



PLANNING AND ZONING COMMISSION MEETING

October 12, 2021

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Approval**
- 4. Minutes Approval**
 - A. Approval of the minutes from the 09/14/2021 meeting.
- 5. Public Comment**
 - A. Public Comment Form
- 6. Old Business**
- 7. New Business**
 - A. Consider recommendation on request for approval of a Plat of Survey for Robert and Elizabeth Freese, located at 603 East Hillcrest Avenue.
 - B. Consider request from JK Management LLC for a right-of-way vacation and conveyance of the portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa.
 - C. Consider request from Diligent Development to rezone property located at 1909 South K Street from A-1 (Agricultural/Open Space Zoning District) to R-1 (Single-Family Residential Detached Zoning District).
 - D. Discussion and direction on regarding proposed residential rental housing ordinance and program.
- 8. Comments**
 - A. Building Permit Report
 - B. Current Projects
- 9. Adjourn**



PLANNING AND ZONING COMMISSION MEETING

September 14, 2021

6:00 PM

City Council Chambers

Minutes

1. Call to Order

2. Roll Call

3. Agenda Approval

4. Minutes Approval

A. Approval of the 08/10/2021 meeting minutes

5. Public Comment

A. Public Comment Form

6. Old Business

7. New Business

A. Consider recommendation on request for approval of a Plat of Survey for Marywood Farms Inc. located within two miles of the City of Indianola.

Mr. Dissell provided an overview.

Commissioner Ritchie moved to approve the recommendation on request for approval of a Plat of Survey for Marywood Farms Inc. located within two miles of the City of Indianola. Commissioner Farris seconded the motion. On roll call the vote was AYES: Freeberg, Ormsby, Soldwisch, Ritchie, Farris, Rabe. Opposed: None. Whereupon the Chairperson declared the motion carried unanimously.

B. Consider recommendation on request for approval of a Plat of Survey for Tim Phillips located within two miles of the City of Indianola.

Mr. Dissell provided an overview.

Commissioner Soldwisch recused herself from this item.

Commissioner Rabe moved to approve the recommendation on request for approval of a Plat of Survey for Tim Phillips located within two miles of the City of Indianola. Commissioner Farris seconded the motion. On roll call, the vote was AYES: Freeberg, Ormsby, Rabe, Ritchie, Farris. Opposed: None. Whereupon the Chairperson declared the motion carried unanimously.

C. Consider recommendation on request for approval of a revised Preliminary Plat for Fox Run Plat 2.

Mr. Dissell provided an overview.
Commissioner Rabe recused himself from this item.
Commission members discussed placement of a trail and access to park land.
Josh Rabe, 311 N B, discussed access points and updated plat.

Commissioner Ormsby moved to approve the recommendation on request for approval of a revised Plat of Survey for Fux Run Plat 2. Commissioner Farris seconded the motion. On roll call the vote was AYES: Freeberg, Ormsby, Soldwisch, Ritchie, Farris Opposed: None. Whereupon the Chairperson declared the motion carried unanimously.

8. Comments

Mr. Disell discussed the Building Permit Report valuation increase.
Brief discussion on rental property guidelines that are coming up for review soon.

- A. Building Permit Report
- B. Current Projects

9. Adjourn

Commissioner Farris moved to adjourn the meeting and Commissioner Ormsby seconded. The meeting was adjourned at 6:23pm.



— PLANNING & ZONING COMMISSION —

NOTICE:

The City of Indianola is committed to maintaining a high level of communication with the community by providing easy-to-access information and materials about government activities and policies.

For those who do not wish to attend meetings in person, the City of Indianola hosts its meetings virtually at:
<https://www.youtube.com/CityofIndianolaiowa>

You may also view the meeting via a zoom webinar (Password: 872448):
<https://us02web.zoom.us/j/87430037984?pwd=UC80RVBnVll1YzZHNUFNakV3T3RFZz09>

Or One tap mobile:

US: +13126266799,87430037984#, *872448# or +16465588656, 87430037984#, *872448#

Or Telephone, dial (for higher quality, dial a number based on your current location):

US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782

Webinar ID: 874 3003 7984

Passcode: 872448

International numbers available: <https://us02web.zoom.us/j/87430037984?pwd=UC80RVBnVll1YzZHNUFNakV3T3RFZz09>

If you have a question or would like to submit a public comment, but are unable to attend the meeting, please do one of the following:

- Call (515) 961-9448 immediately before the public comment or public hearing.
- Submit an electronic public comment form by visiting our website at:
<https://www.indianolaiowa.gov/FormCenter/Community-Development-3/Public-Comment-78>
- Submit an e-mail with your comments to comdev@indianolaiowa.gov
- Submit written comments to:

Planning and Zoning Commission
110 N 1st Street
Indianola, IA 50125

Forms received by 5:00 p.m. on the day of the meeting will be distributed to the Planning and Zoning Commission prior to the meeting. Comments received after the deadline will be sent to the Planning and Zoning Commission as soon as possible.

The City of Indianola is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required, please contact the Community Development Department at least 48 hours in advance at 515-961-9430 or email comdev@indianolaiowa.gov to have reasonable accommodations provided.



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: October 12, 2021

Subject: Consider recommendation on request for approval of a Plat of Survey for Robert and Elizabeth Freese, located at 603 East Hillcrest Avenue.

Recommendation:

Attachments:

1. 1- Staff Report_ Plat of Survey
2. 2- Signed Land-Division-Application
3. 3- Freese - Plat of Survey 2021-09-08



Community Development

110 N. First St., Indianola, IA 50125-0299 • www.indianolaiowa.gov
515-961-9430 • comdev@indianolaiowa.gov

Staff Report

Planning and Zoning Commission

Date of Meeting: October 12, 2021

Agenda Item: 7. A. Consider recommendation on request for approval of a Plat of Survey for Robert and Elizabeth Freese, located at 603 East Hillcrest Avenue.

Application Type: Plat of Survey

Applicant: Mike Brooner of Civil Design Advantage

Current Zoning: A-1, Agricultural/Open Space Zoning District

Comprehensive Plan Designation: Regional Mixed-Use

Application Summary: Request for plat of survey approval to split off the single-family dwelling located at 603 East Hillcrest Avenue.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following sections of the Code of Ordinances of Indianola, Iowa apply to this request:

170.02 JURISDICTION. All plats of survey, plats, replats or subdivisions of land into three (3) or more parts for the purpose of laying out a portion of the City of Indianola, an addition thereto or suburban lots within two (2) miles of the corporate limits of the City for other than agricultural purposes shall be submitted to the Council and the Commission in accordance with the provisions of this chapter and shall be subject to the requirements established herein. This chapter shall regulate the subdividing of land within the City and all land within an area extending two miles beyond the corporate limits in accordance with the provisions of Section 354.9, Code of Iowa.

170.13 DESIGN STANDARDS — LOTS.

1. All lots shall abut on a street or place. Corner lots which abut on a thoroughfare or collector street shall have a minimum radius of 25 feet at the intersection.
2. Sidelines of lots shall approximate right angles to straight street lines and radial angles to curbed street lines except where a variation will provide better lot layout.
3. Lots with double frontage shall be avoided, except in specific locations where good planning indicates their use. In that event a planting screen shall be provided along the rear of the lot.
4. Corner lots shall not be less than 80 feet in width and interior lots shall not be less than 70 feet in width at the building line.
5. Lot depth shall not exceed $2\frac{1}{2}$ times the width.
6. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.

ANALYSIS

Robert and Elizabeth Freese currently own over 50 acres of ground located at 501 and 603 East Hillcrest Avenue. The property owner currently has this ground on the market. The property owner wishes to divide the single-family dwelling located at 603 East Hillcrest off the balance of the ground, placing that single family dwelling on approximately 2.5 acres. All aspects of Chapter 170 would be met; however, the A-1, Agricultural/Open Space Zoning District requires a minimum lot size of 15 acres for single-family dwellings. On September 1, 2021, the applicant received a variance from the Indianola Board of Adjustment to allow for a division of ground for the dwelling at 603 East Hillcrest Avenue on approximately two (2) acres of ground. The comprehensive plan calls for this area as Regional Mixed-Use. Letters were mailed to property owners within 200 feet of this property on October 1, 2021.

ALTERNATIVES

The City of Indianola Planning and Zoning Commission may consider the following alternatives:

- 1) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the plat of survey request be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the plat of survey request, back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.

RECOMMENDATION

Staff recommends that the City of Indianola Planning and Zoning Commission move alternative 1, approving the plat of survey request, as submitted.

LAND DIVISION APPLICATION

Community Development

110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiowa.gov



PROPERTY OWNER

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

APPLICANT (if not Property Owner)

(Last Name) _____
(First Name) _____
(Address) _____
(City) _____ (State) _____ (Zip) _____
(Phone) _____ (Email) _____

☐ PLAT OF SURVEY

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$75 per request
- ☐ Proposed plat of survey (hard copy)
- ☐ Proposed plat of survey (electronic copy)
- ☐ Legal description (electronic in word format)
- ☐ Other Information as required by Director

☐ PRELIMINARY PLAT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$250, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering Costs
- ☐ Proposed preliminary plat (hard copy)
- ☐ Proposed preliminary plat (electronic copy)
- ☐ Legal description (electronic in word format)
- ☐ All items as required by Section 170.09 of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

☐ FINAL PLAT

Submittal Requirements:

*All submittal requirements must be completed.
Incomplete applications will not be considered*

- ☐ Completed Application
- ☐ Filing Fee: \$150, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering Costs
- ☐ Proposed plat of survey (hard copy)
- ☐ Proposed plat of survey (electronic copy)
- ☐ Legal description (electronic in word format)
- ☐ All items as required by Section 170.10 of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

Signature _____

Name (printed) _____

Date _____

FOR OFFICE USE ONLY: Code to 45685 (prelim & final)
Code to 45686 (plat of survey)

Date Received: _____

Receipt No: _____

Receipt Amount: _____

FILE: H:\2021\2108657\DWG\2108657--BOUNDARY.DWG
PLOT DATE: 9/7/2021 9:38 AM
PLOT BY: J. MACKIE

COMMENT:
NONE

PLAT OF SURVEY

INDEX LEGEND

LOCATION: LOT 1, HULEN SUBDIVISION, PT NW FRAC ¼ SECTION 19–76–23, PARCEL ‘AD’ BK 15 PG 5 OF 76–23, PARCEL ‘AJ’ INST. NO. 2017–05744 AND PT PARCEL A & B BK 3 PG 6 OF 76–23

REQUESTOR: ROBERT L AND ELIZABETH H FREESE

PROPRIETOR: ROBERT L FREESE AND ELIZABETH H FREESE, CO–TRUSTEES OF THE ROBERT L FREESE REVOCABLE TRUST U/A/D/ NOVEMBER 8, 2017
ELIZABETH H FREESE AND ROBERT L FREESE, CO–TRUSTEES OF THE ELIZABETH H FREESE REVOCABLE TRUST U/A/D/ NOVEMBER 8, 2017
603 EAST HILLCREST DRIVE
INDIANOLA, IA 50125

SURVEYOR: MICHAEL A. BROONER

SURVEYOR COMPANY: CIVIL DESIGN ADVANTAGE

PREPARED BY & RETURN TO: CIVIL DESIGN ADVANTAGE
3405 SE CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PH: 515–369–4400

PARCEL DESCRIPTION

PARCEL ‘AK’ DESCRIPTION

A PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 76 NORTH, RANGE 23 WEST OF THE 5TH P.M. AND LOT 1, HULEN’S SUBDIVISION, AN OFFICIAL PLAT AND PART OF LOTS ‘A’ AND ‘B’ OF SAID NORTHWEST FRACTIONAL QUARTER AS SHOWN ON THE PLAT OF SURVEY RECORDED IN IRREGULAR BOOK 3, PAGE 6 PF 76–23 AND PARCEL ‘AJ’ OF SAID NORTHWEST FRACTIONAL QUARTER AS SHOWN ON THE PLAT OF SURVEY RECORDED AS INSTRUMENT NO. 2017–05744 ALL BEING IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 87°27’10" EAST ALONG THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 384.49 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01°17’50" EAST, 50.01 FEET TO THE NORTH LINE OF SAID NORTHWEST FRACTIONAL QUARTER; THENCE SOUTH 87°27’10" EAST ALONG SAID NORTH LINE, 297.92 FEET; THENCE SOUTH 00°01’36" WEST, 383.97 FEET; THENCE SOUTH 88°02’11" EAST, 302.25 FEET TO THE WEST LINE OF HILLCREST INDUSTRIAL PARK PLAT 2, AN OFFICIAL PLAT; THENCE SOUTH 00°38’09" WEST ALONG SAID WEST LINE, 439.19 FEET TO THE SOUTHWEST CORNER OF SAID HILLCREST INDUSTRIAL PARK PLAT 2; THENCE NORTH 89°38’34" EAST ALONG THE SOUTH LINE OF SAID HILLCREST INDUSTRIAL PARK PLAT 2; THENCE NORTH 89°31’14" EAST CONTINUING ALONG SAID SOUTH LINE, 442.92 FEET TO THE EAST LINE OF SAID PARCEL ‘A’; THENCE SOUTH 00°02’49" WEST ALONG SAID EAST LINE, 544.80 FEET TO THE SOUTHWEST CORNER OF WILLIAM TERRACE PLAT 1, AN OFFICIAL PLAT; THENCE SOUTH 00°03’39" WEST CONTINUING ALONG SAID EAST LINE, 349.78 FEET TO THE NORTHEAST CORNER OF FOX RUN PLAT 1, AN OFFICIAL PLAT; THENCE NORTH 83°47’24" WEST ALONG THE NORTHERLY LINE OF SAID FOX CREEK PLAT 1 AND THE NORTHERLY LINE OF SUNSET TERRACE PLAT 2, A DISTANCE OF 1077.32 FEET TO THE NORTHWEST CORNER OF SAID SUNSET TERRACE PLAT 2; THENCE NORTH 83°44’44" WEST CONTINUING ALONG SAID SOUTHERLY LINE AND THE SOUTHERLY LINE OF SUNSET TERRACE PLAT 1, AN OFFICIAL PLAT, 359.61 FEET TO THE NORTHWEST CORNER OF SAID SUNSET TERRACE PLAT 1; THENCE NORTH 83°22’26" WEST ALONG THE NORTH LINE OF WAL–MART SUBDIVISION, AN OFFICIAL PLAT AND THE SOUTH LINE OF SAID LOT 1, HULEN’S SUBDIVISION, 357.35 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE NORTH 00°25’18" WEST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 670.03 FEET; THENCE NORTH 00°26’43" WEST CONTINUING ALONG SAID WEST LINE. 835.43 FEET TO THE POINT OF BEGINNING AND CONTAINING 48.35 ACRES (2,106,175 S.F.). PROPERTY SUBJECT TO ROADWAY EASEMENT BEING THE NORTH 50.00 FEET THEREOF, SAID EASEMENT CONTAINS 0.34 ACRES (14,923 S.F.).

