



# CITY OF PELLA

## CITY COUNCIL OFFICIAL MINUTES

September 4, 2018

### **A. CALL TO ORDER BY MAYOR AND ROLL CALL**

The City Council of the City of Pella, Iowa, met in regular session at the Public Safety Complex meeting room at 7:00 p.m., Mayor Jim Mueller presiding. Council members present were: Mark De Jong, Tony Bokhoven, Lynn Branderhorst, Harold Van Stryland, Larry Peterson. Absent: Bruce Schiebout. City Administrator Mike Nardini and City Clerk Mandy Smith were present. Six staff members and sixteen members of the general public signed the register.

### **B. MAYOR'S COMMENTS**

1. Announce Policy and Planning meeting following the regular Council meeting to discuss:
  - a. Proposal for Retail Friendly Changes to Parking in the Central Business District.
2. Approval of Tentative Agenda. Bokhoven moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong, Branderhorst. NAYS: None. Motion carried.
3. Certified List of Police Officer Candidates. Van Stryland moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Van Stryland, Branderhorst, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: On August 13 and 20, 2018, the Pella Civil Service Commission conducted oral interviews and performed a comprehensive review of all competitive testing of qualifying candidates for the position of police officer. The candidates passing all phases of the competitive process and satisfying the standards set by the Pella Police Department and the City of Pella Civil Service Commission are listed below. As required under Iowa Code Chapter 400, this roster constitutes the Pella Civil Service Commission's formal certified list of police officer candidates.

Kody Roos, Prairie City, IA

Duane Southworth, Isanti, MN

ATTACHMENTS: None

REPORT PREPARED BY: Marcia Slycord / Clerk / Pella Civil Service Commission

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Accept the Pella Civil Service Commission's certified list of candidates for the police officer position as required in Iowa Code 400.11

### **\*PUBLIC FORUM (for anyone wishing to address Council regarding agenda items)**

No comments were received.

### **C. APPROVAL OF CONSENT AGENDA**

Peterson moved to approve the consent agenda, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

The following items were approved:

1. Approval of Minutes
  - a. Official Council Minutes for August 21, 2018
2. Report of Committees
  - a. Community Development Committee Minutes for June 13, 2018

Chairperson Brummel called the Community Development Committee to order in Room 206 of the Community Center at 5:30 p.m. Members present were: Leah Bokinsky, Jerry Brummel, Susan Canfield, Linda Groenendyk (arrived at 5:31 p.m.), Phil Groenendyk, Jody Lautenbach, Wayne Stienstra, Robyn Van Berkum, and Dennis Vander Beek. Absent: Patsy Cody and Mike Kiser. Staff present: Zoning Administrator Bryce Johnson and Deputy City Clerk Cynthia Vaske. Others present: Casey Schafbuch.

Unless otherwise noted, all actions were taken unanimously.

#### APPROVAL OF MINUTES AND TENTATIVE AGENDA

Motion by Stienstra, second by Canfield to approve the minutes from the April 11, 2018 meeting and to approve the tentative agenda. Motion carried 9-0.

#### NEW BUSINESS

(Case DSN18-014) Consider a Design Permit Application for Exterior Alterations to the Structure Located at 635 Franklin Street. BJ Stokesbary has submitted a design permit application to alter the front facade of the building located at 635 Franklin Street. The project is considered a major project under the City's Design Review District Design Manual, which requires approval from the Community Development Committee. The alterations have been designed to reflect Pella's unique Dutch character.

List of Proposed Alterations

- New doors and windows to be installed with black trim
- Paint cornice gray (426 C)
- Existing awning is to remain

Staff believes the facade complies with the intent of the Design Manual considering the structure's current design. The applicant is proposing to install several major (i.e. repainting major portions of the building) and minor architectural elements (i.e. replacing doors, windows, and trim features) as listed above. In summary, staff believes the proposed structure meets the intent of the 360° design review. In evaluating this design application, staff believes the alterations contain sufficient Dutch-themed architectural elements and meet the requirements listed in the Design Review District Design Manual.

Casey Schafbuch with ATI Group explained the scope of the project. Vander Beek asked if the corbels will be painted all one color. Schafbuch said yes, it will be painted Pantone color 426 C. Stienstra asked about the possibility of adding shutters to the exterior. Schafbuch said that option was explored, but the preference is to not add shutters. Brummel suggested that the corbels be highlighted in a different color. Vander Beek agreed. Van Berkum said highlighting the corbels in a different color would accentuate the fact that the building was formerly two separate buildings.

Motion by Van Berkum, second by Bokinsky to approve the design permit as submitted. Aye: Van Berkum, Bokinsky, Canfield, L. Groenendyk, P. Groenendyk, Lautenbach, Stienstra. Nay: Brummel, Vander Beek. Motion carried 7-2.

OTHER BUSINESS / PUBLIC FORUM

None.

Adjourned at 5:47 p.m.

**b. Planning and Zoning Commission Minutes for August 13, 2018**

Chairperson Landon called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Craig Agan, Mark Groenendyk, Cathy Haustein, David Landon, Gary Van Vark, Ann Visser and Teri Vos. Absent: Joe Canfield, Julio Chiarella, Robin Pfalzgraf, and Ervin Van Wyk. Staff present: City Administrator Mike Nardini, Zoning Administrator Bryce Johnson, and Deputy City Clerk Cynthia Vaske. Others present: Brad Uitermarkt and Ray Bisbee.

APPROVAL OF TENTATIVE AGENDA

Motion by Visser, second by Agan to approve the tentative agenda. Motion carried 7-0.

APPROVAL OF MINUTES

Motion by Van Vark, second by Agan to approve the minutes of the July 23, 2018 meeting. Motion carried 7-0.

PUBLIC HEARINGS

Consider a Text Amendment to Table 165.12-2, Permitted Uses by Zoning Districts, in the Zoning Ordinance of the City of Pella to Replace "P" (Uses Permitted by Right) with "S" (Uses Permitted by Special Use Permit) for Cocktail Lounge Land Uses in the CUC, CC, CPD, M1, and M2 Zoning Districts

This proposed ordinance would require a special use permit for all new cocktail lounge uses under the City's zoning code. Currently, cocktail lounges are permitted by right in the following zoning districts: Mixed Use Urban Commercial Corridor (CUC), Community Commercial District (CC), Commercial Planned Development District (CPD), Limited/Light Industrial District (M1), and Heavy Industrial District (M2). Additionally, cocktail lounges (i.e. bars and taverns) are permitted in the Central Business District (CBD) by special use permit, with a maximum limit of two. This proposed ordinance was discussed during the Planning and Zoning Commission's work session on June 25, 2018. In addition, this issue was originally directed to the Planning and Zoning Commission by the Pella City Council.

The proposed ordinance would require new cocktail lounges to apply for a special use permit in all eligible districts. In essence, the ordinance simply amends the City's zoning code by replacing "P" (Uses Permitted by Right) with "S" (Uses Permitted by Special Use Permit) for cocktail lounge land uses in the CUC, CC, CPD, M1, and M2 zoning districts. Staff believes this requirement would achieve the desired result of ensuring new cocktail lounge uses fits within the neighborhood and minimizes the impact on surrounding neighbors. Therefore, staff is recommending approval of the proposed ordinance which would formally require all future cocktail lounge uses to obtain a special use permit.

Convened Public Hearing. No written comments were received. With no comments received, the public hearing was closed.

Motion by Haustein, second by Visser to approve the ordinance as submitted. Motion carried 7-0.

Consider Rezoning Property Located Approximately 1,200-Foot South of the Intersection of Bos Landen Drive and Utrecht Laan from Agricultural (A1) to Planned Unit Development (PUD) Which Shall Conform to the Requirements of Chapter 165.14

This proposed ordinance would change the base zoning classification for the three lots located approximately 1,200-feet south of the intersection of Bos Landen Drive and Utrecht Laan from Agricultural (A1) to Planned Unit Development (PUD). As background, the developer is proposing to construct a 41-unit housing cooperative on 75,018-square feet of vacant land in addition to approximately 10 single-family residences on 29 acres of vacant land. The remaining parcels on the west side of the property would be utilized for detached single-family residences.

