



Planning & Zoning Commission Meeting Agenda

Tuesday, May 5, 2026 - 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. Call to Order and Roll Call
- II. Review of Minutes of Previous Meeting:
 1. Review minutes of February 3rd Planning and Zoning Commission meeting
- III. Public Hearing
 1. AX26-1: Voluntary Annexation proposal into the City of Newton in the 2400 block of North 19th Avenue East and the 2000 Block of East 19th Street North. (Troy Birkenholtz and Robert Braafhart, applicants.)
 2. RZ26-1: Proposal to rezone approximately ~0.7 acres (7,450 SF) of land located at 1017 West 4th St. S. Parcel number 0833479017) from R-2 One & Two family Residential to C-N Neighborhood Commercial. (Bodha Raj Gautam, applicant)
- IV. Other Business
 1. Officer selections
 2. Next meeting date
- 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, Wes Breckenridge, Dana VanGilder, Bob McCormick

Minutes of Meeting
Newton Planning and Zoning Commission
Regular Meeting
February 03, 2026

City Hall Council Chambers
101 W. 4th St. S Newton, Iowa 50208

ROLL CALL: Board members present: Woody, Vangilder, McCormick, Breckenridge
Board members absent: Johnson, Cantu, Elbert

STAFF PRESENT: Erin Chambers, Community Development Director
Craig Armstrong, Economic Development Specialist
Varsha Borde, Senior City Planner
Nicholas Alexander, City Planner
Joe Grife, Public Works Director
Justin Nickel, Bolton and Menk, City Engineer

OTHERS PRESENT: Bruce Showalter, Newton Housing Development Corporation

A quorum being present, Chair Woody called the meeting to order at 4:32 PM.

Minutes. Minutes of the previous meeting from October 21, 2025, were reviewed. **Motion** by McCormick, **seconded by** VanGilder to approve the minutes. **Voice vote**, approved 4-0.

Public Hearing for PP26-1

PP26-1: Preliminary Plat for Arbor Estates Third Addition

City Planner Alexander presented the staff report for PP26-1.

Bruce Showalter, Newton Housing Development Corporation. Noted the lots on the northern side are larger than initially thought of. Southern side property lines will all meet up with those behind. NHDC has reviewed the preliminary plat and is good with it. Currently 10 lots are for sale in Arbor Estates. The lots would be ready for Spring 2027 construction. Arbor Estates 1 is totally sold out, being built or previously constructed.

The commission noted they have seen a lot of growth and construction in Arbor Estates. They noted that it is nice to see the construction.

Motion by VanGilder to close the public hearing, **seconded** by Breckenridge. **Voice vote**, approved 4-0.

Motion by Breckenridge to recommend approval of the preliminary plat, **seconded** by VanGilder. **Roll Call vote**, approved 4-0

Other Business. – Staff brought up that typically chair, vice-chair, and secretary are typically elected at the first meeting of the year. The commission together, noted they would like to wait until there were additional members present for the meeting.

Motion by Breckenridge to adjourn the meeting, **seconded** by McCormick. **Voice vote**, approved 4-0. Meeting was adjourned at approximately 4:46 PM.

Planning & Zoning Commission Staff Report: AX26-1

Applicant:	Troy & Kelly Birkenholtz, Robert & Rebecca Braafhart
Owners:	Troy & Kelly Birkenholtz, Robert & Rebecca Braafhart, Michelle Lynn Langmaid
Location:	Parcel 0823400009, 0823400002, and 0823400010. 2000 Block of East 19 th Street North, and 2400 Block of North 19 th Avenue East
Current Use:	Open Land, and a Single-family home
Proposed Zoning:	I-H: Heavy Industrial District

Analysis:

- **The request:** A total of three properties are proposed to be annexed into the City of Newton. Parcel 0823400009 is owned by Troy and Kelly Birkenholtz and is a total of 58.57 acres. Parcel 0823400002 is owned by Robert and Rebecca Braafhart and is a total of 1.94 acres. Parcel 0823400010 is owned Michelle Lynn Langmaid and is a total of 14.51 acres.
- This request to be annexed was submitted by two of the property owners; Troy & Kelly Birkenholtz, and Robert & Rebecca Braafhart. These requests were received on April 15th, 2026.
 - Newton Development Corporation had been working with Ms. Langmaid to voluntarily annex her property into the City of Newton so that an island of unincorporated land was not created. City staff has since reached out after receiving the requests from Mr. and Mrs. Birkenholtz, and Mr. and Mrs. Braafhart to see if Ms. Langmaid will voluntarily request annexation. As of the date of this report, no voluntary request was submitted by Ms. Langmaid.
 - This request will still be processed as a voluntary request as required by State of Iowa code.
- The Zoning Code notes that a “plan of zoning” shall be submitted:
 - **§ 158.178 (B) (2) Annexation.** Prior to the annexation of any territory to the city, a plan of zoning for the area to be annexed shall be forwarded to the City Council by the Planning and Zoning Commission.

The plan of zoning referred to above is a statement of intent regarding proposed use and zoning for the annexation area.

- The future land use map found in *Envision Newton 2042 Chapter 12: Existing & Future Land Use* indicates that this area, upon annexation, should be industrially zoned. Staff recommends the expansion of the I-H: Heavy Industrial Zoning District to this land.
- Staff also recommends inclusion of language regarding the plan for zoning in the Planning

and Zoning Commission motion.

- Notices were mailed on April 27, 2026. Notice was also published in the Newton Daily News on April 28, 2026.

Recommendation: Staff recommends approval of the proposed annexation of land with a zoning designation of I-H: Heavy Industrial District.

Attachments: Map of Annexation Area, letters of request



Applicant/Property Owner Name: Troy L. Birkenholtz & Kelly Birkenholtz

241-417-0008

Applicant Address: 440 N 59th Ave. W

Applicant City State Zip: Newton, IA. 50208

Date of Letter

4/7/20

City of Newton, Iowa

Attention: Planning and Zoning Commission

Community Development Department

303 West 4th Street North

Newton, Iowa 50208

Dear City of Newton:

The purpose of this letter is to request consideration for a voluntary annexation of land owned by *Troy L. and Kelly Birkenholtz* into the City of Newton Corporate Limits as described below:

Parcel G in the Southeast Quarter of Section 23, Township 80 North, Range 19 West of the 5th P.M., Jasper County, Iowa, as appears in plat recorded in Book 1154, Page 5, in the office of the Recorder of said County, EXPECT that part condemned by Jasper County, Iowa as shown in Condemnation recorded in Book 1074, Page 126 in the office of the Recorder of said county.

Sincerely,

Typed Name: Troy L. and Kelly Birkenholtz

Address: 440 N 59th Ave. W. Newton, IA. 50208



Kelly Birkenholtz

4/7/20

4/7/20

Applicant/Property Owner: Name: Robert Dale Braafhart and Rebecca Lynn Braafhart
Applicant Address: 2008 E. 19th Street N.
Applicant City State Zip: Newton, IA. 50208

4/7/2026

City of Newton, Iowa
Attention: Planning and Zoning Commission
Community Development Department
303 West 4th Street North
Newton, Iowa 50208

Dear City of Newton:

The purpose of this letter is to request consideration for a voluntary annexation of land owned by Robert Dale Braafhart & Rebecca Lynn Braafhart into the City of Newton Corporate Limits as described below:

Parcel A of Lot C of the Subdivision of the East Half of Section 23, Township 80 North, Range 19 West of the 5th P.M., Jasper County, Iowa, as shown by Plat Book N, at page 286 (now shown in Book 960, at page 710) in the Office of the Recorder of said County.

Sincerely,




Typed Name: Robert Dale Braafhart & Rebecca Lynn Braafhart
Address: 2008 E. 19th Street N. Newton IA. 50208

Planning & Zoning Commission Staff Report: RZ26-1

Applicant: Bodha Gautam, 404 South 11th Ave W Newton, IA 50208

Proposal: Rezoning of property from Residential (R-2) to Neighborhood Commercial (C-N)

Location: 1017 West 4th St South.

