

**PLANNING & ZONING COMMISSION MEETING**  
**CITY OF DYERSVILLE**

**March 12, 2018**

**Meeting called to order by Chairman Olberding at 6:30 P.M.**

**Roll Call: Present:** Commission Members: Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding, Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Absent:**

**1<sup>st</sup> Item: Oath of Office** – Dan Willenborg

Oath of Office was administered to Dan Willenborg by Recording Secretary, Lori Panton.

**2<sup>nd</sup> Item: Approve Minutes** of the February 12, 2018 Meeting

Chairman Olberding asked for questions or comments and there were none.

Gibbs made a motion to approve the February 12, 2018 Minutes. Motion seconded by Bec Willenborg.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding, Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Nays:**

**Motion Carried**

**3<sup>rd</sup> Item: Approve Plat of Survey** Parcel 2018-13 Part of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of Section Twenty-Four (24), Township Eighty-Nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa. Plat submitted by Randy White.

Randy White was present and advised they are taking about 4 acres to sell to his daughter and son-in-law to build a house. They will use 197<sup>th</sup> Street for access.

Chairman Olberding asked for public comment and there was none.

City Administrator Mick Michel stated the city was ok with this plat layout. The lot has a 33' wide access easement to 197<sup>th</sup> Street and a public utility easement if future utilities were needed. If there would be future subdivision development, it would need to follow the subdivision code for streets at that time. The committee asked what the current ordinance states. Michel advised currently it is 66' but since this is just a private drive there is plenty of room for access and utilities. Commission member Murphy asked if this was a private easement or if it was for the public to use. Michel advised the easement is for private access and for public utilities such as

water, electric, fiber optic. The utilities have the right to use this easement without asking for permission from White

Murphy asked why he didn't go all the way to the southwest corner of the property for the new parcel. White stated that land is in a 10-year program and didn't want to disrupt that. His daughter and son-in-law will have the option to buy that area later. Murphy stated White had submitted something a few months ago, will the committee be seeing something on that. White stated he may have something in the future but not yet. Michel stated that would be a separate matter than what is presented tonight. Murphy asked if the city was OK with this being under 5 acres. Michel advised that was fine. This is a D-1 zone and it allows a single-family dwelling. Olberding asked if they would need their own septic system and Michel advised they would, there is no sanitary sewer in this area.

After no further discussion, Bec Willenborg made a motion to approve the Plat of Survey Parcel 2018-13. Motion seconded by Tauke.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding, Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Nays:**

**Motion Carried**

**4<sup>th</sup> Item: Approve Plat of Survey** of Koelker Place, Dubuque County, Iowa. Plat submitted by Terry Koelker.

Terry Koelker was present and stated he approached his neighbor, Dave Gogel, about buying some land because he wanted to put up a storage building. Gogel didn't want to sell off a small parcel so Koelker decided to buy a strip of approximately 8.4 acres. Koelker provided the committee with a revised plat. Olberding asked what the changes were on the revised plat. Koelker stated Lot 17 was a 66' wide access easement that lead to the original lot. This was kept but extended to Lot 1 at the request of Dave Gogel.

Chairman Olberding asked if the city had any issues. City Administrator Mick Michel stated there are 3 points of entry to Lot 1 with all being from public rights-of-ways. The layout looks OK and is set for future expansion if something would develop for Lot 1.

Olberding asked Koelker if the shed would be right behind his house and if there would be issues with the setbacks. Michel advised the setbacks would be a county issue.

Olberding asked for public comment. Jeff Driscoll, 32369 Nature Trail, stated he wasn't advised of this and it is close to his property. He didn't know what was going on or what the plans were. Koelker stated he tried to stop but he wasn't home. Driscoll was concerned about the gas line. Koelker advised the gas line goes through the lots that are already there on the east. Driscoll wanted to make sure the access easement would stay in place. Koelker said it would. Michel stated the reason he did not get a notification was because he is not an adjoining property owner because he is offset just a bit. Driscoll stated he is adjacent to the shared easement. Driscoll had no further concerns. He just wanted to know what was going on.

After no further discussion, Gibbs made a motion to approve the amended Plat of Survey of Koelker Place, Dubuque County, Iowa. Motion seconded by Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,  
Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Nays:**

**Motion Carried**

**5<sup>th</sup> Item: Approve Preliminary Plat** Westridge Estates 10<sup>th</sup> Addition. Plat submitted by Downing Construction Inc.

City Administrator Mick Michel advised this location is by the gas station and car wash along highway 20. Gary Boge is the owner and is planning on selling Lots 1 and 2 and keeping Lot 3.

Lacy Lampe, Civil Engineer with Snyder & Associates, was present. She advised the owner is splitting the property into 3 lots with the intent to sell Lots 1 & 2. Lot 2 could be split into more lots in the future.

Chairman Olberding assumes this is all Boge's property and questioned what was adjoining. Michel advised Three Rivers FS is to the west, the school district is to the north, gas station to the east and 18<sup>th</sup> Avenue SW to the south, which he stated should be changed to Field of Dreams Way. Michel advised that services for the future property can be supplied from Field of Dreams Way. There is water and sanitary sewer on the south side of the property. The existing 40' access easement from 7<sup>th</sup> Street SW to Lot 2 will remain in case this is subdivided further. It will allow utilities and access to the northern part of the parcel and to Lot 3.

Murphy asked if this was industrial and Michel advised it is zoned C-2 Commercial. Dan Willenborg asked if the new business would have a basement. Lampe advised it would. Murphy asked if the code of ordinance was still in the process of being revised. Michel stated they are currently working on the Comp Plan, so the code revisions would still be a couple years out. Murphy stated so this could have a gravel parking lot. Michel stated the code requires a hard surface lot but that could be concrete, asphalt or gravel.

