



## Planning & Zoning Commission Meeting Agenda

***Tuesday, March 4, 2025 - 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](http://www.newtongov.org/cablecast)

- I. Call to Order and Roll Call
- II. Review of Minutes of Previous Meeting
  1. Review of previous meeting 01.07.2025
- III. Public Hearing
  1. MP25-2: Whispering Pines Estates Minor Plat – an 8-lot minor subdivision at 501 East 19<sup>th</sup> Street South.
- 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, Dana VanGilder, Robert McCormick

**Minutes of Meeting  
Newton Planning and Zoning Commission  
Regular Meeting  
January 07, 2025**

ROLL CALL: Board members present: Johnson, Elbert, Holschuh, VanGilder  
Board members absent: Woody, Cantu

STAFF PRESENT: Varsha Borde, City Planner  
Erin Chambers, Community development Director

OTHERS PRESENT: Wally Pelds (Pelds Design)

A quorum being present, Vice Chair Johnson called the meeting to order at 5:01 PM.

**Minutes.** Minutes of the previous meeting from December 3rd, 2024, were reviewed. **Motion** by VanGilder, **seconded** by Holschuh to approve the minutes. **Voice vote**, approved 4-0.

**Public Hearing.**

**MP25 -1:** Minor Subdivision (1 lot) of property located off of Rusty Wallace Dr. (The Circle Development, applicant)

Borde reviewed the prepared staff report and invited questions for staff. The plat satisfies zoning requirements and the comprehensive plan.

Wally Pelds, Pelds Design Services, 2323 Dixon Street, Des Moines described the plat and explained what will eventually be on the newly created lot 1. Pelds previewed additional future development, projecting 13 outlots. Pelds also discussed the future phases of development and the outlots. After phase 1, other plats would be brought to developers and other interested partners such as hotel groups.

Johnson stated that she was excited about the facility but was concerned about parking and whether the developer was collaborating with the speedway. Pelds said that 1000 parking spaces were being proposed and they would expand parking if needed. They envisioned a 'campus' feel. They were also thinking of having the hotel/motel guests to be able to walk to the facility. Three 7-day events were expected to be held at the facility annually. Elbert had some clarifications regarding the maps. Chambers talked about the TIF district.

Johnson asked if there were any more questions.

Hearing no additional comments, Vice Chair Johnson called for a motion to close the public hearing. **Motion** by Holschuh to close the public hearing, **seconded** by Elbert. **Voice Vote:** approved 4-0.

Discussion ensued and the commissioners agreed that the facility would be good for Newton.

**Motion** by Elbert to recommend approval of MP25-1: Minor Subdivision (1 lot) of property located off of Rusty Wallace Dr., **seconded** by Holschuh. VanGilder abstained from voting. Roll Call Vote: approved 3-0.

**ZOA25-1:** Proposal to amend the Newton Zoning Code (Ch. 158). The proposed ordinance amendments to various districts to clarify definitions and allowable locations for kennel, boarding facility, and pound.

Borde reviewed the prepared staff report and invited questions for staff. Chambers clarified the zoning terms. VanGilder enquired about current scenario regarding the number of pets allowed.

Hearing no additional comments, Vice Chair Johnson called for a motion to close the public hearing.

**Motion** by Holschuh to close the public hearing, **seconded** by VanGilder. **Voice Vote**: approved 4-0.

Discussion ensued and the commissioners agreed that this amendment would be good for Newton.

**Motion** by VanGilder to recommend approval of ZOA25-1: Proposal to amend the Newton Zoning Code (Ch. 158), **seconded** by Elbert. Roll Call Vote: approved 4-0.

**Other Business.** - None.

**Motion** by Elbert to adjourn the meeting, **seconded** by Holschuh. **Voice vote**, approved 4-0. Meeting was adjourned at approximately 5:40 PM.

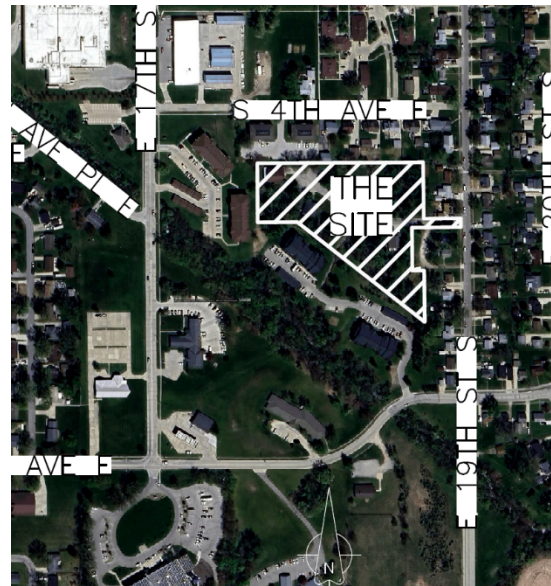
## Planning & Zoning Commission Staff Report: MP25-2

Applicant: Tim Malone /Chuck Griffith  
Proposal: Whispering Pines Estates - Minor subdivision (8 lots) along E. 19<sup>th</sup> St. S.  
Location: 501 East 19<sup>th</sup> Street South.  
Current Use: Residential, Condominiums  
Current Zoning: R-4: Multi-Family Residential

Whispering Pines Estates is a minor plat located within an R-4: Multi-Family Residential zoning district. The proposal is to subdivide the property into eight lots.