PARCEL ‘AL’ DESCRIPTION

A PART OF PARCELS ‘A’ AND ‘B’ OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 76 NORTH, RANGE 23 WEST OF THE 5TH P.M. AS SHOWN ON THE PLAT OF SURVEY RECORDED IN IRREGULAR BOOK 3, PAGE 6 PF 76–23 AND PARCEL ‘AD’ OF SAID NORTHWEST FRACTIONAL QUARTER AS SHOWN ON THE PLAT OF SURVEY RECORDED IN IRREGULAR PLAT BOOK 15, PAGE 5 OF 76–23, ALL BEING IN THE CITY OF INDIANOLA, WARREN COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF HILLCREST INDUSTRIAL PARK PLAT 2; THENCE SOUTH 00°38’09" WEST ALONG THE WEST LINE OF SAID HILLCREST INDUSTRIAL PARK PLAT 2, A DISTANCE OF 380.74 FEET; THENCE NORTH 88°02’11" WEST, 302.25 FEET; THENCE NORTH 00°01’36" EAST, 383.97 FEET TO THE NORTH LINE SAID NORTHWEST FRACTIONAL QUARTER; THENCE SOUTH 87°27’10" EAST ALONG SAID NORTH LINE, 306.42 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.67 ACRES (116,296 S.F.). PROPERTY SUBJECT TO ROADWAY EASEMENT BEING THE NORTH 50.00 FEET THEREOF, SAID EASEMENT CONTAINING 0.35 ACRES (15,308 S.F.).

DATE OF SURVEY

8–25–2021

AREA SUMMARY

PARCEL ‘AK’

TOTAL	48.35 ACRES (2,106,175 S.F.)
ROW	0.34 ACRES (14,923 S.F.)
NET	48.01 ACRES (2,091,252 S.F.)

PARCEL ‘AL’

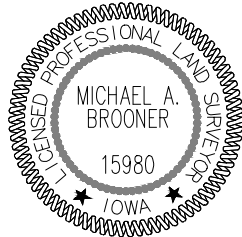
TOTAL	2.67 ACRES (116,296 S.F.)
ROW	0.35 ACRES (15,308 S.F.)
NET	2.32 ACRES (100,988 S.F.)

LEGEND

	FOUND	SET
SECTION CORNER AS NOTED	▲	△
1/2” REBAR, YELLOW PLASTIC CAP#15980 (UNLESS OTHERWISE NOTED)	●	○
MEASURED BEARING & DISTANCE	M	
RECORDED BEARING & DISTANCE	R	
DEEDED BEARING & DISTANCE	D	
CENTERLINE	— — — — —	
SECTION LINE	— — — — —	
EASEMENT LINE	— — — — —	

NOTES

1. THE CITY OF INDIANOLA DIRECTED A PLAT OF SURVEY BE PREPARED FOR THIS DIVISION.
2. AT THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY THERE IS A DISCREPANCY BETWEEN THE DEED DESCRIPTION AND PARCEL A SURVEY VS THE FENCE VS THE PLATS KNOWN AS FOX RUN PLAT 1, SUNSET TERRACE PLAT 2 AND SUNSET KNOLLS. PARCEL A AND SAID PLATS OVERLAP BOUNDARIES. THE EXISTING FENCE DOES NOT CONSISTENTLY MATCH EACH BOUNDARY. THIS SURVEY REPRESENTS THE BOUNDARIES OF SAID FINAL PLATS.



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.

MICHAEL A. BROONER, P.L.S. DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022
PAGES OR SHEETS COVERED BY THIS SEAL:
SHEETS 1–3

PLAT OF SURVEY
ROBERT AND ELIZABETH FREESE

INDIANOLA, IOWA

1/3
2108.657

CIVIL DESIGN ADVANTAGE

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

TECH:
ENGINEER:
REVIEW:

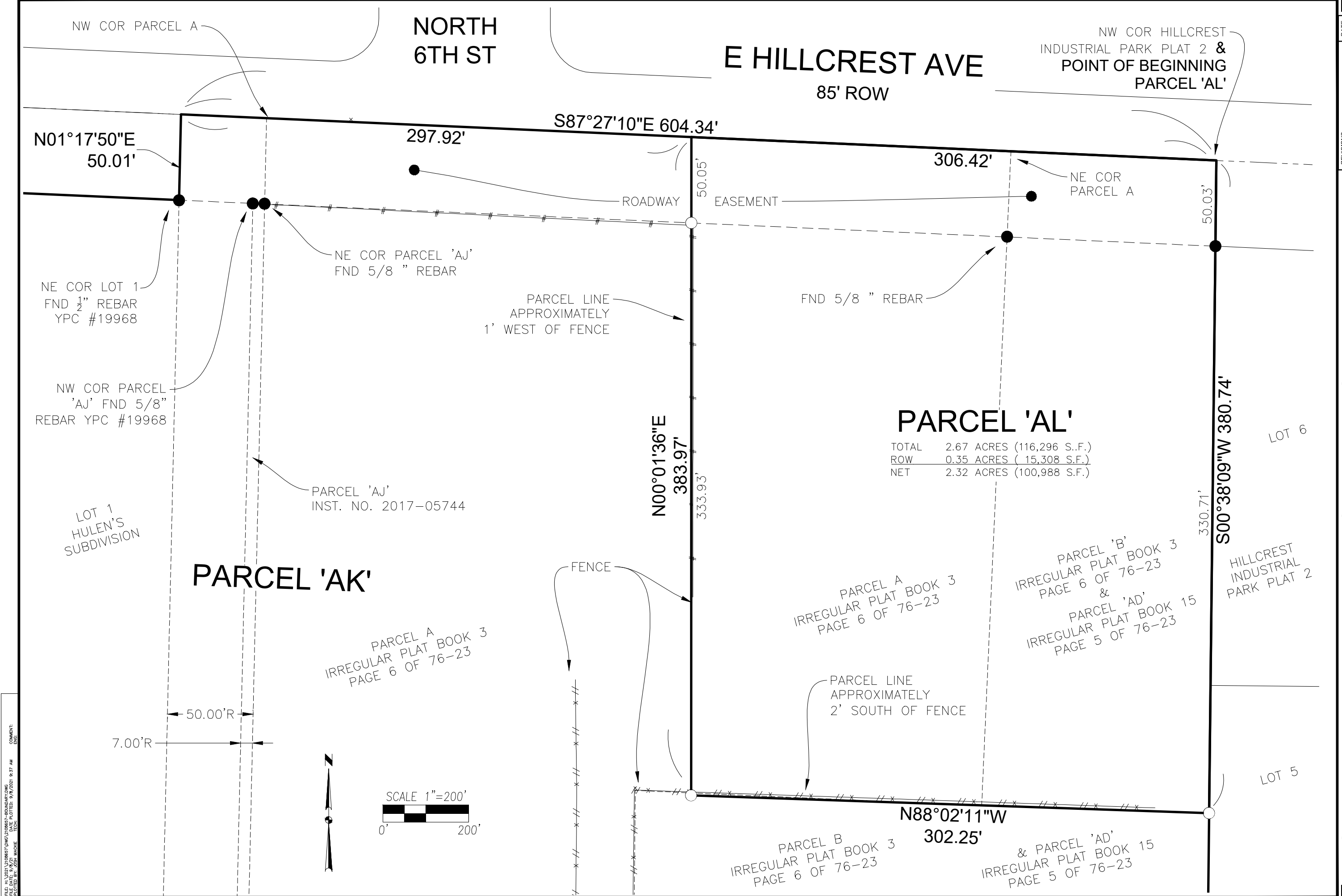
REVISIONS

DATE

REVISED
PREPARED

9-7-21
8-27-21

FILE: H:\2021\2108657\DWG\2108657-BOUNDARY.DWG
DATE: 9/8/2021 9:37 AM
DRAWN BY: J. W. MACKIE
CHECKED BY: J. W. MACKIE



DATE	
9-7-21	8-27-21

REVISIONS	

ENGINEER:	TECH:	REVIEW:

3405 S.E. CROSSROADS DRIVE, SUITE G
GRIMES, IOWA 50111
PHONE: (515) 369-4400 FAX: (515) 369-4410

PLAT OF SURVEY
ROBERT AND ELIZABETH FREESE
INDIANOLA, IOWA

3
3
2108.657



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: October 12, 2021

Subject: Consider request from JK Management LLC for a right-of-way vacation and conveyance of the portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa.

Recommendation:

Attachments:

1. 1- Staff Report_Alley Vacation
2. 2- Alley Purchase JK
3. 3- Public Utility Easement



Community Development

110 N. First St., Indianola, IA 50125-0299 • www.indianolaiowa.gov
515-961-9430 • comdev@indianolaiowa.gov

Staff Report

Planning and Zoning Commission

Date of Meeting: October 12, 2021

Agenda Item: 7. B. Consider request from JK Management LLC for a right-of-way vacation and conveyance of the portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa.

Application Type: Right-of-Way Vacation

Applicant: JK Management, LLC

Application Summary: Request for vacation and conveyance of portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following sections of the Code of Ordinances of Indianola, Iowa apply to this request:

137.01 POWER TO VACATE. When, in the judgment of the Council, it would be in the best interest of the City to vacate a street, alley, portion thereof or any public grounds, the Council may do so by ordinance in accordance with the provisions of this chapter.

137.02 PLANNING AND ZONING COMMISSION. Any proposal to vacate a street, alley, portion thereof or any public grounds shall be referred by the Council to the Planning and Zoning Commission for its study and recommendation prior to further consideration by the Council. The Commission shall submit a written report including recommendations to the Council within thirty (30) days after the date the proposed vacation is referred to the Commission.

137.03 NOTICE OF VACATION HEARING. The Council shall cause to be published a notice of public hearing of the time at which the proposal to vacate shall be considered.

137.04 FINDINGS REQUIRED. No street, alley, portion thereof or any public grounds shall be vacated unless the Council finds that:

1. Public Use. The street, alley, portion thereof or any public ground proposed to be vacated is not needed for the use of the public, and therefore, its maintenance at public expense is no longer justified.
2. Abutting Property. The proposed vacation will not deny owners of property abutting on the street or alley reasonable access to their property.

137.05 DISPOSAL OF VACATED STREETS OR ALLEYS. When in the judgment of the Council it would be in the best interest of the City to dispose of a vacated street or alley, portion thereof or public ground, the Council may do so in accordance with the provisions of Section 364.7, Code of Iowa.

ANALYSIS

The alley proposed to be vacated is an improved alley that currently sits between ground that is owned by the applicant on the east sides, and by Marilyn D. Reinholdt and the Marlene K. Nordhagen Revocable Trust on the west sides. All property owners have agreed to the vacation. As all landowners have agreed to the vacation, the alley proposed to be vacated is no longer needed for the use of the public, and its maintenance at the public's expense is no longer justified. However, the applicant does intend to issue access easements to adjoining property owners. There are currently public utilities located in these alleys.

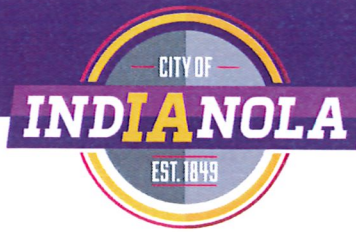
ALTERNATIVES

The City of Indianola Planning and Zoning Commission may consider the following alternatives:

- 1) The City of Indianola Planning and Zoning Commission recommends of the right-of-way vacation request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the right-of-way vacation request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the right-of-way vacation request be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the right-of-way vacation request, back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.

RECOMMENDATION

Staff recommends that the City of Indianola Planning and Zoning Commission move alternative 2, approving the right-of-way vacation request with the condition that a Public Utility Easement be granted to the City prior to the vacation being executed.



COMMUNITY DEVELOPMENT

Agreement to Purchase Alley

JK MANAGEMENT, LLC requests to purchase the alley legally described as:

The undersigned owns the property adjacent to the alley legally described above and agrees to purchase the alley.

Name Justin Kappelman Address 510 W 2nd Ave Date 9/22/2021
Justin Kappelman

\$200.00 Fee

Receipt No#: _____

When Recorded Return to:

City of Indianola, Iowa
Attn: City Clerk
110 North 1st Street
Indianola, IA 50023

Preparer Information: Amy S. Beattie, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266

Phone: 515-274-1450

PUBLIC UTILITY EASEMENT

The undersigned, City of Indianola, Iowa, hereinafter referred to as "Grantor", in consideration of the sum of one dollar (\$1.00), and other valuable consideration, does hereby sell, grant and convey unto the City of Indianola, Iowa, a municipal corporation, in the County of Warren, State of Iowa, hereinafter referred to as "Grantee" or "City", a permanent easement under, through, and across the following described real estate:

A portion of the north/south alley that lies west of Lots 15 and 16 of the Plat of Jones and Windles Addition to Indianola, Warren County, Iowa.

The above described easement is granted unto the City of Indianola, Iowa, for the purpose of constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining the following public improvements:

Public Utilities

1. Erection and Placement of Structures, Obstructions, Plantings or Materials Prohibited. Grantor and its grantees, assigns and transferees shall not erect any fence or other structure under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City, nor shall Grantor cause or permit any obstruction, planting or material to be placed under, over, on, through, across or within the Easement Area without obtaining the prior written consent of the City.

2. Change of Grade Prohibited. Grantor and its grantees, assigns and transferees shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City. The City shall have the right to restore any changes in grade, elevation or contour without prior written consent of the Grantor, its grantees, assigns or transferees.

3. Right of Access. The City shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area from property adjacent thereto as herein described, including but not limited to, the right to remove any unauthorized fences, structures, obstruction, planting or material placed or erected under, over, on, through, across or within the Easement Area.

4. Property to be Restored. The City shall restore the Easement Area after exercising its rights hereunder, provided, however, that the City's duty of restoration shall be limited to grading and replacing grass, sod or any other ground cover (but not including any structures, trees or shrubs). The City shall not be responsible for any construction, reconstruction, replacement, repair or maintenance of any improvements located within the Easement Area.

5. Liability. Except as may be caused by the negligent acts or omissions of the City, its employees, agents or its representatives, the City shall not be liable for injury or property damage occurring in or to the Easement Area, the property abutting said Easement Area, nor for property damage or any improvements or obstructions thereon resulting from the City's exercise of this Easement.

6. Easement Benefit. This Easement shall be for the benefit of the City, its successors and assigns, and its permittees and licensees.

