



— PLANNING & ZONING COMMISSION —

## AGENDA

August 11, 2020

6:00 P.M.

City Council Chambers

Live stream: [https://www.youtube.com/channel/UCCwqdy2irWQILB\\_1QzcVrdw](https://www.youtube.com/channel/UCCwqdy2irWQILB_1QzcVrdw)

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes
  - A. July 14, 2020
5. Public Comments
6. Old Business
7. New Business
  - A. Consider recommendation on request for approval of a Final Plat for Bussanmas Estates, located at 1409 West 6<sup>th</sup> Avenue.
  - B. Consider recommendation on request for approval of a Plat of Survey for Steven M and Jeri Le Henry, located within two miles of the City of Indianola.
8. Comments
  - A. Commission Members
  - B. Staff
9. Adjournment

To submit a public comment online, please visit

<https://www.indianolaiowa.gov/FormCenter/Community-Development-3/Public-Comment-78>

**Distribution:**

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— PLANNING & ZONING COMMISSION —

MINUTES OF PLANNING AND ZONING MEETING

July 14th, 2020

6:00pm

The meeting was called to order by Chairperson Josh Rabe and on roll call the following members were present:

Josh Rabe

Al Farris (via Zoom)

Misty Soldwisch (via Zoom)

Joe Butler (via Zoom)

Erin Freeberg

Bob Ormsby (via Zoom)

Becky Needles (via Zoom)

Jeromy Pribil (via Zoom)

Members Absent: Sarah Ritchie

Staff Present: Charlie Dissell, Cortney Marmon

Public Present: Caroline Vernon 1305 W Clinton, Ed Arp, Stacy Crow

Commissioner Ormsby moved to approve the agenda of the July 14th, 2020 meeting with the change that the first agenda item be moved to the last item. Commissioner Butler seconded the motion. On roll call the vote was AYES: Rabe, Farris, Soldwisch, Ormsby, Butler, Needles, Pribil Opposed: None. Whereupon the Chairperson declared the motion carried unanimously.

Commissioner Pribil moved to approve the minutes of the June 9th, 2020 meeting and Commissioner Butler seconded the motion. On roll call the vote was AYES: Rabe, Farris, Soldwisch, Pribil, Ormsby, Butler, Needles Opposed: None. Whereupon the Chairperson declared the motion carried unanimously.

**Consider recommendation on request for approval of a Plat of Survey for Redeemer Lutheran Church located at 1410 West Boston Avenue**

Mr. Dissell provided an overview

Commissioner Ormsby asked if the church would be required to put a screen

Mr. Dissell said no and clarified that the zoning district was R1

Caroline Christensen of 1305 W Clinton Indianola, IA 50125 said that she would have to change property lines if this passes. Ms. Christensen noted the letter shows the boundary will be running right along an easement that is a sewer and drainage ditch that is right behind her house. Ms. Christensen stated the church also built a drainage pond that washed out all the stakes for the property lines.

Chairperson Rabe asked Mr. Dissell for clarification on the property lines being changed.

Mr. Dissell noted the Church is unable to change property lines that are not theirs, and the church is only splitting up property that they own.

Ms. Christensen showed a map and Chairperson Rabe provided clarification on map.

Mr. Dissell said the church hired a surveyor who is certified.

Ms. Christensen said two they had two surveyors down there and they didn't know where to start.

Commissioner Needles moved to approve the recommendation on the request for approval of a Plat of Survey for Redeemer Lutheran Church located at 1410 West Boston Avenue. Commissioner Pribil seconded the motion. On roll call the vote was AYES: Rabe, Needles, Butler, Pribil, Ormsby, Freeberg, Farris NAYS: None. Whereupon the Chairperson declared the motion approved.

### Consider recommendation on request for alternative method of approval for a site plan for Crow's Nest RV Park, located at 100 and 300 West 17<sup>th</sup> Avenue

Mr. Dissell Provided an overview.

Commissioner Butler stated in engineer's letter it states that when the road gets paved would there be a bond in place that makes sure this happens.

Mr. Dissell noted that staff is currently working with them on a development agreement for a trail.

Commissioner Butler asked how the enforcement of the development agreement takes place.

Mr. Dissell stated it's a legal and binding agreement, could get bond if we needed to but there would be legal ramifications if it didn't take place.

Chairperson Rabe asked what the ramifications of letting the park be gravel, would it still have the same appeal.

Mr. Dissell stated it would still have that appeal because it's more rural, and the site included a 50 ft paved apron for mud control.

