

(These minutes are not approved until the next Commission meeting.)

City of West Branch Planning & Zoning Commission Meeting
September 22, 2020
West Branch City Council Chambers, 110 North Poplar Street

An Electronic Meeting (pursuant to Iowa Code Section 21.8) of the Planning & Zoning Commission of the City of West Branch, Cedar County, IA was held on Tuesday, September 22, 2020 at 7:00 p.m. because a meeting in person was impossible or impractical due to concerns for the health and safety of Commission Members, Staff and the Public presented by COVID-19.

Until further notice, all of our Planning & Zoning Meetings will be held electronically. Persons may still attend, observe and participate in the meeting at the Council Chambers, City Office, 110 N. Poplar St, West Branch, Iowa. Social distancing practices shall be observed for any persons attending the meeting in person at City Hall.

Chairperson John Fuller called the Planning & Zoning Commission meeting to order at 7:07 p.m. Roll call (in person) Commission members: John Fuller, Ryan Bowers, Brad Bower, Jim Hoffman, Matt Van Scoyoc was present. Commission members present (via Zoom): Emilie Walsh. Sally Peck was absent. City Staff present: Mayor Roger Laughlin, Deputy Clerk Leslie Brick, and Terry Goerd. Via Zoom: City Administrator Redmond Jones, Public Works Director Matt Goodale and City Engineer Dave Schechinger.

APPROVE AGENDA/CONSENT AGENDA/MOVE TO ACTION.

Approve the agenda for the September 22, 2020 Planning & Zoning Commission meeting. /Move to action.
Motion by Bowers, second by Bower to approve the agenda. Absent: Peck. Motion carried on a voice vote.

Approve minutes from the July 28, 2020 Planning & Zoning Commission meeting. /Move to action.
Motion by Bowers, second by Bower to approve the minutes. Absent: Peck. Motion carried on a voice vote.

Approve minutes from the August 11, 2020 (Special) Planning & Zoning Commission meeting. /Move to action.
Motion by Van Scoyoc, second by Bower to approve the minutes. Absent: Peck. Motion carried on a voice vote.

PUBLIC HEARING/NON-CONSENT AGENDA

Extra-territorial jurisdiction (development occurring with 2 miles of city limits)

Thomas Anthony of Schumacher Haaland, representing Bruce Barnhart presented the preliminary plat for the Brookview Ridge Subdivision. Anthony said the subdivision will be located south of 290th Street on Charles Avenue (east of West Branch) in Cedar County and include nine residential lots. He said the subdivision is planned as rural subdivision with wells and septic systems. Eight lots will be accessed from Charles Avenue and will have four shared driveways and two shared wells. One lot will be accessed from 290th Street and have its own well. Anthony said the large lots allow for two septic systems, one main system and one back-up as required by the County. Anthony said the County is also requiring that this portion of Charles Avenue that is currently gravel to be chip and sealed (at the expense of Barnhart) and future maintenance will be the responsibility of a homeowners association. Anthony cited that West Branch's future land use map did not indicate annexation toward the east of town and requested the

commission to consider waiving the city's right for a formal review of the plat. The commission asked some questions regarding the subdivision but had no objection in the request. City Administrator Jones advised the commission that Council would support waiving the formal review of this subdivision and that a resolution would be presented at the October 5th meeting for Council consideration.

Bowers made the motion to recommend waiving the requirement for a formal review of Brookview Ridge, seconded by Hoffman. AYES: Bowers, Hoffman, Walsh Van Scoyoc, Fuller. NAYS: None. Absent: Peck.

Ben Hemingway, owner The Little Riata Two, described his project as a farmstead split rather than a subdivision as categorized by Johnson County. Hemingway said he would not be building any houses. Hemingway's property is located on Oasis Road in Johnson County and is approximately 60 acres. Fuller said that the City had no plans in annexation toward Iowa City and had no objection with waiving the formal review process. Jones commented that this agenda item was similar to the last presentation in that the Council wanted the commission to be aware of the project.

Bower made the motion to recommend waiving the requirement for a formal review of both properties, seconded by Bower. AYES: Bower, Bowers, Van Scoyoc, Walsh, Fuller. NAYS: None. Absent: Peck.

