



Planning & Zoning Commission Meeting Agenda

Tuesday, October 1, 2024 - 5:00 PM

Newton City Hall - Council Chambers
101 W 4th St S
Newton, IA 50208

View this Meeting: Mediacom Channel 12/85/121.12 or www.newtongov.org/cablecast

- I. Roll Call
- II. Review of Minutes of Previous Meeting:
 1. Minutes of meeting 08/20/2024
- III. Public Hearing
 1. RZ24-1: Rezoning of property from Ag (A-1) to Light Industrial (I-L) 2300–2400 blocks of N. 19th Ave. E. along the south side.
- IV. Other Business
- V. Adjourn

ADA Compliance: The City of Newton is pleased to provide reasonable accommodations, in compliance with the Americans with Disabilities Act, for those individuals or groups who require assistance in being able to participate in the meeting. Please contact the Community Development Department at least 24 hours in advance of the meeting by calling 641-792-6622 to arrange for accommodations to be provided.

Chair: Dana Woody; **Vice Chair:** Jane Johnson; **Members:** Joshua Cantu, Andrew Elbert, Jeff Holschuh, Don Poynter, Dana VanGilder

Minutes of Meeting
Newton Planning and Zoning Commission
Regular Meeting
August 20, 2024

ROLL CALL: Board members present: Cantu (5:08), Elbert, Holschuh (5:12), Johnson, Poynter, VanGilder

Board members absent: Woody

STAFF PRESENT: Brian Dunkelberger, Senior City Planner
Varsha Borde, City Planner
Erin Chambers, Community Development Director

A quorum being present, Vice Chair Johnson called the meeting to order at 5:00 PM.

Minutes. Minutes of the previous meeting from August 6, 2024, were reviewed. **Motion** by Poynter, **seconded** by Elbert to approve the minutes. **Voice vote**, approved 4-0.

Public Hearing.

1. ZOA24-1: Text amendments to the City of Newton Zoning Code – general edits and updates. City of Newton, applicant.

Borde reviewed the prepared staff report and invited questions for staff. Johnson asked if Dunkelberger had anything to add. Dunkelberger offered additional context as to why staff regularly pursues code updates such as clarifying any confusing language, revising mistakes, and updating anything that is outdated or does not conform to the adopted comprehensive plan or the applicable state or federal laws.

Johnson asked about the history of “paintball facilities” being a conditional use within the C-A: Arterial Commercial zoning district. Chambers approached the podium and provided history on that listed use and how it was a citizen-led effort years ago and how Poynter was actually on the Commission during that review. The facility that was constructed is no longer in use and the property is now residential. She pointed out how it doesn’t have a significant impact if it remains in the code, but it could certainly be reviewed in the future.

Joel Mills, 2500 W. 15th St. S., inquired about Zoning Codes and if there were state or federal codes referenced. Additionally, he inquired about maximum heights in certain districts and how those numbers are established. Dunkelberger explained how there are best practices and that zoning codes are written based on what is most suitable for a given community. They can be modified and adjusted, but are meant to preserve neighborhood character and things like public health, safety, and welfare along with property values.

Cantu joined the meeting at 5:08 PM.

Hearing no additional comments, Vice Chair Johnson called for a motion to close the public hearing. **Motion** by Poynter to close the public hearing, **seconded** by Elbert. Voice Vote: approved 5-0.

Johnson asked if Commissioners had anything to add. No response. Johnson stated that there were a couple minor grammatical errors that should be addressed prior to final approval.

Motion by Elbert to recommend approval of ZOA24-1: Text amendments to the City of Newton Zoning Code – general edits and updates, **seconded** by Poynter. Roll Call Vote: approved 5-0.

Holschuh joined the meeting at 5:12 PM.

Other Business.

1. Signatures for Rules of Procedure and Bylaws

Dunkelberger presented the revised and finalized Rules of Procedure and Bylaws that the Commission had approved at their last meeting and requested signatures from all members present. All Commissioners present signed.

Motion by Holschuh to adjourn the meeting, **seconded** by Cantu. **Voice vote**, approved 6-0. Meeting was adjourned at 5:14 PM.

Planning & Zoning Commission Staff Report: RZ24-1

Applicant: William Talsma, Iowa Land Development LLC, 8647 Hwy F 48 W Colfax, IA 50054

Proposal: Rezoning of property from Ag (A-1) to Light Industrial (I-L)

Location: 2300-2400 blocks of N. 19th Ave. E. along the south side (east 37 acres of Parcel number 0826200003) / E 61 acres N 1/2 NE Section 26-80-19