Ms. Crow stated she doesn't have a problem paving all the main roads into the park later down the line when there is more money and wanted to ask Mr. Dissell for clarification on the bike path/trail easement.

Mr. Dissell stated the master plan shows a trail going through there, and the City had proposed a development agreement where the city gets to a point to do the trail that they would get the easement Ms. Crow wanted to know if it could be included in the sewer easement. Mr. Dissell stated it could.

Mr. Arp stated they would probably not build all the spots out on the first phase and as popularity builds will add more spots.

Mr. Arp added that they have no dates certain on 17th being paved which is why they would like development agreement vs bond.

Commissioner Farris asked if it would be desirable to reference any action that we take, should we require that approval is contingent upon a development agreement.

Mr. Dissell said they don't need to specifically say they need a development agreement.

Chairperson Rabe asked how should it be worded; maybe as just a legally binding agreement?

Mr. Dissell advised that staff can work that out before council meeting.

Chairperson Rabe stated he just doesn't want this to be a project that hangs out there and never gets done.

Commissioner Butler wanted to know when the road gets paved could we require more storm water runoff, and would the detention be put in place now or in the future.

Mr. Arp stated they would be providing a detention, drainage between phase 1 and phase 2, as they start to pave the detention will make more sense and will have the option to expand.

Commissioner Butler just wanted to make it clear that it's more than just paving over gravel.

Commissioner Farris moved to approve the recommendation on request for an alternative method of approval for a site plan for Crow's Nest RV Park, located at 100 and 300 West 17th Avenue contingent on a mutually agreed upon binder related to future paving. Commissioner Soldwisch seconded the motion. On roll call the vote was AYES: Rabe, Farris, Butler, Soldwisch, Pribil, Ormsby, Freeberg, Needles NAYS: None. Whereupon the Chairperson declared the motion approved unanimously

### Consider recommendation on request for approval of a Final Plat for Quail Meadows Plat 3

Mr. Dissell provided an overview.

Commissioner Soldwisch recused herself from this item as working on this project.

Commissioner Butler stated one lot shows owned by HOA and not homeowner, how will we show this will be maintained.

Mr. Dissell stated easement agreement shows it is their responsibility to maintain but easement allows the City to maintain and charge back on HOA.

Commissioner Butler asked that since this is phase one why can't developer keep detention basin until fully developed?

Mr. Dissell stated that could be an option

Commissioner Butler stated that since it's phase one he doesn't like the idea of it being an HOA at this point in time.

Chairperson Rabe asked if there is any reason, we couldn't push it back a month and have a discussion on this.

Commissioner Butler stated he would be comfortable with staff handling it prior to it going to Council.

Commissioner Farris asked if it was possible to put a stipulation in place that would run with all the lots in plat 3 that all the homeowners in that plat are responsible for the maintenance of that.

Mr. Dissell stated he didn't think we have the ability to do that because it could affect land value, but it would maybe be added into code updates he would need to talk to our attorney though before giving a final answer.

Commissioner Farris is nervous about detention basins and who is going to take care of them because it could get dumped back on the city.

Misty (recused from item) stated not an unusual part of development and it happens often how to we get consistent guidelines.

Mr. Dissell and Chairperson Rabe advised would be a big topic in the code updates and storm water utility audit.

Commissioner Butler moved to approve the recommendation on request for approval of a Final Plat for Quail Meadows Plat 3. Commissioner Ormsby seconded the motion. On roll call the vote was AYES: Rabe, Farris, Butler, Pribil, Ormsby, Freeberg, Needles NAYS: None. Whereupon the Chairperson declared the motion approved unanimously

### Consider recommendation on request for approval of various amendments, including zoning regulation amendments to Chapter 165, regarding fees

Mr. Dissell provided an overview.

Commissioner Pribil moved to approve the recommendation on request for approval of various amendments, including zoning regulation amendments to Chapter 165 regarding fees. Commissioner

Butler seconded the motion. On roll call the vote was AYES: Rabe, Farris, Butler, Soldwisch, Pribil, Ormsby, Freeberg, Needles NAYS: None. Whereupon the Chairperson declared the motion approved unanimously

Comments: None

Commissioner Ritchie moved to adjourn the meeting and Commissioner Ormsby seconded. Meeting was adjourned at 6:36pm.

### **Consider recommendation on request from Cheryl Geurts of Indianola Preschool, Inc for approval of an amendment to Chapter 165, regarding preschools and childcare centers**

Chairperson Rabe and Commissioner Butler recused themselves from this item.