The minimum zoning requirements of the R-4: Multi-Family Residential zoning district are:

- Minimum Lot Size (single-family dwelling): 6,000 square feet.
- Building Setbacks:
  - Front: 25'
  - Side: 8' each side
  - Rear: 30'
- Minimum Lot Dimensions:
  - Lot Width (SFH): 50'
  - Lot Depth: 120'
- Maximum Lot coverage: 40%



*1 Location Map*

History of the property - In 2003, Whispering Pines was approved through the provisions of the Site Plan Ordinance at 501 East 19<sup>th</sup> Street South, as the property was zoned as Multi-Family Residential (R-4) and since the land was not being divided. The project proposed up to 14 detached townhome units. The homes were to be 1,300 to 1,600 square feet in area, with two-car attached garages.

Residents would own their individual structures, but jointly own the land. At that time, Whispering Pines was proposed to help address a shortage of townhome units in Newton for people who want to live in a full-sized home but do not want to deal with land maintenance.

Since then, only 5 homes have been built on the property. The last house was built in 2007 and there has not been much interest to build on this property since then. The city has made efforts to build homes in the past on the property.

Tim Malone (who has a purchase agreement with the current Property owner) and Nick Carter of Carter Surveying had a pre-application meeting with city departments to discuss the proposal and get an understanding of the existing utilities and street. An application for a Minor plat was

submitted to the city . The Minor Plat proposed that the property be divided into eight (8) lots out of which five (5) homes already existed and the three (3) vacant lots would be sold for single-family homes. The street would remain private and a homeowners association will be created.