Staff believes the proposed ordinance meets the requirements of the City's zoning code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance.

Convened Public Hearing. Three written comments were received.

Richard Wilson, who lives on Bos Landen Drive, is against the rezoning and expressed his concerns. Specifically, he is concerned with an increase in traffic associated with the proposed PUD. Cathy and Mike Veenstra, who also live on Bos Landen Drive, spoke against the proposed rezoning. Their concerns were with having a road behind their home, a limited number of entrances/exits to the development, the increase in traffic, and the number of trees that will be removed. Dean Roorda, another resident of Bos Landen Drive, said safety is his greatest concern with the increased traffic. He is also opposed to the rezoning due to a potential reduction in property values along a busy street. In addition, he mentioned that the rezoning notification signs on the subject property are blank. Zoning Administrator Bryce Johnson said that the information that was affixed to the signs likely blew away in the wind. William Smith of Drenthe Laan spoke in favor of the rezoning. He said he has researched the proposed development and believes that a quality product will be built that fits in with the surrounding area.

With no further comments received, the public hearing was closed.

Vos asked what the traffic studies looked at that were done. City Administrator Mike Nardini explained that the traffic review looks at a number of items, including traffic patterns, density, egress, anticipated capacity, and whether safety vehicles have adequate access.

Motion by Visser, second by Haustein to approve the ordinance as submitted. Aye: Visser, Haustein, Agan, Groenendyk, Landon, Vos. Nay: Van Vark. Motion carried 6-1.

NEW BUSINESS PROPOSED

None.

OTHER BUSINESS/PUBLIC FORUM

City Administrator Mike Nardini said the next Commission meeting is scheduled for August 27, 2018. At that meeting, the Commission will review a rezoning application for the former Webster Elementary School site. In response to an earlier comment about the rezoning notification signs being blank at the PUD site, Visser suggested that Johnson photograph the signs when they are originally placed and check them periodically to make sure they have not been removed from the site.

Adjourned at 8:15 p.m.

**D. \*PUBLIC HEARINGS**

- 1a. Public Hearing on Vermeer Trail Construction Project Bids. No written or oral comments were received. Bokhoven moved to close the public hearing, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This resolution approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Vermeer Trail Construction Project. As Council is aware, the proposed trail extension involves installation of a 10-foot wide concrete trail starting on the north side of University Street at Madison Elementary to 240th Avenue. The trail would then continue north with installation of a 3-foot wide concrete shoulder and cable guard rail on the east side of 240th Avenue to Vermeer Road.

The bid opening for the project was held at 11:00 a.m. on August 23, 2018. Two bids were received and are summarized below:

<b>Contractor</b>	<b>Alternate 1 Fall 2018 Completion</b>	<b>Alternate 2 Spring 2019 Completion</b>
TK Concrete, Inc.	\$380,770.00	\$395,655.00
Caliber Concrete LLC	\$399,044.40	\$399,044.40

After reviewing the bid proposals, Garden & Associates, the project engineer, recommends awarding the contract to the lowest responsible bidder, TK Concrete, Inc., as listed in the total amount of \$380,770 for Alternate 1. The engineer's estimate for the project was \$473,200.

Below is an overview of the timeline for this project:

Notice to Proceed Issued      September 24, 2018  
 Substantial Completion Date      November 30, 2018

In summary, staff is recommending approval of this resolution which approves the plans, specifications, form of contract, estimate of costs, accepts bids, and awards the contract for the Vermeer Trail Construction Project to TK Concrete, Inc., in the total amount of \$380,770. The resolution also gives the Public Works Director authorization to issue the notice to proceed once the contract, bonds, insurance certificates, and appropriate permits are in proper order and fully executed.

ATTACHMENTS:      Resolution, Bid Tabulation, Engineer's Recommendation  
 REPORT PREPARED BY:      Public Works Department  
 REVIEWED BY:      CITY ADMINISTRATOR  
    CITY CLERK  
 RECOMMENDATION:      Approve resolution

- 1b. Resolution No. 5893 entitled, "RESOLUTION APPROVING PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COSTS, RECEIVING OF BIDS, AND MAKING AWARD OF CONTRACT FOR THE VERMEER TRAIL CONSTRUCTION PROJECT." Bokhoven moved to approve, seconded by Peterson. On roll call the vote was: AYES: Bokhoven, Peterson, De Jong, Branderhorst, Van Stryland. NAYS: None. Motion carried.

- 2a. Public Hearing on Rezoning Application by RDP Holdings, LLC for the Property Located at the Northwest Quadrant of the Intersection of Main Street and Peace Street from Institutional (INS) to Planned Unit Development (PUD). Two written comments were received and included in the Council packet. Peterson moved to accept an additional written comment into the record, seconded by Van Stryland. On roll call the vote was: AYES: Peterson, Van Stryland, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried. Oral comments were received and addressed. Bokhoven moved to close the public hearing, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

BACKGROUND: This proposed ordinance would change the base zoning classification for approximately 2.89-acres of properties owned by RDP Holdings, LLC. The properties are located at 403 Main Street, 413 Main Street, and 400 Broadway Street, which is the former Webster School site. This ordinance is being proposed by the City of Pella to satisfy the recommendations of the City's Comprehensive Plan and Zoning Ordinance.

The proposed development is intended to be a signature mixed-use development for south central Iowa by providing a unique high-quality housing product. Overall, the development contains 41 housing units with price points allowing for a diverse buyer pool. In addition, the development will contain high-end housing finishes, a courtyard, extensive landscaping, and a community building. The community building is intended to provide meeting rooms and other recreational opportunities for the residents. In addition, the development could also feature small commercial operations such as a coffee shop or similar service related businesses. The overall estimated cost of the development is approximately \$17 million.

Housing Needs in the City of Pella: The City of Pella's Comprehensive Plan in 2014 identified the need for an additional 480 housing units to be constructed to meet population demands through the year 2035. Furthermore, a more recent and in-depth housing analysis conducted in 2015 identified the need for an additional 966 housing units through the year 2025 to meet our community's housing needs. All forms of housing were noted as a need in our community. It is important to note, 966 housing units equates to roughly a 15% increase in the number of housing units currently located within our community.

Current Zoning: The existing zoning for the property is institutional (INS) which is intended to accommodate a variety of institutional uses such as college campus environments, schools, churches, hospitals, medical campuses, and elder care facilities. The district is designed to provide

appropriate space regulations and assure that facilities are served with adequate parking. The institutional zoning district is attributed to past usage by the Pella Community School District and Central College.

Proposed Zoning: The proposed zoning for this property is a Planned Unit Development (PUD) with a base district of Mixed Use Urban Commercial Corridor (CUC). The CUC zoning district recognizes the mixed-use character of urban entry corridors into Pella's downtown, including Washington Street and Main Street, which contain a combination of residential, commercial, and office uses. These entry corridors include special aesthetic and sign design standards, which will help enhance their status as principal entrances and arterials into Pella's downtown, and to maintain their character as urban streets.

It is important to note, CUC zoning is directly to the north, east, and south of this development. Based on the proximity of adjacent CUC zoning, staff believes the proposed zoning use is consistent with adjacent zoning districts. It should also be noted, multi-family residential is permitted by right in the CUC zoning district.

Comprehensive Plan: Additional housing is noted as a key priority goal in the City's Comprehensive Plan. In addition, the Comprehensive Plan prefers infill development, or development that is built on vacant or under-utilized lots in existing neighborhoods. The reason for this recommendation includes making use of existing infrastructure as well as infill housing gaps by utilizing under used lots which detract from the neighborhood vitality. Furthermore, the Comprehensive Plan provided, as an example, an infill multi-family housing development within a block of this proposed site.

The *Future Land Use Map* of the Comprehensive Plan targets the proposed site for Commercial and Civic/Public use. This designation was attributed to the site formerly being used by Central College. In addition, the Land Use Compatibility Matrix of the Comprehensive Plan indicates the high density residential development is "basically compatible" with the adjacent commercial and nearby residential land uses.

