

# **PLANNING & ZONING COMMISSION MEETING**

## **CITY OF DYERSVILLE**

*Lower Level Council Chambers*

**July 9, 2018**

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

**Roll Call: Present:** Commission Members: Ryan Cahill, Roger Gibbs, Tim Nefzger,  
Dan Olberding, Wayne Stelken, Matt Tauke, Dan Willenborg.

**Absent:** Bec Willenborg

### **1<sup>st</sup> Item: Election of Chairperson**

Roger Gibbs nominated Dan Olberding for Chairperson. Nomination seconded by Matt Tauke.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

### **2<sup>nd</sup> Item: Election of Vice Chairperson**

Dan Olberding nominated Roger Gibbs for Vice Chairperson. Nomination seconded by Ryan Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

### **3<sup>rd</sup> Item: Approve Minutes of the June 11, 2018 Meeting**

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

Roger Gibbs made a motion to approve the June 11, 2018 Minutes. Motion seconded by Tim Nefzger.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**4<sup>th</sup> Item: Approve Final Plat** of Bell 2nd Addition to the City of Dyersville, Dubuque County, Iowa Comprised of Lot 1 of Bell Addition to the City of Dyersville, Dubuque County, Iowa. Plat submitted by Dave Bell.

Dave Bell was present and advised he is subdividing the lot where his warehouse is. He is creating a lot to the east of his building which is Lot 2. Access to that lot will be from the street. There is enough space to the south to create another lot if he wants to in the future. If that should happen, he has put in place an access easement.

City Administrator Mick Michel advised he as reviewed the plat and it has the necessary easements and meets criteria set in Chapter 166 of the city code.

After no further discussion, Roger Gibbs made a motion to approve Final Plat of Bell 2<sup>nd</sup> Addition. Motion seconded by Wayne Stelken.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**5<sup>th</sup> Item: Approve Plat of Survey** of Parcel 2018-68 Comprised of Lot 1 of Sunset Heights No. 2 in Delaware County, Iowa and part of a parcel of ground located in the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section Twenty-five (25), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa as described by deed recorded in Land Deeds Book 121, page 3 in the office of the Delaware County Recorder and Parcel 2018-69 part of a parcel of ground located in the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section Twenty-five (25), Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa as described by deed recorded in Land Deeds Book 121, page 3 in the office of the Delaware County Recorder. Plat submitted by James Wessels.

City Administrator Mick Michel advised Jim Wessels could not attend due to another commitment. Michel advised he reviewed the plat and it is in line with Chapter 166 of the city code. Wessels is separating the house from the rest of the property and plans to sell Lot 2018-69 and keep Lot 2018-68. All necessary easements are in place.

After no further discussion, Ryan Cahill made a motion to approve Plat of Survey of Parcel 2018-68 and Parcel 2018-69. Motion seconded by Matt Tauke.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**6<sup>th</sup> Item: Approve Plat of Survey** of Parcel 2018-70 Part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Eighty-nine North (T89N), Range 3 West (R3W) of the Fifth Principal Meridian, Delaware County Iowa and Parcel 2018-71 Part of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township Eighty-nine North (T89N), Range 3 West (R3W) of the Fifth Principal Meridian, Delaware County Iowa and Parcel 2018-72 Part of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section Twenty-five (25), Township Eighty-nine

North (T89N), Range 3 West (R3W) of the Fifth Principal Meridian, Delaware County Iowa. Plat submitted by Chris Nickol.

Chris Nickol was present and advised he wants to extend his back yard and keep it as a grass area.

City Administrator Mick Michel advised the city has no issues. The commission had approved a similar plat in the past with Parcel C and Q. Olberding questioned why the difference in parcel names. Michel advised that was how the county requested it be done at that time. Olberding asked if there are plans to extend 333<sup>rd</sup> Avenue to the south. Michel did not know but if it did the property owner would need to put in place the necessary easements. Michel does not see the remaining property being land locked.

Roger Gibbs asked for clarification regarding the 3 separate parcels. Nickol advised he is buying parcels 2018-70 and 2018-72. Michel advised it is in 2 parcels because it is on the quarter section. The remaining area is field area.

After no further discussion, Tim Nefzger made a motion to approve Plat of Survey of Parcel 2018-70, Parcel 2018-71 and Parcel 2018-72. Motion seconded by Dan Willenborg.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**7<sup>th</sup> Item: Approve Final Plat** of 20 West Industrial Center Sixth Addition in the City of Dyersville, Delaware County, Iowa Lot 1 in 20 West Industrial Center Second Addition in the City of Dyersville, Delaware County, Iowa. Plat submitted by Dyersville Economic Development.

Jacque Rahe with Dyersville Economic Development was present and advised they are taking the 8.1-acre lot and splitting it into 2. DEDC is asking to buy back the 2.5-acre lot (Lot 1) to add onto another lot for more area for a potential customer. Originally this was 3 lots and the current owner bought all three. Now DEDC want to buy back 2.5 acres to sell to someone else.