Current Use: A-1 Agricultural

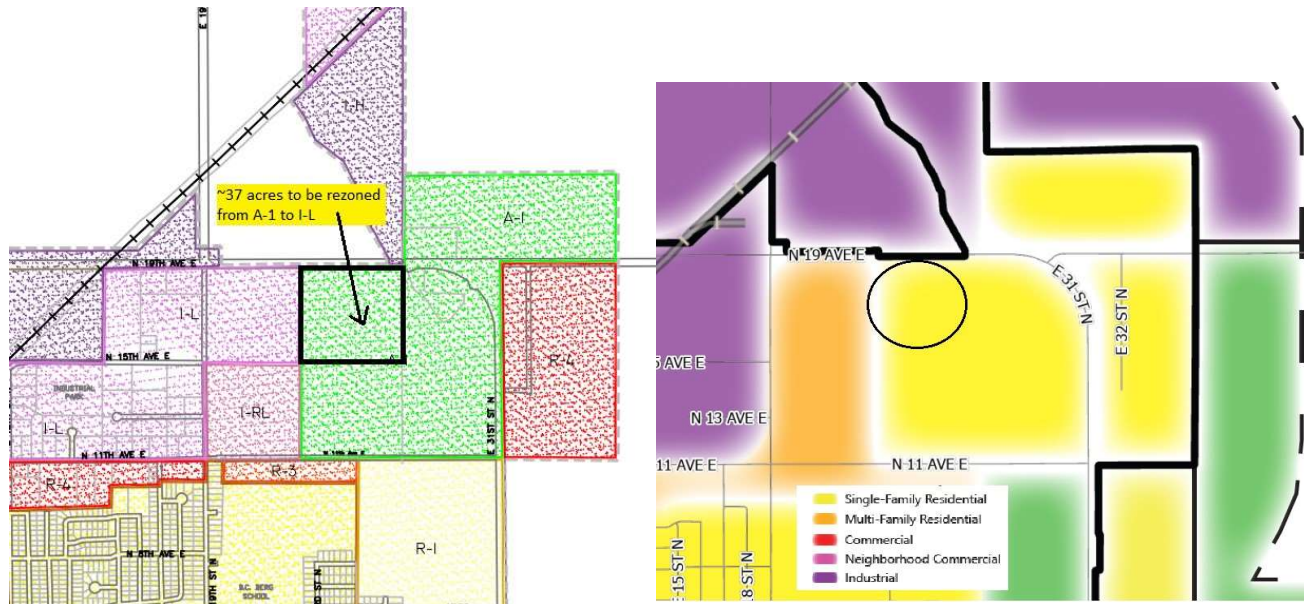
Background & Proposal:

- The primary motivation behind this rezoning application is to allow for development of the above parcel and the neighboring parcels to the West that are zoned I-L. The property belongs to Iowa Land Development LLC, who is also the applicant.
- According to the applicant -
 - The request to rezone is to make the whole property consistent and available for future light industrial development. There is very little land zoned I-L Light Industrial available in Newton. Much of the Newton I-L land has been purchased as/or is being developed at this time. Newton needs more I-L land for future development.
 - The parcel is subject to a Letter of Interest that is dependent upon the rezone to I-L Light Industrial. Development of the parcel will include a 70,000 SF to 100,000 SF building, and exterior storage of equipment and supplies. Said exterior storage area(s) will be subject to screening requirements as per the Zoning code. This potential development will create an estimated 8-10 jobs as well.
- City Staff communicated via email and met with the applicant and applicant's representative leading up to this rezoning request.
- The subject property is contiguous to the adjacent I-L district. The subject land is also directly adjacent to the industrial park and truck routes, so it could be a natural expansion of industrial uses.

The subject property is outlined in the aerial image and also on the zoning map clipping provided. The I-L zoning district has a maximum building lot coverage of 50% and requires building setbacks of 20 feet in the front yard, 3 feet in the side yards, and 3 feet in the rear yard.

Analysis:

- As seen in the zoning map, the subject property is currently zoned A-1 Agricultural. Surrounding properties include I-L Light Industrial undeveloped land and uses such as storage, warehouses, and offices to the west; residential, agricultural and agricultural storage use to the south; and agricultural uses to the east and to the north.

