicant, most of the truck traffic already takes this route and will be diverted from the facility in Thornton. The turning movements and slow traffic associated with these trucks may create hazards along B-65 and will likely impede the flow of regular traffic. The County Engineer's Office has stated they will likely post turning truck traffic signs as a result.

Smoke, furnes, and odors are not usually associated with grain storage bins. However, noise and dust usually are. In addition, new corrugated steel bins are highly reflective of sunlight.

The noise and dust will be mitigated to a degree because of the scarcity of development in the area.

No vegetative buffer currently exists at the site. Buffering along the property lines would assist in containing dust, mitigating noise, and reducing glare.

7) COMPATIBILITY AND CONSISTENCY WITH THE INTENT AND PURPOSE OF THE ZONING DISTRICT -

Grain elevators, storage bins, and associated buildings and uses are typically considered permitted uses in M-2 Heavy Industrial Districts. The elevators in the unincorporated communities of Portland, Cartersville, Burchinal, and just outside of Rockwell are all located in M-1 Light Industrial Districts. The reasoning for the rezoning request to the M-2 Heavy Industrial District is due to the planned future uses for anhydrous ammonia storage, which is not a permitted special use in the M-1 District, but is in the M-2 District. In anticipation of the other potential allowed uses of the district, conditions limiting use of the property to uses permitted those anticipated by the Cooperative or otherwise requiring Board of Adjustment approval are included in the Conditional Zoning Agreement.

The bins exceed the maximum height allowed in the M-2 District (50 feet). Therefore, variances from the Board of Adjustment will be required. The ordinance also requires a 6 foot buffer wall or 60 foot buffer park between agricultural and industrial zoning districts. The requirement for a buffer wall or park may be waived where the district boundary follows a road right-of-way as along as the waiver does not permit undesirable features of the use to be seen by the public. The waiver of this requirement would also have to be approved by the Board of Adjustment.

Prepared by: John Robbins, Planning and Zoning Administrator, 220 N. Washington Avenue, Mason City, IA 50401 (641) 421-3021

Return to: John Robbins, 220 N. Washington Avenue, Mason City, IA 50401

CONDITIONAL ZONING AGREEMENT

WHEREAS, North Iowa Cooperative Elevator (hereafter "the Cooperative") are the sole record titleholders of certain real estate as described below, within the boundaries of Certo Gordo County, Iowa:

"Parcel A" totaling 27.58 acres located in the Northeast Quarter of the Fractional Southwest Quarter of Section 19, Township 94 North, Range 21 West of the 5th P.M. Cerro Gordo County, Iowa, as depicted in the Plat of Survey dated July 19, 2018 and recorded on July 30, 2018 as Document No. 2018-4347.

WHEREAS, the Cooperative intends to develop a new commercial scale grain facility and other future projects to serve the local agricultural community and

WHEREAS, the property is currently zoned A-1 Agricultural, and the Cooperative is requesting to change the zoning district to M-2 Heavy Industrial to bring to an appropriate district for the desired uses; and,

WHEREAS, certain conditions and safeguards would, mitigate the impact of the proposed projects; and,

WHEREAS, as part of the rezoning request, the Cooperative has agreed to conditions restricting the use in regard to the entirety of the real estate described above.

NOW, THEREFORE, in consideration of the mutual agreement set forth herein, the Cooperative and the Board of Supervisors of Cerro Gordo County agree as follows:

- This agreement is entered into in accordance with and pursuant to Section 335.7, Code of Iowa
 and is reasonable to satisfy the public needs of public health, safety, and welfare, and to limit
 possible conflicts between nearby properties in the general vicinity and along 125th Street (County
 Road B-65), which are directly caused by rezoning of the real estate described above from A-1
 Agricultural to M-2 Heavy Industrial.
- 2. The real estate described above, upon being rezoned to M-2, shall be used in a manner consistent with the application and site plan provided by the Cooperative.
- 3. The Cooperative, successors and assigns, and any future owner of the real estate described above shall apply for and have issued a Zoning Permit prior to any change of use or construction of any structure. The following shall apply:
 - A. Any proposed change of use or structure shall be consistent with the site plan submitted by the Cooperative with the Change of Zone Application. A Zoning Permit Application shall be filed with the Planning and Zoning Office. Any use inconsistent with said site plan shall require approval from the Cerro Gordo County Board of Adjustment. Upon application, the Zoning Administrator shall make a determination whether Board of Adjustment approval is required.

