

**MINUTES OF THE CITY OF PELLA
PLANNING AND ZONING COMMISSION MEETING
FEBRUARY 28, 2022**

CALL TO ORDER BY THE CHAIRPERSON AND ROLL CALL

As both the Vice-Chairperson and Chairperson were absent for this meeting, the Commission elected an Acting Chairperson from the commissioners in attendance.

Motion by Visser, second by Pfalzgraf to elect Jahner as Acting Chairperson for this meeting. On roll call the vote was: ayes: Visser, Pfalzgraf, Buchheit, Chiarella, Haustein, and Johnson; nays: none; abstain: Jahner. Motion carried 6-0-1.

Acting Chairperson Jahner called the Planning and Zoning Commission to order at 7:00 p.m. in the Public Safety Complex. Members present were: Sarah Buchheit, Julio Chiarella, Cathy Haustein, Kisha Jahner, Tom Johnson, Robin Pfalzgraf, and Ann Visser; absent: Joe Canfield, Mark Groenendyk, and Teri Vos. Staff present: Zoning Director Gerald Buydos, Zoning Analyst Jared Parker, and the Deputy City Clerk. Twenty-two members of the public were present.

APPROVAL OF TENTATIVE AGENDA

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

APPROVAL OF MINUTES

Motion by Pfalzgraf, second by Visser to approve the minutes of the December 27, 2021 meeting. Motion carried 7-0.

PUBLIC HEARINGS

Consider a Rezoning Application for the Subdivision Known as Timberview

ATI Group submitted a rezoning application for a 108.41-acre parcel at the end of Hazel Street to change the zoning from Agricultural (A1) and Low-Density Single-Family Residential (R1) to Moderate-Density Single-Family Residential (R1A) for a new single-family residential neighborhood. The subject property is located at the northern terminus of Country Club Drive and Hazel Street and has an existing farmhouse and outbuildings on the property.

The proposed zoning for this property is R1A. This district is intended for moderate-density residential neighborhoods, characterized by single-family dwellings on moderately large lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with carrying capacity of infrastructure. Property zones surrounding the site include Low-Density Single-Family Residential (R1), Moderate-Density Single-Family Residential (R1A), Institutional (INS), and Agricultural (A1).

Any potential conflicts which can be resolved through project design, landscaping, buffering, and screening will be addressed through the site planning process.

Staff believes the proposed rezoning aligns with a key strategic priority of the Comprehensive Plan, which is economic development and additional housing units. In addition, staff also believes the conditions

associated with this rezoning request address potential land use compatibility issues. As a result, staff recommended approval of the rezoning request.

Convened **Public Hearing** on the proposed rezoning.

One written comment was received and included in the meeting packet. A second written comment was received and distributed to the Commission.

Motion by Pfalzgraf, second by Visser to enter the written comment that was not included in the packet into the public record. Motion carried 7-0.

Wayne Stienstra voiced concerns he has about the rezoning, including his concern that traffic levels will increase and that the zoning should remain R1, as is listed in the Comprehensive Plan. Additionally, he stated that he believes a site plan should be submitted prior to consideration of the rezoning request.

Ann Summitt, a resident of Hazel Street, voiced concerns she has about the rezoning. She said the current street is a dead end and she has concerns that, during the construction of the Timberview subdivision, the road will likely be blocked with construction vehicles, thus limiting emergency vehicle access. She also mentioned concerns about safety with increasing traffic, as many children live in the neighborhood. She also questioned whether the Iowa Department of Natural Resources (DNR) will be contacted regarding the waterways on the property. Buydos explained that the site plan process is when environment implications of the project would be examined. Summitt asked whether a street connecting the proposed subdivision to North Main Street would be constructed prior to initial construction of the development. Buydos said no, not at this time.