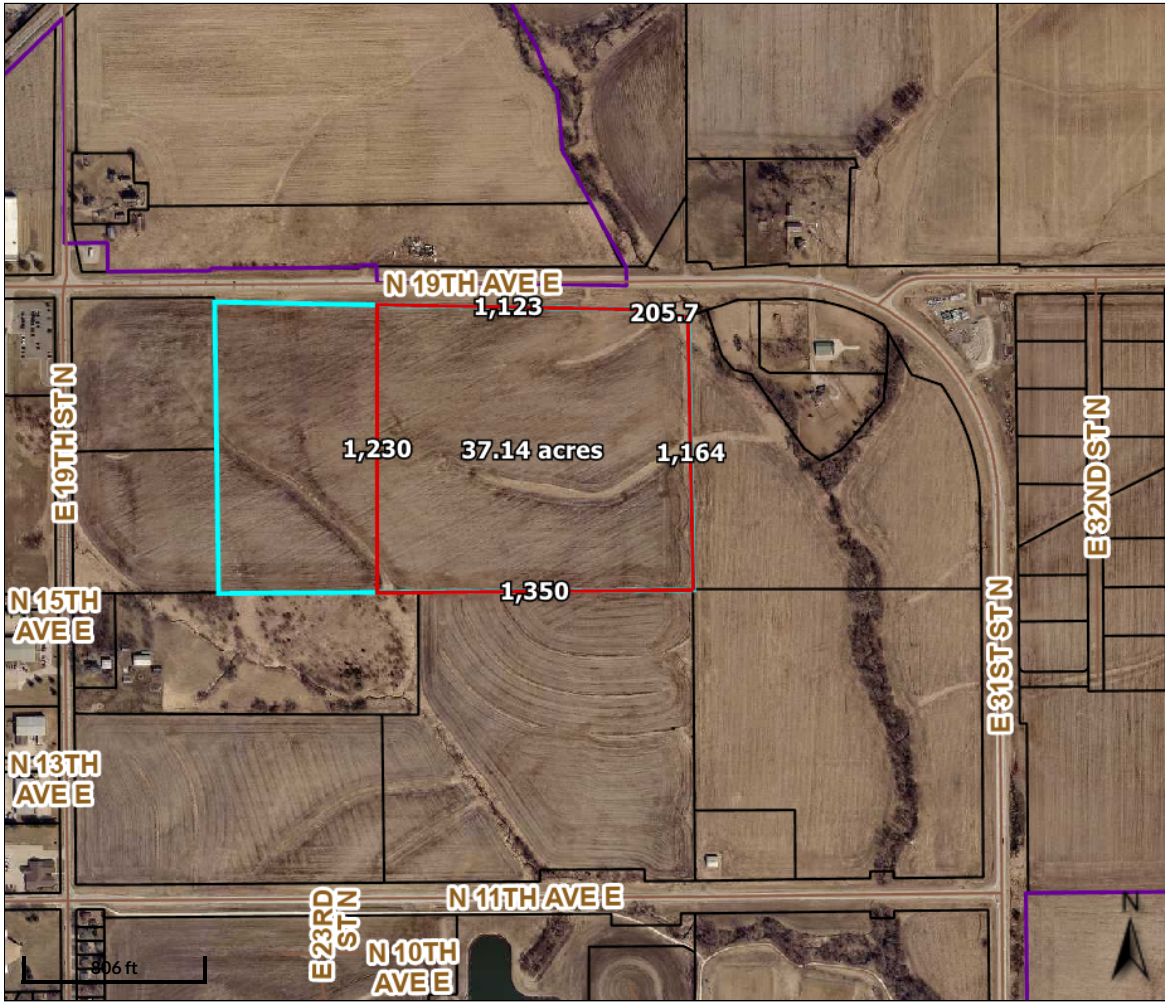


- Envision Newton 2042*, the adopted comprehensive plan, shows the area in question on the Future Land Use Map as the mix of single and multi-family residential land uses. The Future Land Use Map also shows the area to the west and north of the subject parcel as I-L Light Industrial. As a reminder, future land use maps are intended to serve as broad guides for development but do not always translate to actual outcomes – especially in this type of scenario where one type of land use reaches undeveloped land before another.
- Throughout *Envision Newton 2042*, infill development and redevelopment is supported/encouraged to utilize existing infrastructure for the sake of efficiency and to promote responsible fiscal and environmental stewardship. Additionally, Ch. 5: Economic Development states, “Attract, support, and retain businesses that fill and/or redevelop vacant properties in the downtown and along key corridors.”
- A Letter of Interest was received by Iowa Land Development LLC for the subject property that is contingent upon rezoning of the property to I-L Light Industrial and the first step in developing the subject property was to apply for this rezoning to change the property from A-1 to I-L which would allow for the development of the property.
- Notice was published in the Newton Daily News on Tuesday, September 24th, 2024. Notice was also sent to surrounding property owners on September 20th, 2024.

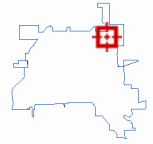
Recommendation:

It is imperative to evaluate possible externalities whenever a zoning map amendment is proposed. For example, will surrounding properties be negatively impacted by a new development or land use? Are the potential land uses within the “new” zoning district compatible with the surrounding area and/or would it blend in or serve as a natural transition to less intense uses nearby? These questions are the fundamental basis for zoning regulations in any municipality, as these considerations ultimately aim to protect the health, safety, and welfare of citizens.

Staff finds that this particular rezoning request will not negatively impact the surrounding neighborhood. The rezoning of this parcel would be in line with the surrounding Light Industrial uses and would benefit from being located along existing truck routes. As always, though, neighborhood questions and concerns raised during the public hearing should be addressed prior to any vote. If approved, the next steps could involve Council review and then site plan and applicable permit reviews.





Overview



Legend

Parcels

-  Parcel
-  BLL

Parcel ID	0826200003	Alternate ID	n/a	Owner Address	IOWA LAND DEVELOPMENT L L P
Sec/Twp/Rng	26-80-19	Class	A		8647 HWY F48 W
Property Address		Acreage	57.42		COLFAX, IA 50054
District	NWNTA				
Brief Tax Description	E 61 ACRES N 1/2 NE <i>(Note: Not to be used on legal documents)</i>				

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