

Planning and Zoning Commission
Regular Meeting
April 25, 2016

- 1) The meeting was called to order at 7:00 p.m.
- 2) Roll Call.
Present: Craig Agan, Jim Danks, Cathy Haustein, David Landon, Robin Pfalzgraf, Mike Vander Molen, Gary Van Vark, Ann Visser, Teri Vos.
Absent: Bob Smith, Ervin Van Wyk.

Others Present: Nick Fanning, Vern Cochran, Dan Vander Beek, Dennis Vander Beek, Joyce Vander Beek, Brad Uitermarkt, Erin Van Roekel, Doug Van Zee, Cole Foster, Tyler Alessio, Taylor Wisecys, Jordan Fox, Larry J Peterson, Mark De Jong, Yaqoob Ahmad, Kyle Pepper, Mike Nardini, George Wesselhoft.

- 3) Approval of Minutes
 - a) March 28, 2016 Regular Meeting. The minutes were approved as submitted.
- 4) Site Plan Review Process. City Administrator Mike Nardini gave a slide presentation with an overview of proposed site plan process:



Site Plan Review Process

- Staff would like to discuss with the Planning and Zoning Commission the proposed process we intend to utilize for the review of site plans when there is a discrepancy in identified land uses between the City's zoning ordinance and comprehensive plan.
- As background, site plans are required for new commercial, industrial, and institutional buildings or building additions which exceed 2,000 square feet.
- In addition, site plans are also required for these same entities if they hard surface over 2,000 square feet on an existing lot.
- It is also important to note, before a site plan can be approved, it must conform to both the City's zoning ordinance and the comprehensive plan.

No. 4

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Zoning Ordinance and the Comprehensive Plan

- The City's zoning ordinance and comprehensive plan are intended to work together to establish orderly land use in our community.
- Listed below is Section 165.03 of the City's zoning code which is intended to address the purpose of the City's zoning ordinance:



1. Serve the public health, safety and general welfare of the City and its jurisdiction.
2. Classify property in a manner that reflects its suitability for specific uses.
3. Provide for sound, attractive development within the City and its jurisdiction.
4. Encourage compatibility of adjacent land uses.
5. Protect environmentally sensitive areas.
6. Further the objectives of the Comprehensive Development Plan of the City of Pella.



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Zoning Ordinance and the Comp Plan (continued)

- Furthermore, Section 165.04 (as shown below) of the City's zoning ordinance requires consistency with the Comprehensive Plan:

- The City of Pella intends that this Zoning Ordinance and any amendments to it shall be consistent with the City's Comprehensive Plan.
- It is the City's intent to amend this chapter whenever such action is deemed necessary to keep regulatory provisions in conformance with the Comprehensive Plan.

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Comprehensive Plan

- The Iowa State Code requires zoning regulations to be made in accordance with a comprehensive plan.
- Staff believes the goal of the state's comprehensive plan requirements is to prevent piecemeal and haphazard development.
- In addition, staff also believes the intent of the state regulations is to encourage local jurisdictions to act rationally rather than arbitrarily in making zoning decisions.
- Overall, the City's comprehensive plan is a policy document that is intended to guide city zoning and development decisions through the year 2035.
- The current plan was adopted in 2014.



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Zoning Code

- While the comprehensive plan is a policy document intended to guide zoning decisions, the zoning ordinance is the city's legal basis to enforce land use decisions.
- As a matter of principle, the city's zoning ordinance is intended to reflect the policies stated in the comprehensive plan.
- Therefore, the city's zoning ordinance is also the primary mechanism used to implement the comprehensive plan.

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Differences in Land Uses between the City's Zoning Ordinance and the Comprehensive Plan

- The City's zoning ordinance and comprehensive plan are intended to work together to promote orderly development and avoid incompatible land uses.
- However, recently the City has encountered instances in our site plan review process where a use is allowable under the City's zoning code, but the Future Use Land Map of the comprehensive plan identifies a different use.
- When land use differences arise between the zoning ordinance and our comprehensive plan, staff believes it is important to perform a thorough review of the reasons for the differences in land uses between the two documents.

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Differences in Land Uses (continued)

- The reason for this approach is the differences could be an indication of incompatible land uses associated with the proposed development.
- As a result, staff intends to take a very conservative and systematic approach in addressing the root causes for the differences in land uses between the documents.
- Listed below is the proposed process staff intends to utilize in addressing land use differences between the zoning ordinance and comprehensive plan.



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Step 1

Determine if there is a potential for incompatible land uses associated with the proposed development.

- One of the primary goals of the zoning ordinance and comprehensive plan is the protection of property values by separating incompatible land uses.
- In determining if there is potential for a significant land use conflict between the proposed development and the adjacent properties, staff plans to use a variety of methods.

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Step 1 (continued)

- **A. Land Use Compatibility Matrix** – The Land Use Compatibility Matrix in the comprehensive plan is a tool to identify potential incompatible land uses.