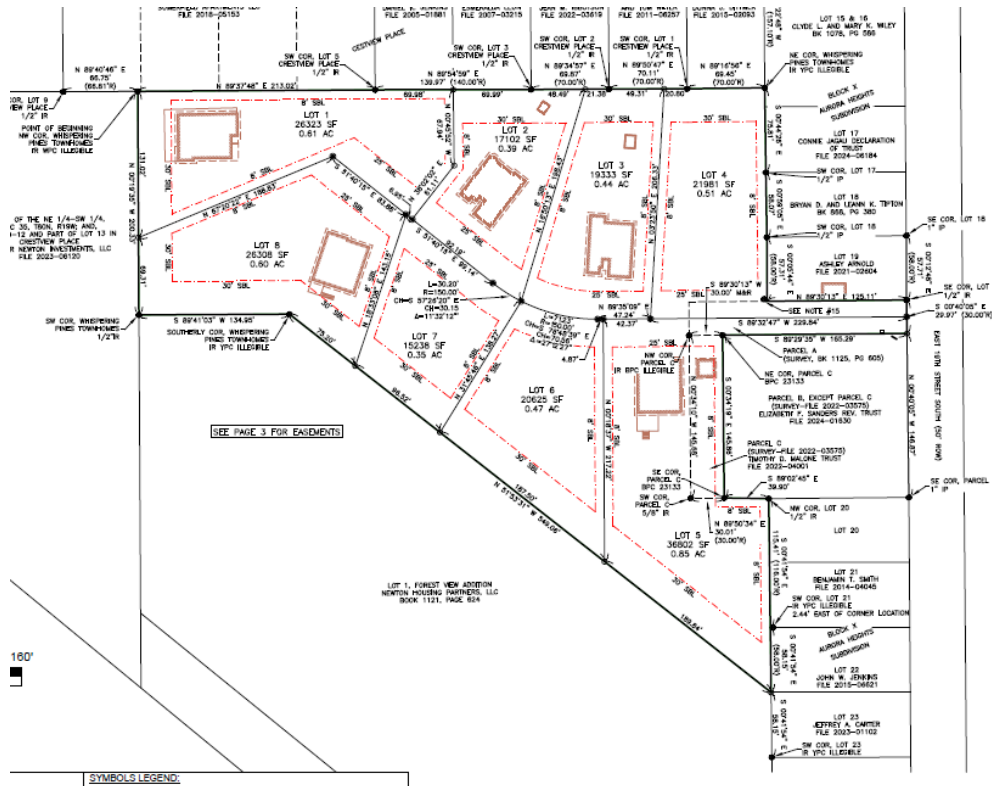


*2 Existing Plan*

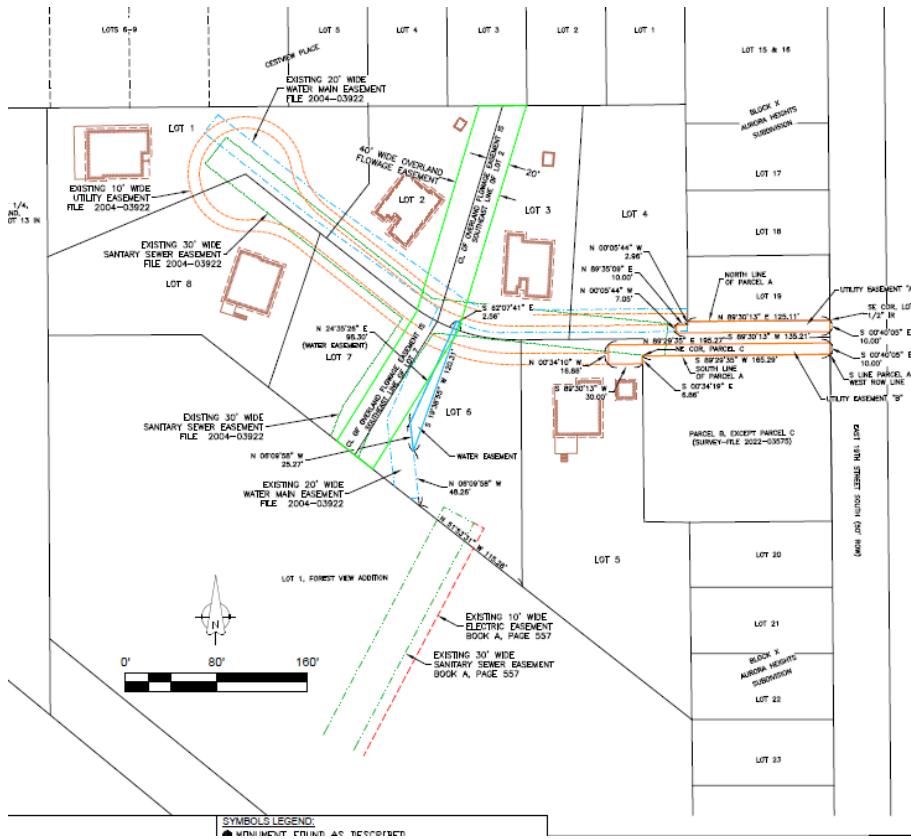
The total area of the property is 4.22 acres. The current use of the property is condominium type residential development. The subject property gradually slopes southwesterly and drains from the west and east sides towards a creek running north-south in the middle of the property, as shown in the images provided. The sizes of the proposed lots are between 0.35 to .80 acres. The intention is to subdivide the parcel, to allow for development of single-family residences on the three (3) vacant lots. The city has been looking for ways to promote this property for further development in the past.

The newly created lots would satisfy zoning requirements, including minimum size requirements such as minimum lot size, lot dimensions, and frontage for single family dwellings in an R-4 zoning district. The existing street will remain private and an HOA (Housing ownership association) will be formed. The existing utilities and stormwater requirements have been reviewed by the concerned departments and approved.

The initial site plan, completed by the applicant, is included to serve as a reference for this public hearing. Access to the property is from East 19<sup>th</sup> Street South and will remain unchanged. New address numbers will be proposed for the lots.



Proposed Plat showing setbacks



Proposed Plat showing easements

This qualifies as a minor plat rather than a preliminary and final plat process, as infrastructure and roads already exist and no infrastructure or new roads are being proposed. The purpose of this review is to provide a recommendation to City Council.

*Envision Newton 2042* (2022 Comprehensive Plan) indicates that the subject area should be “Multi-Family Residential” per the Future Land Use map. A listed objective found in Ch. 11: “Housing” of the plan states, “Encourage infill development in existing residential areas. Creating new housing on vacant parcels in existing residential areas not only expands the local supply of housing but also results in a more efficient use of existing infrastructure.”

All utility and city departments received a copy of the minor subdivision and were able to provide comments.

Review of the Platting Process: (step by step)

- 1.) Pre-application review.
- 2.) Submittal of Application and Initial Design.
- 3.) Administrative Review and Acceptance.
- 4.) Notice to property owners within 200’ for subject area and to *Newton Daily News*.
- 5.) **Planning and Zoning Review.**
  - a. Consider conformity with the Adopted Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance (and preliminary plat, if applicable).
  - b. Consider recommendations of the City Planner or other reviewing agencies

**6.) Planning and Zoning Commission Action.**

- a. Expressed recommendation of approval or disapproval to City Council. Any approval recommendation shall include conditions of such approval, if applicable.
- 7.) City Council Action.
- 8.) Begin construction of the subdivision public improvements (if preliminary plat). Minor and Final Plats recorded with Jasper County if and after City Council approves.

Notice of the public meeting was published in the *Newton Daily News* on Tuesday, February 25th, 2025. Notices were also sent to all property owners within 200 feet of the subject property’s boundaries on February 20, 2025. If comments are received before the meeting, staff will share them as part of this report.

Other approvals required –

- Single family use in the R-4 Zoning District requires a Conditional Use permit. The applicant has applied for a Conditional Use permit (CU 25-2) and the Zoning Board of Adjustment will be meeting late March or Early April to discuss and make a decision on the Conditional Use permit application.
- The house on Lot 1 a deck that is partly in the required backyard. The deck would be re-

constructed per code within the next year.

- Staff will be recommending approval for the conditional use.

**Staff recommends** approval of this minor plat, finding that the proposed plat conforms to the Comprehensive Plan and that it complies with the established minimum requirements of the zoning and subdivision codes.