Approve The Meadows Part 4B Final Plat. / Move to action

Chris Kofoed, The Meadows Development provided an overview of the final plat that completes this latest phase of the residential subdivision. Kofoed said there have been no changes since the preliminary plat and that all thirty two lots are zoned R-2 (two family). The commission had no questions. Laughlin advised the commission that all public improvements were not complete and that the final plat would not be forwarded to the Council until those were done or a letter of credit or escrow was received. Laughlin pledged his support and recommended that that commission approve the final plat.

Motion by Van Scoyoc, second by Bower. Motion carried on a voice vote.

Approve Loethen Ridge Estates Final Plat. / Move to action

Mike Welch, Axiom Consultants (representing Matt Adam) reviewed the final plat and noted that there were no changes from the preliminary plat but stated that a revision would be updated to indicate that Lot A would be dedicated to the City as street right of way and Outlot A (a dry detention basin) would be maintained by a homeowners association. Welch said a revised final plat would be sent to staff before Council approval was requested. Welch said construction is still ongoing but is hoping for an October approval providing the good weather holds. Jones updated the commission of the plans for a connection to the Greenview subdivision. Jones said the City Engineer has prepared a couple of options for Council consideration at the October 5th meeting. Laughlin added that the subdividers agreement had been drafted but not yet approved by all parties and that would need to be done before final approval by Council. The commission had no comments.

Motion by Fuller, second by Bowers. Motion carried on a voice vote.

Public Hearing – Amending Chapter 165.12 Corner Lots

The public hearing opened at 7:52 p.m. Zoning Administrator explained that clarification was needed in the Code on how to determine the rear yard on corner lots. Goerdts said he prepared the language for the ordinance, which the commission agreed on. There were no public comments. The public hearing closed at 7:54 p.m.

Approve Ordinance 777 – Amend Chapter 165.12 – Corner Lots

The commission had no changes or additional comments.

Motion by Bowers, second by Bower.

OLD BUSINESS:

Review draft Ordinance 778 – Amend Chapter 165.34 – I-2 Area Regulations

Brick reminded the commission that this was a follow-up from previous meetings to determine area regulations for the I-2 district as there are currently none listed in the Code. Brick asked if the commission required and further changes. The commission requested no changes to the draft ordinance.

Review draft Ordinance 779 – Amend Chapter 165.50 – Swimming Pools and Hot Tubs

Goerdt explained that he met with Deputy Clerk Brick to draft an ordinance for swimming pools and hot tubs by using a policy that the City of Iowa City has adopted. Goerdt said tweaks were made to it and asked for commission feedback. The commission unanimously agreed that hot tubs should not be included in the ordinance citing that it was not feasible to require fencing around hot tubs and noted that most hot tubs had locking lids when not in use which eliminates any safety issue. The commission also disagreed with permits and fencing requirements for temporary pools. The discussed what ‘temporary’ meant and determined that it meant “taken down in the winter”. The commission defined “permanent” would be mean pools that are set up 12 months out of the year, such as in-ground pools and were satisfied that with a permit requirement for those. The last item discussed was fencing for permanent pools. The commission agreed that fencing should be required for “permanent” pools that were less than four foot above grade. Brick said she would update the ordinance and bring it back to the next meeting for another review.

Set date for Public Hearing on amending Chapter 165.

Fuller set November 24, 2020 for a public hearing to amend Chapter 165.34 – I-2 Area Regulations.

STAFF REPORTS:

Laughlin said the City had been approached by a commercial business looking to move to the industrial area very soon and may be submitting their site plan. Laughlin said a special meeting may be called before the next regularly scheduled meeting.

Goerdt reported that due to recent issues with temporary certificates of occupancy granted, a letter has been drafted to provide guidance to builders when they will be granted. Brick agreed that the issue is getting out of hand and creates extra staff time. Brick said the letter will be sent to all current builders as well as given at the time of a building permit. Goerdt also commented that with all of the new R-2 zoning happening in the City, the recorded lot split will now be required with permits are applied for.

COMMENTS FROM CHAIR AND COMMISSION MEMBERS:

None.

Adjourn

Motion by Bowers, second by Bower to adjourn the Planning & Zoning Commission meeting. Motion carried on a voice vote. The meeting adjourned at 8:22 p.m.

Submitted by:

Leslie Brick

Deputy City Clerk