City Administrator Mick Michel advised there were no issues with the city.

After no further discussion, Ryan Cahill made a motion to approve Final Plat of 20 West Industrial Center Sixth Addition. Motion seconded by Matt Tauke.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**8<sup>th</sup> Item: Approve Preliminary Plat** of Castle Hill Plat 3 City of Dyersville, Dubuque County, Iowa. Plat submitted by Hageman Homes/Tom Hageman.

Tom Hageman was present and advised he developed Castle Hill Phase 1 and 2. This is the extension for phase 3. He is following the same model as the previous phases. He is having acre lots, 66' right-of-way and concrete streets.

City Administrator Mick Michel advised he reviewed the plat and wanted to point out that Lots 1,2 and 3 will have access from Olde Castle Road. Lots 29, 30, 32 and 33 will have a shared access and utility easement. This was the only way to get access to that area and the city did not want this to be dead space. Hageman advised there is a severe drop on the back half of lots 29, 30 and 32 and that will not allow for a full street. Michel advised the city is OK with this as they have done it in the past.

Michel also advised they are looking at looping water and sewer and proposing a 12" water main along Olde Castle Road. This is just the preliminary plat, a development agreement can be started and given to the city council. After that a final plat will come back to the commission.

Chairman Olberding asked which way the water flow is in the drop off behind lots 29, 30 and 32 and if the development would impact other property. Hageman advised it goes to the northwest and an engineer study would be done to determine the impact. Chairman Olberding also confirmed that everything in the darker print, on the plat, is the new development. Chairman Olberding also asked if there was enough site distance for Lots 1,2 and 3 access. Michel advised that it should be sufficient.

Chairman Olberding asked for comments from the audience. Jeff Digman, adjoining property owner, was present and advised that he has not seen the plat but had some concerns. He is concerned about the entrance and visibility not being there for the entrances for Lots 1,2 and 3. His dairy farm is right next to the development and how will the property owners feel about him spreading manure, which he does throughout the year. He is concerned about drainage issues. The back edge of his property is very wet, he does not want the development to cause the water to not drain off. He is also concerned about fencing and keeping people off his property. He has a fence, but it is not one he feels will be good enough for the new owners. He wants something to keep the people from coming onto his property. He does not want to be responsible for cost of anything new since he has a fence there now. Digman said these weren't big issues on the previous developments because it was next to a developable area. Now it is next to working dairy farm and he plans to keep it a dairy farm. He is also concerned about the condition of Olde Castle Road. The road is in poor condition right now and with the added traffic, it will get worse.

Hageman stated he would like to know about the people trespassing so he can address that with the property owners. Hageman said he would work with Digman one-on-one regarding his concerns. City Administrator Mick Michel advised that the city has no jurisdiction regarding the manure issue, that is controlled by the state. The fence is more of a township issue and not city since it is not in the subdivision regulations. Michel advised the city owns the north half of Olde Castle Road up to the city lines. The city has a 28E agreement with the county on maintenance. He has not heard from the county on upgrading the road. Hageman stated that before starting phase 1 he submitted his 4-stage plan to the county and they did not have any issues or concerns with the traffic flow.

Dave Schneider, land surveyor, was present and advised the state does not want any more at grade intersections or more traffic entering highway 20. They are having him direct traffic to Highway 136. The storm water issue will be looked at through engineering studies and tests. The state will also require some type of fence. He advised that on the county they work within covenants. There is one fence built and each property owner shares the cost of the fence and maintenance. There was discussion regarding the issues presented by Digman.

The commission asked what the next steps in the process will be. Michel advised after approval of the preliminary plat, work would begin on the development agreement to be approved by the city council. Then the final plat will need to be presented to the Planning & Zoning commission. From there it will go back to council for approval. There are many opportunities for input. Hageman also stated he will invest in engineering and wants to hear from the public on their concerns.

After no further discussion, Roger Gibbs made a motion to approve Preliminary Plate of Castle Hill Plat 3. Motion seconded by Dan Willenborg.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**9<sup>th</sup> Item: Approve** Amendment to the Urban Renewal Plan for the Consolidated Dyersville Economic Development District

City Administrator Mick Michel advised this plan came before the commission last month and was approved. Delaware County has asked that legal descriptions be included not just listing parcel numbers. The cities legal council decided it was best to start the process over. This plan includes the parcel number and legal description for the SW Industrial Park area and part of Farm Tek.

After no further discussion, Tim Nefzger made a motion to approve Amendment to the Urban Renewal Plan for the Consolidated Dyersville Economic Development District. Motion seconded by Ryan Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding,  
Wayne Stelken, Matt Tauke, Dan Willenborg

**Nays:**

**Motion Carried**

**Meeting adjourned at 7:28 PM on a motion by Matt Tauke, seconded by Wayne Stelken.**

*Lori A. Panton*

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Lori A. Panton – Recording Secretary

7/09/18  
Date