Michel stated there were no issues with the city, there are easements for utilities and access. Developers would need to obtain driveway access and building permits. Olberding stated access should be OK. Michel stated the temporary buildings currently on the lot would be removed.

After no further discussion, Gibbs made a motion to approve an amended Preliminary Plat Westridge Estates 10<sup>th</sup> Addition (changing 18<sup>th</sup> Avenue SW to Field of Dreams Way). Motion seconded by Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,  
Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Nays:**

**Motion Carried**

**6<sup>th</sup> Item: Approve Final Plat** Westridge Estates 10<sup>th</sup> Addition. Plat submitted by Downing Construction Inc.

City Administrator Mick Michel advised 18<sup>th</sup> Avenue SW should be changed to Field of Dreams Way.

Without discussion, Bec Willenborg made a motion to approve an amended Final Plat Westridge Estates 10<sup>th</sup> Addition (changing 18<sup>th</sup> Avenue SW to Field of Dreams Way). Motion seconded by Tauke.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding, Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg

**Nays:**

**Motion Carried**

**7<sup>th</sup> Item: Approve Final Plat** Hyler and Loop's Addition Plat 2, City of Dyersville, Delaware County, Iowa. Lot 5 and the East Half of Lot 6 of Hyler & Loop's Addition, City of Dyersville, Delaware County, Iowa. Plat submitted by Timothy Greenwood.

Tim Greenwood, 245 Main Street, North Buena Vista, was present. He owns the houses to the west of beltline at the intersection of 1<sup>st</sup> Avenue W. One of the houses currently there is on the other property, so he is straightening out the lot line between the two houses and surveying off the back part into a separate parcel. His intent is to build a duplex on that lot. The two houses there are rented out to Unlimited Services and they are looking for more units. He is thinking of putting two 4-bedroom units on the back property.

Dave Schneider presented the commission with a revised plat. Chairman Olberding asked what the changes were. Schneider advised Delaware County wanted a name change to the title. Instead of Hyler and Loop's Addition Plat 2, Delaware County wants Hyler and Loop's Second Addition. There are no changes to the dimensions.

Schneider advised the purpose of the plat is to take care of a couple issues. Greenwood currently owns the house and garage on Lot 2 and the small house on Lot 1. The current lot line goes through the small house on Lot 1. This plat moves the lot line and clears that up, each house will be on its own lot. He is also creating another lot in the back for a potential building. They realize that will need to go through the Flood Plain permit process. The intent is to take the existing materials on the property and reshape it. They plan to work with the city on this.

City Administrator Mick Michel advised he likes that they are fixing the lines for Lot 1 and Lot 2. It will create more sellable value to the lots and it meets code standards. Lot 3 has public utility and access easements to allow service and access to the property. It allows access from 1<sup>st</sup> Avenue W and the Beltline Road. In regard to building on lot 3 and being in the flood plain, Michel does not know at this time. Michel feels there are advantages to having the lots split like this. However, building on Lot 3 will need the Flood Plain and building permit process.

Olberding asked if the current line between Lot 1 and 2 runs all the way to the back of the property, Michel advised it does. The current lots were developed before the Beltline Road was created. With the Beltline Road it opens the opportunity to create Lot 3 but there may be restrictions to this lot that prevent it from being buildable.

Murphy asks if there is a change to the line already between Lot 1 and 2, Michel advises it is being moved to the east. The dotted line on Lot 1 and Lot 3 is where the current lot line is. Murphy asks if there are any set back issues with the new lot line. Schneider advises there is at least 10+ feet on each side of the lot line. Olberding asked how Greenwood was able to purchase the property with the lot line issues. Greenwood stated he got by with it because he bought both properties at the same time.

Olberding asked if the driveway to Lot 3 had to be so far from the railroad tracks, the plans show the driveway in the middle of Lot 3 onto the Beltline. It was stated that was the plan but there is also the possibility of sharing the driveway access from 1<sup>st</sup> Avenue W. Michel stated that would be determined during the building permit process. Michel stated if the property owner plans to build there will be permit processes he needs to go through - building permit, flood plain permit and driveway permit. Michel will also need to make sure it is zoned for multifamily dwellings. Today's concern is just slitting the lots.

Schneider stated that they need to straighten out Lot 1 and Lot 2. There is no need for 2 long narrow lots, so they created Lot 3 which can maybe be built on or sold with either Lot 1 or 2 or the neighboring property. It can also be just green space. Michel stated he is not sure if Lot 3 is marketable without further information.

Chairman Olberding asked for public comment. Dan Gallagher, 814 1<sup>st</sup> Avenue W, advised his only issue is with Lot 3 and if that needed to be taken care of tonight. Olberding stated Lot 3 will be its own lot if the committee approves it. They are taking 2 lots and making 3. One for the house to east and one to west and a new one to the north. Gallagher stated his concern is more with the flood plain issues and building on Lot 3. If that is coming later, he is fine.

With no further discussion, Murphy made a motion to approve the amended Final Plat Hyler & Loop's Second Addition, City of Dyersville, Delaware County, Iowa. Motion seconded by Dan Olberding.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Mike Murphy, Dan Olberding,  
Wayne Stelken, Matt Tauke, Bec Willenborg, Dan Willenborg  
**Nays:**

**Motion Carried**

**The meeting adjourned at 7:06 PM on a motion by Bec Willenborg, seconded by Mike Murphy.**

*Lori A Panton*

\_\_\_\_\_  
Lori A. Panton – Recording Secretary

3/12/18

Date