In determining conformance with the Comprehensive Plan, it is important to review the document as a whole, including the text. Based on staff's analysis, we believe the proposed PUD is in conformance and aligns with the Comprehensive Plan.

Planned Unit Development: Planned Unit Developments (PUD) are designed to allow for comprehensively planned projects which provide for innovative and imaginative approaches to urban design and land development. A PUD is a negotiated contract for land development between the private developer and the public governmental entity. This differs from the traditional approach to land development wherein the developer develops land pursuant to minimum standards previously adopted by the government. A PUD permits flexible variation from established land regulations as contained in zoning districts and in platting and subdivision requirements. The developer, with City staff guidance, Planning and Zoning Commission review, and Council approval, may develop its own guidelines for the best development of the land in question. As a result, some requirements of the PUD will be greater than the City's Zoning Code. In addition, there will also be some variations from the Zoning Code to accommodate the development. The overall intent of the PUD is to enhance land use compatibility with the existing neighborhood.

A considerable amount of site planning work has taken place for this proposed PUD. The plan was reviewed by professional engineers and City staff. This review included public safety issues, traffic concerns, and an infrastructure analysis. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

Key Requirements of the Proposed Ordinance

*Exhibit A:* The proposed development site is required to be developed in accordance with Exhibit A. This preliminary site plan has been reviewed and approved by the City's engineer and staff. Staff believes this preliminary plan meets the City's site plan requirements and will undergo further review during the consideration of a formal site plan. It is important to note, the development will also be required to submit a lighting plan as a part of the site planning process.

*Exhibit B:* The proposed development is required to be designed in accordance with the color renditions as identified in Exhibit B. It is important to note, this development is intended to be a signature development for the community, and as such, the design of the development incorporates extensive architectural design elements which is key to the marketability of the units. Staff also believes the design is significantly above any requirements under the City Code. Furthermore, staff believes the design will complement and enhance the Main Street Corridor.

Zoning District Modifications

The proposed ordinance requires the development to be in conformance with the base CUC zoning district except for the following modifications:

Zoning Requirements Waived or Amended:

1. The architectural design standards for the development's buildings and signage will be approved pursuant to the terms of a future Development Agreement between the City of Pella and the Developer. The design review standards contained in Pella City Code Sections 165.16, 165.17, and 165.18 are hereby waived. The intent of this waiver is to allow the development's design to meet its market niche. From staff's perspective, the proposed design of the building is significantly above City Code requirements.
2. Prior to receiving a building permit for the new buildings as identified in Exhibit A, the Developer will be required to submit a lighting plan to the Planning and Zoning Commission for approval. Building permits will not be issued until the plan is approved. The plan will be required to reduce lighting glare onto the adjacent and abutting properties.
3. The requirements of Table 165.12-3, Minimum Yards, shall be amended as follows:
  - a. Front Yard shall be reduced from 12.5 feet to 0 feet.
  - b. Street Side Yard shall be reduced from 10 feet to 0 feet.
  - c. Interior Side Yard shall be reduced to 0 feet for all stories listed.
  - d. Interior Side Yard shall be reduced from 12 feet to 10 feet for non-residential uses.
4. The requirements of Table 165.12-3, Maximum Height, shall be amended as follows: maximum height shall be established as 60 feet. It is important to note, the CUC zoning district does not have a maximum height restriction. While the proposed buildings are estimated to be approximately 45 to 50 feet in height, the limit of 60 feet is consistent with the nearby Central College buildings.
5. The requirements of Section 165.18, Gateway Corridor District, are waived for this development. These standards will be regulated pursuant to the terms of a future Development Agreement between the City of Pella and the Developer.
6. The requirements of Section 165.31, Landscaping and Screening Standards, are waived for this development. These standards will be regulated pursuant to the term of a future Development Agreement between the City of Pella and the Developer.
7. The requirements of Table 165.32-1, Minimum Off-Street Parking Requirements, are amended as follows:
  - a. Developer shall provide a minimum of 85 parking spaces for the overall development. These spaces shall consist of underground parking, garages, parking lots, and driveways as shown on Exhibit A. All other requirements remain.
8. The requirements of Section 165.32(8)(B)(7), Entrance and Exits, are amended as follows:
  - a. The residential driveways for Building B as identified on Exhibit A shall be allowed to back onto Peace Street in a non-forward position. All other requirements remain.

Use Restrictions:

1. Residential Uses: the requirements of Table 165.12-2, Permitted Uses by Zoning District, are amended to include Townhouse Residential as a permitted use.
2. The development shall be limited to 50 residential housing units, to be divided among townhouse, condominium, and multi-family housing. In addition, the residential housing units will be developed in accordance with Exhibit A.

3. Commercial Uses: commercial uses shall only be allowed in Building C as identified in Exhibit A. In addition, commercial uses shall be limited to those permitted in the CUC District.

Staff Recommendation: Staff believes the proposed ordinance meets the requirements of the City’s Zoning Code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City’s Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance which would formally change the zoning for this property to a PUD with a CUC base zoning district. Finally, it is important to note, the Planning and Zoning Commission unanimously approved this proposed ordinance at their meeting on August 27, 2018.

ATTACHMENTS: Ordinance with Exhibits A and B-1 through B-5, Location Map, Color Elevation Renderings, Written Comments  
 REPORT PREPARED BY: City Administration  
 REPORT REVIEWED BY: CITY ADMINISTRATOR  
 CITY CLERK  
 RECOMMENDATION: Approve ordinance

2b. Ordinance No. 947 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF PROPERTY LOCATED AT 413 MAIN STREET, CITY OF PELLA, MARION COUNTY, IOWA.” Bokhoven moved to place ordinance no. 947 on its first reading, seconded by Van Stryland. On roll call the vote was: AYES: Bokhoven, Van Stryland, Peterson, De Jong, Branderhorst. NAYS: None. Motion carried.

3a. Public Hearing on Rezoning Application by Wendy Visser for the Property Located at 503 W. Second Street from Institutional (INS) to Two-Family Residential (R2). Four written comments were received and included in the Council packet. No oral comments were received. Van Stryland moved to close the public hearing, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: Wendy Visser has submitted a request to rezone the property located at 503 W. Second Street. A single-family home currently sits on this 13,460-square foot parcel. The applicant is requesting the parcel be rezoned from Institutional (INS) to Two-Family Residential (R2). According to Marion County and City records, the home was constructed in 1941 as a single-family home. At that time, the home was zoned appropriately as R2. In December of 2002, Central College acquired the property and amended the zoning of the property to accommodate their use type of INS. In July of 2017, Central College sold the property for use as a single-family home, making the property a “legally non-conforming use,” given that Single-Family Residential (Detached) use types are not permitted in INS zoning districts. In order to appropriately zone the property for its current use, the owner is asking to rezone the property back to its original zoning designation of R2.

Current Zoning: Existing zoning for the parcel is INS. The INS District accommodates a variety of institutional uses including college campus environments, schools, churches, hospitals, medical campuses, and elder care facilities. The district is designed to provide appropriate space regulations and assure that facilities are served with adequate parking. Please note, Single-Family Residential (Detached) land uses are not permitted in the INS zoning district. This said, the property is classified as a “legally non-conforming use.”

Proposed Zoning: The proposed zoning for the property is R2. The R2 District is intended to provide locations for medium-density residential areas for single-family and two-family use with supporting and appropriate community facilities. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure. The R2 zoning district permits Single-Family Residential (Detached) land uses, which is defined as “[a] residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.” Please note, Single-Family Residential (Detached) land uses are permitted by right in the R2 zoning district.

Rezoning Petition: Chapter 165.38 of the City Code requires 50% of property owners within 300 feet of the proposed rezoning to sign the rezoning petition for advisory purposes only. However, failure to obtain the threshold level shall not prevent continuance of the rezoning application. A rezoning petition was received with this application with owners of 11 of the 18 surrounding properties, or 61%, in support of this rezoning request.