Table 1.5 – Land Use Compatibility Matrix

	Agriculture	Parks	Low Density Residential	Medium Density Residential	High Density Residential	Mixed Use	Commercial	Downtown Mixed Use	Light Industrial/Office	General Industrial and Utilities	Civic and Public
Agriculture	-	3	3	3	2	3	3	3	3	3	3
Parks	-	4	4	4	4	4	4	4	3	2	5
Low Density Residential	-	4	3	3	2	3	1	1	1	4	
Medium Density Residential	-	5	5	3	4	2	1	4			
High Density Residential	-	5	3	5	2	1	4				
Mixed Use	-	4	5	3	2	4					
Commercial	-	5	4	3	4						
Downtown Mixed Use	-	2	2	4							
Light Industrial/Office	-	4	3								
General Industrial and Utilities	-	1									
Civic and Public	-										

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Step 1 (continued)

- **B. Proximity between the proposed development and adjacent property owners** - Staff will review the distance between the proposed development and the adjacent property owners of different use types.
 - As a general rule, the potential for an incompatible land use increases the closer the proposed development is to properties with a different use type.
- **C. Review of Industry Planning Documents** - Industry planning documents may provide guidance on potential incompatible land uses.

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Step 1 (continued)

- **D. Review zoning ordinance of other communities** - To verify potential land use conflicts, staff may contact other cities in Iowa.
 - Generally speaking, land use conflicts associated with a proposed development may not be unique to the City of Pella.
 - Therefore, there is value in contacting other cities to see how their zoning ordinance would regulate the proposed development.



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Step 1 (continued)

- **E. Consideration of recent actions from the Planning and Zoning Commission and the Pella City Council** - Staff will consider recent actions from the Planning and Zoning Commission and City Council in determining potential land use conflicts.
 - For instance, if the Pella City Council recently approved a rezoning for a property and the proposed development is consistent with what was stated during the rezoning process, then it is likely staff will conclude the land use compatibility issues were addressed through the rezoning process.
 - The reason for this position is the notifications to neighboring property owners and the opportunity for extensive public input that is associated with the rezoning process.

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Step 2

Analyze the proposed development in the context of the main goals of the comprehensive plan.

- In determining conformance with the City's Comprehensive Plan, it is very important to consider the Priority Goals as stated in the City's Comprehensive Plan. The Priority Goals are as follows:

Priority Goal 1: Economic Strength: Continue to foster an economic environment that supports and attracts quality business, industry and tourism.

Priority Goal 3: Infrastructure: Maintain quality infrastructure for our community.

Priority Goal 4: Quality of Life: Continue to support a high quality of life for Pella's residents by investing in parks, recreation, and schools.

Priority Goal 5: Housing Options: Provide a range of housing types at a variety of prices, to accommodate workers and residents at all stages of life.



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Step 3

Staff recommendation.

- The Pella City Code requires site plans to conform to both the zoning ordinance and comprehensive plan.
- In addition, before a site plan can be considered by the Planning and Zoning Commission, the site must be zoned for the intended use.
- Therefore, the key issue at hand is determining conformance with the City's comprehensive plan when the Future Use Land Map identifies a different use than the proposed development.

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Step 3

Staff recommendation (continued)

- Under this scenario, staff will likely recommend to the Planning and Zoning Commission the proposed development is in accordance with the City's Comprehensive plan if the following conditions are met:
 - There does not appear to be any significant incompatible land uses associated with the proposed development.
 - The proposed development does not appear to be contrary to any of the Comprehensive Plan's Priority Goals.

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Step 3**Staff recommendation (continued)**

- Likewise, if staff believes there is a reasonable possibility the proposed development may cause a significant land use conflict with adjacent properties or if the proposed development appears to be contrary to any of the comprehensive plan's priority goals, then a range of options could be proposed to the Planning and Zoning Commission.
- Generally, these options will be intended to facilitate public input and ultimate consideration by the Pella City Council.
- The reason for this approach is when there is a potential for a significant land use conflict associated with the proposed development, there could be competing interest between property owners.



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Step 3**Staff recommendation (continued)**

- As a result, any decision made regarding the proposed development could have policy implications.
- Therefore, under this scenario staff believes public input should be encouraged and the decision should ultimately be made by the Pella City Council.
- Listed below is a summary of the options proposed to the Planning and Zoning Commission when a proposed development appears to have a significant land use conflict with its adjacent property owners or when the development appears to be in conflict with any priority goals of the City's comprehensive plan:

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Step 3**Staff recommendation (continued)**

- **1. Conditional Approval of the Site Plan:** The conditional approval recommended by staff would require an amendment of the City's Comprehensive Plan to align the proposed development with the Future Use Land Map of the comprehensive plan.
 - It is important to note, amending the City's Comprehensive Plan would require public hearings and approval by the Pella City Council.
 - This approach would also provide the neighboring properties an opportunity to voice any concerns to the Pella City Council before the site plan was approved.

