



Planning & Zoning Commission Meeting Agenda

Tuesday, June 20, 2023 - 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 / Roll Call
- II. Review of Minutes of Previous Meeting:
 - 1. May 16, 2023
- III. Public Hearing
 - 1. FP23-1: Final Plat for Stelpflug Addition, a 7-lot residential subdivision at 1404 1st Avenue West. 2B Constructed Inc., applicant.
- IV. Old Business
- V. New Business
 - 1. Introduction of Commissioner Andrew Elbert
- VI. 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
May 16, 2023

ROLL CALL: Board members present: Holschuh, Johnson, Poynter, Van Gilder, Woody
 Board members absent: Cantu

STAFF PRESENT: Brian Dunkelberger, City Planner

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

Minutes. Minutes of the previous meeting of May 2, 2023 were reviewed. **Motion** by Poynter, **seconded** by Johnson to approve the minutes from the previous meeting as written. **Voice vote**, approved 5-0.

Public Hearing.

1. PP23-2: Bowen Acres Subdivision preliminary plat, a 6-lot subdivision in unincorporated Jasper County at the southeast corner of the intersection of S. 52nd Ave. E. and Hwy S-74 S.

Dunkelberger reviewed the prepared staff report and shared an aerial map of the subject property and the preliminary plat plan set. The proposal is to subdivide the property 6 new lots, all fronting onto S. 52nd Ave. E. Dunkelberger reviewed the platting process, shared why the City of Newton reviews subdivisions outside its corporate limits, and provided additional information about the area. He also shared details about three interactions with neighbors who had questions about the project and review process. Discussion ensued about the subdivision and platting review process.

Brent Vandewall, 6995 W. 84th St. S., Prairie City, introduced himself and his business, Firm Foundations, as the owner of the property. Vandewall answered questions relating to the plans for the property and described how the location was rural but tucked into an area with many residential properties nearby. He shared plans for partnering with a local, young home builder from Newton to construct the homes one by one. He also shared how covenants would be explored in the future and how drainage issues would not be a problem at the site. Vandewall also shared that all workers and the majority of materials for the homes would come from Jasper County, so this would be a local operation and effort.

Discussion about the future homes and plans for the property.

With no additional public input, Chair Woody called for a motion to close the public hearing. **Motion** by Holschuh, **seconded** by Poynter to close the public hearing. Voice Vote: approved 5-0.

No further discussion or deliberation.

Motion by Van Gilder to recommend approval of PP23-2: Bowen Acres Subdivision and to also recommend approval of the waiver request, **seconded** by Poynter. Roll Call Vote: approved 5-0.

Old Business.

None

New Business.

1. Presentation by NHDC Director, Bruce Showalter

Showalter shared information relating to the Newton Housing Development Corporation and all the work that takes place to achieve NHDC's vision which is, "To increase the quantity and quality of housing in Newton."

2. Vacant Commission Seat

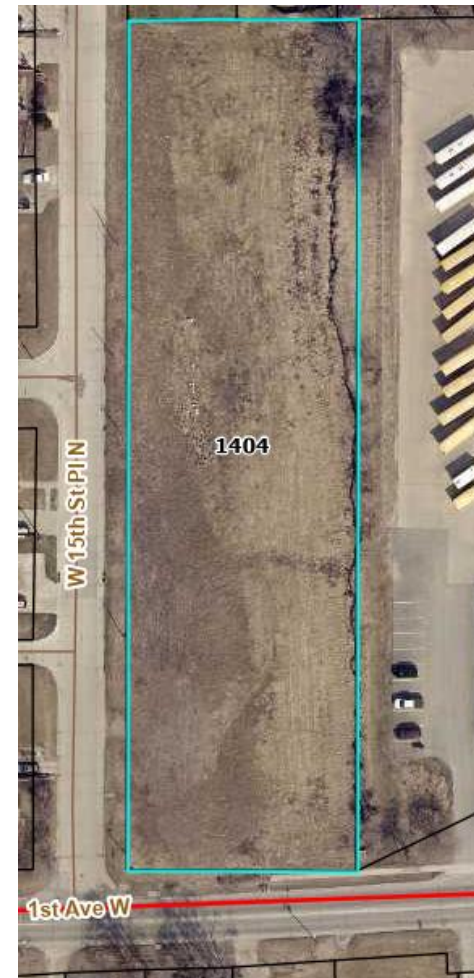
Dunkelberger shared that a Newton resident, Andy Elbert, was nominated to fill the vacant seat on the Commission and City Council would consider the nomination at their next scheduled meeting.

Motion by Johnson to adjourn the meeting, **seconded** by Poynter. **Voice vote**, approved 5-0. Meeting was adjourned at 6:05 PM.