- B. For any use permitted in the M-2 Heavy Industrial District as regulated by the Cerro Gordo County Zoning Ordinance, the Cooperative, successors and assigns, and any future owner of the real estate described above shall receive approval and/or a Special Use Permit granted, as applicable, by the Cerro Gordo County Board of Adjustment.
- 4. The Cooperative shall install a vegetative buffer park, consistent with Subsection 19.4(B)(2) of the Cerro Gordo County Zoning Ordinance along the west and south property lines and also along the right-of-way of 125th Street (County Road B-65), to which no such buffer currently exists, within one year from the date this agreement becomes effective. Said vegetative buffer park shall be continuous running the length of said areas, not be less than forty (40) feet in width and a minimum of ten (10) feet in height at maturity, and consist of evergreen or coniferous type trees, shrubs, and plantings. The Cooperative shall be responsible for the maintenance of said buffer vegetative buffer park. Prior to installation of said vegetative buffer park, the Cooperative shall consult with the Cerro Gordo County Conservation Board and have approved by said Board the design and species composition of said vegetative buffer park.
- 5. At no time shall any semi-truck, trailer, or vehicle to be staged, loaded, unloaded, parked, or processed at the Cooperative's facility be parked or otherwise stopped for a significant period of time within the public right-of-way of 125th Street (County Road B-65). All staging, loading, unloading, parking, or processing of semi-trucks, trailers, or vehicles shall occur on the above-described real estate. The Cooperative shall participate toward the costs for any needed improvements within the right-of-way of 125th Street (County Road B-65) that are caused by the operation of the Cooperative's facilities on the above described real estate, including but not limited to the installation and construction of turning lanes, road repairs, warning signs, driveways, and drainage facilities, in the amounts deemed necessary by the County Engineer.
- 6. This agreement shall be effective contemporaneous with the effective date of the rezoning of the real estate described above to M-2 Heavy Industrial.
- 7. This agreement shall be recorded in the office of the Recorder of Cerro Gordo County, Iowa, and shall be binding upon the parties hereto and upon all of their successors in interest and upon all subsequent owners, record titleholders, or other holders of interest in said real estate, as long as said real estate continues to be zoned M-2 Heavy Industrial under the Cerro Gordo County Zoning Ordinance, or under any substantially similar successor ordinance, or until such restrictions are specifically removed through the actions of the Cerro Gordo County Board of Supervisors, with the consent of the then record titleholders and after notice and hearing as required by section 335.7 of the Code of Iowa (2009).

| It was moved by Sup Vote thereon was as it | | and seconded by | Supervisor | _ to adopt the fore | egoing agreement |
|---|------|-----------------|--------------|---------------------|------------------|
| Ayes: Nays: Absent/Not voting: | | | | | |
| Passed and approved Supervisors. | this | day of | , 2020 by th | ne Cerro Gordo Co | ounty Board of |

NORTH IOWA COOPERATIVE ELEVATOR

| Charles Schafer, General Manager | |
|---|---|
| STATE OF IOWA | } |
| | } ss: |
| CERRO GORDO COUNTY | } |
| On the day of of Iowa, personally appeared | , 2020, before me, the undersigned Notary Public in and for the State |
| | sons named in and who executed the foregoing instrument and |
| acknowledged that they executed th | e same as their voluntary act and deed. |
| | |
| | Notary Public in and for the State of Iowa |

| CERRO GORDO COUNTY, IOWA | 4 : |
|---|--|
| Tim Latham, Chair Board of Supervisors | |
| Attest: | |
| Adam V. Wedmore, Auditor Cerro Gordo County, Iowa | |
| STATE OF IOWA | } } ss: |
| CERRO GORDO COUNTY | |
| of lowa, personally appeared Tim L named in and who are the Chairpers of Cerro Gordo County, respectively of the corporation, and that the instra of its Board of Supervisors, as conta | , 2020, before me, the undersigned Notary Public in and for the State atham and Adam V. Wedmore, to me known to be the identical persons on on the Board of Supervisors of Cerro Gordo County and the Auditor v; that the seal affixed to the foregoing instrument is the corporate seal ument was signed and sealed on behalf of the corporation, by authority ined in the Motion by the Board of Supervisors on the day of Latham and Adam Wedmore acknowledged the execution of the |
| instrument to be their voluntary act a voluntarily executed. | and deed and the voluntary act and deed of the corporation, by it |
| | Notary Public in and for the State of Iowa |

ELEMENT 6. INDUSTRIAL DEVELOPMENT

Cerro Gordo County has experienced an increased interest in industrial development outside of incorporated areas, primarily due to availability of larger parcels of land, and lower rural area development costs. Except in a few individual cases, development that has occurred outside of incorporated areas is not supported by urban infrastructure, services and standards. It is sometimes located there because it has grown from a small industrial business into a larger operation, or because it existed in that location prior to zoning regulations.