Mr. Dissell provided an overview.

Commissioner Farris asked how this would impact any existing facilities.

Mr. Dissell stated the only change would be in the R1 zoning district and A1 facilities would be allowed, 5 or fewer in home, 5 or more would need an exception and existing ones would be grandfathered in. Commissioner Farris asked how the public would be notified of a change like this.

Mr. Dissell advised we post agenda in lobbies and online we also mail out letters to property owners surrounding for more specific items but unable to do so in this case.

Commissioner Pribil wanted to know if we are doing something different than other cities.

Mr. Dissell said other codes were explored, and most who have updated are following similar paths.

Commissioner Farris wanted clarification on R5, since allowed in R3 would it be allowed in R5.

Mr. Dissell advised it would through an approved PRD plan.

Commissioner Farris wanted to know if Mr. Dissell talked to anyone in the childcare business about this.

Mr. Dissell said Cheryl Geurts reviewed this item.

Commissioner Farris stated he is uneasy with this because he doesn't know how many people that it will impact and what it will do to the community.

Commissioner Pribil stated having young children he is also wondering how it will impact his children, wants to know about tabling it until next month.

Mr. Dissell stated there is no rush if they want to table but we are opening up the city for more daycares with a layer of review.

Commissioner Soldwisch wanted to know if that would give the board an opportunity to review appropriateness and people surrounding the center to know and respond.

Mr. Dissell advised yes.

Commissioner Pribil asked if daycare now would be grandfathered.

Mr. Dissell advised yes.

Commissioner Ormsby wanted to know if with a special exception could a daycare with more than 5 children be opened in an R1.

Mr. Dissell advised yes.

Commissioner Ormsby said that concerns him.

Mr. Dissell said there are some areas that could handle a large capacity like that in the R1 and could cap off the number of children.

Commissioner Ormsby wanted to know what kind of facility the Indianola Preschool is wanting to build.

Commissioner Needles said that they are wanting to expand they are out of room, this is Indianola Preschool not a daycare, needing more classroom space.

Chairperson Rabe said looking at properties that are larger and that they could make it a higher and better use and be a little more creative.

Commissioner Butler stated size could impact things but would still have to meet site plan requirements, green space, etc. where it goes will be closely looked at.

Commissioner Soldwisch stated the concern Farris has is just anyone requesting something like this but childcare and preschool have a different element because it is different than a normal business enterprise.

Commissioner Pribil stated has no problem with the modernization of our codes.

Mr. Dissell stated we will be looking at updating other codes further and looking at the city as a whole.

Commissioner Pribil moved to approve the recommendation on request Cheryl Geurts of Indianola Preschool, Inc for approval of an amendment to Chapter 165, regarding preschools and childcare centers. Commissioner Pribil seconded the motion. On roll call the vote was AYES: Farris, Soldwisch, Pribil, Ormsby, Freeberg, Needles NAYS: None. Whereupon the Chairperson declared the motion approved unanimously

Comments:

Commissioner Butler stated he appreciated the conversation on the last item, looks forward to doing that on other items.

Mr. Dissell advised reports attached, and also advised council approved work program and will be starting work on that for the new codes

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Josh Rabe, Chairperson

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Charlie Dissell, Director of Community Development



## COMMUNITY DEVELOPMENT

To: Planning and Zoning Commission  
From: Charlie E. Dissell, Community and Economic Development Director  
Date: August 5, 2020  
Re: Item 7. A. Consider recommendation on request for approval of a Final Plat for Bussanmas Estates, located at 1409 West 6th Avenue.

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On the August 11<sup>th</sup> agenda is the above referenced item. During the review of this item, it was realized that the parcel is zoned A-1, Agricultural, and thus, requires a minimum lot size of 15 acres. The proposed lot is 3.23 acres. Staff has provided the applicant with a few options, which include rezoning the ground. As notification letters were sent out to surrounding property owners regarding this item being on the August 11<sup>th</sup> agenda, and while the applicant decides the best course of action, I request the Planning and Zoning Commission remands the final plat request back to the applicant and staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.





# Community Development

110 N. First St., Indianola, IA 50125-0299 • [www.indianolaiowa.gov](http://www.indianolaiowa.gov)  
515-961-9430 • [comdev@indianolaiowa.gov](mailto:comdev@indianolaiowa.gov)

## Staff Report

## Planning and Zoning Commission

**Date of Meeting:** August 11, 2020

**Agenda Item:** 7. B. Consider recommendation on request for approval of a Plat of Survey for Steven M and Jeri Le Henry, located within two miles of the City of Indianola.