McClure Engineering Company Project Manager Caleb Smith said that the Timberview subdivision will ultimately connect Country Club Drive and Hazel Street and explained the developer's intent to be a good neighbor to the residents that live on those streets. He further explained that any necessary permits from the Iowa DNR will be acquired. One reason they would like to rezone the property to R1A is to provide flexibility in the product type that will be offered based on the market needs of the community. This will allow them to develop the property most effectively.

Pfalzgraf asked whether the majority of the homes will be duplexes. Buydos explained that the subdivision is currently planned to have 176 total homes with 80% being single-family homes and 20% being single-family attached homes. He further explained that single-family attached homes are separately sold, unlike duplexes. Pfalzgraf expressed concern that the influx of housing from this development may oversaturate the market. She is also concerned that the concept plan may change once the rezoning has been approved. Buydos explained that the Commission will have the ability to either approve or deny the site plan when the site plan comes before the Commission for consideration. Pfalzgraf noted that the property subject to the rezoning is located in her neighborhood, and that she also has concerns regarding the increased traffic and the safety of children who live in the area.

Haustein asked what advantage this rezoning would bring to the City. Buydos explained that the subdivision would help satisfy the City's housing needs, as there is a small inventory of homes available for purchase. Haustein said she believes R1 zoning is valuable and is not in favor of changing it.

Visser asked whether the homes will be priced as entry-level homes. She said the homes at Prairie Ridge were originally supposed to be priced as entry-level homes, but ended up with higher price points. ATI Partner and Chief Executive Officer BJ Stokesbary explained that the homes in Prairie Ridge saw increased costs due to material and labor price increases. Thirty-five lots in the Prairie Ridge development

have been sold, as well as the townhome parcel. For Timberview, the single-family attached homes are planned to be zero-entry homes with no basement and geared toward individuals 55 and older. The rest of the single-family homes will be market rate housing, such as what is found in the Bos Ridge and Fountain Hills developments.

Brian Van Haaften said he would like to see the existing barn on the Timberview property encompassed into the development. Additionally, he would like to see sidewalks constructed on Hazel Street and Country Club Drive before construction begins in the development. He would also like to see that the home values of existing homes on the adjacent streets are respected in relation to the homes built in Timberview.

Motion by Pfalzgraf, second by Johnson to close the public hearing as no further comments were received. Motion carried 7-0.

In response to a question from the Commission, Buydos explained that if the rezoning is ultimately approved by the City Council, then the applicant will come back to the Commission with a plan that shows the product type, lot layout, sidewalks, sewer, water, and drainage.

Motion by Johnson, second by Chiarella to approve the rezoning application as submitted. On roll call the vote was: ayes: Johnson, Chiarella, Buchheit, and Jahner; nays: Haustein, Pfalzgraf, and Visser. Motion carried 4-3.

NEW BUSINESS PROPOSED

Consider a Preliminary Plat Application to Subdivide Parcels 1455200205 and 1455200225 into Two Parcels, an Outlot, and a Public Cul-de-Sac, Located on West 12th Street

Jeff Dingeman submitted a preliminary plat to subdivide two parcels (approximately 16.13 acres) into two lots and one outlot for industrial uses. The subject property is located at the terminus of 12th Street. On July 21, 2020, City Council adopted an ordinance to rezone this property to Limited/Light Industrial (M1) and Agricultural (A1). The proposed land use will be “Light Industrial” which is defined as the on-site extraction, storage, manufacture, assembly, processing, or production of goods by nonagricultural methods, and the storage and distribution of products. The developer has indicated an intent to subdivide the parcel into two individual lots and one outlot. Staff reviewed the proposed subdivision and confirmed that the proposed lots meet all minimum lot requirements for the M1 zoning district.

According to Chapter 170.12, before the preliminary plat of any area shall be accepted and recorded, the subdivider is required to make and install all public improvements located in Chapter 170.13. The City has determined that public improvements need to be provided for with this subdivision. Namely, that the continuation of 12th Street is provided from the existing southerly property edge to the northerly property edge to serve subsequent developments to the north and not terminate 12th Street in a cul-de-sac. Improvements need to consist of a fully dedicated right-of-way to the northern property boundary and partially constructed street improvements to the northern end of Lot 2.