GOAL 6.0 Industrial development in unincorporated areas should be limited to those uses that demonstrate a reliance on inputs from agricultural operations or provide market outputs for agricultural production or that have unique infrastructure needs that can only be met in certain locations, subject to the policies stated in this plan. Those industrial uses that could be located either inside or outside of an incorporated community or that have a need for or are expected to place large demands on infrastructure should be located within an incorporated municipality or within a coordination / cooperation area.

OBJECTIVE 6.1 Ensure that proposed industrial development is appropriate for and will be compatible with its surroundings.

Policies:

- 6.1.1 Discourage industrial uses that would present a hazard to or conflict with dense development.
- 6.1.2 Permit appropriate industrial development that is in proximity to necessary infrastructure and supplier or customer base, and, for safety reasons, must be located far away from developed areas.
- When permitted, require proposed industries to locate in an area where other existing industries are located; in areas that have adequate access to rail and air transportation infrastructure and major transportation routes as well as water and wastewater systems; and in an area adequately buffered from residential and agricultural uses.
- 6.1.4 Utilize the same criteria used for evaluating proposed special uses when considering requests to rezone property to an industrial classification.
- 6.1.5 Encourage light industries with three or more employees to locate in properly planned, compact, and fully serviced industrial parks.
- 6.1.6 Require permitted industrial development to contribute in any rural improvements needed to support the location of the development.

- 6.1.7 Protect known mineral and aggregate extraction areas, whether developed or undeveloped, for encroachment by incompatible development and reserve such areas for extraction purposes.
- 6.1.8 Future industrial areas shall not be placed on the Future Land Use Map, but will be allowed only if subject to the criteria described in these policies.

APPLICATION FOR CHANGE OF ZONE CERRO GORDO COUNTY, IOWA

| Name and Mailing Address of Applicant(s): |
|--|
| North Iowa Cooperative |
| 105 South First Street - Box 90 |
| Thornton, IA 50479 |
| Applicant(s) are the: Owner(s) Contract Purchaser(s) of the property described. |
| Present zoning district of described property is Agriculture |
| Proposed zoning district for described property M-2 Heavy Industrial |
| Reasons for re-zoning: |
| Purchased land to expend grain facilities, |
| and other future projects, near our |
| Thornton location. This property will |
| allow us property to continue to grow |
| our agriculture business serving |
| farmers of the fature. |
| Name and Addresses of the owners of all properties lying within five hundred (500) feet of any part of the property proposed to be changed are as follows: |
| Ag Vantage FS 206 Ash Thornton, IA |
| to the North Tim Jorgenson 2866 Grouse Ave. Thousand, I. |
| Land awner Cerro Gordo Co Ingrébretson Park Compground to the West Dest Cerro Gordo Co Ingrébretson Park Compground |
| Land Renter Dan Lonevick - (Land Renter) to the east Mesonsey, IA |
| Link Durish Dean Jurgens - 5606 100 = 5T. Thornion, IVI |
| Kruger Family - West of FS - Thounton, IA |

| An official survey by a Registered Land Survey | or is attached. |
|---|---|
| This property is developed and a plat, developments the location of all buildings on the site along | pped by a Registered Land Surveyor, is attached which g with all dimensions and distances. |
| This property is undeveloped and a rough draw | ft or schematic drawing of the area is attached. |
| Other information is also attached which may | be pertinent to this request. |
| Filing fee attached. (\$200.00 – check made pa | ayable to Cerro Gordo County) |
| I (We) understand that this application cannot be & Zoning Commission or Board of Supervisors once | withdrawn from consideration by either the Planning notice has been given as required. |
| I (We) understand that if this application is denie covering the same property and additional propert from the date of this filing. | ed by the Board of Supervisors, then no new petition by can be filed or considered until one year has elapsed |
| I (We) grant to the Planning & Zoning staff, members Supervisors permission to enter onto the described | ers of the Planning & Zoning Commission and Board of property for review purposes. |
| 7-23-2020 Dated | Owner's Signature North Iowa Cooperative 105 South 1st Thornton, Iowa 50479-00090 Owner's Signature Cellphone - 641 - 420 - 1574 |