7. Easement Runs with Land. This Easement shall be deemed perpetual and to run with the land and shall be binding on Grantor and on Grantor's heirs, successors and assigns.

IN WITNESS WHEREOF, we have hereunto affixed our hands this ____ day of _____ 2021.

CITY OF INDIANOLA, IOWA

By: _____
Pam Pepper, Mayor

Attest:

By: _____
Andrew J Lent, City Clerk

STATE OF IOWA, COUNTY OF WARREN, ss:

On the ____ day of _____ 2021, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Pam Pepper and Andrew J. Lent, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of Indianola, Iowa, a municipal corporation; that the seal affixed to the above and foregoing instrument is the corporate seal of said municipal corporation and the said Pam Pepper and Andrew J. Lent acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of said municipal corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: October 12, 2021

Subject: Consider request from Diligent Development to rezone property located at 1909 South K Street from A-1 (Agricultural/Open Space Zoning District) to R-1 (Single-Family Residential Detached Zoning District).

Recommendation:

Attachments:

1. 1- Staff Report_Rezoning
2. 2- 202109231548
3. 3- CC2450 Rezoning Sketch 9-23-2021



Community Development

110 N. First St., Indianola, IA 50125-0299 • www.indianolaiowa.gov
515-961-9430 • comdev@indianolaiowa.gov

Staff Report

Planning and Zoning Commission

Date of Meeting: August 10, 2021

Agenda Item: 7.3. Consider request from Diligent Development to rezone property located at 1909 South K Street from A-1 (Agricultural/Open Space Zoning District) to R-1 (Single-Family Residential Detached Zoning District).

Application Type: Rezoning

Applicant: Diligent Development

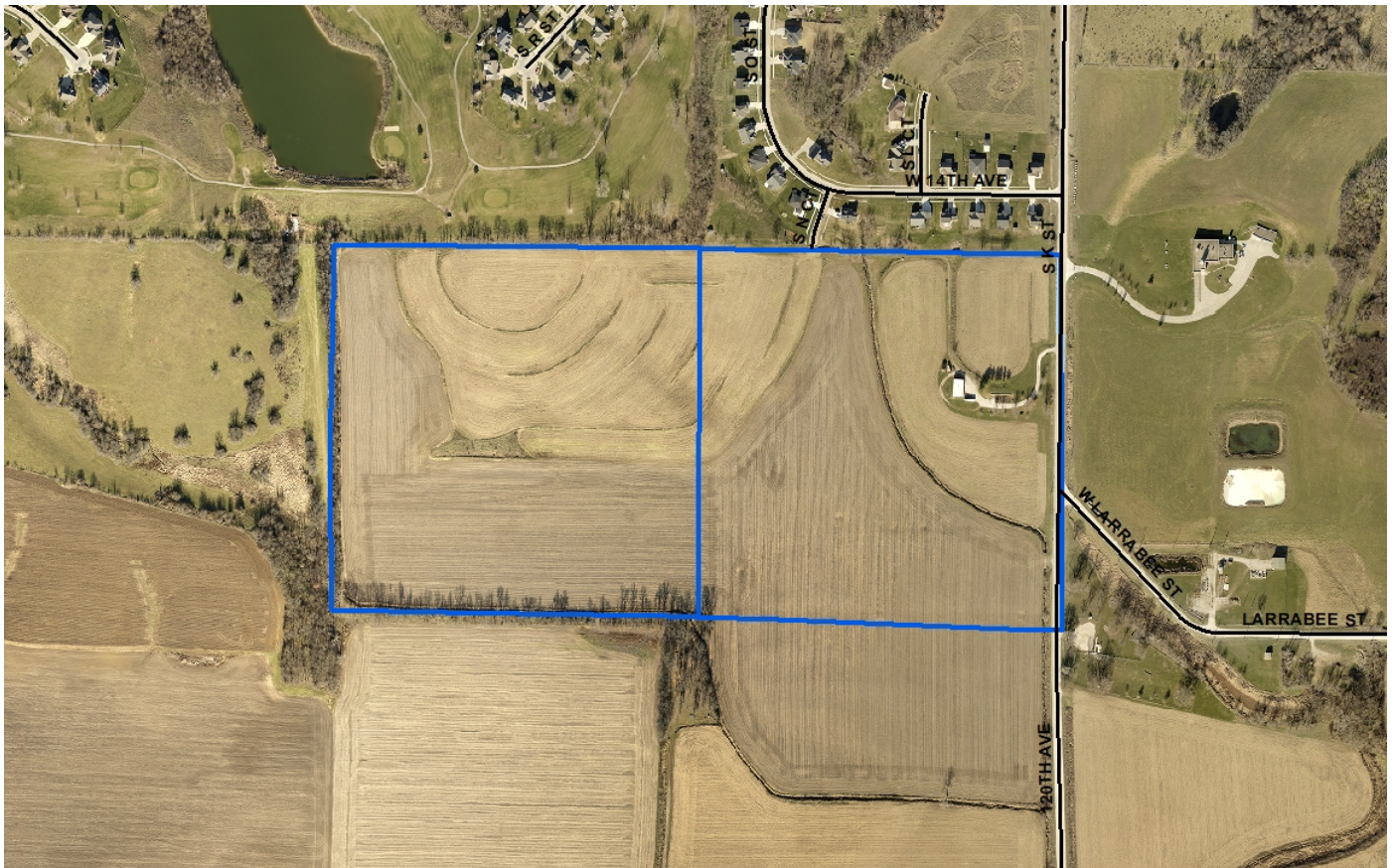
Property Owner: Elaine M Brown

Current Zoning: A-1, Agricultural/Open Space Zoning District

Comprehensive Plan Designation: Low Density Residential

Application Summary: Request for to rezone approximately 82 acres of land currently located in the A-1, Agricultural/Open Space Zoning District to the R-1 Single-Family Residential Detached Zoning District

AERIAL MAP



APPLICABLE CODE SECTIONS

The following sections of the Code of Ordinances of Indianola, Iowa apply to this request:

165.02(5). AMENDMENTS

The City Council may, from time to time, on its own action or on petition, after public notice and hearings as provided by law, and after report by the Zoning Commission, amend, supplement, or change the boundaries or regulations herein or subsequently established, and such amendment shall not become effective except by the favorable vote of a majority of all the members of the Council. The procedures for amendment are as follows:

A. Request by Petition

Whenever any person desires that any amendment, or change be made in the Zoning Ordinance, including the text and/or map, as to any property covered by the Zoning Ordinance, and there is presented to the Council a petition requesting such change or amendment and clearly describing the property and its boundaries as to which the change or amendment is desired, duly signed by the owners of fifty percent (50%) of the area of all real estate included within the boundaries of said tract as described in said petition, and in addition, duly signed by the owners of fifty percent (50%) of the area of all real estate lying outside of said tract but within two hundred (200) feet of the boundaries thereof, and intervening streets and alleys not to be included in computing such two hundred (200) feet, it is the duty of the Council to receive and refer the request to the Zoning Commission for its review and consideration at a duly noticed public meeting in accordance to the Commission's rules of procedures and the noticing requirements contained herein. The findings and recommendations of the Zoning Commission shall then be forwarded to the City Council for consideration and action.

B. City Council Referral

The owner of a property may submit a written request to the Zoning Administrator for their property to be rezoned. If the requested rezoning is not consistent with the adopted Comprehensive Plan, the property owner may further request the Comprehensive Plan be amended as part of the requested rezoning. The Zoning Administrator will then present this request to the City Council, who, at their discretion, may adopt a motion to refer the request to the Zoning Commission for consideration at a duly noticed public meeting in accordance with their procedures and the noticing requirements contained herein. The findings and recommendations of the Zoning Commission shall then be forwarded to the City Council for consideration and action. The City Council may further by motion forward their own request to the Zoning Commission to review and consider an amendment to the adopted Comprehensive Plan, the rezoning of a given property or properties, or amendments to the zoning regulations.

C. Zoning Commission Disapproval or Protest Petition

In case the proposed amendment, supplement or change is disapproved by the Zoning Commission, or a protest is presented duly signed by the owners of twenty percent (20%) or more either of the area of the lots included in such proposed change, or of those immediately adjacent in the rear thereof, extending the depth of one lot or not to exceed two hundred (200) feet therefrom, or of those directly opposite thereto, extending the depth of one lot or not to exceed two hundred (200) feet from the street frontage of such opposite lots, such amendment shall not become effective except by the favorable vote of at least three-fourths (¾) of all members of the Council. Whenever any petition for amendment, supplement or change of the zoning districts or regulations herein contained or subsequently established has been denied by the Council, then no new petition covering the same property or the same property and additional property shall be filed with or considered by the Council until one year shall have elapsed from the date of filing of the first petition.

D. Public Hearing Noticing

Not less than seven nor more than 20 days' notice of the time and place of the City Council hearing to consider any proposed amendment or change in the Zoning Ordinance or zoning district boundaries shall be published in a newspaper having general circulation in the City. The Commission shall not make any recommendation to the Council on an amendment to any zoning district boundaries until a sign 18 inches by 24 inches indicating the amendment requested has been prepared and posted by the City in a visible location on the premises for a period of 10 days. Notice of the Commission meeting shall be mailed by first class mail 10 days prior to the meeting to all property owners within 200 feet of the boundary of the property requesting an amendment to its zoning district boundaries.

ANALYSIS

On September 23, 2021, the property owner applied for rezoning of the subject property. This application was presented to the City Council at its meeting on October 4, 2021, where the City Council adopted a resolution to refer the request to the Zoning Commission for consideration.

The proposed rezoning is being requested to facilitate a future residential development. The last concept for this property submitted by the applicant proposes lots being developed outside of the identified floodplain that is located on the property. A portion of the lots would be along a cul-de-sac, located on the east portion of this property, which would take access off South K Street. South K Street is a gravel surfaced road; however, the city is currently designing the paving of this road up to West 2nd Avenue, with construction proposed to start in the spring of 2023. Most of the lots, located on the west portion of this property, would take access through South N Court, which is currently stubbed in on the south side of the existing Deer Creek subdivision. South N Court intersects with West 14th Avenue. This property is bordered by Deer Creek Subdivision (R-1 zoning) and Deer Run Golf Course (PUD zoning) on its north side, the Indianola Water Treatment Plant and Richard Downey Memorial Park (both zoned A-1) on its east side, unincorporated/vacant agricultural land, located in floodplain, on its south side, and unincorporated/undeveloped ground on its west side.

Elevate Indianola, the City's Comprehensive Plan, identifies this property as Low Density Residential. Low Density Residential calls for 2-5 dwelling units per gross acre and includes single-family detached dwellings and accessory dwelling units. Additionally, innovative/non-traditional single-family forms may be allowed if compatibility standards are met. Elevate Indianola also calls for a future minor arterial road to be placed along the south side of this proposed development, which would connect South K Street to R-63 Highway west of this development.

The City has an 8" PVC sanitary sewer main just north of this property, as well as a 12"-15" clay main that traverses through this property along the east side of the drainage way. There are plans to upgrade the sizing of this 12"-15" sanitary main which would then provide for greater capacity to assist with this development. There is an 8" PVC water main stubbed into South N Court, as well as a 20" main in South K Street, adjacent to this property, which can service this property.

A notification sign was placed on this property on September 30, 2021 and notification letters were sent out to property owners within 200' on October 1, 2021. If the rezoning were to be approved, any proposed development would be subject to all subdivision requirements of the City of Indianola.

ALTERNATIVES

The City of Indianola Planning and Zoning Commission may consider the following alternatives:

- 1) The City of Indianola Planning and Zoning Commission recommends the rezoning request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the rezoning request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the rezoning request be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the rezoning request, back to the applicant and/or staff for further review and/or modifications and directs staff to place this item on a future Planning and Zoning agenda.

RECOMMENDATION

Staff recommends that the City of Indianola Planning and Zoning Commission move alternative 1, approving the rezoning request as submitted.

LAND USE CHANGE APPLICATION

Community Development

110 North 1st Street, Indianola, Iowa 50125-0299
(515) 961-9430 • comdev@indianolaiaowa.gov



PROPERTY OWNER

(Last Name) Brown
(First Name) Elaine
(Address) 1010 Robin Glen Drive
(City) Indianola (State) IA (Zip) 50125
(Phone) _____ (Email) _____

APPLICANT (if not Property Owner)

(Last Name) Diligent Development
(First Name) _____
(Address) 12119 Stratford Drive, Ste. B
(City) Clive (State) IA (Zip) 50325

☐ COMPREHENSIVE PLAN AMENDMENT

Submittal Requirements:

All submittal requirements must be completed. Incomplete applications will not be considered

- ☐ Completed Application
- ☐ Property Address: _____
- ☐ Filing Fee: \$225
- ☐ Current Designation: _____ Proposed Designation: _____
- ☐ A plat showing the locations, dimensions and use of the property and all property within two hundred (200) feet thereof, including streets and other physical features
- ☐ Written justification for proposed amendment
- ☐ Other Information as required by Director

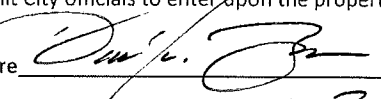
☒ REZONING

Submittal Requirements:

All submittal requirements must be completed. Incomplete applications will not be considered

- ☒ Completed Application
- ☒ Property Address: N 1/2 SE 1/4 35-76-24
- ☒ Filing Fee: \$250
- ☒ Current Zoning: A1 Proposed Zoning: R1
- ☒ Legal description (electronic in word format)
- ☒ All items as required by Section 165.02(5) of the Code of Ordinances of Indianola, Iowa
- ☐ Other Information as required by Director

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owner(s) of the property. Pursuant to said authority, I hereby permit City officials to enter upon the property for the purpose of inspection related to this application.