Planning & Zoning Commission Staff Report: FP23-1

Applicant: 2B Constructed, Inc.
Proposal: Proposed subdivision of land creating 7 residential lots
Location: 1404 1st Avenue West (Parcel ID: 0833126048)
Current Use: Greenspace/Vacant
Current Zoning: R-2: One- and Two-Family Residential

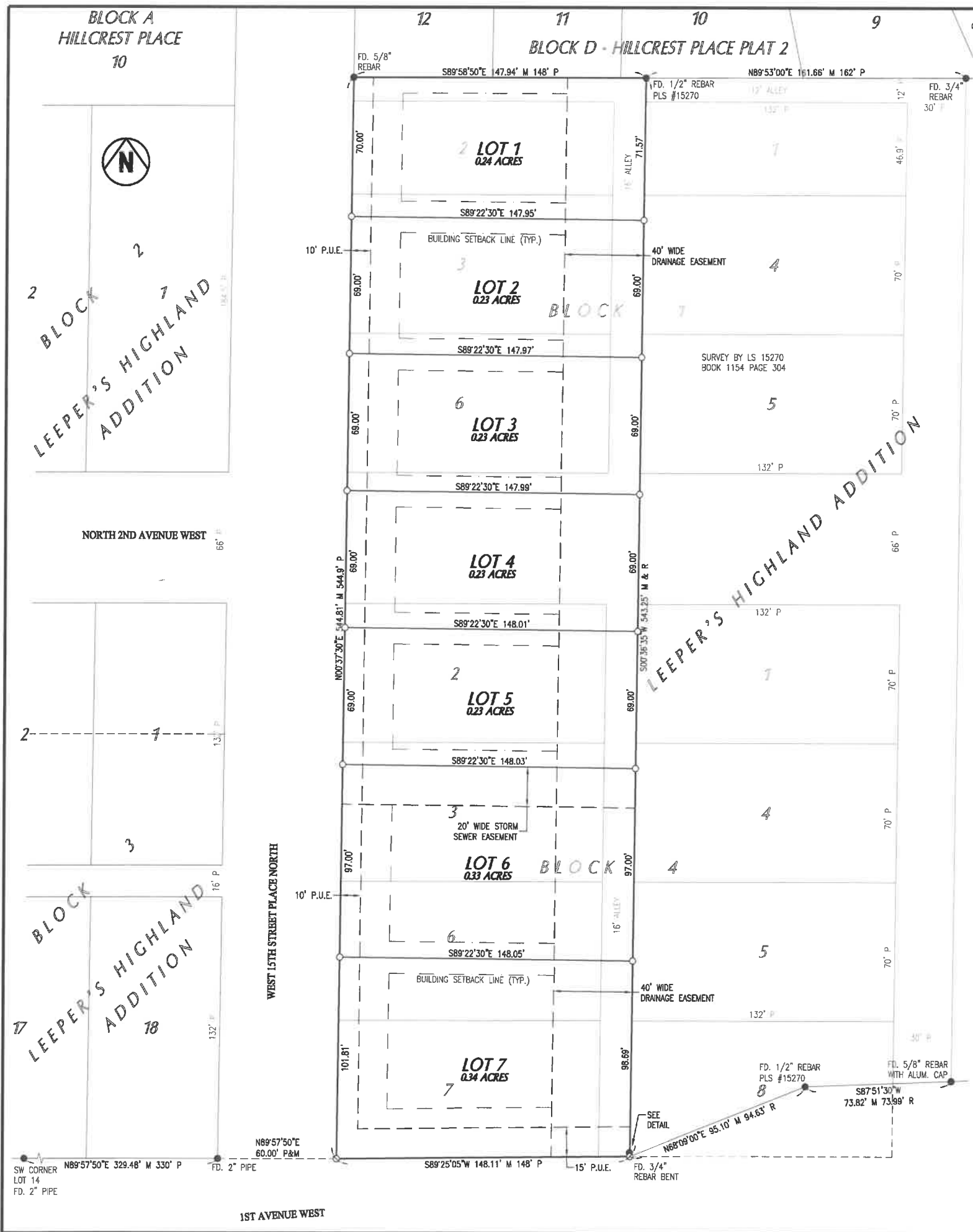
- Stelpflug Addition is a 7-lot residential subdivision located in west Newton at 1404 1st Avenue West which is near the intersection of 1st Avenue (US Highway 6) and US Highway 14.
- The applicant previously applied for a rezoning of the subject property from C-A to R-2 near the end of 2021, which was approved by the Newton City Council on January 3, 2022, and the preliminary plat was approved on September 19, 2022.
- The minimum zoning requirements of the R-2: One- and Two-Family Residential zoning district for single-family homes are as follows:
 - Minimum Lot Size: 8,000 square feet
 - Building Setbacks:
 - Front: 25 feet
 - Side: 8 feet, each side
 - Rear: 25 feet
 - Minimum Lot Dimensions:
 - Lot Width: 65 feet
 - Lot Depth: 120 feet
 - Lot coverage: 40%
- Each lot appears to exceed the minimum bulk zoning requirements of the zoning classification.