Index Legend 😔 🔌 Prepared by & Returned to: Mark D. McClenathan, PLS 24510 HRS, LLC - 10 East Main Street, New Hampton IA 50659 County: Cerro Gordo Section: 19 Township: T94N Range: R21W Aliquot Part: NE 1/4 - FR'L SW 1/4

Proprietor: Dean E. Jurgens Requested By: Chuck Schafer Doc. #: 2018-4347

07/30/2018 10:56 AM Type: ISUR Pages: 4 R: \$20.00 - Tf: \$0.00 - M: \$1.00 - Tc: \$1 - N: \$0

Pymt: Check

Colleen Pearce, Cerro Gordo County Recorder



Aud

Plat of Survey

Parcel A in the NE 1/4 - Fr'l SW 1/4 of Section 19 - T94N - R21W, Cerro Gordo County, Iowa.



R21W

Map Not to Scale

Map Courtesy of the Iowa Department of Transportation
http://www.iowadot.gov/maps/

Basis of Bearing:

The Coordinate Basis for this survey and the subsequent Basis of Bearing is the lowa State Plane Coordinate System North Zone (1401) Honzontal Control NAD 83 (2011), Vertical Control (440) Honzania Control Mad 83 (2011), Versical Control NAVD88 (Geoid 12A) Control Mas acquired by Iocalizing Into the Cerro Gordo County GPS Control System utilizing Points 105, 106, 107, 110, 111, 112, 119, 167, 168 projected from Point 111 Scale factor 1.0000934172 applied.

Projection Point: Northing = 3,809,654.73' Easting = 4,967,920.99'

Notes: See Sheet 1 for Location Map. See Sheet 2 Section Control. See Sheet 3 for Parcel Details. See Sheet 4 for Legal Description.



| | LEGEND |
|---|-----------------------------------|
| A | = Section Corner Found |
| Δ | = Section Corner Set |
| 0 | ≈ Set 5/8°Ø Rebar w/BPC PLS 24510 |
| | = Survey Boundary Line |

- // --- = Existing Fence

RPC, YPC, OPC, BPC = Red, Yellow, Orange, Blue Plastic Cap

SMN-SSW = Survey Mark Nail w/Stainless Steel Washer

= Recorded Dimension

Survey was completed on July 9, 2018

FB: Cerro Gordo 1, Pgs. 44-45

Herold-Reicks Surveying

10 East Main Street New Hampton IA 50659 641-394-2725

2206 East Bremer Avenue Waverly IA 50677 319-483-5187

www.hrsurveying.com



MDM Project Number: 2018-110 | Sheet: 1 I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor, under the laws of the State of Iowa.

