

October 5, 2016

The Planning & Zoning Commission for the City of Okoboji, Iowa met in session on the above date at 4:30 P.M. in the Okoboji City Hall. Commission members present were: Pearson, Grant, Marousek, Mendenhall, and Shuttleworth. Others present were: Antonia Camozzi, Craig Camozzi, Rich Nicklay, Annie Braland, Roger Jones, Peggy Jones, Kristian Olson, Allen Smith, Dave Stein and Lissa Ballis.

Chairman Pearson called the meeting to order at 4:30 P.M. stating the purpose of the meeting was to discuss a petition for the rezoning of property. The rezoning request is from Allen, Bruce and Craig Smith and is for approximately 3.26 acres of land located in the south part of Block B in the Plat of Okoboji Park, Dickinson County, Iowa. The Land is currently the Smith pasture used primarily for boat and trailer storage. The requested zoning change is from R-1 Single Family Residential to R-2 Multiple Family Residential for purposes of construction two (2) duplex residential dwelling units and investigating a conditional use permit for the siting of a medium sized cellular communications tower.

Pearson stated there were four letters received against granting the request. Pearson read one and asked Marousek, Grant and Mendenhall to each read one as well for the record. A public hearing notice was sent to all residents within a 200 foot radius of the property and was published in the *Dickinson County News*.

Allen Smith explained to those in attendance where the property was located and that he was approached by Verizon representatives for the possibility of putting a cell phone tower on his land. In order to do this, the land would need to be rezoned R-2 Multiple Family Residential. He stated a lower section of land on that parcel could then be used to construct two duplexes.

David Stein City Attorney fielded questions about the process. The Planning and Zoning would make their decision and then that recommendation would be passed to the City Council. The Council would then have to pass it as an ordinance. The next step would be for the applicants to apply for a conditional use permit. A conditional use permit requires that the Planning and Zoning Commission review the permit application with a recommendation to be sent to the Board of Adjustment. There would be public hearings regarding any cell tower. So ultimately, this is the first step in a 4 step administrative process. The airport overlay ordinance is also a factor.

Steve Hallgren clarified the city's comprehensive plan identifies this tract of land as a commercial land use, of which the proposed R-2 zoning is of a lesser land use intensity than noted in the comprehensive plan. Under the current R-1 Single Family Residential zoning Mr. Smith could effectively build upwards of 13 single homes on that parcel resulting in a higher population density. He stated Mr. Smith has indicated no condominium or apartment living units will ever be constructed. The additional conditions could be confirmed under Iowa Code Section 414.5 and would run as a covenant with the property.

Much discussion ensued between committee members and those in attendance.

Pearson asked for a vote for the proposed request with conditions. A roll call was taken; AYES: Grant. NAYS: Mendenhall, Marousek, Pearson and Shuttleworth. The vote was to deny the Request for rezoning change from an R-1 Single Family Residential to R-2 Multiple Family Residential and to recommend that the City Council deny the rezoning request at the public hearing/meeting on October 11, 2016.

Grant/Shuttleworth moved to adjourn. All ayes. Motion carried. Meeting adjourned at 5:45 P.M.

Lissa Ballis
Deputy City Clerk