- The project area drains (generally) eastward towards the east property line shared with the Newton Community School District's bus barn and support campus. The final plat reserves the east 40 feet of all 7 lots which is to be dedicated as a drainage easement and was approved by the City Engineer. The developer has completed the required grading work at the site which will preserve a similar topography for "walkout" basements but will also prevent increased stormwater discharge negatively impacting neighboring properties.

- Notice of the public meeting was sent to all property owners within 200 feet of the property upon which the proposed subdivision is to be located on June 7, 2023. Notice of the meeting was also published in the *Newton Daily News* on Tuesday, June 13, 2023.
- *Envision Newton 2042*, the comprehensive plan, shows the area in question as the dividing line between “commercial” and “single-family residential.” Generally speaking, commercial designations line the majority of the 1st Avenue corridor, but the comprehensive plan specifically recognizes the benefit of residential uses in this area.
- A listed objective found in Chapter 11: “Housing” of the comprehensive plan states, “Encourage infill development in existing 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 infrastructures.”
- All local utilities and city departments have received a copy of the final plat and were able to provide comments. That feedback has been addressed by the applicant and the revised, finalized version is included for review.
- Review of the Platting Process: (step by step)
 - 1.) Pre-application Conference with Staff.
 - 2.) Submittal of Application
 - 3.) Notice to property owners within 200’ for subject area and to *Newton Daily News*.
 - 4.) Planning and Zoning Review.
 - a. Consider conformity with the Adopted Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance (and preliminary plat, if final).
 - b. Consider recommendations of the City Planner or other reviewing agencies
 - 5.) Planning and Zoning Action.
 - a. Expressed recommendation of approval or disapproval to the City Council. Any recommendation of approval shall include conditions of such approval.
 - 6.) City Council Action
 - 7.) Begin construction of the subdivision public improvements (if preliminary).
 - 8.) Final Plat process after the completion of the public improvements.
 - 9.) Submittal of necessary documents to Jasper County for recording.

Recommendation: Staff finds that the proposed final plat is supported by the comprehensive plan and would appropriately accommodate development of 7 new residential lots. Staff recommends approval of the final plat with the understanding that all neighborhood comments and questions are addressed during the public hearing.



FINAL PLAT
STELPFLUG ADDITION
NEWTON, IOWA

OWNER & DEVELOPER:
2B CONSTRUCTED INC.
612 COUNTRY SIDE LANE
PELLA, IA 50219

ENGINEER AND SURVEYOR:
GARDEN & ASSOCIATES, LTD.
1701 3RD AVE EAST
OSKALOOSA, IOWA
641-672-2526

ADDRESS OF PROPERTY:
1404 1ST AVE. WEST
NEWTON, IA 50208

ZONING:
CURRENT - R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT)

LOT REQUIREMENTS:
 LOT WIDTH - 65 FEET
 LOT DEPTH - 120 FEET
 MINIMUM LOT AREA - 8,000 SQUARE FEET
 MAXIMUM HEIGHT - 40 FEET

BUILDING SETBACK REQUIREMENTS:

<u>CLASSIFICATION</u>	
FRONT YARD	25 FEET
SIDE YARD	8 FEET
REAR YARD	25 FEET

ALL PUBLIC EASEMENTS SHALL BE DEDICATED TO THE CITY OF NEWTON, IOWA. NO PERMANENT BUILDINGS OR RETAINING WALLS SHALL BE CONSTRUCTED IN SAID EASEMENT WAYS.

NO PERMANENT IMPROVEMENTS ARE ALLOWED WITHIN THE 40' REAR YARD DRAINAGE EASEMENT. SEE RESOLUTION APPROVED BY NEWTON CITY COUNCIL.

NO GRADING SHALL TAKE PLACE WITHIN 40 FOOT WIDE DRAINAGE EASEMENT AT THE REAR OF LOTS 1-7.

SIDEWALKS ARE NOT SHOWN, BUT WILL BE INSTALLED IN ACCORDANCE WITH CITY STANDARDS AT 1.0 FEET FROM PROPERTY LINE IN THE STREET RIGHT-OF-WAY AT THE TIME THE LOTS ARE DEVELOPED OR AS OTHERWISE DIRECTED BY THE NEWTON CITY COUNCIL.