The ending of 12th Street in a cul-de-sac will limit the extension of storm sewer, sanitary sewer, and water infrastructure to properties north of this parcel and serve future City expansion. Ending 12th Street in a cul-de-sac will leave 11th Street as the only other northerly extension of infrastructure in this area.

Chapter 170.06(2) requires the Planning and Zoning Commission to review the preliminary plat for conformance with the Comprehensive Plan, including the Future Land Use Map. The Future Land Use Map

of the Comprehensive Plan identifies this site for “Low-Density Residential” land uses, which is appropriate for projects with densities up to four units per acre. Staff believes the proposal meets the community’s goals listed in the Comprehensive Plan and complies with the Future Land Use Map based on previous City land use and zoning actions.

The preliminary plat has been revised to reflect City of Pella staff and consultant comments. Staff found the preliminary plat meets the minimum requirements of the zoning ordinance but does not conform the requirements of the City’s subdivision ordinance regarding infrastructure. Based upon these findings, staff recommended the preliminary plat be denied as submitted.

The applicant, Jeff Dingeman, was present and spoke in favor of the preliminary plat and answered questions from the Commission. Discussion ensued among Dingeman, staff, and the Commission.

Motion by Pfalzgraf, second by Visser to approve the preliminary plat as submitted.

Upon further discussion, an alternative proposal was made. Johnson suggested approving the cul-de-sac as proposed and extending the right-of-way north. Dingeman consulted with his engineer regarding the proposal. In response to a question from Dingeman, Buydos said the right-of-way could potentially be vacated, if another street were to provide access in the future.

Motion by Pfalzgraf, second by Visser to amend her motion so that the cul-de-sac ends at Lot A and gives the City of Pella right-of-way to the northerly portion of the property.

Motion by Pfalzgraf, second by Visser to approve the amended motion. Motion carried 7-0.

Consider a Site Plan Application to Construct a New Building for Office and Accessory Use at 2004 Hempstead Drive

Marc Vande Noord submitted a site plan application to construct a flex space facility at 2004 Hempstead Dr. The proposed building will total 11,200 square feet with approximately 14,250 square feet of paved parking. According to the Zoning Ordinance, the proposed land use is classified as *General Office* use, which is defined as “use of a site for business, professional, or administrative offices who may invite clients from both local and regional areas. Typical uses include real estate, insurance, management, travel, or other business offices; organization and association offices; or professional offices.” The proposed land use is permitted by right in the City’s CC zoning district.

Chapter 165.36(F)(3) requires the proposed site plan to conform to the City’s Comprehensive Plan. The Future Land Use Map of the Comprehensive Plan identifies this site for “Low-Density Residential” land uses. However, economic development is a priority in the Comprehensive Plan and the property is appropriately zoned for the use already. Staff believes the proposal meets the community’s goals listed in the Comprehensive Plan and complies with the Future Land Use Map.

Staff believes the proposed site plan meets the requirements of the City’s zoning code and is consistent with the City’s Comprehensive Plan. Therefore, staff recommended the site plan be approved as submitted.

Motion by Pfalzgraf, second by Johnson to approve the site plan as submitted. Motion carried 7-0.

Consider a Site Plan Application to Construct a Chick-Fil-A Restaurant, Located on Goldenrod Court in the Prairie Ridge Development

HR Green, Inc. submitted a site plan application for a new development project to construct a Chick-fil-A drive-through restaurant in Prairie Ridge. The property is located directly across from Smash Park on Goldenrod Court. The property is zoned Community Commercial (CC) and is located within the Gateway Corridor (GC) Overlay District. A summary of the requested project is provided below.

1. Construct a new 5,000-square-foot drive-through restaurant with 92 indoor seats and 24 outdoor seats.
2. Restaurant will have a double drive-through with a 39-car stack.
3. Project will provide 86 parking spaces.