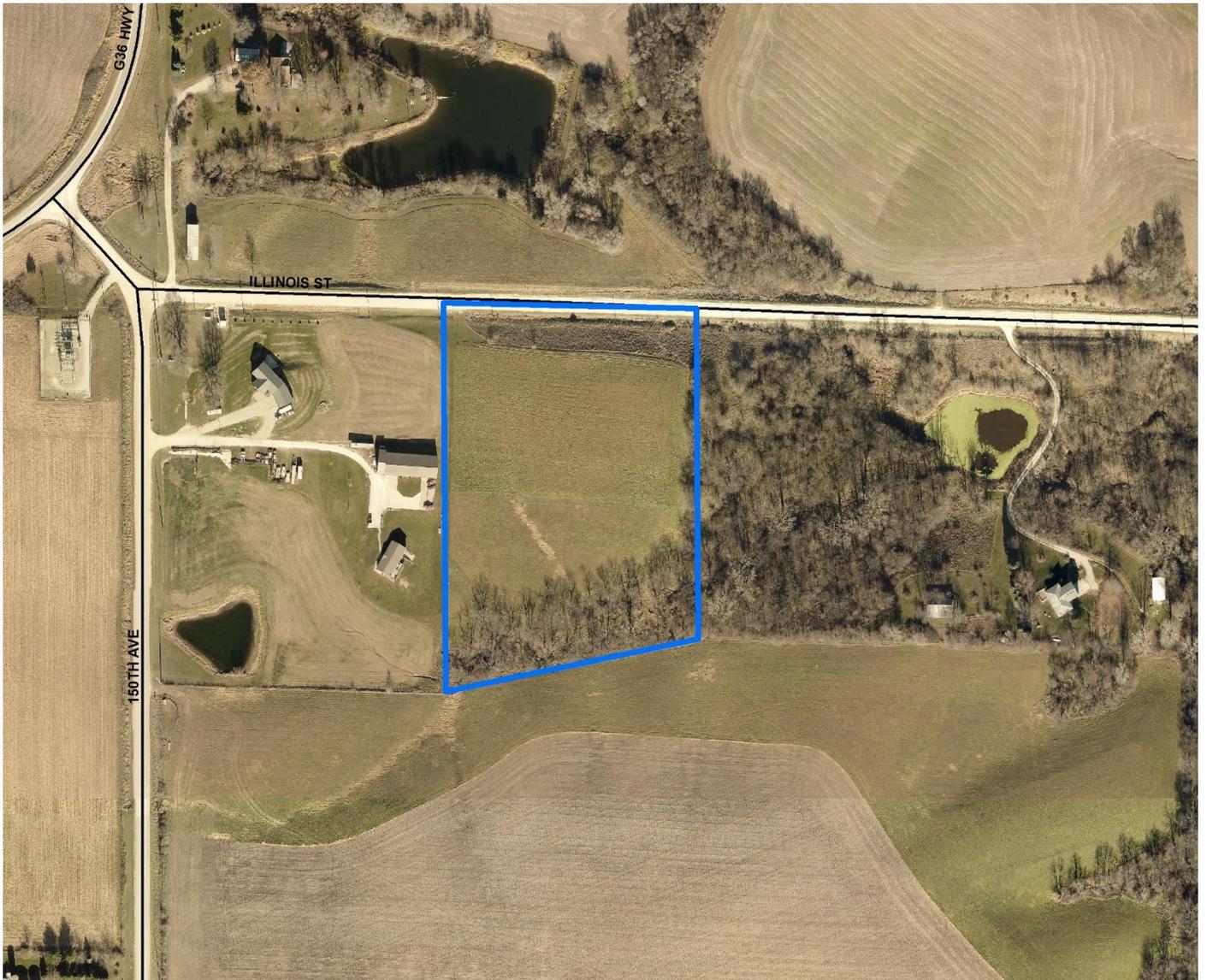
**Application Type:** Plat of Survey

**Applicant:** Chad A. Daniels of Daniels Land Surveying

**Comprehensive Plan Designation:** Agriculture

**Application Summary:** Request for plat of survey approval to split a 7.51 acre parcel off for a future residential lot.