NO ACCESS OR DRIVE ENTRANCES ARE ALLOWED TO OR FROM 1ST AVENUE WEST / US HIGHWAY 6.

TOTAL AREA OF DEVELOPMENT = 1.848 ACRES

THE BEARINGS SHOWN ARE BASED ON THE IOWA REGIONAL COORDINATE SYSTEM ZONE 9 - NEWTON

CENTRAL IOWA IS A REGION UNDERLAIN BY CLAYEY SOILS WHICH ALLOW FOR A SHALLOW PERCHED GROUNDWATER TABLE. DURING WET PERIODS OF WEATHER, THE GROUNDWATER LEVEL MAY BE LESS THAN SIX FEET BELOW THE SURFACE. THIS CAN RESULT IN GROUNDWATER SEEPING AND FLOWING INTO BELOW GRADE LIVING AND STORAGE AREAS THAT ARE NOT EQUIPPED WITH SUMP PUMPS OR OTHER DETERWATERING MECHANISMS.

STRUCTURES, BUILDINGS AND UTILITIES SHALL BE DESIGNED AND CONSTRUCTED TO PREVENT GROUNDWATER AND STORM RUNOFF FROM ENTERING INTO THE SANITARY SEWER SYSTEM.

Legal Description

Stelpflug Addition is a replat of part of Block One and Block Four of Leeper's Highland Addition to the City of Newton, Jasper County, Iowa, being that portion of said addition described as follows:

Lots Two, Three and Six in Block One and Lots Two, Three, Six and Seven in Block Four of Leeper's Highland Addition to the City of Newton, Jasper County, Iowa, AND the Twelve foot East/West alley lying North of Block One of Leeper's Highland Addition that lies West of a line extended North from the Northwest Corner of Lot One of said Leeper's Highland Addition, AND the Sixteen foot North/South alley lying East of and adjacent to Lots Two, Three and Six Block One and Lots Two, Three, Six and Seven in Block Four in said Leeper's Highland Addition, AND the vacated North Second Street lying between Blocks One and Four in said Leeper's Highland Addition that lies West of a line extended from the Southwest Corner of Lot Five, Block One to the Northwest Corner of Lot One in Block Four of said Leeper's Highland Addition.

Subject to easements and restrictions of record.

Certificate of Planning and Zoning Commission

This final plat of _____ was recommended for acceptance and approval by the Planning and Zoning Commission this _____ day of _____, 20____.

Dana Woody, Chair

Dana Van Gilder, Secretary

Certificate of City Council

This final plat of _____ was accepted and approved by the city of Newton City Council in resolution form, said resolution being _____. The City Clerk further certifies that the same final plat hereto attached has been accepted, approved and filed in accordance with the city ordinance of Newton, Iowa and the code of Iowa.

Passed: _____

Approved: _____

(Date)
Attest:

(Date)

Michael L. Hansen, Mayor

Katrina Davis, City Clerk



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Bobby J. Maddaleno 6-8-23

Bobby J. Maddaleno, P.L.S. _____ Date _____
License number: 19980
My license renewal date is December 31, 2023
Pages or sheets covered by this seal: 1

PARCEL AREA TABLE		
PARCEL #	AREA (AC)	AREA (SF)
1	0.240 AC.	10,472 SF
2	0.234 AC.	10,209 SF
3	0.234 AC.	10,211 SF
4	0.234 AC.	10,212 SF
5	0.234 AC.	10,213 SF
6	0.331 AC.	14,360 SF
7	0.341 AC.	14,843 SF
TOTAL	1.848 AC.	80,519 SF

▲ = SECTION CORNER FOUND
● = PROPERTY CORNER FOUND
○ = PROPERTY CORNER SET
(5/8" X 30" REBAR PLS #19960)

FD. 3/4" REBAR BENT

1.87"

DETAIL

SCALE: NONE

GARDEN & ASSOCIATES, LTD.
ENGINEERS & SURVEYORS
1701 3rd Avenue East, Suite 1 806 Wyoming Ave.

REPLAT OF PART OF BLOCK ONE AND FOUR
OF LEEPER'S HIGHLAND ADDITION
NEWTON, IOWA

© COPYRIGHT 2023 GARDEN & ASSOCIATES, LTD.

SHEET TITLE
FINAL PLAT

SCALE:

DRAWN BY:
TRH

APPROVED:

BJM

REVISIONS:

DATE: **JUNE 7, 2023**

PROJECT NO.:
7021360

1 OF 1