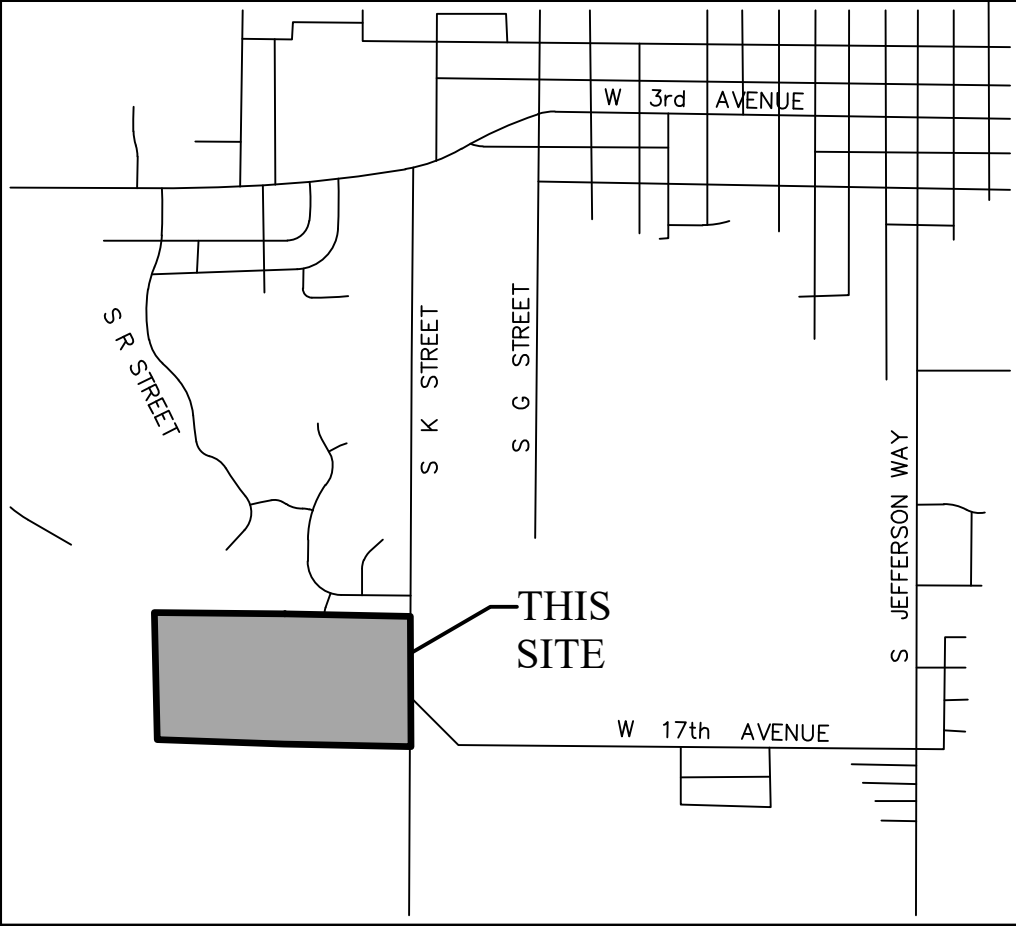
Signature 
Name (printed) DAVID A. BROWN

Date 9/23/21

FOR OFFICE USE ONLY: Code to 45989 (Rezoning)
45681 (Comp Plan)

Date Received: _____
Receipt No: _____
Receipt Amount: _____

REZONING SKETCH
BROWN
PROPERTY



VICINITY SKETCH
NORTH
SCALE: 1"=2,000'

OWNER
ELAINE M. BROWN
c/o JUDY ANTHONY
1010 ROBIN GLEN DRIVE
INDIANOLA, IOWA 50125

APPLICANT
DILIGENT DEVELOPMENT
12119 STRATFORD DRIVE, SUITE B
CLIVE, IOWA 50325

ZONING
EXISTING: A-1 AGRICULTURAL
PROPOSED: R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

LAND USE
EXISTING: AGRICULTURAL
PROPOSED: SINGLE FAMILY RESIDENTIAL

LEGAL DESCRIPTION
THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 76 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF INDIANOLA, WARREN COUNTY, IOWA, CONTAINING 82.204 ACRES MORE OR LESS.

- LEGEND
- PLAT BOUNDARY
 - SECTION CORNER
 - FOUND CORNER AS NOTED
 - SET CORNER 5/8" IR W/ YELLOW CAP #13156
 - IRON ROD
 - GAS PIPE
 - DEEDED DISTANCE
 - MEASURED DISTANCE
 - PREVIOUSLY RECORDED DISTANCE
 - PUBLIC UTILITY EASEMENT

COOPER CRAWFORD
& ASSOCIATES, L.L.C.
CIVIL ENGINEERS

475 S. 50th STREET, SUITE 800, WEST DES MOINES, IOWA 50265
PHONE: (515) 224-1344 FAX: (515) 224-1345

DATE: 9-23-2021
REVISIONS:

0 100 200
SCALE: 1"=200'

APPROVED: ---
INITIALED: ---
AS-BUILT: ---

REZONING SKETCH
BROWN PROPERTY

DATE: 9-23-2021
JOB NUMBER
CC
2450

SHEET
1 OF 1

PROPERTY OWNERS DEER CREEK PLAT 1	
LOT 1	ANTHONY & KATIE MANCUSO 1301 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 2	ROBERT & LINDA ARRINGTON 1303 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 3	MARK & AMY SICKELS 1305 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 4	KENNETH & SUMMER HERRING 1307 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 5	DOUG BERMINGHAM 1309 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 6	JOSHUA & SARAH GRIFFITH 1401 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 7	MIKAYLA STRUEBING & BLAKE ROUSH 1405 W 14th AVENUE INDIANOLA, IOWA 50125
LOT 8	MONTY & MARCY HAHN 1319 S O STREET INDIANOLA, IOWA 50125
LOT 9	BRIANNE & MATTHEW KOCH 1317 S O STREET INDIANOLA, IOWA 50125
LOT 10	KEN & LINDA GRENZ 1315 S O STREET INDIANOLA, IOWA 50125

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MEMORANDUM

To: Planning and Zoning Commission

From:

Date: October 12, 2021

Subject: Discussion and direction on regarding proposed residential rental housing ordinance and program.

Recommendation:

Attachments:

1. 1- Housing Rental Code Memo
2. 2- Full Survey Results October 2021
3. 3- Rental Housing Inspection Checklist_2
4. 4- Residential Rental Code



COMMUNITY DEVELOPMENT

To: Planning and Zoning Commission
From: Emily Rizvic, Planning Intern
Charlie Dissell, Director
Date: October 8, 2021
Subject: Consideration and Adoption of Residential Rental Codes in the City of Indianola

Background

Iowa Code 364.17 “City Housing Codes” requires cities with a population of fifteen thousand (15,000) or more to adopt by ordinance a residential rental code. This code includes programs for regular rental inspections, inspections upon receipt of complaints, and certification of inspected rental housing.

The 2020 population counts from the United States Census Bureau determined that the city’s population is roughly 15,800. To become compliant with Iowa Law, property owners, their agents and others who rent out residential dwelling or sleeping units would be required, upon adoption, to follow the Residential Rental Code within the corporate limits of the City of Indianola.

Methodology

A comparison of ordinances established by municipalities with a population of 15,000 or higher was conducted by Community and Economic Development Staff. Additionally, a survey was sent to municipalities within Iowa regarding their rental housing code which received 16 responses. The following are a list of ordinances and survey responses that have been reviewed:

- Adel
- Altoona
- Ames
- Ankeny
- Cedar Rapids
- Clive
- Des Moines
- Dubuque
- Grinnell
- Grimes
- Iowa City
- Johnston
- Marshalltown
- Newton
- Norwalk
- Pella
- Sioux Center
- Urbandale
- Waukee
- West Des Moines

Additionally, residents of Indianola, particularly those that participate in the rental housing community, were surveyed to collect input and feedback on existing conditions within the rental housing community. A total of 95 responses were collected in this survey and is attached.

Exemptions

Unless indicated otherwise, all rental properties would be subjected to the Residential Rental Code. Exemptions are made for circumstances where state licensing is required and issued. The following are exemptions that are outlined within the proposed code:

- Transient shelters and group homes which are subjected to state licensing. State code currently has jurisdiction towards these types of facilities
- Dormitories which are subjected to inspections by the State Fire Marshall
- Hotels, motels, extended stay hotels and other similar uses. State code currently has jurisdiction towards these types of facilities

Transient shelters, group homes, hotels, motels, extended stay hotels or guest lodging where occupants would reside for less than thirty-one (31) days are governed by state licensing and other requirements or regulations and thus are not included within this proposed chapter.

Many other municipalities within Iowa include exemptions for those rental properties where the owner's immediate family is occupying the unit. The City of Des Moines is currently undergoing a revision of this provision to require these units to be inspected and registered, stressing the importance for the city's existing housing stock to be well maintained and managed and to provide safe and healthy housing.

What Provisions are Required to be Adopted?

Iowa Code 364.17 outlines the requirements and power that cities have in adopting city housing codes and rental codes. The code specifies the following requirements to be adopted in order to be compliant with State law:

- Regular Rental Inspections
- Rental Inspections upon the receipts of complaints
- Certification of inspected rental housing
- A housing code, such as the following:
 - National Healthy Housing Standard by the American Health Association
 - Uniform Building Code by the International Conference of Building Officials (ICBO)
 - Standard Housing Code by the Southern Building Code Congress International
 - Housing Quality Standards by the U.S Department of Housing and Urban Development (HUD)
 - Or another housing code which provisions are more stringent than those in the model housing code it adopts or to which it is subjected to (364.17.7)

The City of Indianola currently has the 2018 International Property Maintenance Code adopted. It is proposed to reference this housing code for rental properties. This code can be found in Chapter 154 *Property Maintenance Code* of the City of Indianola Code of Ordinances.

Inspections

In order to be compliant with State law requirements, regular inspections are proposed for all rental units, existing and proposed and would be conducted every two years. Inspections may become more frequent or infrequent depending on the following factors:

- Age and condition of dwelling
- Inspection history
- Tenant/management complaints
- Natural disasters such as flooding
- Timely inspection scheduling, follow-up, and fee payment by the owner
- In-house inspection and maintenance program by the owner that includes specific life and safety provisions

Inspections will be scheduled by the applicant through the city with twenty-four hour notification prior to scheduling. The owner and/or agent is required to notify the tenant of the inspection in accordance with Chapter 562A of Iowa Code titled *Uniform Residential Landlord and Tenant Law*. Additionally, inspections may not be conducted in the following circumstances:

- When a minor is serving on the behalf of the owner and/or agent
- When the inspection is against the will of the tenant without the building owner and/or agent present
- When no prior notice is given to the tenant, as required by state law (Chapter 562A)
- Without the either the owner and/or agent. Tenant of the dwelling, or the designated agent being present

In the event that entry is refused, the City Attorney or their designee may make an application for an administrative search warrant in the name and authority of the city, as provided by law. Administrative search warrants are to ensure safe and healthy living accommodations if a property owner refuses entry. Administrative search warrants are required if refused entry as established in *Camara v. Municipal Court*, 387 U.S. 523 (1967). Currently, the City of Des Moines codifies administrative search warrants into their rental housing code.

Rental Inspection Certificates

In order to meet State requirements, provisions regarding the certification or licensing of inspected rental housing is proposed. **Figure 1** shows a step by step process of the certification process. The following are summaries of regulations proposed for codification.

- Registration – Rental properties will be required to register all rental units that they manage, own, or oversee. Registration initiates the certification process and provides the City with

contact information to notify landlords of when certificates are expired or know who to contact when mediating disputes on alleged violations

- **Duration and Validation** – Certificates expire at the end of two (2) years following its date of issuance, or from the listed expiration date, unless revoked or suspended. Certificates are revoked if not renewed within thirty (30) days from the date of expiration. Renewal includes an inspection of rental property for compliance with the proposed ordinance
- **Transfer of Ownership** – When ownership of units or rental properties is proposed to be transferred, a ninety-six (96) hour notice is required to the City. Succeeding property owners will have 30 days to reregister the rental property. Re-inspection is not required unless the certificate on the rental property has expired or the succeeding property owner fails to re-register the property within 30 days
- **New Units** – New construction projects which have received a final inspection approval will not be required to complete an inspection for a period of two years from the issue date of their previous permit but will still need to register their property and provide contact information to the City

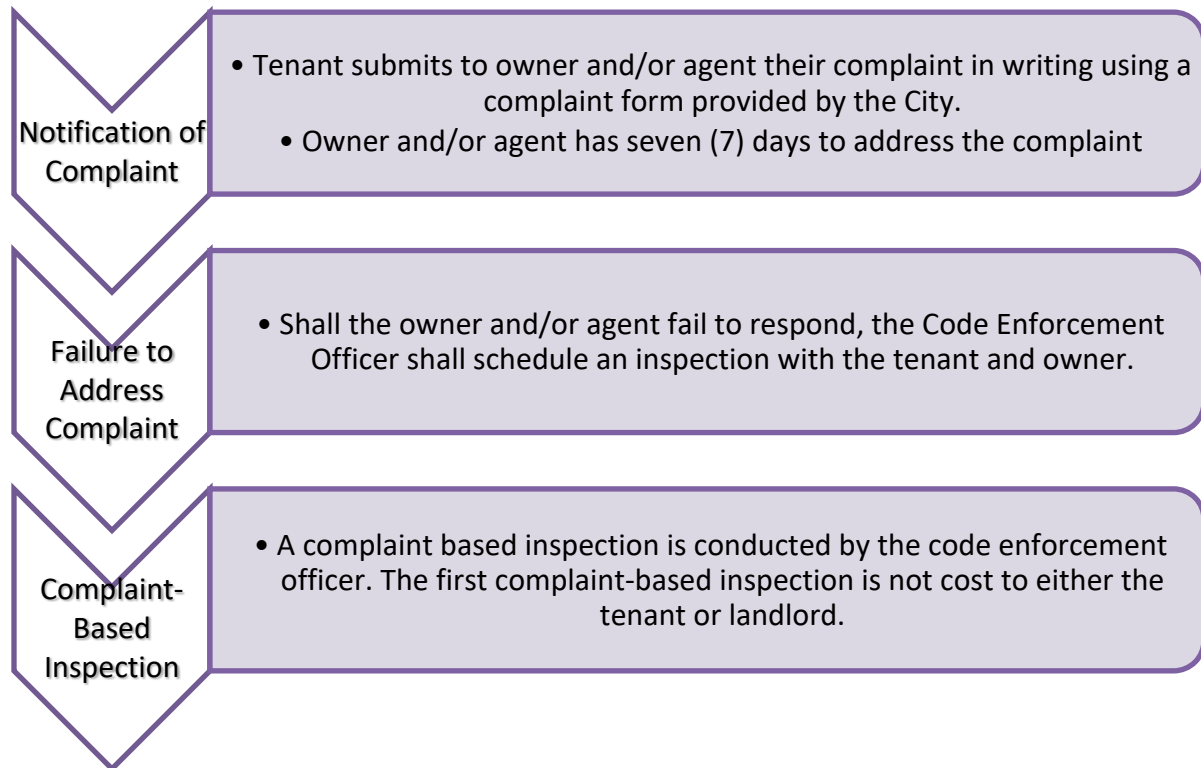
Figure 1: Proposed Rental Registration and Certification Process



Complaints and Rent Collections

In order to meet State requirements, provisions regarding rental inspections upon receipt of complaints is also required. As a result, the following is proposed. The city will intervene in complaints in the event that there are significant concerns regarding health, safety, or general welfare. The proposed complaint process can be shown in **Figure 2**.

Figure 2: Shows the proposed complaint process.