Spot Zoning Concerns: Staff does not believe spot zoning concerns are associated with this request since these properties are adjacent and in close proximity to an existing R2 zoning district to the north of this property.

Adjacent Base Zoning Districts			
North	South	East	West
Two-Family Residential (R2)	Institutional (INS)	Institutional (INS)	Institutional (INS)

Comprehensive Plan: Chapter 165.04 of the City Code requires the proposed rezoning to conform to the City’s Comprehensive Plan. A component of the Comprehensive Plan is the *Future Land Use Map*, which identifies the subject property as “Civic and Public” land uses.

In evaluating conformance with the Comprehensive Plan, it is important to consider the entire document and not just the *Future Land Use Map*. In this particular case, the property is being used for single-family use and has for many years. Furthermore, the designation of Civic and Public land use of the *Future Land Use Map* was based on the properties being owned by Central College, which is no longer the case. Additionally, the Comprehensive Plan’s Compatibility Matrix states that Civic/Public and Low Density Residential land uses are compatible.

From staff’s perspective, we believe this rezoning request simply aligns the property with how it has been traditionally used. In addition, according to the Comprehensive Plan, low density residential uses are compatible with institutional uses. Therefore, we believe this request aligns and is in conformance with the Comprehensive Plan.

Staff Recommendation: Staff believes this rezoning request aligns with the City’s Comprehensive Plan. In addition, staff believes the proposed land use is compatible with the neighboring properties. Therefore, staff is recommending approval of this request. Finally, it is important to note, the Planning and Zoning Commission unanimously approved this proposed ordinance at their meeting on August 27, 2018.

ATTACHMENTS: Ordinance, Aerial Map, Zoning Map, Application, Petition, Written Comments  
 REPORT PREPARED BY: Planning & Zoning Department  
 REVIEWED BY: CITY ADMINISTRATOR  
 CITY CLERK  
 RECOMMENDATION: Approve ordinance

3b. Ordinance No. 948 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE R2 DISTRICT TO INCLUDE THE PROPERTIES LEGALLY DESCRIBED IN “EXHIBIT A” AND DIRECTING THE ZONING ADMINISTRATOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP.” Peterson moved to place ordinance no. 948 on its first reading, seconded by Van Stryland. On roll call the vote was: AYES: Peterson, Van Stryland, De Jong, Bokhoven, Branderhorst. NAYS: None. Motion carried.

4a. Public Hearing on Rezoning Application by Josh and Lisa Roose for the Property Located at 505 W. Second Street from Institutional (INS) to Two-Family Residential (R2). Three written comments were received and included in the Council packet. No oral comments were received. Branderhorst moved to close the public hearing, seconded by Van Stryland. On roll call the vote was: AYES: Branderhorst, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Josh and Lisa Roose have submitted a request to rezone the property located at 505 W. Second Street. A single-family home currently sits on this 8,353-square foot parcel. The applicant is requesting the parcel be rezoned from Institutional (INS) to Two-Family Residential (R2). According to Marion County and City records, the home was constructed in 1941 as a single-family home. At that time the home was zoned appropriately as Two-Family Residential (R2). In December of 1988, Central College acquired the property and amended the zoning of the property to accommodate their use type of Institutional (INS). In July of 2017, Central College sold the property for use as a single-family home, making the property a “legally non-conforming use”, given that Single-Family Residential (Detached) use types are not permitted in Institutional (INS) zoning districts. In order to appropriately zone the property for its current use, the owner is asking the rezone the property back to its original zoning designation of Two-Family Residential (R2).

Current Zoning: Existing zoning for the parcel is INS. The INS District accommodates a variety of institutional uses including college campus environments, schools, churches, hospitals, medical campuses, and elder care facilities. The district is designed to provide appropriate space regulations and assure that facilities are served with adequate parking. Please note, Single-Family Residential (Detached) land uses are not permitted in the INS zoning district. This said, the property is classified as a “legally non-conforming use.”

Proposed Zoning: The proposed zoning for the property is R2. The R2 District is intended to provide locations for medium-density residential areas for single-family and two-family use with supporting and appropriate community facilities. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure. The R2 zoning district permits Single-Family Residential (Detached) land uses, which is defined as “[a] residential use in which one dwelling unit is located on a single lot, with no physical or structural connection to any other dwelling unit.” Please note, Single-Family Residential (Detached) land uses are permitted by right in the R2 zoning district.

Rezoning Petition: Chapter 165.38 of the City Code requires 50% of property owners within 300 feet of the proposed rezoning to sign the rezoning petition for advisory purposes only. However, failure to obtain the threshold level shall not prevent continuance of the rezoning application. A rezoning petition was received with this application with 11 of the 18 surrounding properties, or 61%, in support of this rezoning request.

Spot Zoning Concerns: Staff does not believe spot zoning concerns are associated with this request since these properties are adjacent and in close proximity to an existing R2 zoning district to the north of this property.

Adjacent Base Zoning Districts			
North	South	East	West
Two-Family Residential (R2)	Institutional (INS)	Institutional (INS)	Institutional (INS)

Comprehensive Plan: Chapter 165.04 of the City Code requires the proposed rezoning to conform to the City’s Comprehensive Plan. A component of the Comprehensive Plan is the *Future Land Use Map*, which identifies the subject property as “Civic and Public” land uses.

In evaluating conformance with the Comprehensive Plan, it is important to consider the entire document and not just the *Future Land Use Map*. In this particular case, the property is being used for single-family use and has for many years. Furthermore, the designation of Civic and Public land use of the *Future Land Use Map* was based on the properties being owned by Central College, which is no longer the case. Additionally, the Comprehensive Plan’s Compatibility Matrix states that Civic/Public and Low Density Residential land uses are compatible.

From staff’s perspective, we believe this rezoning request simply aligns the property with how it has been traditionally used. In addition, according to the Comprehensive Plan, low density residential uses are compatible with institutional uses. Therefore, we believe this request aligns and is in conformance with the Comprehensive Plan.

Staff Recommendation: Staff believes this rezoning request aligns with the City’s Comprehensive Plan. In addition, staff believes the proposed land use is compatible with the neighboring properties. Therefore, staff is recommending approval of this request. Finally, it is important to note, the Planning and Zoning Commission unanimously approved this proposed ordinance at their meeting on August 27, 2018.

ATTACHMENTS: Ordinance, Aerial Map, Zoning Map, Application, Petition, Written Comments

REPORT PREPARED BY: Planning & Zoning Department

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve ordinance

4b. Ordinance No. 949 entitled, “AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY AMENDING THE BOUNDARIES OF THE R2 DISTRICT TO INCLUDE THE PROPERTIES LEGALLY DESCRIBED IN “EXHIBIT A” AND DIRECTING THE ZONING ADMINISTRATOR TO NOTE THE ORDINANCE NUMBER AND DATE OF THIS CHANGE ON THE OFFICIAL ZONING MAP.” Branderhorst moved to place ordinance no. 949 on its first reading, seconded by Van Stryland. On roll call the vote was: AYES: Branderhorst, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

- 5a. Public Hearing on the Proposal to Enter into a Development Agreement with Harvest Investments, LLC. No written comments were received. Oral comments were received and addressed. Peterson moved to close the public hearing, seconded by De Jong. On roll call the vote was: AYES: Peterson, De Jong, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

**BACKGROUND:** This resolution approves and authorizes execution of a development agreement between the City of Pella and Harvest Investments, LLC. As background, this proposed development is located approximately 1,200-feet south of the intersection of Bos Landen Drive and Utrecht Laan and abuts holes #1, #2, #17, and #18 (see enclosed map). The development includes a 41-unit housing cooperative, which will contain many amenities including high-end finishes in the individual housing units, heated underground parking, courtyard, club room, exercise facility, and pickle ball courts. This portion of the development is intended for persons 55 years of age or older who would like to 'right-size' their housing needs. The developer estimates the construction cost of the cooperative project to be approximately \$13.5 million.

In addition to the housing cooperative project, the developer is also proposing to construct 10 single-family homes which will be similar to the existing single-family homes in the Bos Landen Development. Finally, at full build out the developer estimates the property taxes generated from this development will be approximately \$320,000 annually.