Staff believes the proposed site plan meets the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff recommended the site plan be approved as submitted.

Pfalzgraf asked whether the drive-through layout will cause any issues. Buydos said no, the drive-through orders are taken sequentially and customers will merge like a zipper. Chick-fil-A Development Manager Jason Hill explained that there will be ample opportunity for cars from the two drive-through lanes to merge after receiving their food. Additionally, there will be a couple of parking spaces that customers can pull out of line and park in while waiting for their food orders. Pfalzgraf stated this is a project that is being excitedly awaited by many in the community and thanked Chick-fil-A for bringing the restaurant to Pella.

Haustein asked whether there is any concern regarding Chick-fil-A Chairman Dan Cathy's efforts regarding the Equality Act. Buydos explained that is not something that staff takes into consideration when reviewing site plan applications.

Jahner stated that she believes Chick-fil-A will be a draw to Marion County and thanked Chick-fil-A for their investment in Marion County and the City of Pella.

Motion by Johnson, second by Pfalzgraf to approve the site plan as submitted. On roll call the vote was: ayes: Johnson, Pfalzgraf, Buchheit, Chiarella, Jahner, and Visser; nays: none; abstain: Haustein. Motion carried 6-0-1.

Consider a Preliminary Plat Application to Subdivide Parcel 1630705500 into 6 Lots and One Outlot, Located on Peace Street and Broadway Street in the South Main Development

South Main, LLC submitted a preliminary plat to subdivide one parcel (approximately 0.99-acres) into six buildable lots with one outlot. The subject property is located at 412 Broadway Street, on the corner of Broadway and Peace Streets. Previously, both the Planning and Zoning Commission and City Council have approved multiple actions on the property known as South Main. This preliminary plat is needed to implement the product change that was recently approved by both the Commission and City Council.

The proposed development is intended to be a signature mixed-use development by providing a unique, high-quality housing product. The specific product for these lots will be single-family attached units sold separately. Overall, the development contains a mix of housing units with price points allowing for a diverse buyer pool. In addition, the development will contain high-end housing finishes, a courtyard, and extensive landscaping. Staff has reviewed the proposed subdivision and confirmed that the proposed lots

meet all minimum lot requirements of the Planned Unit Development and Commercial Mixed-Use Urban Corridor zoning districts.

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.

Staff finds the preliminary plat meets the minimum requirements of the zoning ordinance and subdivision ordinance, while also conforming to the City's Comprehensive Plan. Based upon the findings, staff recommended the preliminary plat be approved as submitted.

Motion by Chiarella, second by Pfalzgraf to approve the preliminary plat as submitted. Motion carried 7-0.

Consider a Site Plan Application to Construct New Tennis Courts and a Parking Lot at Pella High School, Located on the Corner of University Street and E. 8th Street

Pella Community Schools submitted a site plan application to construct tennis courts along University Street. The proposed buildings will total 1,080 square feet with approximately 133,956 square feet of impervious surfacing in the largest configuration. There are three proposed site plans being presented. Plan A includes eight tennis courts, Plan B has 10, and Plan C has 12.

According to the Zoning Ordinance, the proposed land use is classified as Parks and Recreation, which is defined as "publicly owned and operated parks, playgrounds recreation facilities and open spaces." The proposed land use is permitted by right in the City's R2 zoning district.

Staff believes the proposed site plans all meet the requirements of the City's zoning code and is consistent with the City's Comprehensive Plan. Therefore, staff recommend the site plans be approved as submitted.

Garden & Associates Professional Engineer Erin Van Roekel explained that University Street will be straightened a little in front of the tennis courts. A trail will also run along the north side of the street. Parking along East 8th Street will be removed when the parking lot is installed. There will still be parking along Farmer Street.

Motion by Pfalzgraf, second by Buchheit to approve the site plan as submitted. Motion carried 7-0.