Additionally, it is proposed for no retaliation clauses to be included within the provisions of this ordinance. No retaliation clauses ensure that actions such as eviction does not occur as a result of an individual filing a complaint nor that services, facilities, equipment, or utilities be removed, shut off, or discontinued in retaliation to a complaint.

Lastly, it is proposed that rent cannot be recoverable by the owner or lessee of any unit which does not comply with the provisions within this ordinance for any period of occupancy which commences on or after the date that the City provides notice to the owner and tenant of the provisions of the chapter. Rent remains unrecoverable until the City provides written notice to the owner and occupant that such dwelling unit has been issued a valid inspection certificate.

Crime Free Multi-Housing Program

The Crime Free Multi-Housing Program is a program in effort to reduce the occurrence of crime that occurs on rental properties. The goal for such program would be to reduce crime and create a safer and more desirable environment for families to live and assist in the enforcement of criminal activity that may occur in multi-housing properties. A number of cities within Iowa

are enrolled in the program, with most having the program voluntary for rental properties and only some cities making the program mandatory. A brief list can be viewed here:

- Ames
- Ankeny
- Cedar Rapids
- Council Bluffs
- Des Moines
- Iowa City
- Johnston
- Newton
- Urbandale
- Waukee

The first phase of the program includes an eight hour training program, which upon completion, landlords, owners, and/or agents will receive a certification for completing this phase. The City of Ames recently conducted the first phase of their voluntary program. Some of the training that the program covered included the following:

- Building inspection issues
- Combating illegal activity
- Fire safety and prevention
- City partnerships
- Understanding city & state codes
- Background and other security checks
- Physical security crime prevention through environmental design
- Rental agreements
- Active property management
- Lease addendum's
- Evictions

The second phase includes crime prevention through environmental design. This refers to the safety features that are provided on the rental property, such as deadbolt locks, 180 degree eye-viewers, slide lock on sliding glass doors, adequate security lighting, landscaping for visual lines, and visible addresses posted on each building and apartment door. The last phase includes a tenant safety social, where the police department goes over general safety principles and crime prevention tactics with the residents of the rental property.

Alternatively, the program has seen legal challenges. Pending cases such as *Jones et al. v City of Faribault* claims that the practice violates the Fair Housing Act and the Equal Protection Clause of the 14th Amendment. In the survey that was conducted between Iowan municipalities, approximately twelve (12) answered that they do not have this code adopted and of the 4 that do, two (2) has property owners and managers join the program voluntarily. It is recommended that if a crime-free housing ordinance was enacted in the future, that such program is voluntary.

Violations

In the event that provisions within this chapter are violated, the Community and Economic Development Department may issue an order requiring the property owner and/or agent to correct violations within a reasonable amount of time. The City must also give notice and detail the violation(s) so that the property owner and/or agent may correct said violation(s).

Appeals and Variances

Variances to provisions within the zoning code regarding adopted housing code standards or other codes promulgated within this chapter may be recommended for approval by the Board of Adjustment to the City Council.

Additionally, the proposed code allows for the Board of Adjustment to hear appeals. Applicants can appeal denials to certificate applications, revocations, and suspensions. It is recommended in the future to consider the establishment of a Housing Appeals Board as an appropriate body to appeal to or hear cases relevant to housing in Indianola.

Community Meetings

A total of three (3) community meetings were organized in regard to the Rental Housing Code. The first meeting was organized on August 5th, 2021 and focused on tenants. A total of four (4) individuals showed up to this meeting. On August 12th, staff met with landlords where approximately 50 individuals came. A third meeting was organized after interest was indicated and was hosted on September 30th.

Tenant Meeting – August 5th

At the tenant meeting, tenants indicated a need for overall safety and wellbeing in rental housing, including fire safety. Tenants also indicated a concern over accessibility in multi-family housing, particularly ADA-Compliant parking and pathways.

Landlord/Property Owner Meetings - August 12th and September 30th

At the landlord meeting, landlords and property owners raised concerns over code language for radon levels in home. As the code is written, testing is not required for radon levels. Currently, Iowa City is the only city in Iowa that tests single-family and duplex properties for radon levels and required mitigation if radon levels are above the federal EPA hazard exposure level of 4pCi/L. This program began in July of 2021.

Additionally, landlords raised concerns over proposed language regarding requiring locks to be changed or rotated following a change in tenancy.

Board of Adjustment Meeting- October 6th

At its monthly meeting, the Board of Adjustment reviewed the proposed rental code and inspection checklist. Discussion took place on the landlord's comments received at the September 30th meeting regarding the proposed code on radon mitigation and locks being changed out. The Board of Adjustment proposed the following alternatives:

Radon- There was concern on the costs of this to landlords, as well as some unknowns regarding radon gas. The Board proposed that language be amended to state that if a landlord decides to not mitigate radon over 4pCi/L, that the tenant be given an option to break their lease agreement.

Locks- The Board of Adjustment proposed to modify language that would state "Following each change in tenancy, and at the request of the tenant, locking devices on dwelling unit entry doors shall be changed or rotated."

Recommended Resources for Rental Property Owners and Tenants

The following are resources that could be created for property owners and tenants to inform them on the code update and help walk them through the process or that already exist within proximity to the City of Indianola.

- A housing inspection checklist – Many cities create a safety inspection checklist for property owners and landlords to inform them of what the housing inspector will be looking for during the inspection. A copy of this checklist is provided as an attachment
- Designated webspace on the City of Indianola website that addresses frequently asked questions and provides all resources and information needed for both tenants and landlords. Additionally, a copy of the rental housing code and tenant landlord act would be provided
- HOME, Inc. – HOME, Inc. provides resources and education to both landlords and tenants regarding the Tenant Landlord Act and provides housing counseling

There are additional resources that span from addressing issues such as lead-based paint, asbestos, and smoke-free housing. These resources have been collected by staff and are being implemented into a rental guidebook.

Lastly, through survey and discussions made during community meetings regarding the rental housing code, both tenants and landlords indicated that they are interested in a program or training that covers the rental housing code and rights promulgated in the Tenant and Landlord Act. The full survey results are provided as an attachment.

Recommendations

The Community Development staff put forth the following recommendations:

1. Focus priorities in increasing or keeping the existing rental unit stock rather than minimizing the supply of this housing type. Enforcement procedures should focus on improving housing conditions rather than displace persons from their homes and/or shelter
2. Consider establishing a Housing Appeals Board to hold hearings
3. If participation in the crime-free multi-housing program is proposed, consider having landlords participate voluntarily in a crime free multi-housing program rather than mandating participation
4. Create and make accessible a safety inspection checklist for property owners/managers and landlords to prepare for rental housing inspections
5. Establish and actively share resources and guides for landlords, tenants, and other stakeholders in regard to renting in Indianola, conducting and passing inspections and designate webspace on the City website to host such materials and resources
6. Consider having the code enforcement officer join as an active member of the Iowa Association of Code Enforcement
7. Actively work with stakeholders in the community during the adoption and future code amendments of the rental code
8. Participate in the annual National Lead Poisoning Prevention week by spreading information and resources to the community and increase awareness and utilize their public engagement tools such as the Social Media Guide and Partner Information Kit
9. Organize an event or collaborate with local non-profits to conduct an annual program for tenants and landlords to educate on the rental housing code and Tenant Landlord Act
10. When a fee schedule is adopted for the rental inspection program, it is recommended to not charge a complaint-based fee towards landlords or tenants

Full Survey Results

City of Indianola, Iowa | October 2021

Full survey results regarding conditions within the rental housing community and market in the City of Indianola, Iowa. This survey was administered by the Community Development Department



Full Survey Results

A total of twenty-four (24) responses were received from property owners, managers, and landlords.

Q1 HOW MANY RENTAL UNITS WITHIN INDIANOLA DO YOU OWN/MANAGE?

ANSWERED: 24 SKIPPED: 0

Number of units owned by each property owner/manager	Responses	%
1 unit	10	41.6
2 units	4	16.6
3-5 units	3	12.5
6-9 units	3	12.5
10-20 units	1	4.16
21-30 units	0	0
31-50 units	1	4.16
More than 50 units	2	8.3

Q2 WHAT TYPES OF UNITS DO YOU MANAGE/OWN WITHIN THE CITY?

ANSWERED: 24 SKIPPED: 0

Type of Units	Responses	%
Single-Family Dwellings	18	75
Two-Family Dwellings (Duplex)	4	16.6
Multi-family Dwellings (3 +)	3	12.5
Apartments	5	20.8
Condominiums	3	12.5

PROPERTY OWNERS AND MANAGERS

Q3 HOW WOULD YOU RATE THE FOLLOWING?

Q.3.1 THE OVERALL RENTAL HOUSING QUALITY WITHIN THE CITY OF INDIANOLA



Q.3.2 THE RENTAL MARKET WITHIN INDIANOLA



Q.3.3 OVERALL CONDITION OF PROPERTIES YOU CURRENTLY RENT OUT OR MANAGE



Q4 WHAT TYPE OF HOUSING DO YOU PROVIDE?

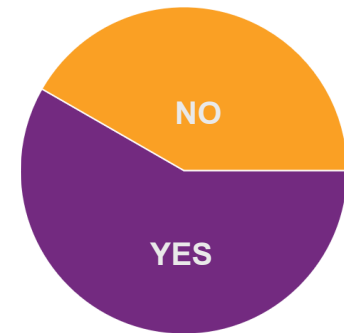
ANSWERED: 24 SKIPPED: 0

Type of Housing	Responses	%
Market Rate	24	100
Section 8	3	12.5
Low-Income Housing	0	
Privately owned Section 8	0	

Q5 HAVE YOU EVER HAD TO EVICT A TENANT OR CANCEL A LEASE?

ANSWERED: 24 SKIPPED: 0

Response	Count	%
Yes	14	58.3
No	10	41.7



Q.5.1 WITHIN THE LAST 2 YEARS, HOW MANY RENTERS HAVE YOU EVICTED OR CANCELLED THEIR LEASE?

ANSWERED: 14 SKIPPED: 0

Number of Evictions	Responses	%
0 evictions	8	57.14
1 eviction	3	21.42
2 evictions	2	14.28
3 to 9 evictions	0	0
More than 10 evictions	12	85.7

Full Survey Results Cont.

PROPERTY OWNERS AND MANAGERS

Q.5.2 WHAT REASONINGS HAVE YOU HAD TO EVICT A TENANT OR CANCEL A LEASE?

Reasonings	Responses	%
Failure to pay rent	12	85.7
Engaging in illegal activity	4	28.5
Violating lease agreements related to occupancy rules	3	21.4
Disturbing other tenants (i.e. Noise)	3	21.4
Violating lease agreements (Misc.)	1	7.14
Violating lease agreements related to housing pets/animals	0	0
Property destruction	0	0
Smoking	0	0

Q6 DO YOU CONDUCT A WALK THROUGH WITH EACH RENTER PRIOR TO MOVE IN TO IDENTIFY ANY HEALTH AND SAFETY CONCERNS?

ANSWERED: 24 SKIPPED: 0

Response	Count	%
Yes	19	79.2
No	5	20.8

Q7 HOW OFTEN DO YOU REFUND THE SECURITY OR DAMAGE RENTAL DEPOSIT AT THE END OF THE LEASE?

ANSWERED: 24 SKIPPED: 0

Response	Count	%
Almost always	11	45.8
More than half the time	10	41.7
Less than half the time	1	4.2
Almost never	2	8.3

Q8 HOW MUCH DO YOU SPEND PER YEAR TO MAINTAIN THE CONDITION AND APPEARANCE OF A SINGLE RENTAL UNIT?

ANSWERED: 21 SKIPPED: 3

Response	Count	%
\$500 or less	5	23.8
Between \$501 and \$1,000	6	28.57
Between \$1,001 and \$1,999	2	9.52
Between \$2,000 and \$2,999	5	23.8
Between \$3,000 and \$3,999	1	4.76
Between \$4,000 and \$4,999	0	0
More than \$5,000	2	9.52

Q9 ARE YOU AWARE OF THE FOLLOWING RESOURCES FOR TENANTS/LANDLORDS?

ANSWERED: 24 SKIPPED: 0

Resource	Yes	No
Iowa Civil Rights Commission	6	18
HOME, Inc.	3	21
Iowa Legal Aid (ILA)	8	16
United States HUD	10	14
Warren County Housing Authority	11	13
Iowa International Center (IIC)	3	21
Iowa Department of Public Health	8	16

Q10 WOULD YOU FIND IT HELPFUL OR BENEFICIAL FOR THERE TO BE TRAININGS OR EVENTS THAT RUNS THROUGH TENANT AND LANDLORD RIGHTS, PROPERTY MAINTENANCE CODES AND OTHER RELEVANT AREAS?

ANSWERED: 24 SKIPPED: 0

Response	Count	%
Yes	20	83.3
No	4	16.6

Full Survey Results Cont.

PROPERTY OWNERS AND MANAGERS

Q11 WHAT CODES COULD BE ADDED TO THE CITY RENTAL HOUSING CODE THAT WOULD IMPROVE THE OVERALL QUALITY OF RENTAL HOUSING IN THE CITY OF INDIANOLA?

ANSWERED: 4 SKIPPED: 20

- *I don't know on single family homes. I try to improve my single family homes each year*
- *Be careful, renters will have to pay more if we get too fancy*
- *A rental maintenance and safety check list that landlord & renter agree to abide by to be reviewed yearly*
- *Basic Requirements*

Q12 ARE THERE ANY ADDITIONAL COMMENTS/INPUT YOU WOULD LIKE TO LEAVE?

ANSWERED: 10 SKIPPED: 14

- *I haven't read the code yet*
- *Please keep in mind that any rules that result in additional expenses to landlords will directly impact rent prices. While I agree this can be a good change, it can also make it hard*

to find affordable housing in town

- *Taxes are \$3300/yr on each of my buildings on the square... pretty high*
- *I hope whomever creates the new housing inspection rules and code, realizes that some landlords are lower-middle income people, who can't afford expensive updates to their property. I own only one rental home, where I lived myself for 25 years, and am a lower-middle income person. I would hate to have to sell my place—it's the only investment I have—just because I can't afford all of the requirements of the new code. I agree housing needs to be safe and healthy, but I hope there aren't requirements that go far beyond that. Thanks*
- *Our community is being run with vagrant meth heads*
- *We are not able to attend the meeting as we will be out of state. How can we get a summary of what was covered and materials that will be distributed?*
- *Thank you for the opportunity to have input*

- *The main concern I have with the structure of the rental inspection program is what time commitment it will require on the part of the property owner/property manager*
- *Codes need to protect tenant as well as landlord*
- *No*

Full Survey Results Cont.