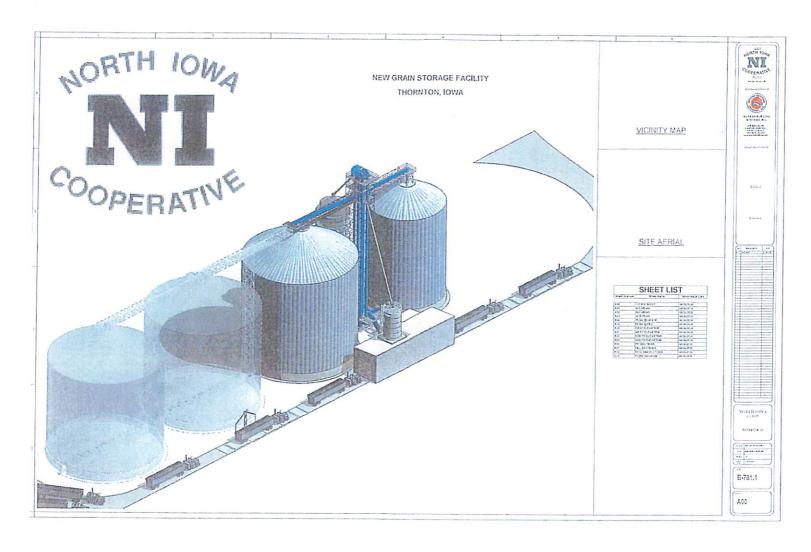
Mark D. McClenathan

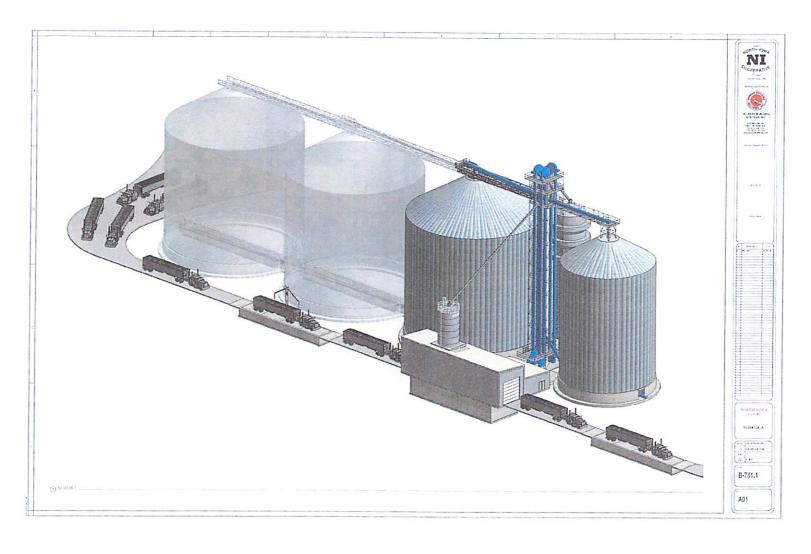
7-19-18 Date:

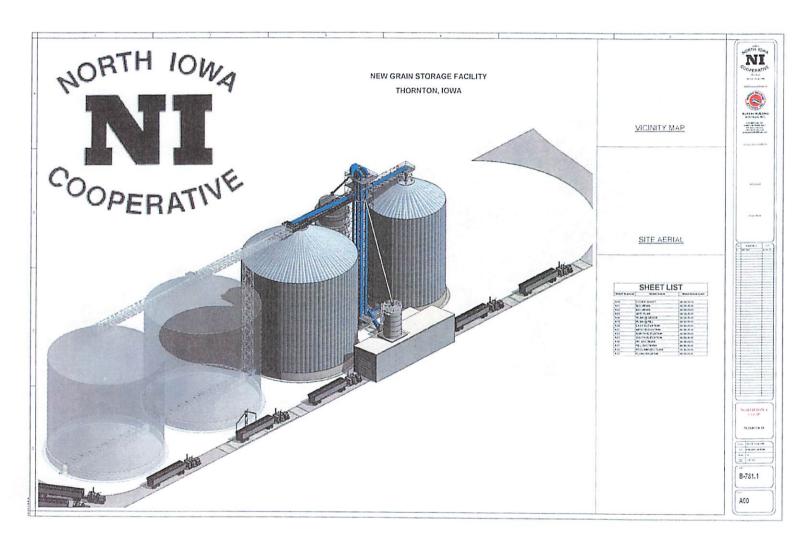
License number 24510

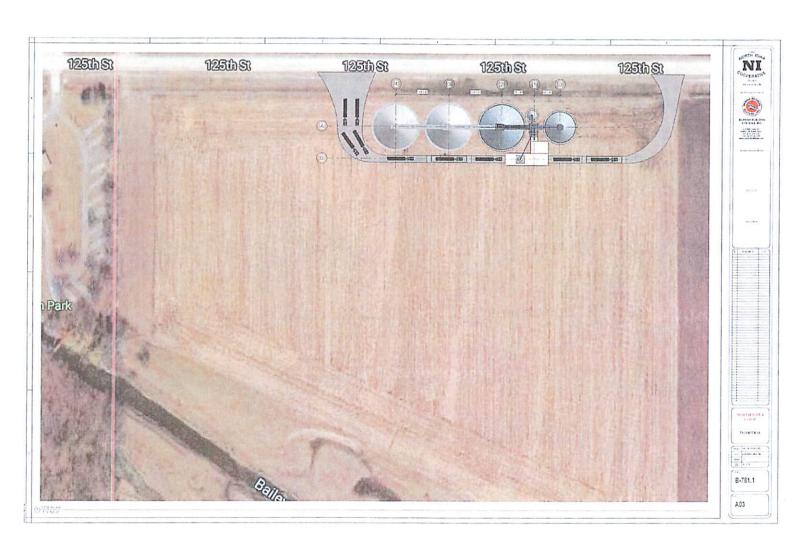
My license renewal date is December 31, 2019. Sheets covered by this seal: 1-4