**Housing Needs in the City of Pella:** The City of Pella's Comprehensive Plan in 2014 identified the need for an additional 480 housing units to be constructed to meet population demands through the year 2035. Furthermore, a more recent and in-depth housing analysis conducted in 2015 identified the need for an additional 966 housing units through the year 2025 to meet our community's housing needs. All forms of housing were noted as a need in our community. It is important to note, 966 housing units equates to roughly a 15% increase in the number of housing units currently located within our community.

In addition, the Marion County Housing Assessment noted the need for an additional 309 senior housing units, with a majority of these attributed to active adult housing or housing intended for individuals 55 years of age or older.

**Financial Request by Developer:** In order to construct the project, the developer is requesting reimbursement for the cost of its public infrastructure. In considering this request, it is important to realize that the public infrastructure, when completed, would be dedicated to the City of Pella. In addition, all public infrastructure would be built according to the City's development standards. The estimated cost to install the development's streets, water mains, sanitary sewer mains, storm sewers, and electric infrastructure is approximately \$2,100,000, including engineering costs. As a result, the developer is requesting a tax increment finance (TIF) rebate of \$2,100,000 as property taxes are paid from the development.

**Requirements for Tax Increment Financing for Non-LMI Housing**

According to Iowa law, TIF can be used to assist with public improvements related to housing and residential development. However, for developments which are not low and moderate income (LMI), there are specific requirements that need to be adhered to, as listed below:

- A. Any TIF revenues generated by the development can only be used to offset the cost of the public infrastructure.
- B. While Iowa law allows cities to use TIF to support housing developments without limitation on either the price of the houses or the income levels of the prospective owners, the tradeoff is a percentage of the TIF revenues must be used to support housing assistance for families with incomes no greater than 80% of the median income in the county in which the project is located. For this proposed development, the City of Pella will be required to dedicate an amount equal to 36% (the current percentage of families in Marion County considered LMI) of the aggregate amount of TIF rebates to be provided to the developer in order to support LMI housing within our community. Based on the developer's TIF rebate request of \$2,100,000, this equates to approximately \$754,000 in funds which can be used for additional LMI housing projects or programs such as down payment assistance for LMI households.

**Financial Analysis:** In analyzing this proposed development, it is important to keep in mind that the developer is proposing to be reimbursed as property taxes are received from the development. This means if a development agreement containing these terms is ultimately approved by the City Council, the City of Pella would only pay the developer if incremental property taxes are collected from the development. Under this proposal, staff believes most of the risk of the development is transferred to the developer. Furthermore, staff believes the City of Pella can serve this development until the proposed TIF district is retired.

**Minimum Assessment Agreement:** As a condition of the development agreement, the developer will be required to complete a minimum tax assessment agreement for the housing cooperative portion of the development. This agreement establishes the minimum taxable valuation for the cooperative housing at \$6.5 million for the life of the development agreement. This is a key requirement for the development agreement, as it stabilizes the TIF rebate schedule and helps ensure the City's LMI requirements for the development. Based on the minimum tax agreement, staff estimates property taxes from the housing cooperative portion of the project will be at a minimum of \$2,145,000 over the first 10 years of the agreement.

**Key Conditions of the Development Agreement**

**Term:** The agreement is for a term of 15 years once the City begins to receive tax increment from the development property.

**Zoning:** The agreement is conditional upon the property being rezoned for its intended use by the Pella City Council.

**New Public Street and Associated Public Improvements:** The developer will be required to construct a public street roughly 3,000 linear feet which includes new water mains, sanitary sewer mains, and storm sewer. The estimated cost of the new public improvements is approximately \$2,100,000. The new public improvements are required to be built according to City standards and will need to be dedicated to the City of Pella as a condition for the developer to receive tax increment rebates. Listed on the following page are the key terms for these public improvements.

**Preliminary Engineering Review:** The proposed public street has been reviewed by City staff and Snyder and Associates, who serves as the City's engineering firm for development. This review included a preliminary evaluation of the capacity of Bos Landen Drive to serve the development, alignment of the proposed street, spacing of the new intersection at Bos Landen Drive compared to existing intersections, development traffic patterns, access for public safety vehicles to serve the development, cross connectivity requirements for the neighboring property to the west of the development, and potential issues in crossing the Bos Landen Golf Course.

It is important to note, this review was not intended to negate or supplant other City review processes which are required under the City Code for public streets. Normally, new public streets are evaluated during consideration of the preliminary plat. However, since this development involves a Planned Unit Development (PUD), staff performed a preliminary review of the proposed new public street. If this agreement is approved by the City Council, and the property is rezoned for its intended use, the preliminary plat would likely be considered this fall. Furthermore, if a more in-depth review is required for traffic circulation, it will be performed during the preliminary plat process.

Based on the preliminary review, it appears the proposed public street meets City Code requirements. In addition, staff believes Bos Landen Drive has the capacity to serve the additional traffic generated from the proposed development.

**Action Plan for Crossing the Bos Landen Golf Course:** By October 1, 2018, the developer will be required to submit an action plan for crossing the Bos Landen Golf Course. The plan is intended to minimize disruptions for the golf course and address the necessary cart path rerouting for the new public street. The action must be approved by the City of Pella before the developer can begin construction of the new public street. Furthermore, the new section of the public street which crosses the Bos Landen Golf Course must be completed by December 31, 2018. From staff's perspective, this fall is an ideal time to construct the new street as business at the golf course normally decreases after October 1<sup>st</sup>.

*Landscaping Plan:* By October 1, 2018, the developer will be required to submit a landscaping plan. The purpose of this plan is to help screen the new road from the residents on the south side of Bos Landen Drive. It is also important to note, the proposed location for the new road is more than 160 feet away from any residence on the south side of Bos Landen Drive. Staff believes this distance, and the Bos Landen Golf Course, serve as a natural barrier to the current homes on Bos Landen Drive. However, the developer is willing to install landscape to provide additional screening for the current residences.

*Completion Date for Public Improvements:* The development agreement requires all public improvements for the development to be completed by March of 2020.

Summary: Staff believes the proposed housing development meets a key goal of the City's Comprehensive Plan, which is to provide additional housing for our community. In addition, we also believe the development meets a targeted need of the Marion County Housing Assessment by providing housing for individuals 55 years of age or older. Furthermore, the required set aside of nearly \$754,000 in LMI funding will be a benefit, as it will help the City address future housing needs for LMI families.

In considering this agreement, it is conditional upon the property being rezoned for its intended use by the Pella City Council. In addition, the developer is required to install all required public infrastructure for the development according to City standards. Once completed, the developer will need to dedicate these improvements to the City of Pella as a condition to receive tax increment rebates. In regards to the rebates, the City of Pella would only pay the developer if incremental property taxes are collected from the development. Under this proposal, staff believes most of the risk of the development is transferred to the developer. Furthermore, staff believes the City of Pella can serve this development until the proposed TIF district is retired.

In summary, staff is recommending approval of this resolution which approves and authorizes execution of a development agreement between the City of Pella and Harvest Investments, LLC.

ATTACHMENTS: Resolution, Development Map, Concept Design, Development Agreement, Sight Distance Map  
REPORT PREPARED BY: City Administration  
REPORT REVIEWED BY: CITY ADMINISTRATOR  
CITY CLERK  
RECOMMENDED ACTION: Approve resolution

- 5b. Resolution No. 5894 entitled, "RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF PELLA AND HARVEST INVESTMENTS, LLC." De Jong moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Peterson, Bokhoven, Branderhorst. NAYS: None. Motion carried.

## **E. PETITIONS & COMMUNICATIONS**

1. Special Event Permit Request for the Pella Historic Downtown Retail Group Wine Walk. Van Stryland moved to approve, seconded by Bokhoven. On roll call the vote was: AYES: Van Stryland, Bokhoven, Branderhorst, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: The Pella Historic Downtown Retail Group has requested a special event permit for their Wine Walk scheduled on Friday, October 5, 2018 from 4:00 to 8:00 p.m. Set-up is proposed to begin at 3:00 p.m. with take down complete by 9:00 p.m.