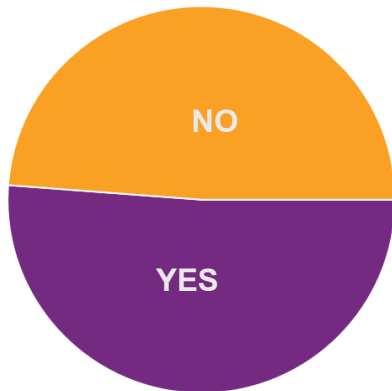
A total of forty-one (41) responses were received from tenants.

Q1 ARE MAINTENANCE REQUESTS RESOLVED IN A TIMELY AND APPROPRIATE MANNER?

ANSWERED: 41

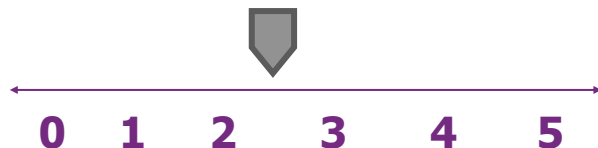
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Responses	Count	%
Yes	20	51.2
No	21	48.8

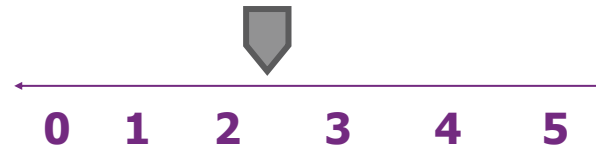


Q2 PLEASE RATE THE CONDITIONS OF YOUR RENTAL UNIT FROM 0 TO 5

Q.2.1 EXTERIOR OF PROPERTY (I.E. LAWN, SIDEWALK, LANDSCAPING)



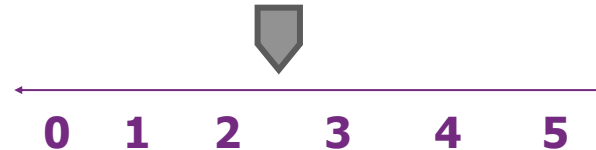
Q.2.2 PARKING LOT



Q.2.3 COMMON AREAS (IF APPLICABLE)



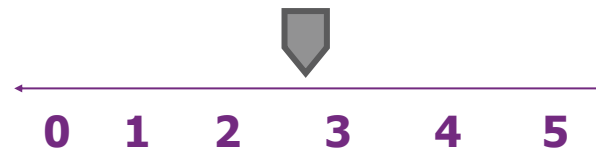
Q.2.4 INTERIOR OF PROPERTY



Q.2.5 BATHROOM

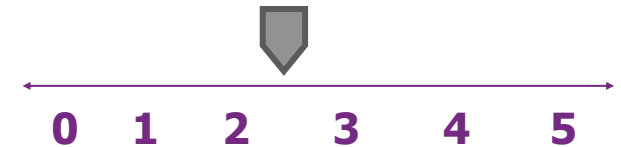


Q.2.7 BEDROOM



TENANTS

Q.2.8 KITCHEN

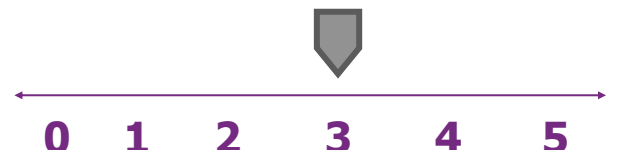


Q.2.9 STAIRWAYS

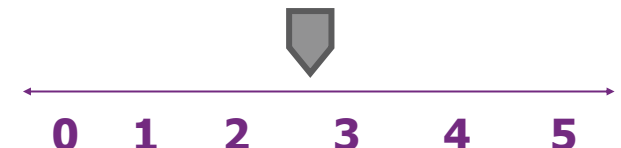


Q3 PLEASE INDICATE GENERALLY HOW SAFE YOU FEEL WITHIN YOUR RENTAL UNIT REGARDING THE FOLLOWING SCENARIOS OR EMERGENCIES

Q.3.1 CRIMINAL ACTIVITY

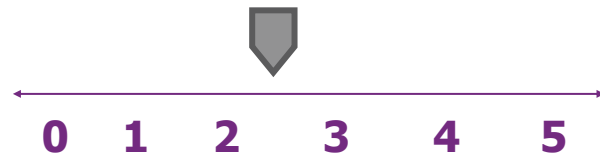


Q.3.2 FIRE



Full Survey Results Cont.

Q.3.3 SECURITY



Q.3.4 HIGH-WIND EVENTS



Q.3.5 RODENTS AND PESTS



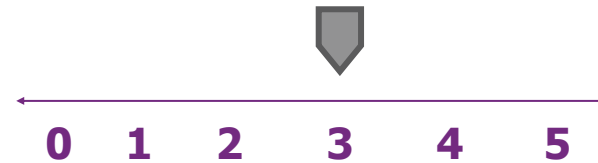
Q.3.6 CARBON MONOXIDE



Q.3.7 FLOODING



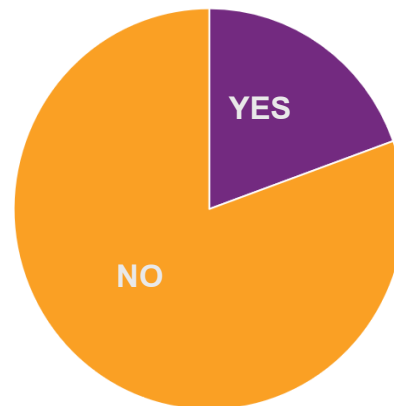
Q.3.8 LEAD AND/OR ABESTOS



Q4 HAVE YOU EVER BEEN RETALIATED AGAINST FOR RAISING A CONCERN OR COMPLAINT TO YOUR LANDLORD?

ANSWERED: 41 SKIPPED: 0

Responses	Count	%
Yes	8	19.5
No	33	80.5

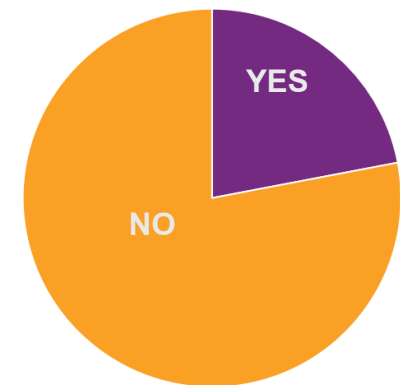


TENANTS

Q5 HAVE YOU EVER EXPERIENCED ANY FORM OF DISCRIMINATION PREVIOUSLY WHILE SEARCHING FOR RENTAL HOUSING IN THE CITY OF INDIANOLA?

ANSWERED: 41 SKIPPED: 0

Responses	Count	%
Yes	9	22
No	32	78



Q6 HAVE YOU EVER BEEN ASKED OR FORCED TO LEAVE A RENTAL HOME IN INDIANOLA?

ANSWERED: 41 SKIPPED: 0

Responses	Count	%
Yes	5	12.2
No	36	87.8

Full Survey Results Cont.

TENANTS

Q.6.1 WHAT WAS THE REASONING FOR YOUR EVICTION?

Reasonings	Responses	%
Failure to pay rent	3	60
Disturbing other tenants	2	40
Retaliation from a complaint	1	20
Violating lease agreements	1	20
Engaging in illegal activity	0	0
Property destruction	0	0
Smoking	0	0

Q.6.2 WERE YOU AWARE OF OR DID YOU UTILIZE FREE LEGAL SERVICES PROVIDED BY IOWA LEGAL AID

Response	Count	%
Yes, I was aware and utilized the service	1	20
Yes, I was aware but I did not utilize the service	0	0
Yes, I was aware but I did not qualify for the service	2	40
No, I was not aware	2	40

Q7 ARE YOU AWARE OF THE FOLLOWING RESOURCES FOR TENANTS/LANDLORDS?

ANSWERED: 41 SKIPPED: 0

Resource	Yes	No
Iowa Civil Rights Commission	10	31
HOME, Inc.	9	32
Iowa Legal Aid (ILA)	19	22
United States HUD	16	25
Warren County Housing Authority	22	19
Iowa International Center (IIC)	3	38
Iowa Department of Public Health	16	25

Q8 WOULD YOU FIND IT HELPFUL OR BENEFICIAL FOR THERE TO BE TRAININGS OR EVENTS THAT RUNS THROUGH TENANT AND LANDLORD RIGHTS, PROPERTY MAINTENANCE CODES AND OTHER RELEVANT AREAS?

ANSWERED: 41 SKIPPED: 0

Response	Count	%
Yes	28	68.2
No	13	31.7

Q9 HOW SATISFIED ARE YOU WITH YOUR CURRENT RENTAL UNIT MANAGEMENT?

ANSWERED: 41 SKIPPED: 0

- *Satisfied (5 responses)*
- *Not satisfied at all (5 responses)*
- *Fine*
- *Could use improvement on property. They do fix things when needing fixed inside unit*
- *Don't see them often*
- *I haven't had any issues arise with the management, but if I did they would resolve it. If any issue was not resolved in a reasonable time, I would probably go to the city to see who to contact about the issue*
- *I'm not satisfied with our management. As long as I have lived here, I have been told to call an electrician when I have a problem. My lights in the kitchen still don't work right. I keep blowing lights. I have given up on that. I had to call the appliance person to fix my stove. My stove still doesn't work correctly. The appliance man said that he has to special order parts because it is so old. He needs to put in a new one. I also have given up on that.*

Full Survey Results Cont.

TENANTS

There was 2 new tenants that moved in within the last 3 months and he didn't give them a mailbox key. One of them said that he didn't think she needed a key. I was stopping the mailman and getting their mail for them. I asked the mailman one day who to see about getting keys, he said our management. They had not been told about it. I told our management they need keys and all he said was that it costs money to have them made. I told him that he needs to get it taken care of because I don't work for the post office. I was doing it out of the kindness of my heart. The security doors have been fixed several times in the last year or 2. The electrician said it was in the wiring in the apartments. I could go on and on but I think you get the picture

- *Very satisfied. Our landlord/management company is very understanding and easy to work with. They answer all maintenance issues within a timely manner, even during "off" hours and holidays. They are very easy to communicate with and make everything very simple*

- *I am somewhat satisfied. Though I renewed my lease in June, I still haven't received a copy of it back, signed by my rental manager. The management with my current rental is lackluster at best*
- *Not at all satisfied. Kading properties are bullies*
- *I am satisfied, just wish rental prices were lower*
- *They are passable. I've lived in this apartment complex, and another that is managed by the same company, for over 13 years (though this company didn't buy it till about 8 years ago). They aren't always right on top of maintenance issues. And the landscape companies they hire don't do the best at snow removal or things like trimming weeds out of sidewalk cracks. Or even cleaning up after themselves after they trim bushes or mow the lawn. And, since they only trim exterior bushes once a year, including trees growing in them, I have had to do that myself this year. Since the last two years, a bushy tree growing up in one outside my apartment has overgrown the sidewalk so much that you have to walk in the grass, to get around it, by*

the time they get to trimming it (despite asking multiple times about when they were going to trim them). And there are quite a few ash trees dying on these properties. One is pretty far gone, that is pretty near my apartment. So it has me worried that they won't have it cut down before it falls down, taking out part of my apartment, or power lines, or something (some of that may be nitpicking). But they keep the apartments pretty clean (at least the units, on move in). And decent places to live, for the most part. But I believe they are actually working on selling these properties too, though they haven't told us directly. I've heard it from other tenants.

- *I am very content where I live. He mostly leaves us alone when we keep our outside area is cleaned.*
- *They don't listen to the tenant*
- *The apartment is big but the kitchen cabinets are terrible, so we covered the shelves with poster board and the stove is 46 years old and the burners are not working right, the bathroom has stained fixtures... The manager is next door to us and has dog poop in her grassy area as well as cigarette butts... The whole area is trashy and when*

Full Survey Results Cont.

TENANTS

they mow it just cuts down the weeds... I guess you get what you pay for but whoever owns this property doesn't care about the tenants as they would not let it get this trashy... We have a years lease so hopefully we can get out in 9 more months!

- *Unhappy. It is none existing it seems like*
- *Very unprofessional with her communication*
- *The manager seems to do just what she has to do and takes no responsibility for problems*
- *Not at all but I used to be*
- *I got stuck in a run down apartment, am disabled and people keep taking my parking spot as you have to take what you can get... Manager doesn't care what happens as owners obviously just want the money!*
- *Somewhat satisfied, there were lights inside that haven't been fixed and a towel rod fell off because it was glued to the wall*
- *0 - Not happy*
- *Satisfied, however I have a*

maintenance order a couple months old that hasn't been completed

- *I love my landlord, he is fair and tries his best to get things fixed or done as soon as he can*
- *I am currently in a lawsuit against my manager*
- *Not satisfied at all. A lot of tenants have complained to BBB and the Corporate Office for Foxwood about her and nothing has yet to be done*
- *My current landlord is good but we have only been here two months. All the questions were answered with my previous rental in mind*
- *Landlord that we originally rented from rarely followed through with completing tasks as promised. Many maintenance issues needed when we moved in, still have yet to be done, it's been over a year since we moved in*
- *I enjoy my rental management I got lucky with the one I have, but protections need put into place for safety as well as better and more spaces to rent*
- *Very good management*

Q10 HOW SATISFIED ARE YOU WITH THE QUALITY OF YOUR CURRENT RENTAL HOME?

ANSWERED: 41 SKIPPED: 0

- *Satisfied (8 responses)*
- *Not satisfied at all (5 responses)*
- *Satisfied—As a rental goes vs home ownership*
- *Not of the building*
- *satisfied. Hoping new owner fixes maintenance issues right away after gaining possession*
- *It's ok. It's low income apartments, so there are no bells or whistles (not even central air or furnaces in these. Just baseboard heat, and air conditioners we tenants have to supply for ourselves. At least us in one bedrooms. The efficiency apartments have installed air conditioners). And they aren't very well insulated, or shaded, so my AC has a hard time trying to keep up with the heat. But I have my own private entrance, and little are outside I can plant flowers (and a little patio a past resident put in). So it's nicer than the contained buildings with smelly hallways. Where you can smell everything your neighbors cook, or*

Full Survey Results Cont.