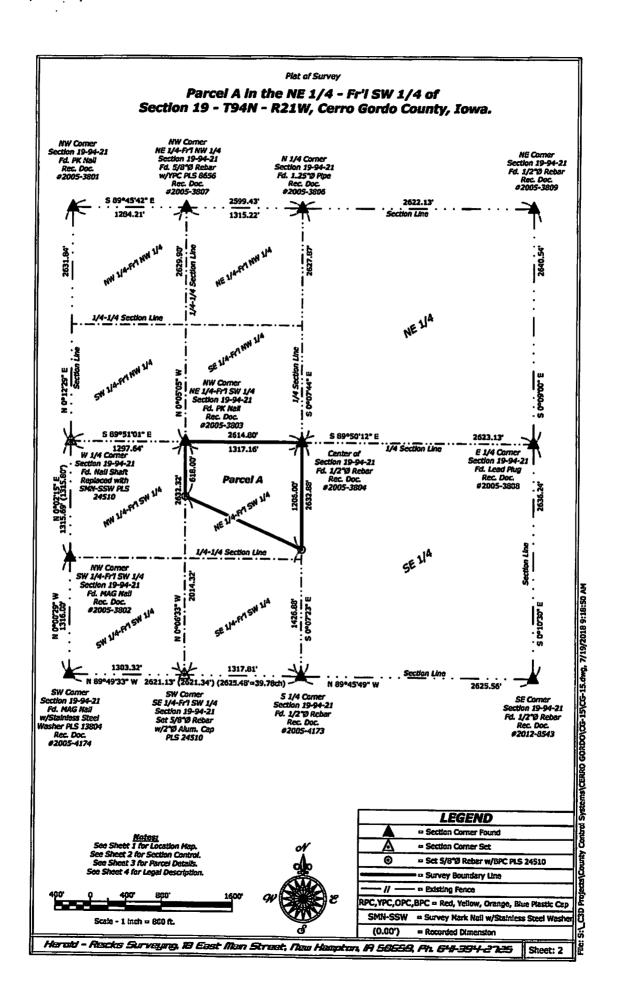
15\CG-15.dwg, 7/19/2018 9:18:46 AM

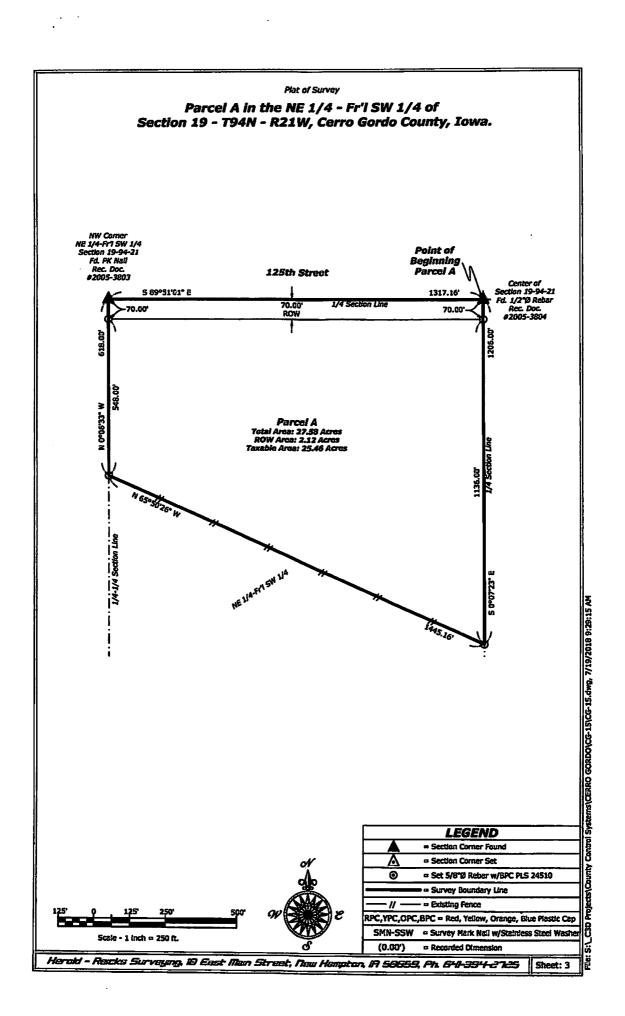












Plat of Survey

Parcel A in the NE 1/4 - Fr'l SW 1/4 of Section 19 - T94N - R21W, Cerro Gordo County, Iowa.

