

# **PLANNING & ZONING COMMISSION MEETING**

## **CITY OF DYERSVILLE**

*Lower Level Council Chambers*

**December 10, 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, Bec Willenborg, Dan Willenborg

**Absent:**

**1<sup>st</sup> Item: Approve Minutes** of the November 26, 2018 Meeting

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

Bec Willenborg made a motion to approve the November 26, 2018 Minutes. Motion seconded by Matt Tauke.

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

**Nays:**

**Motion Carried**

**2<sup>nd</sup> Item: Approve** Final Plat of Lot 1-1 and Lot 2-1 of March Place in the City of Dyersville, Dubuque County, Iowa

This was moved to Item #3 at the meeting because the petitioner was running late. The petitioner was still not present but City Administrator, Mick Michel advised he was aware of this item and could explain. Michel advised the property owner to the east wants to purchase Lot 2-1, so he can build a garage. Michel advised he worked with the one property owner on this and both owners are in agreement. Michel advised the city has no issues and this will make Lot 1-1 a more appropriate lot.

Roger Platten was present and advised he owns Lot 1-1 and his neighbor, Mark Scherbring, wants to build a garage and needs more space to meet the required setbacks. Platten has agreed to give him the extra 7 feet.

After no further discussion or questions, Bec Willenborg made a motion to approve the Final Plat of Lot 1-1 and Lot 2-1 of March Place in the City of Dyersville, Dubuque County, Iowa. Motion seconded by Matt Tauke.

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

**Nays:**

**Motion Carried**

**3<sup>rd</sup> Item: Approve** Final Plat of Kelchen Addition, City of Dyersville, Delaware County, Iowa Lot 29 Westridge Estates 9<sup>th</sup> Addition, City of Dyersville, Delaware County, Iowa.

This was moved to Item #2 during the meeting.

Dave Kelchen, property owner, was present and advised he wants to divide his duplex so if in the future someone wants to buy one, the lots are divided. He has no intention of selling right now but just wants to get the lot divided. Kelchen said this has been done with some of the neighboring units.

City Administrator, Mick Michel advised the city has no issues.

After no further discussion or questions, Roger Gibbs made a motion to approve the Final Plat of Kelchen Addition, City of Dyersville, Delaware County, Iowa. Motion seconded by Tim Nefzger.

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

**Nays:**

**Motion Carried**

**4<sup>th</sup> Item: Receive & File** Dyersville Zoning Ordinance Update – Assessment and Recommendations.

Charlie Cowell with RDG Planning and Design was present and provided a power point presentation to the committee. That power point was added to the agenda packet.

Cowell advised he wanted to provide more detail to the committee regarding the recommendations and discuss the Table of Contents. He reviewed the upcoming project schedule and the next steps in the process. Cowell said the public information meeting that was held didn't get a large turnout but had the necessary people there including a couple developers.

Cowell stated in the Environmental Review he suggests mapping of the flood plain. For Land Use he recommends adding districts so it aligns projects with the Comprehensive Plan. He reviewed the suggested new districts and provided reasons for the new areas or updating the names. City Administrator Mick Michel suggested adding another district to separate the agricultural/farming district from the newer rural residential districts. Michel and the Committee also discussed combining the A-1 and D-1 districts since they both state the same things. The committee thought that was a good idea.

Cowell went on to explain the Site Plan Procedure. This is not in the current code but suggests adding it. This will make the permit/application process more efficient. Cowell explained the Minor Exceptions/Modifications section will allow staff to approve small adjustments. For example, transferring a few feet of property from owner to another. Michel advised he did not have a problem with that but still wants residents to have an appeal process available.

Cowell explained the PUD Procedure and the Gaps to Fill sections. He explained the Procedures and Legal Requirements section would have all procedures in one location. Cowell reviewed the Table of Contents. He highlighted and explained the new sections.

Cowell advised the next step will be the development of rough drafts then the review phases. He should have items available for the February 11<sup>th</sup> meeting.

Michel suggested having another district for an area in the SE side where the setbacks are old, and most structures are non-conforming. He would also like to create a couple more procedures for definitions that currently do not have a procedure, for example home occupation. He would also like to see a park space district created.

Committee member Roger Gibbs wanted to know how to handle amendments once this is approved. Cowell advised there will be a process for text amendments. Michel advised right now amendments are done either by petition or government request. Cowell advised amendments will be subject to state and federal guidelines. The Comprehensive Plan is the governing document.

Chairman Olberding suggested that the Comprehensive Plan be at that top of the Permits and Procedures section. Since this is the governing document it should be one of the top items and everything else will follow that. Michel added he would like the Map Amendment to be able to be digital and not a paper map.

Gibbs asked if this will be so detailed as to regulate building height. He was advised it will and our current code already regulates height, but things can be evaluated and changed. Michel advised that if things are changed, he wants it noted that it changed and what is was before. Olberding suggested having the fire chief review this also. Olberding wanted to know how to handle changes for unforeseen things. He was advised that would be done by an amendment or through the Comprehensive Plan.

After no further discussion or questions, Roger Gibbs made a motion to receive and file Dyersville Zoning Ordinance Update – Assessment and Recommendations. Motion seconded by Ryan Cahill.

Roll Call Vote: **Ayes:** Ryan Cahill, Roger Gibbs, Tim Nefzger, Dan Olberding, Wayne Stelken, Matt Tauke, Dan Willenborg  
Bec Willenborg left at 7:20 pm

**Nays:**

**Motion Carried**

**Meeting adjourned at 7:48 PM on a motion by Wayne Stelken, seconded by Matt Tauke.**

*Lori A Panton*

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Lori A. Panton – Recording Secretary

12/10/18  
Date