## AERIAL MAP



## APPLICABLE CODE SECTIONS

The following sections of the Code of Ordinances of Indianola, Iowa apply to this request:

**170.02 JURISDICTION.** All plats of survey, plats, replats or subdivisions of land into three (3) or more parts for the purpose of laying out a portion of the City of Indianola, an addition thereto or suburban lots within two (2) miles of the corporate limits of the City for other than agricultural purposes shall be submitted to the Council and the Commission in accordance with the provisions of this chapter and shall be subject to the requirements established herein. This chapter shall regulate the subdividing of land within the City and all land within an area extending two miles beyond the corporate limits in accordance with the provisions of Section 354.9, Code of Iowa.

**170.13 DESIGN STANDARDS — LOTS.**

1. All lots shall abut on a street or place. Corner lots which abut on a thoroughfare or collector street shall have a minimum radius of 25 feet at the intersection.
2. Sidelines of lots shall approximate right angles to straight street lines and radial angles to curbed street lines except where a variation will provide better lot layout.

3. Lots with double frontage shall be avoided, except in specific locations where good planning indicates their use. In that event a planting screen shall be provided along the rear of the lot.
4. Corner lots shall not be less than 80 feet in width and interior lots shall not be less than 70 feet in width at the building line.
5. Lot depth shall not exceed 2½ times the width.
6. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.

**170.38 ENFORCEMENT.** In addition to other remedies and penalties prescribed by law, the provisions of this chapter shall not be violated subject to the following:

1. No plat of survey, plat or subdivision in the City or within two (2) miles thereof shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat or subdivision have any validity until it complies with the provisions of this chapter and has been approved by the Council as prescribed herein.

## **ANALYSIS**

Steven M and Jeri Le Henry currently own a 25.15-acre parcel, which does not contain any buildings. The Henry's propose to sell a 7.51 acre parcel off from this parcel to a buyer who proposes to build a single-family dwelling. As this site is not located within the City of Indianola, but is within two miles of the City, it falls under the review authority of the City. The comprehensive plan calls for this area as agriculture, and it is not within a growth priority area of the City. Letters were mailed to property owners within 200 feet of this property on July 30, 2020.

## **ALTERNATIVES**

The City of Indianola Planning and Zoning Commission may consider the following alternatives:

- 1) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the plat of survey request, back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.

## **RECOMMENDATION**

Staff recommends that the City of Indianola Planning and Zoning Commission move alternative 1, approving the plat of survey request, as submitted.

## PLAT OF SURVEY

### SURVEY LEGEND

### INDEX LEGEND

LOCATION: NW ¼ OF NW ¼ OF SECTION 21  
T 76N, R 23W, WARREN COUNTY, IOWA

OWNER: STEVEN & JERI HENRY  
9393 143RD AVE., INDIANOLA IA 50125

SURVEY FOR: (OWNER)

PREPARED BY CHAD A. DANIELS  
DANIELS LAND SURVEYING, 22598 18TH AVE, NEW VIRGINIA IA 50210  
RETURN TO: 515-577-2583

- ( ) - Recorded Distance/Bearing
- — — — — 40' Road Easement
- · — · — Section line
- x — x — Fence line

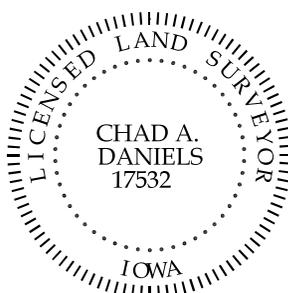
#### Monuments

- ▲ - Found section corner
- - Set 1/2" red plastic capped rebar, #17532

BASIS OF BEARINGS IS IA RCS ZONE 8

#### DESCRIPTION - PARCEL C:

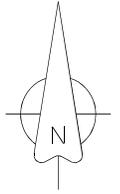
That part of the Northwest Quarter of the Northwest Quarter of Section 21, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa, described as follows; Commencing at the Northeast corner of said Northwest Quarter of the Northwest Quarter; thence North 88 degrees 17 minutes 37 seconds West, 272.39 feet along the North line of said Northwest Quarter of the Northwest Quarter to the Northwest corner of a tract of land described on a Quit Claim Deed recorded 2011-6003 and to the Point of Beginning; thence North 88 degrees 17 minutes 37 seconds West, 478.73 feet along said North line to the Northeast corner of a tract of land described on a Warranty Deed recorded 2009-6156; thence South 00 degrees 10 minutes 57 seconds East, 750.00 feet to the Southeast corner of said tract of land described on a Warranty Deed recorded 2009-6156; thence North 76 degrees 45 minutes 24 seconds East, 486.89 feet to the Southwest corner of said tract of land described on a Quit Claim Deed recorded 2011-6003; thence North 00 degrees 12 minutes 04 seconds East, 624.20 feet to the Point of Beginning, having an area of 7.51 Acres including 0.44 Acres of Road Easement.