Legal Description:

Parcel A in the Northeast Quarter of the Fractional Southwest Quarter of Section 19, Township 94 North, Range 21 West of the 5th P.M., Cerro Gordo County, Iowa, and more particularly described as follows:

Beginning at the Center of said Section;

Thence South 00°07'23" East, 1206.00 feet along the East Line of said Quarter-Quarter Section;

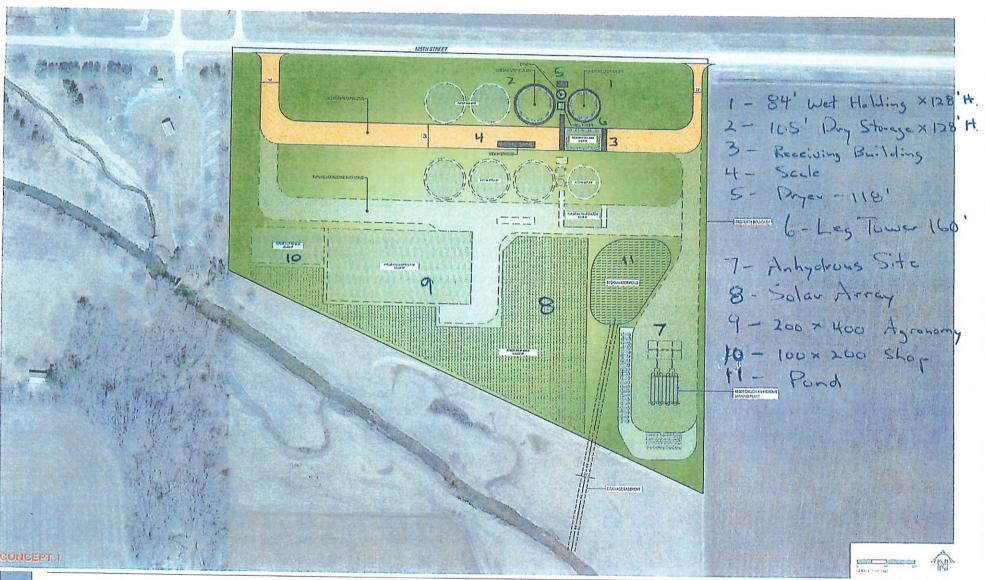
Thence North 65°50'26" West, 1445.16 feet to the West Line of said Quarter-Quarter Section;

Thence North 00°06'33" West, 618.00 feet along the West Line of said Quarter-Quarter Section to the Northwest Corner thereof;

Thence South 89°51'01" East, 1317.16 feet along the North Line of said Quarter-Quarter Section to the Point of Beginning.

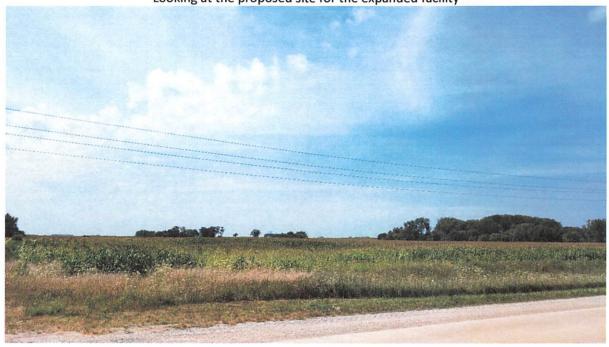
Containing 27.58 Acres, including 2.12 Acres of 125th Street Right-of-Way, subject to any easements recorded or unrecorded.

Note: The Bearings and Distances indicated in this Legal Description are to the Monuments "Found or Set" as indicated on the attached "Plat of Survey" and the calls along the courses in this Description are to those Monuments as indicated.



North Iowa Cooperative NE% of the SW%, Section 19, Pleasant Valley Figure 1

Looking at the proposed site for the expanded facility



August 7, 2020, J. Robbins

Figure 2
Looking toward Thornton along County Road B-65 from the eastern side of the subject property



August 7, 2020, J. Robbins

Figure 3

Looking west from Ingebretson County Park toward North Iowa Cooperative's property



August 7, 2020, J. Robbins

tnornton