TENANTS

anything else that smells

- *Unhappy. It's what the kids would call a trap house, meaning the whole place is full of drugs and or needs condemned*
- *The quality of our rental home is fantastic*
- *I'm satisfied somewhat. Roaches have been an issue lately, my exhaust fan in the kitchen doesn't work and my bathroom one is going out. There are many things that need to be fixed, but its not always a dire situation*
- *It's trash. Mold, rotting floors, water leaks*
- *We have an apartment so I guess this question doesn't fit our situation*
- *Just heard the rent will go up if we stay past one year... Penalty for late rent went up and then we found out the rent will go up... Manager could care less if we know what is going on!*
- *Somewhat, aside from the rear exterior stairs, the lights that are inoperative and the towel rack, everything else is fine*
- *I am not satisfied. The complex I live in lacks any amenities, is completely out*

dated and was poorly built

- *So-so. Landlord won't keep up on needed repairs and typical wear and tear. They won't even come paint the inside unless we paint it ourselves or if WE hire someone to do it.*
- *It's affordable and safe*
- *It was great before Brad Cowger owned it*
- *I am somewhat satisfied although there are issues that need to be addressed but the majority of my rental property is satisfactory*
- *It has been leaking water for 2 days—not very satisfied*
- *Extremely satisfied. Our units are very goof quality and there are safety items (fire extinguisher, appropriate amount of smoke alarms/carbon monoxide detectors, etc.) in our home. Our landlord provides lawn care and we do our own snow removal. Our landlord also has a pest inspection company come around every quarter to make sure there are no issues and if there are to take care of them*
- *Once I fix things in here, I will be satisfied. I moved here March of 2008. The place wasn't cleaned, the*

carpets were dirty, carpet was the original when this place was built, the paint was so thin you could see the seams of sheet rock and the metal framing of the kitchen door was visible. I got shocked every time I touched it in the winter. This is the longest I have lived in one place in all of my adult life. I love the area and I am tired of moving. That's why I stay here and try to tolerate management

- *It is ok*
- *Satisfied, it is a rental. We have everything we need*
- *Exterior of building needs work. Windows need replaced, screens added, gutters fixed, etc.*
- *Satisfied with current, dissatisfied with previous*
- *They all could be better*
- *We want to move ASAP. 2 years here has been overkill for a place like this. It's turned into one of the Ghettos of Indianola*
- *It's good, but could use some updates especially with insulation*
- *It is fair quality. Heavy smoking neighbors have made our floor of the building stink. Also the unique floor plan of the apartment prevents cool air*

Full Survey Results Cont.

TENANTS

from air conditioner in living room to travel to the bedroom. It has very uneven cooling

Q11 ARE THERE ANY ADDITIONAL COMMENTS/INPUT YOU WOULD LIKE TO LEAVE?

ANSWERED: 41 SKIPPED: 0

- No (4 responses)
- We rent a house and there are not any issues or concerns
- There are many rental houses/apartments in this city that are in need of repairs and to be up to code. My apartment has windows that won't open
- I believe this city needs to provide more rent to own opportunities
- Housing on the square needs more parking and better maintenance
- Not sure who is our landlord at the moment, as property is in sale process
- Homes should be sprayed for pest control
- I feel like implementing an inspection is an inconvenience for a lot of people. They would need to either take off work to be home when the inspection takes place, or trust that strangers will leave their home as it was found
- I need a lawyer to fight my landlord ASAP
- We moved from out of state and the apartment is not what was shown in photos
- Sunset Terrace takes care of any issues (wear and tear, etc.) promptly. More parking is needed off street
- I honestly wish I have not rented here at this apartment building but had no choice as it was all I could afford
- The rear wooden staircase is not built properly and one of the main support beams is not even attached
- Just hope you guys fix the meth den on Hwy 92 trailer park...
- Do not rent from Brad Cowger properties
- Live at Kading Properties, they bullied my (high risk) pregnant wife and I out of our townhouse and their properties are not well kept at all. We dealt with kids and adults breaking in to cars and they refused to help
- There aren't enough rental housing options for lower fixed income residents
- The manager at Foxwood Apartments is very rude, is discriminatory, does not follow Iowa laws well for managing apartment complexes and subtly harasses tenants
- I rented site unseen due to moving from another state and the apartment was not like the photos but we needed a place to live and only had so much money so forced to take what we have!
- Rentals need to be cheaper. There is no reason to charge \$1,300 for a 2 bedroom rental that is worth \$400 a month
- We have had multiple issues with our landlord. Says they screen tenants. They don't! We have had numerous bad people in the units form sex offenders to drugs and such in the units. Doesn't feel safe around here at times. We have a couple of neighbors who have the police out here numerous times. Also, we have no privacy. Also having problems with repairs and repainting. Been here 11 years and they say that we will have to hire a painter and pay for it ourselves We have never had our unit painted since we have been here
- The staff was almost always rude when

Full Survey Results Cont.

TENANTS

I called and they were quick to inform me of a complaint but when I complained about neighbors it was shrugged off

- *Little scared, anytime the government gets involved, it usually makes things worse and expensive*
- *Kading Properties should be the ONLY one check out due to poor management and maintenance*
- *I do not know the landlord but the manager of my building will do what ever it takes to save money. When we tell him something needs to be fixed, it takes him forever to get it done. Then when you ask him when things are going to get fixed, he will act like he was never told. If we contact the maintenance about anything because we are tired of waiting on management, we get scolded by management*
- *Handicapped parking signs in private apartment parking lots need discussed at the meeting. Will the City of Indianola follow and enforce the Fair Housing Authority Guidelines? Does the City Code cover the red alarm box*

in the hallways? Will this red box be connected to Fire?

- *My current landlord is wonderful. However, my past landlord in Indianola was absolutely awful (Kading Properties). While I do not feel that my current dwelling requires ongoing inspections due to the landlords ongoing services, I do feel that my past landlord could really use inspections and a complaint process that is outside of their company as they find ways to humiliate, retaliate and bully renters*
- *I would like to know what is meant by frequent inspections, and what kind of inspection. I live in an apartment complex that is HUD funded (and have for several years), so I already deal with multiple inspections in most years. But they don't always result in issues being fixed. But it's also a hassle, and increases my anxiety when I don't know what they are for. I have chronic illnesses and it's hard for me to keep my place presentable. Even with plenty of notice, my apartment still won't be as tidy as I would like (and, especially from jerks that have come through in the past, I*

always get anxious that they will be judging my housekeeping). So if you could be more specific in what is involved in the whole process, that would be great

- *In my current rental situation, I deal with a property manager that would rather put lipstick on a pig then resolve actual issues. It is very frustrating, especially since at one time, I was a homeowner and I understand what needs to be done in order to maintain a property*
- *My landlord was supposed to have a shed for me. It has never happened and I've lived here almost 2 years. My oven quit and no replacement and too many drugs and dealers around too. The trailer needs work and falling apart*

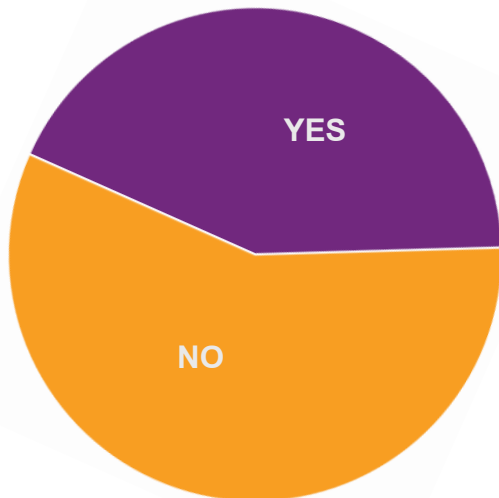
Full Survey Results Cont.

A total of twenty-eight (28) responses were received from members of the general public.

Q1 HAVE YOU LIVED IN RENTAL HOUSING WITHIN THE CITY OF INDIANOLA PREVIOUSLY?

ANSWERED: 28 SKIPPED: 0

Responses	Count	%
Yes	12	42.9
No	16	57.1



MEMBERS OF THE GENERAL PUBLIC

Q2 HOW WOULD YOU RATE THE FOLLOWING ON A SCALE OF 0-5?

Q.2.1 OVERALL RENTAL HOUSING QUALITY WITHIN THE CITY OF INDIANOLA



Q.2.2 CITY OF INDIANOLA RENTAL MARKET



Q.2.3 RENTAL PROPERTIES PROXIMITY TO GOODS AND SERVICES



Q.2.4 MAINTENANCE OF RENTAL PROPERTIES WITHIN THE CITY



Q.2.5 MANAGEMENT OF RENTAL PROPERTIES



Q3 WHAT CODES COULD BE ADDED TO THE CITY RENTAL HOUSING CODE THAT WOULD IMPROVE THE OVERALL QUALITY OF RENTAL HOUSING IN THE CITY OF INDIANOLA?

ANSWERED: 28 SKIPPED: 0

- Maintenance
- Repair, painting, and maintenance plus cut down dead and dying trees and mow yard
- None (2 responses)
- Rental properties must be maintained where tenants are not allowed to "store" their belongings outside the rental property propped up against the building. Limit the number of cars per property. Commitment to rental inspections as well as follow through for issues not complying with the code
- Inspections, fines, enforcement
- Must have an annual inspection
- On site managers for complexes with more than a couple rental units, on site parking in addition to driveways regardless of size, playground requirements for large complexes/ development areas, green space requirements, fence requirements for

Full Survey Results Cont.

neighbor properties in addition to landscaping requirements between adjacent properties, and dog park requirements for over 2 rental units

- *Limit of cars per tenant although that should be for everyone, enforcement of junk in yards, all landlords no matter the number of units need to adhere to the code*
- *International Property Maintenance Code*
- *Exterior upkeep such as free of weeds, loose trash, and adequate private parking*
- *Mind your own business and let free market run the bad landlords out. If someone doesn't want to rent from a slum lord, it is a free country and they can move. City governments make themselves "sanctuary cities" from all other types of laws. Cost to the city and inefficiency of all government makes adding any agency or department ridiculous*
- *Fire and smoke alarms*
- *Preventative maintenance—periodical painting, replacing carpets and floors,*

appliances, taking care of hallways & stairs, and common areas

- *Must have parking limit, number of cars and have play areas for children*
- *Limit number of units to owners who live more than 59 miles from Indianola*
- *Codes requiring higher efficiency, especially given the high rate of negotiated municipal utilities in Indianola. We would want to encourage energy savings, and make us a greener environment as a city (For example, setting a higher insulation, HVAC, and window efficiency rating)*
- *Proper notification on rent increases; keep rent rates at a rate for our size of town; keep properties up and maintain properties if things need fixed in a timely fashion*
- *Better management*
- *Requiring onsite property manager of any multifamily housing development of over 20 units would help ensure the property is being maintained and the tenants have a point person on site to quickly address issues. Being*

MEMBERS OF THE GENERAL PUBLIC

surrounded by multifamily housing, we see the impact of not having one vs the benefits of having one. The complex that has one is neat and maintained, whereas the other two are not as much

- *Management does not keep up on apartments. The one on Hwy 92 and South D is a mess. The management would not fix issues and keep up appearances. I had a friend live there and it was a mess and still is a eyesore*
- *Frequency of inspections. Beautification subsidies*
- *More low income housing options*
- *Regular annual inspections, formal complaint process, consolidated site with listing of all rental properties & owners/managers*
- *I am not an expert on what can be enforced, but the conditions of the mobile home parks are terrible. Some code that would require the parks to keep the trailers in better condition*
- *Handicap accessible properties are difficult to find in town*
- *Yearly inspections for all rental units and on site managers for rental*

Full Survey Results Cont.

properties

- *Maintenance, complaint-based inspections*
- *Safety first, but in the case of some, exteriors need to improve*

Q4 ARE THERE ANY COMMENTS/INPUT THAT YOU WOULD LIKE TO LEAVE REGARDING THE RESIDENTIAL RENTAL CODE?

ANSWERED: 28 SKIPPED: 0

- *No (3 responses)*
- *These codes are long overdo and much needed. Thank you!*
- *Make it tough*
- *Needed*
- *Must be enforced by the city*
- *Many dilapidated structures need to come down and land cleared. Clear clutter and debris hoarding that presents safety and health hazards and provides shelter to rodents. Clean up our city!*
- *Keep up on absent landlords so they are accountable*
- *Electrical, plumbing, mechanical work to be done by licensed contactors. Work needs to be inspected by*

certified inspectors

- *Hopefully management will be held responsible for repairs*
- *We need more affordable housing. Especially affordable housing that is not run down*
- *Requiring on-site management and yearly inspection of all rental properties, require off-street parking in addition to driveways for rentals, require privacy fencing and landscaping be*
- *Focus on maintenance of these properties and tenant satisfaction. Provide resources and trainings when able to for both landlords and tenants*
- *Need more affordable handicap accessible housing*
- *Our community needs vested property owners that are willing to be a positive factor to keep our community at it's best. Not allowing in those that see the community as an inexpensive way to reap financial gain with very little oversight & governance*
- *Make Indianola a sanctuary city. Keep government out of everyone's homes and lives and let people be*

MEMBERS OF THE GENERAL PUBLIC

free. Quit adding program and wasting our tax money

- *Maintenance code*
- *I think it's important that landlords are required to install and maintain smoke alarms in their units*
- *Slumlords around the city of Indianola have too much leeway*
- *Overall, property maintenance needs to be enforced*
- *Had to live 25 minute out of town because of the limited amount of options in my price range. There needs to be more options that are pet friendly and affordable*
- *It's great to see the City of Indianola taking this step of inspecting properties. Two years is a great first step, however I wonder if it should be annual*
- *Make sure landlords have proper rental certificates and properties are up to code*
- *Rates seem high for families that don't have a lot of money*
- *I think it's great, and should improve appearances*

Full Survey Results Cont.

A total of two (2) responses were received from realtors.

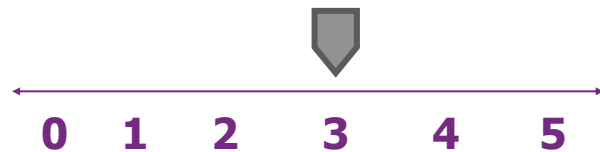
Q1 IN THE PAST THREE (3) YEARS, HAS DEMAND FOR RENTALS IN INDIANOLA INCREASED OR DECREASED?

ANSWERED: 2 SKIPPED: 0

Responses	Count	%
Increased	2	100
Decreased	0	0

Q2 HOW WOULD YOU RATE THE FOLLOWING ON A SCALE OF 0-5?

Q.2.1 OVERALL RENTAL HOUSING QUALITY WITHIN THE CITY OF INDIANOLA



Q.2.2 CITY OF INDIANOLA RENTAL MARKET



Q.2.3 RENTAL PROPERTIES PROXIMITY TO GOODS AND SERVICES



Q.2.4 OVERALL CONDITION OF THE PROPERTIES YOU CURRENTLY ASSIST IN LEASING



Q3 WHAT CODES COULD BE ADDED TO THE CITY RENTAL HOUSING CODE THAT WOULD IMPROVE THE OVERALL QUALITY OF RENTAL HOUSING IN THE CITY OF INDIANOLA?