The promoter is proposing this event to provide an evening of extended shopping hours and wine tasting opportunities in downtown Pella. Participants would be required to visit the Convention and Visitors Bureau office to obtain tickets and wristbands for the purpose of ensuring participants are age 21 or older. Throughout the evening, participants would have the opportunity to stop at different wine tasting stations set-up inside a variety of downtown storefronts.

In addition, the promoter is requesting to host two vendor booths underneath the Klokkenspel including fall merchandise sold by De Bloemen Hof and kettle corn sold by Zimm's.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Application, Map, Department Comments  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: CITY ADMINISTRATOR  
CITY CLERK  
RECOMMENDATION: Approve special event permit

- 2a. Special Event Permit Request for Central College Homecoming. Branderhorst moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: Branderhorst, Van Stryland, Peterson, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Central College has requested a special event permit for their Homecoming events scheduled on Friday, September 28, 2018. The first part of this request is to host a Scratch Cupcakery truck for the purpose of selling specialty cupcakes from 11:00 a.m. to 1:00 p.m. The truck would be located in the parking spots on the west side of Broadway Street in front of the Maytag Student Center. No additional set-up or take down time has been requested for this portion of the event.

The second part of this request is to hold a picnic dinner and pep rally, from 5:00 to 7:30 p.m., on Broadway Street between Peace Street and University Street. Set-up is requested to begin at 3:30 p.m. with take down complete by 8:30 p.m.

A resolution is included with this request to close the following on September 28, 2018:

- Parking spaces on the west side of the 400 block of Broadway Street from 11:00 a.m. to 1:00 p.m.
- Broadway Street between Peace Street and University Street from 3:30 to 8:30 p.m.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Resolution, Application, Map, Department Comments  
REPORT PREPARED BY: City Clerk  
REVIEWED BY: CITY ADMINISTRATOR  
CITY CLERK  
RECOMMENDATION: Approve special event permit and resolution



2b. Resolution No. 5895 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS CENTRAL COLLEGE HOMECOMING." De Jong moved to approve, seconded by Peterson. On roll call the vote was: AYES: De Jong, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

3a. Special Event Permit Request for C-SPAN Bus Community Visit. Peterson moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Peterson, Branderhorst, Van Stryland, De Jong, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: Mediacom Communications has requested a special event permit for the C-SPAN Bus Community Visit scheduled on Tuesday, September 11, 2018 from 11:30 a.m. to 1:30 p.m. The promoter is requesting to begin set-up at 11:00 a.m. with take down complete by 2:00 p.m. As background, C-SPAN began a 50-state tour in October of 2017. The Iowa portion includes stops in Des Moines, Pella, and Davenport.

The promoter is proposing to invite the general public onboard for a bus tour featuring interactive tablets, a classroom, and HD production studio. In addition, attendees would have the opportunity to interact with the C-SPAN bus crew including educators and media specialists.

Included with this request is a resolution to close seven parking spaces on the north side of the 700 block of Franklin Street, south of the Information Windmill, as indicated on the attached map.

All pertinent City departments have reviewed this application and comments are attached. The fee and insurance certificate have been received, and approval is recommended.

ATTACHMENTS: Resolution, Application, Map, Department Comments

REPORT PREPARED BY: City Clerk

REVIEWED BY: CITY ADMINISTRATOR

CITY CLERK

RECOMMENDATION: Approve special event permit and resolution

3b. Resolution No. 5896 entitled, "RESOLUTION TEMPORARILY CLOSING PUBLIC WAYS OR GROUNDS IN CONNECTION WITH A SPECIAL EVENT KNOWN AS C-SPAN BUS COMMUNITY VISIT." De Jong moved to approve, seconded by Peterson. On roll call the vote was: AYES: De Jong, Peterson, Bokhoven, Branderhorst, Van Stryland. NAYS: None. Motion carried.

**F. PLANNING & ZONING ITEMS** – None

**G. ADMINISTRATION REPORTS** – None

**H. RESOLUTIONS**

1. Resolution No. 5897 entitled, "RESOLUTION ORDERING SPECIFICATIONS, FORM OF CONTRACT, NOTICE TO BIDDERS, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING IN CONNECTION WITH THE BROOK CIRCLE DISTRIBUTION CONVERSION AND NORTHSIDE DISTRIBUTION CIRCUIT." De Jong moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: De Jong, Branderhorst, Van Stryland, Peterson, Bokhoven. NAYS: None. Motion carried.

BACKGROUND: This resolution establishes October 16, 2018, as the public hearing date and authorizes staff to seek bids for the Brook Circle Distribution Conversion and Northside Distribution Circuit Project.

As background, the Brook Circle Subdivision, constructed in the 1970s, was an early residential neighborhood served by underground electrical infrastructure. It was constructed with direct-buried open-concentric cable operating at 2,400 V. This means that there is no protection for the cable's neutral wire from dirt, moisture, and corrosion. Also, this is the only remaining section of town operating at 2,400 V. A key component of this project is to upgrade the voltage to 12.47 kV. The project will include the installation of new front-lot conduit and transformer pads. Much of the existing secondary (120/240 V) infrastructure will be reused. There should be no homeowner costs associated with this project.

The Northside Distribution Circuit is being proposed to improve the electrical distribution system's reliability by providing the ability to transfer load from the City's West Washington Substation to the Vermeer Substation. As the City's West Washington Substation continues to see load growth, there are currently limited options to transfer loads from the City's other substations. This project will allow the transfer of electrical load from the West Washington Substation to the Vermeer Substation. In addition, it will also help reduce the possibility of overloading electrical circuits within the distribution system.

Approximately 2.53 miles of underground infrastructure will be installed in association with this project including underground conduit and owner furnished box pads and pull boxes. The distribution crew workers will follow up with the installation of 12.47 kV electrical cable, splices, and transformers after the contractor's portion of the project is complete.

Critical dates have been identified as:

October 2, 2018	Bid Letting
October 16, 2018	Public Hearing to Receive Bids and Award of Contract
October 17, 2018	Estimated Construction Start
May 17, 2019	Substantial Completion

The Engineer's total estimated construction cost for the project is \$460,000, broken down as follows:

Brook Circle Distribution Conversion	\$110,000
Northside Distribution Circuit	\$350,000

In summary, staff is recommending approval of this resolution which establishes October 16, 2018, as the public hearing date and authorizes staff to seek bids for the Brook Circle Distribution Conversion and Northside Distribution Circuit Project. Contract documents are on file in the Electric Distribution office.

ATTACHMENTS: Resolution, Notice of Letting and Hearing  
 REPORT PREPARED BY: Electric Department  
 REVIEWED BY: CITY ADMINISTRATOR  
 CITY CLERK  
 RECOMMENDATION: Approve resolution

2. Resolution No. 5898 entitled, “RESOLUTION APPROVING ORDERING THE PREPARATION OF PLANS AND SPECIFICATIONS, FORM OF CONTRACT, NOTICE OF HEARING AND NOTICE OF LETTING, SETTING DATE FOR PUBLIC HEARING, AUTHORIZING THE TAKING OF BIDS, AND AUTHORIZING BID OPENING FOR THE PELLA SPORTS PARK PHASE II PROJECT.” De Jong moved to approve, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Peterson, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This resolution establishes October 2, 2018, as the public hearing date and authorizes staff to seek bids for the Pella Sports Park Phase II Project.

As background, this proposed project at the Pella Sports Park includes the construction of two new 210’ ballfields with fencing; installation of a sidewalk from the main complex to the new fields; extended overhang protection on the backstops of all fields; and installation of an 8-foot wide concrete trail, approximately 3,672 feet long, circling the greenfield space south of the existing ballfields.

The City’s engineer on this project, Civil Design Advantage (CDA), will handle the bid process and provide construction phase services for the project. The engineer’s opinion of probable costs for this project is \$801,104, in addition to \$104,175 in engineering costs. As background, the City of Pella approved an amendment to the 28E partnership agreement with Fields for Our Future, Inc. on May 1, 2018. According to this amendment, the City’s contribution towards this project will be a maximum of \$430,000, or 50% of the total cost, whichever is less.