Current Use: Vacant lot

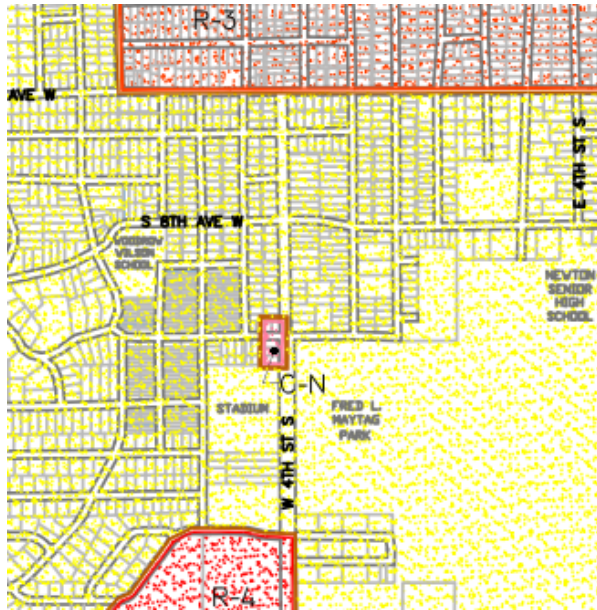
Background & Proposal:

- The primary motivation behind this rezoning application is to allow for expanding the convenience store located at 404 S 11th Ave W. The store is adjacent and to the South of the subject parcel. The property belongs to Bodha Gautam, who is also the applicant.
- According to the applicant -
 - The request to rezone is to be able to expand the existing business at 404 S 11th Ave W. The parcel is subject to a Letter of Interest that is dependent upon the rezone to I-L Light Industrial. The applicant is planning to add a freezer, a few parking spaces and in the subject lot.
 - Development of the parcel will include adding a cooler, a few parking spaces. The subject property being rezoned will be subject to screening requirements as per the Zoning code.
- The subject property is contiguous to the adjacent R-2 district to the north and west sides.
- As per the zoning code Section **§ 158.024 C-N: Neighborhood Commercial**, Transitional yards shall be provided where the rear or side lot line coincides with a side or rear lot line of a residential district. In such circumstances the minimum setback shall be 25 feet and shall be fully landscaped and screened. No parking, drives or storage area shall encroach in these transitional yards.

The subject property is outlined in the aerial image and also on the zoning map clipping provided. The R-2 zoning district has a maximum building lot coverage of 30% and requires building setbacks of 25 feet in the front yard, 8 feet in the side yards, and 25 feet in the rear yard.

Analysis:

- As seen in the zoning map, the subject property is currently zoned R-2 One-and-Two family Dwelling District. Surrounding properties include R-2 One-and-Two family Dwelling to the north and west; C-N Neighborhood Commercial to the south.



- Single-Family Residential
- Multi-Family Residential
- Green Space / Agricultural

- *Envision Newton 2042*, the adopted comprehensive plan, shows the area in question on the Future Land Use Map as Single family residential land use. 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 the commercial use at this location existed before the Future Land Use Map was adopted.
- 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.”
- Notice was published in the Newton Daily News on Tuesday, April 28th, 2026. Notice was also sent to surrounding property owners on April 28th, 2026.

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 property to the south of this parcel is zoned C-N Neighborhood Commercial, therefore this is not spot-zoning. 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 applicable permit reviews.



City of Newton
Community Development
303 W 4th St N, Suite 501
Newton, Iowa 50208-1926

Varsha Borde
City Planner
(641) 792-6622 x 2302
VarshaB@newtongov.org

Fee: \$275

Zoning Map Amendment (Rezoning) Application

Bodha Raj Gautam

404 South 11th Ave W Newton, IA 50208

925-364-1196

Name of Applicant

Mailing Address

Daytime Telephone

Name of Owner (if different)

Mailing Address

Daytime Telephone

Address of Property: 1017 West 4th Street South **Number of Acres:** _____

Legal Description: CARRIER'S MEADOWS N 50' OF S 105' LOT B BLK 1

We (I), the undersigned, owner(s) of the property described below, do hereby respectfully petition your Honorable Body to amend the present Zoning Ordinance as hereinafter designated, and in support thereof, the following facts are presented:

1. That it is requested and desired that the foregoing property be rezoned from the
R-2 One & Two-family Residential to Commercial C-N Neighborhood Commercial. District to the _____
_____ District.

2. That the reasons for requesting the change are as follows: _____
expanding the convenience store

Bodha Gautam

Signature of Applicant
12.04.2026

Date

FOR OFFICE USE ONLY
Date Submitted: _____
Date Paid: _____
Receipt #: _____
File #: RZ _____
Fee: \$275