I hereby certify that this surveying document was prepared by me 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.

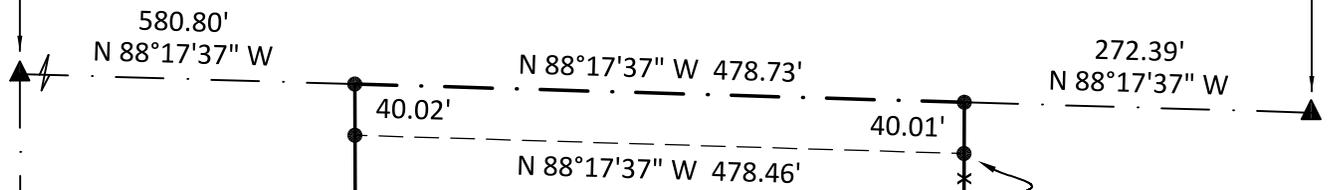
Signed Chad A. Daniels 7/24/20  
Chad A. Daniels Date

Iowa License No. 17532  
My license renewal date is 12-31-2020  
Page No.'s covered by this seal: 1 and 2



NW COR. SEC. 21  
1/2" yellow plastic  
capped rebar, #3321

NE COR. NW 1/4  
NW 1/4 SEC. 21  
1/2" yellow plastic  
capped rebar, #3321



Warranty Deed  
2009-6156

Set 38.5' from  
property corner

Quit Claim Deed  
2011-6003

Parcel C  
7.51 Acres

S 00°10'57" E 750.00'

N 00°12'04" E 624.20'

N 76°45'24" E 486.89'

S 00°10'57" E 2653.00'

W 1/4 COR. SEC. 21  
1/2" yellow plastic  
capped rebar, #3321



# Community Development

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## July 2020 Permit Report

<u>Code</u>	<u>Type</u>	<u>Permits Issued</u>	<u>Amount</u>	<u>Average</u>	<u>Non-Taxable</u>
101	Single Family Home	7	\$1,540,000.00	\$220,000.00	\$0
102	Single Family Attach	4	\$412,000.00	\$103,000.00	
103	Two Family	0			
104	Three or More Families				
	Mobile Homes	0			\$0
322	Service Stations	0			
324	Office	0			\$0
328	Non-resident buildings	0			\$0
329	Pool	0			
434	Residential Add/Alt	9	\$117,183.00	\$13,020.33	\$0
437	Non-residential add/alt	0			
438	Res garage/carports	3	\$57,060.00	\$19,020.00	
645	Demo - sfd	0			
649	Demo - commercial	1			
<b>July Total</b>		<b>24</b>	<b>\$2,126,243.00</b>		<b>\$0</b>
<b>Residential Value</b>		<b>Commercial Value</b>		<b>All Non-Taxable</b>	
<b>100.0%</b>		<b>0.0%</b>		<b>0.0%</b>	

<b>YEAR TO DATE TOTAL</b>					
<u>Code</u>	<u>Type</u>	<u>Permits Issued</u>	<u>Amount</u>	<u>Average</u>	<u>Non-Taxable</u>
101	Single Family Home	42	\$9,270,118.00	\$220,717.10	
102	Single Family Attach	4	\$412,000.00	\$103,000.00	
103	Two Family	2	\$200,000.00	\$100,000.00	
104	Three or More Families				
	Mobile Homes	10	\$418,301.00	\$41,830.10	
322	Service Stations	0			
324	Office	1	\$1,105,000.00	\$1,105,000.00	
328	Non-resident buildings	2	\$374,950.00	\$187,475.00	
329	Pool	0			
434	Residential add/alt	46	\$303,347.00	\$6,594.50	
437	Non-residential add/alt	2	\$1,971,511.00	\$985,755.50	
438	Res garage/carports	5	\$116,560.00	\$29,750.00	
645	Demo - sfd	8			
649	Demo - commercial	2			
<b>YTD TOTAL</b>		<b>124</b>	<b>\$14,171,787.00</b>		
<b>Residential Value</b>		<b>Commercial Value</b>		<b>All Non-Taxable</b>	
<b>72.7%</b>		<b>24.4%</b>		<b>0.0%</b>	