Seven alternates will also be bid with this project, as summarized below:

Alternate Description	Opinion of Probable Costs
Expand trail from 8’ to 10’	\$45,000
Restroom building expansion	\$161,196
Sidewalk from parking lot to new fields	\$71,295
Covered dugouts/new fields	\$23,100
Pitching bullpens	\$18,601
Granular parking (54 spaces)	\$50,757
Paved parking (37 spaces)	\$32,861

Critical dates have been identified as:

September 27, 2018	Bid Letting
October 2, 2018	Public Hearing to Receive Bids and Award of Contract
October 8, 2018	Notice to Proceed
June 28, 2019	Work Completed

In summary, staff is recommending approval of this resolution which establishes October 2, 2018, as the public hearing date and authorizes staff to seek bids for the Pella Sports Park Phase II Project. Contract documents are on file in the Community Services office.

ATTACHMENTS: Resolution, Notice of Letting and Hearing  
 REPORT PREPARED BY: Community Services Department  
 REVIEWED BY: CITY ADMINISTRATOR  
 CITY CLERK  
 RECOMMENDATION: Approve resolution

3. Resolution No. 5899 entitled, “RESOLUTION OF PELLA CITY COUNCIL APPROVING RETRACEMENT PLAT OF SURVEY FOR LOT 76 AND LOT C OF HUNTER’S RIDGE.” Bokhoven moved to approve, seconded by Branderhorst. On roll call the vote was: AYES: Bokhoven, Branderhorst, Van Stryland, Peterson, De Jong. NAYS: None. Motion carried.

BACKGROUND: This resolution approves a retracement plat of survey for Lot 76 and Lot C, which are part of the previously approved preliminary and final plats known as the Hunter’s Ridge subdivision. The subject properties are located near the intersection of 187th Place and 182nd Avenue. While the properties are located outside the City’s corporate limits, they are within the City’s subdivision jurisdiction. The applicant, MRN Partnership, is proposing to combine Lot 76 and Lot C to create an approximately 11,900-square foot lot to construct a residential home. The Hunter’s Ridge final plat approved by the City of Pella reserved Lot C for a future street to extend to the east. However, Marion County declined to accept this lot for a future public street. Therefore, the developer is requesting approval of this plat of survey which simply removes the road reservation from Lot C and combines Lot C with Lot 76. The developer has also stated that extending a road through Lot C easterly would be difficult due to topography issues.

Staff has reviewed this request and has made the following findings:

1. Extending a public street easterly through Lot C would be challenging due to elevation issues. However, a road could be built through this property, but it would likely cost significantly more than a normal road extension.
2. The development already has cross connectivity to the abutting property to the east by 183rd Place.
3. Staff consulted with the Marion County Engineer on this proposal. In summary, the Marion County Engineer recommends maintaining the road reservation for Lot C to provide for future connection opportunities for adjacent developments.

In summary, this resolution approves a retracement plat of survey for Lot 76 and Lot C, part of the previously approved preliminary and final plats known as Hunter’s Ridge subdivision. Finally, it is important to note that the Planning and Zoning Commission unanimously approved this plat of survey during their meeting on August 27, 2018.

ATTACHMENTS: Resolution, Aerial Map, Application, Retracement Plat of Survey, Preliminary Plat  
 REPORT PREPARED BY: Planning & Zoning Department  
 REVIEWED BY: CITY ADMINISTRATOR  
 CITY CLERK  
 RECOMMENDATION: Consider the Planning & Zoning Commission’s Recommendation

## I. ORDINANCES

1. Ordinance No. 945 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA BY AMENDING TABLE 165.12-2, PERMITTED USES BY ZONING DISTRICTS, BY REQUIRING SPECIAL USE PERMITS FOR COCKTAIL LOUNGE USES IN THE CUC, COMMERCIAL – MIXED USE URBAN CENTER, CC, COMMUNITY COMMERCIAL DISTRICT, CPD, COMMERCIAL – PLANNED DEVELOPMENT DISTRICT, M1, LIMITED/LIGHT INDUSTRIAL DISTRICT, AND M2, HEAVY INDUSTRIAL DISTRICT." Peterson moved to place ordinance no. 945 on its second reading, seconded by Bokhoven. On roll call the vote was: AYES: Peterson, Bokhoven, Branderhorst, Van Stryland, De Jong. NAYS: None. Motion carried.

BACKGROUND: This proposed ordinance would require a special use permit for all new cocktail lounge uses (i.e. bars and taverns) under the City's zoning code. Currently, cocktail lounges are permitted by right in the following zoning districts: Mixed Use Urban Commercial Corridor (CUC), Community Commercial District (CC), Commercial Planned Development District (CPD), Limited/Light Industrial District (M1), and Heavy Industrial District (M2). Additionally, cocktail lounges are permitted in the Central Business District (CBD) by special use permit, with a maximum limit of two.

### Special Use Permit Requirements

As Council is aware, special use permits require direct oversight by the Board of Adjustment and are intended for uses which have unusual site development or operating characteristics that could adversely affect surrounding properties. Essentially, the purpose for special use permits is to make sure slightly-out-of-character uses can be made to "fit" with the surrounding area. Staff believes cocktail lounges fit into this description, as they may have an adverse impact on surrounding property, particularly if they are adjacent to residential properties. Furthermore, the Board of Adjustment is required to conduct a public hearing and notify neighboring properties before a special use permit can be authorized. This helps ensure that neighboring property owners who have concerns with a proposed cocktail lounge use will have a forum to voice their concerns before the use is allowed. It is also important to note, the Board of Adjustment will review other items associated with special use permit applications, such as required infrastructure, parking, and public safety related issues. Staff would also like to mention that the Board of Adjustment has a table of criteria, included as an attachment to this memo, to consider when reviewing special use permit applications. For instance, the Board could restrict operating hours, impose operational limits, and other necessary items to help ensure land use compatibility with the surrounding area. Furthermore, the Board can also revoke special use permits, which will provide the City with additional enforcement options in dealing with problem cocktail lounge uses.

### Existing Cocktail Lounges

There are currently three businesses that operate as a cocktail lounge under the City's zoning code definition. The Cellar Peanut Pub and The Wijn House operate in the CBD and were therefore required to obtain a special use permit based on existing zoning requirements. The Funk Lounge currently operates in the CC zoning district and would be grandfathered in.

### Staff Recommendation

This proposed ordinance would require new cocktail lounges to apply for a special use permit in all eligible districts. In essence, the ordinance simply amends the City's zoning code by replacing "P" (Uses Permitted by Right) with "S" (Uses Permitted by Special Use Permit) for cocktail lounge land uses in the CUC, CC, CPD, M1, and M2 zoning districts. Staff believes this requirement would achieve the desired result of ensuring new cocktail lounge uses fit within the neighborhood and minimizes the impact on surrounding neighbors. Therefore, staff is recommending approval of the proposed ordinance which would formally require all future cocktail lounge uses to obtain a special use permit. Finally, it is important to note, the Planning and Zoning Commission unanimously approved this proposed ordinance at their meeting on August 13, 2018.

ATTACHMENTS: Ordinance, Zoning Map, BOA Criteria for Reviewing Special Use Permits  
REPORT PREPARED BY: Planning & Zoning  
REVIEWED BY: CITY ADMINISTRATOR  
CITY CLERK  
RECOMMENDATION: Approve ordinance

2. Ordinance No. 946 entitled, "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PELLA, IOWA, BY CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY LOCATED APPROXIMATELY 1,200-FEET SOUTH OF THE INTERSECTION OF BOS LANDEN DRIVE AND UTRECHT LANN, CITY OF PELLA, MARION COUNTY, IOWA." De Jong moved to place ordinance no. 946 on its second reading, seconded by Van Stryland. On roll call the vote was: AYES: De Jong, Van Stryland, Peterson, Bokhoven, Branderhorst. NAYS: None. Motion carried.