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Step 3

Staff recommendation (continued)

- **2. Potential Zoning Recommendations:** To address potential land use compatibility issues associated with the proposed development, staff may recommend the following:
 - 1) potential zoning amendments and/or
 - 2) a planned unit development for the Planning and Zoning Commission to consider.
- It is important to note, zoning amendments and planned unit developments would require public hearings and approval by the Pella City Council.



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Summary

- In summary, when a proposed development is allowable under the City's zoning ordinance but the use type does not match the Future Use Land Map of the City's comprehensive plan, staff plans to take a cautious and deliberate approach in reviewing these cases.
- In addition, staff would like to mention these cases are difficult to analyze.
- When there appears to be a significant land use conflict associated with a proposed site plan, staff believes our process should facilitate public input while striving to meet the intent of the City's zoning ordinance and comprehensive plan.



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There was discussion about the site plan review process presented by Mr. Nardini.

Teri Vos left at 7:26 p.m.

Jim Danks thanked Mr. Nardini and suggested it may help to know the zoning around where we work, play and live and what that means.

- 5) Site Plan for Missouri River Energy Services. George Wesselhoft reviewed the staff report: Missouri River Energy Services is proposing a 6,000 square foot one story warehouse building for the property located at the southwest corner of 198th Place and 216th Place. This property is located in the Marion County extraterritorial zoning jurisdiction and is zoned M1 Limited/Light Industrial. The property is also in the Flood Zone Overlay District. The Flood Plain Development Permit for this project has been approved by the IDNR. In the fall

of 2015, the City Council approved a conditional rezoning for the property from A1 Agricultural to M1 Limited/Light Industrial. The condition for the property allows it to be used for indoor storage only. The Future Use Land map of the Comprehensive Plan identifies the area as Preserve. Chapter 165.36 (3) (F) requires the Planning and Zoning Commission to make findings before approval of the site plan including Zoning and Comprehensive Plan conformance. Staff believes the site plan is in conformance with the zoning and comprehensive plan. The IDNR has issued the flood plain development permit, no issues were identified during the public hearings for the rezoning, no land use compatibility issues were identified, and the development does not appear contrary to any of the goals of the Plan. Therefore, the primary recommendation is to approve the site plan. Other options include conditional approval conditioned on the City Council approving Comprehensive Plan amendment, tabling the site plan, or denying the site plan.

Cathy Haustein questioned the location for the proposed development.

Vern Cochran with Missouri River Energy Services responded the reason they chose the property is because they have a lot of large fixtures and jigs that are going to be required for future use for maintenance and repair of the hydroelectric facility and some of those are 18 to 30 feet wide; they have to move them on a public road and that is the closest property they could purchase; they considered other locations in Pella but then they would have to transport those through town, it was just safer, that is why they selected that property.

Craig Agan asked if the same rules apply in the extraterritorial zone for the Comprehensive Plan and Zoning.

George Wesselhoft responded in the affirmative.

David Landon asked whether it is staff's position that the site plan is in conformance with both the Zoning Ordinance and Comprehensive Plan.

Mr. Wesselhoft responded in the affirmative.

David Landon made a motion to approve the site plan. Robin Pfalzgraf seconded the motion. Upon vote, all voted yes. Motion carried 8 to 0.

- 6) Site Plan for RAVE Property Management LLC. George Wesselhoft reviewed the staff report: RAVE Property Management LLC is proposing 11,760 square feet of hard surfacing parking improvements, including hard surfacing existing rock areas and additional parking expansion to serve their existing buildings at 2156 Idaho Drive. This property is located in the Marion County extraterritorial zoning jurisdiction and is zoned CC Community Commercial. The Comprehensive Plan targets the property for Low Density Residential. The site plan should be reviewed per the criteria of Chapter 165.36 (3) (F) Mr. Wesselhoft

added that the position of staff is that the site plan meets Zoning Ordinance requirements and no amendment to the Comprehensive Plan respective of the parking improvements is necessary as the majority area represents pre-existing gravel to be converted to hard surfacing and parking is not considered expansion of the use. Therefore, staff is recommending approval of the site plan.

Mike Vander Molen made a motion to approve the site plan. Gary Van Vark seconded the motion. Upon vote, all voted yes. Motion carried 8 to 0.

- 7) Other Business. George Wesselhoft mentioned three upcoming meeting dates including a May 9 special meeting for a site plan for Pella Regional Health Center third floor addition and discussion about the bypass sign ordinance, May 19 training by ISU extension, and the May 23 regular meeting date which will include discussion with the Historic Preservation Commission concerning the proposed historic overlay ordinance.
- 8) The meeting was adjourned at 7:53 p.m.

Respectfully submitted,
George Wesselhoft
Planning and Zoning Director