OTHER BUSINESS / WORK SESSION

Elect Commission Chairperson and Vice-Chairperson for 2022

On an annual basis, the Planning and Zoning Commission is required to select a Chair and Vice-Chair from its membership. All members of the Commission are eligible to serve in these roles. The primary role of the Chair is to conduct the Planning and Zoning Commission meetings in accordance with the Planning and Zoning Procedural Rules. In the absence of the Chair, the Vice-Chair will serve as the Chair during the Planning and Zoning meetings. In addition to the above responsibilities, both positions will serve in a liaison role for staff.

Motion by Pfalzgraf, second by Visser to elect Vos as Chairperson for 2022. Motion carried 7-0.

Motion by Johnson, second by Visser to elect Canfield as Vice-Chairperson for 2022. Motion carried 7-0.

Next Meeting Date

The next regular Planning and Zoning Commission meeting is scheduled for March 28, 2022.

Adjourned at 8:44 p.m.

From: waynes@iowatelecom.net <waynes@iowatelecom.net>

Sent: Monday, February 28, 2022 1:12 PM

To: Gerald Buydos <gbuydos@cityofpella.com>

Subject: Zoning Change Case No. PC22-03

To the Pella Planning and Zoning Commission,

There is a planned zoning change adjacent to property that I own at 1560 Main. In response to the adjacent landowner notice, proposing to change the Subject Properties from Low Density Single-Family Residential (R1) and Agricultural (A1) to Moderate Density Single-Family Residential (R1A), I disagree in changing the existing zoning. I think they were correct in the long-term comprehensive plan to have that as Low Density. The existing infrastructure does not support having a higher density in that area. Thank you for your consideration.

Sincerely, Wayne Stienstra
1005 Broadway St
Pella, IA 50219
641-780-4650

From: Ann Summitt <annsummitt@gmail.com>

Sent: Monday, February 21, 2022 3:50 PM

To: Gerald Buydos <gbuydos@cityofpella.com>; Ann Summitt <annsummitt@gmail.com>; Lynn Branderhorst <lbrandhorst@gmail.com>

Subject: zoning

My name is Ann Summitt. I recently received a letter concerning the zoning of the Harold and Gladys Vander Hart trust. ATI is wanting to change from low density to moderate density (R1A).

There are many questions and issues concerning this proposed zoning change. First, this is a dead end street with only one entrance and exit. There are already 20+ homes on Hazel and East Park Lane that use this. When Vermeer was hit by the tornado a few years ago, an insurance agent told us we were only one-quarter of a mile from losing our home. If this would or could happen how would emergency equipment be able to access this area effectively?

Two, this street cannot handle the large equipment that would need to be brought in. Last summer a new house was built in our area and as a result we had trucks lining Hazel Street, and at times blocking our street. The street was a mess (and continues to be). This also comes down to safety as there are small children who live on this street. It already has some traffic issues.

Third, it has been noted that Indianola denied a Kading development due to issues such as population density, higher traffic, and room for water runoff. Presently we have a huge issue with water runoff during heavy rains coming from the farm fields. It's time for Pella to look closely at this zoning change. Indianola was sued by Kading, and the City of Indianola won the lawsuit from the developers due to the above mentioned issues.

We also have had some police presence due to some unfortunate situations on our street. This has added uneasiness on this street as well. We are "trapped" due to only one exit and entrance if something were to happen.

Please consider the safety of the citizens who already live here. Also, consider how much of this part of Hazel St. would cost for street repairs due to heavy weight vehicles.

This area has a doctor and ambulance personnel who also need to leave quickly if something happens. What happens if the road is blocked, even for a short amount of time?

Lastly, do we really need this development at this time? Prairie Point is still underway. The developers are NOT from Pella, but seem to be doing very well snatching up land and buildings. I know of not one other dead end street in Pella that has this many homes on it with only one access.

Regards,

Ann Summitt

1435 Hazel St.

Pella, Iowa 50219