BACKGROUND: This proposed ordinance would change the base zoning classification for approximately 30 acres of property owned by Harvest Investments Vintage Cooperative from Agricultural (A1) to Planned Unit Development (PUD). This property is located approximately 1,200-feet south of the intersection of Bos Landen Drive and Utrecht Laan and abuts holes #1, #2, #17, and #18 (see enclosed map).

The proposed development includes a 41-unit housing cooperative, which will contain many amenities including high-end finishes in the individual housing units, heated underground parking, courtyard, club room, exercise facility, and pickle ball courts. This portion of the development is intended for persons 55 years of age or older who would like to 'right-size' their housing needs. The developer estimates the construction cost of the cooperative project to be approximately \$13.5 million.

In addition to the housing cooperative project, the developer is also proposing to construct 10 single-family homes which will be similar to the existing single-family homes in the Bos Landen Development. Finally, at full build out, the developer estimates the property taxes generated from this development will be approximately \$305,000 annually.

Housing Needs in the City of Pella: The City of Pella's Comprehensive Plan in 2014 identified the need for an additional 480 housing units to be constructed to meet population demands through the year 2035. Furthermore, a more recent and in-depth housing analysis conducted in 2015 identified the need for an additional 966 housing units through the year 2025 to meet our community's housing needs. All forms of housing were noted as a need in our community. It is important to note, 966 housing units equates to roughly a 15% increase in the number of housing units currently located within our community.

In addition, the Marion County Housing Assessment noted the need for an additional 309 senior housing units, with a majority of these attributed to active adult housing or housing intended for individuals 55 or older.

Comprehensive Plan: Additional housing is noted as a key priority goal in the City's Comprehensive Plan. In addition, the Comprehensive Plan also recommended to focus on areas within our community where infrastructure was already in place to serve additional housing. Furthermore,

the Comprehensive Plan identified the need to provide diverse housing options within our community. From staff's perspective, the proposed development meets many of these targets as it is located in an existing housing development and is in close proximity to the City's sanitary sewer system.

The *Future Land Use Map* of the Comprehensive Plan targets the proposed site for Low-Density Residential housing. According to the City's Comprehensive Plan, densities for low-density residential can range from four to six units per acre. Based on this formula, the developer could construct 120 to 174 housing units on the 30-acre development and still be within the allowable density range as stated in the Comprehensive Plan. Based on the density restrictions as stated in this ordinance, staff believes the upper limit for the housing units will be in the range of 55, which is significantly below the 174 units allowed in the Comprehensive Plan.

It is also important to note that the Bos Landen Golf Course serves as a natural barrier between the housing cooperative component of this development and any residential housing in the vicinity. Based on staff's analysis, it appears the nearest existing single-family home is approximately 850 feet away from the housing cooperative project. Even though there is a considerable distance between this development and the existing residential neighborhood in Bos Landen, it is important to note that the Land Use Compatibility Matrix within the Comprehensive Plan identifies the multi-family housing component of the development as compatible with single-family and low-density housing.

Based on our analysis, staff believes the proposed development is in accordance and aligns with the City's Comprehensive Plan.

**Planned Unit Development:** Planned Unit Developments (PUD) are designed to allow for comprehensively planned projects which provide for innovative and imaginative approaches to urban design and land development. A PUD is a negotiated contract for land development between the private developer and the public governmental entity. This differs from the traditional approach to land development wherein the developer develops land pursuant to minimum standards previously adopted by the government. A PUD permits flexible variation from established land regulations as contained in zoning districts and in platting and subdivision requirements. The developer, with City staff guidance, Planning and Zoning Commission review, and Council approval, may develop its own guidelines for the best development of the land in question. As a result, some requirements of the PUD will be greater than the City's zoning code. In addition, there will also be some variations from the zoning code to accommodate the development. The overall intent of the PUD is to enhance land use compatibility with the existing neighborhood.

A considerable amount of site planning work has taken place for this proposed PUD. The plan was reviewed by professional engineers and City staff. This review included public safety issues, traffic concerns, and an infrastructure analysis. Overall, the planning for the development was completed in a comprehensive manner and in accordance with City Code.

For this proposed ordinance, the base zoning district will be R-3, Multi-Family Residential. Listed below, and on the following page are key requirements of this proposed ordinance.

**Key Requirements of the Proposed Ordinance**

*Exhibit A:* The proposed development is required to be developed in accordance with Exhibit A. This preliminary site plan has been reviewed and approved by the City's engineer and staff. Staff believes this preliminary plan meets the City's site plan requirements and will undergo further review during the consideration of a formal site plan. It is important to note, Lot 1 will be dedicated to the multi-family housing development. Likewise, single-family housing will be the only use for Lots 2 through 11.

*Exhibit B:* The proposed development is required to be designed in accordance with the color renditions as indicated in Exhibit B. While the proposed development is not within the City's design review district, staff believes the proposed design complements the existing neighborhood. In addition, staff also believes the design elements incorporated are significantly above any requirements under the City Code.

**Zoning District Modifications**

The proposed ordinance requires the development to be in conformance with the applicable zoning district except for the following modifications:

**Zoning Requirements Waived or Amended:**

1. The requirements of Table 165.12-3, maximum height, shall be increased from 45 feet to 50 feet.
2. The requirements of Table 165.31-2 and Sections 165.31(5)(A) & 165.31(9)(A), screening requirements, are waived as to the opaque screening requirements between the multi-family and single-family proposed uses. However, a formal landscape plan shall be provided by the developer at the time of site plan approval.

**Subdivision Requirements Waived or Amended:**

1. The requirements of Section 170.11(3)(H), street connectivity, are waived. Streets shall not be required to extend to the property boundary to accommodate future development for Lot 1 as shown in Exhibit A-3.
2. The requirements of Section 170.11(3)(I), maximum cul-de-sac length, are waived. Cul-de-sacs with a length greater than 600 feet shall be allowed for this development.
3. The requirements of Section 170.13(4)(F), sanitary sewer extension, are waived. Sanitary sewer shall not be required to extend to the property boundary to accommodate future development for Lot 1 as shown in Exhibit A-3.
4. The requirements of Section 170.13(5), fire hydrants, are amended as follows: fire hydrants shall be installed at such locations as required by the Pella Fire Department.
5. The requirements of Section 170.13(6), sidewalks, are amended as follows: sidewalks shall only be required along one side of the streets in the development.

**Use Restrictions:**

1. Lot 1 shall be used for a multi-family housing cooperative with a maximum of 45 housing units.
2. Lots 2 through 11 shall be used for single-family detached residences, with a maximum of ten residential properties.

**Staff Recommendation:** Staff believes the proposed ordinance meets the requirements of the City's zoning code. In addition, staff also believes the proposed ordinance is consistent and in conformance with the City's Comprehensive Plan. Therefore, staff is recommending approval of the proposed ordinance. Finally, it is important to note, the Planning and Zoning Commission approved this proposed ordinance on a 6 to 1 vote at their meeting on August 13, 2018.

**ATTACHMENTS:** Ordinance with Exhibits, Aerial Site Map, Site Distance Map, Written Comments

**REPORT PREPARED BY:** Planning & Zoning

**REPORT REVIEWED BY:** CITY ADMINISTRATOR

CITY CLERK

**RECOMMENDATION:** Approve ordinance

## **I. CLAIMS**

1. Abstract of Bills No. 2014. Bokhoven moved to approve, seconded by De Jong. On roll call the vote was: AYES: Bokhoven, De Jong, Branderhorst, Van Stryland, Peterson. NAYS: None. Motion carried.

**K. OTHER BUSINESS / \*PUBLIC FORUM (any additional comments from the public)**

No comments were received.

**L. CLOSED SESSION** – None

**M. ADJOURNMENT**

There being no further business claiming their attention, Peterson moved to adjourn, seconded by Bokhoven. On roll call the vote was: AYES: Peterson, Bokhoven, Branderhorst, Van Stryland, De Jong. NAYS: None. Motion carried. Meeting adjourned at 9:01 p.m.