ANSWERED: 2 SKIPPED: 0

- Safety first (mold remediation, fire detectors, properly installed railings). Careful though, don't go overboard or the problem of not having enough homes for rent could get worse
- Codes that require properties to meet all safety codes in regards to electrical, sewer, and water

REALTORS

Q4 ARE THERE ANY COMMENTS/INPUT THAT YOU WOULD LIKE TO LEAVE REGARDING THE RESIDENTIAL RENTAL CODE?

ANSWERED: 1 SKIPPED: 1

- We need more family rental houses, not just duplexes and townhomes that are not large enough for families. The grounds need to be kept clean in these larger developments so it doesn't develop a stigma amongst the people of the town. Keep any code simple though

RENTAL INSPECTION CHECKLIST

City of Indianola | Community Development Department • 110 N 1st St P.O Box 299
comdev@indianolaiowa.gov • Ph: (515) 961-9430 • Fx: (515) 961-9402



Property Owner / Manager				Inspection Date
Property Address				Unit(s)
Tenant Notified Prior?	Y	N	N/A	Inspection Type

PROPERTY INFORMATION

Address		Zone
# Units	# Buildings	Year Constructed
Total Common Areas (sq.ft.)		Total Living Areas (sq. ft.)

EXTERIOR

Y	N	N/A	
			Are house numbers clearly visible and legible from the street or road fronting the property? Are they a minimum of 4" and of contrasting color? (R319, IPMC 304.3)
			Are exterior windows screened? (IPMC 304.14)
			Are all exterior windows, penetrations, and openings caulked? (402.4.1.2; R703.1.1)
			Are there handrails at stairs with more than 4 risers? Are they secure? (R311.7.8)
			Handrail minimum 34" to maximum 38" above nose of tread to top of handrail (R311.7.8.1)
			Top landing of exterior stairs provided with artificial light source (R303.8)
			Are roof drains, gutters, and downspouts in good repair and free of obstructions?
			Are exterior outlets GFCI protected and rated for outdoor use? Are they protected by an approved enclosure? (NEC 210.8(A+B); E4002.8)
			Is the property free from the accumulation of rubbish or garbage? (IPMC 308.1)
			Are sidewalks, patios, and driveways in safe and sound condition? (ORD 136.04; IPMC 302.3)
			Is the property free from debris, weeds, and tall grasses over the height of 8 inches? (IPMC 302.4)
			If the building is multi-family use, is the building ADA accessible (if constructed after 1992, the building is subject to accessibility guidelines)? (24 CFR Part 100)

INTERIOR

Y	N	N/A	
			Working smoke alarms at every floor, in each sleeping room (R314.3, NFPA 72)
			Working carbon monoxide alarms at each floor, within 10' of each sleeping room (R315.1)
			Handrail minimum 34" to maximum 38" above nose of tread to top of handrail (R311.7.8.1)
			Handrails return to wall with maximum 4-1/2" projection & minimum 1-1/2" clear space from inside of rail to wall (R311.7.1, R311.7.8.2)
			Handrails are graspable (R311.7.8.3)
			Interior stairway has proper illumination, ie. all treads and both upper and lower landings) (R303.7)
			Do the entry doors which provide access to the dwelling unit contain a deadbolt lock with a minimum lock throw of 1 inch? (ORD 154.02.09)
			Are interior surfaces such as windows, doors, walls, and floors in good, clean and sanitary condition and free from peeling, chipping, and/or flaking? (ORD154.02.11)
			Are all operable window sills over 24in in height? (R312)

			Does emergency escape and rescue openings below grade have a window-sill less than 44" from floor to bottom of window opening? Is the opening at least 5.7 square feet? 20x24? (R310.2.1; R310.2.2)
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KITCHEN

Y N N/A

			Is there a switched ceiling or wall type light fixture? (E3903)
			Are all appliances in safe working condition? (IPMC 603.1)
			Are outlets GFCI protected? (NEC 210.8; E3902.6)
			If a garbage disposal is supplied, is it in operable condition? (E4101.3; IPMC 308.3.1)
			Is the electrical whip secured to the bottom of the disposal with a proper electrical connector? (E4101.3)
			Is the outlet the disposal is plugged into properly grounded? (E4001.5; E4002.2; E 4006.13; E4006.13.1)

BATHROOM

Y N N/A

			Is an operable window with a screen or a mechanical ventilation fan provided? (R303.3; IPMC 403.1 (Amended))
			Are public toilet facilities in safe, sanitary, and working condition? (IPMC 502.5)
			Is there at least one ground fault electrical outlet? (NEC 210.8)

MECHANICAL, PLUMBING & ELECTRICAL

Y N N/A

			Are all habitable rooms and bathrooms supplied with heat able to maintain a minimum temperature of 68 degrees F? (IPMC 602.2; IPMC 602.3)
			Do all habitable rooms contain a switched light fixture and 2 duplex outlets (IPMC 605.2)
			Do all outlets, switches and junction boxes contain a cover plate? (IPMC 605.2)
			Are all plumbing fixtures properly trapped and vented? (IPMC 504.1; IPMC 504.3; UPC)
			Are all plumbing fixtures properly installed and maintained in working order? (IPMC 504.1; IPMC 502.1)
			Are anti-scald valves maintained and in working condition? (UPC 408.3)
			Is there a smoke and carbon monoxide alarm within the mechanical/electrical room? (R314.3; NFPA 720; IFC 1103.9; IPMC 705.1)
			Are all of the return air ducts located in areas outside of kitchens, bathrooms and mechanical rooms? (IMC 601.5; IPMC 403.4)

FIRE SAFETY

Y N N/A

			If a multi-family dwelling, are there smoke alarms located every 30 feet in common corridors and at the top of each interior stairway? (704.6.1.2)
			Is there a minimum one 1A10BC minimum rated fire extinguisher provided in a properly mounted, readily accessible location? (NFPA10)
			Is the fire extinguisher less than 10 years old? (NFPA10)
			Is the fire extinguisher current on the inspection tag? (NFPA10)

MISCELLANEOUS

Y N N/A

			If there is a swimming pool containing water more than 24 inches in depth, is there a self-closing and self-latching mechanism for gates and doors? (IPMC 303.1; IPMC 303.2)
			If there is a swimming pool containing water more than 24 inches in depth, is there a 6 foot, unclimbable fence surrounding the pool? (IPMC 303.2)
			If there is a swimming pool, is it in clean and sanitary condition? (IPMC 303.1)

RENTAL INSPECTION CHECKLIST

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WATER HEATER

Fuel Source:	Gallons:				
T&P Relief Hard piped:	Y	N	Water heater flue a minimum 3' away from fresh air intakes:	Y	N
Manufacturer Spec	Manufacturer Spec				
Is there enough clearance inside mechanical room to remove the appliance without having to disconnect or remove any other appurtenance?	Y	N	Is enough clearance provided in front of the appliance to make repairs if needed? (30x30)	Y	N
Notes:					

Furnace

Fuel Source	Y	N	Furnace flue clearance per manufacturers specifications:	Y	N
Is there enough clearance inside the furnace room to remove the appliance without having to disconnect or remove any other appurtenance?	Y	N	Is enough clearance provided in front of the appliance to make repairs if needed? (30x30)	Y	N
Condition of the furnace filter:	☐ Good ☐ Okay ☐ Bad				
Notes:					

INSPECTION RESULTS

☐

Failed

☐

Temporary Pass

☐

Full Pass

Reasoning:

[illegible]

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF
INDIANOLA, IOWA CREATING REGULATIONS RELATED TO A
RESIDENTIAL RENTAL CODE AND MAKING CERTAIN RELATED
AMENDMENTS TO THE PROPERTY MAINTENANCE CODE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA:

Section 1. The following chapter and sections be and is hereby added by inserting the language as follows:

**CHAPTER 147
RESIDENTIAL RENTAL CODE**

- 147.01 PURPOSE.**
- 147.02 ADOPTION OF CODE.**
- 147.03 APPLICABILITY.**
- 147.04 DEFINITIONS.**
- 147.05 INTERPRETATION.**
- 147.06 CODE ENFORCEMENT OFFICER.**
- 147.07 REGISTRATION AND INSPECTION CERTIFICATION REQUIRED.**
- 147.08 INSPECTION PROCEDURES.**
- 147.09 MOBILE HOMES**
- 147.10 COMPLAINTS.**
- 147.11 REVOCATION AND SUSPENSION OF CERTIFICATES**
- 147.12 WITHHOLDING OR DENIAL OF CERTIFICATES**
- 147.13 VIOLATIONS AND PENALTIES**
- 147.14 FEES**
- 147.15 RENT COLLECTIONS**
- 147.16 APPEALS**
- 147.17 VARIANCES**
- 147.18 INJUNCTION; MANDAMUS**

147.01 TITLE AND STATEMENT OF PURPOSE

The ordinance codified in this chapter is entitled as the “Residential Rental Code”. The purpose of this chapter is to establish minimum regulations regarding the conditions and maintenance of rental properties, buildings, and structures. Standards outlined in Chapter 147 are to ensure that rental structures, buildings, and properties are safe, sanitary, and fit for occupation and use. Provisions with this chapter are to meet compliancy with Iowa Code 364.17 “*City Housing Codes*”. This ordinance may be cited as “The City of Indianola, Iowa Residential Rental Code”

147.02 ADOPTION OF CODE

For purposes of this Residential Rental Code, Chapter 154 Property Maintenance Code of the City of Indianola Code of Ordinances therein along with other provisions within this Chapter are adopted and shall be further be known as the City of Indianola Residential Rental Code.

147.03 APPLICABILITY

Provisions within this chapter shall be applicable to the maintenance, repair, equipment, use and occupancy of all residential rental buildings and accessory dwelling structures that are now in existence or hereafter constructed, habilitated, renovated, or converted to residential use within the corporate limits of the City of Indianola. Provisions within this chapter include, but are not limited to single-family dwellings, two-family dwellings, multi-family dwellings, mobile homes regulated under 562A of the Iowa Code, accessory dwelling units and/or rooming/sleeping units with the following exceptions:

- a) Single-family dwellings which are occupied by the owner
- b) Transient shelters, group homes and college dormitories subject to state licensing
- c) Hotels, motels, extended stay hotels and other similar uses subject to state licensing

Provisions within this chapter shall also be applicable to the land and common areas that provide services to individual owner-occupied units where said land and common area is under the ownership of someone other than that of said owner occupied unit, including, but not limited to, mobile home parks, horizontal property regimes pursuant to Iowa Code 499B, and multiple housing cooperatives pursuant to Iowa Code 499A.

147.04 DEFINITIONS

The following terms are defined for the purposes of Chapter 147:

1. "Designated Agent" means an individual that is designated by a landlord or property owner/manager to provide access onto a rental property or is otherwise the designated point of contact
2. "Dwelling Unit" means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation
3. "Group homes" means those dwelling units which provide for the care of a group of persons, such as but not limited to a nursing home or treatment facility that are subject to state licensing
4. "Inspection" means a review of a dwelling unit, building or structure for its compliance to adopted and relevant city codes
5. "Minor" means an individual under the age of 18
6. "Multi-family dwelling" means a building designed for or occupied exclusively by three or more families. This includes condominiums or individual dwelling units within the structure that are being rented or leased
7. "Owner" means any person who, alone or jointly or severally with others shall have legal title to any dwelling unit, with or without accompanying actual possession thereof; or shall have charge care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, administrator, trustee or guardian of the estate of the owner. Any such person thus

representing the actual owner shall be bound to comply with the provisions of this chapter to the same extent as if the representative were the owner

8. "Rental inspection certificate" means a certificate issued upon the inspection and certification of a dwelling unit and allows for that dwelling unit to be rented and occupied
9. "Single-family dwelling" means a building designed for or occupied exclusively by one family.
10. "Tenant/Occupant" means any individual residing in a rental dwelling unit or having possession of a space within a rental dwelling
11. "Transient shelters" means those units providing temporary or transitional residence for a period of thirty-one (31) days or less
12. "Two-family dwelling" means a building designed for or occupied exclusively by two families. This includes condominiums or individual dwelling units within the structure that are being rented or leased

147.05 INTERPRETATION

In their interpretation and application, the provisions of this chapter shall be held to minimum requirements, adopted for the promotion and protection of the public health, safety, morals, and general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive, or that imposing the higher standards, shall govern.

147.06 CODE ENFORCEMENT OFFICER

It shall be the duty of the code enforcement officer, or other officially delegated and/or appointed by the Director, who shall administer and enforce the provisions within this chapter and to conduct any required inspections or tests.

147.07 REGISTRATION AND INSPECTION CERTIFICATION REQUIRED

After the effective date hereof, no person shall rent, lease, let, operate, or otherwise allow the occupancy of any dwelling unit or any portion of any dwelling unit (including sleeping rooms) unless they hold a valid rental inspection certificate.

- a) Issuance: Following the submission of a rental registration application, on forms provided by the City of Indianola Community Development Department, and review of the residential unit for compliance with the provisions within this chapter, the Community Development Department shall issue a rental certificate to the owner and/or agent. No certificate shall be issued until all inspections, registration and other fees have been passed, completed, and paid.
- b) Owner and/or Agent Information Required: Owners of residential rental properties in the City, who reside in Warren County or any county contiguous thereto, shall provide the Community Development Department with their contact information including but not limited to:
 - a) Mailing addresses

- b) Telephone numbers
- c) Fax numbers; and
- d) E-mail addresses

Owners of residential rental properties in the City who reside in any area other than described above, shall provide the department with the contact information of an individual over the age of eighteen (18) who shall reside in Warren County or any county contiguous thereto, and who shall be designated as agent for scheduling inspections, receiving notice, and service of process.

- c) Rental Inspection Certificate: Certificates shall be readily available for examination by prospective tenants, tenants, and the Code Enforcement Officer at all times.
- d) Certificate Duration and Validation: Certificate shall expire at the end of two (2) years following its date of issuance, or from the listed expiration date, unless suspended or revoked as hereinafter provided.
- e) Certificate Renewal: Certificates shall be revoked if not renewed within thirty (30) days from the date of expiration. Renewal shall include an inspection of rental property for compliance to provisions within this chapter.
- f) Transfer of Ownership: A notice to the Community Development Department is required from the owner within ninety-six (96) hours after a rental property is sold, transferred, conveyed, or otherwise disposed of ownership, interest, or control. Notices shall include the name and address of the person succeeding to the ownership and control thereof. Certificates are transferable as long as the succeeding property owner re-registers the rental property under their name and contact information. The succeeding property owner will have thirty (30) days to re-register said property at no cost. If the succeeding property owner fails to re-register the rental property within thirty (30) days, rental certification shall be revoked or suspended.
- g) New Units: New construction projects, which have received final inspection approval and have been issued a Certificate of Occupancy, need not complete an inspection for a period of two (2) years from the issue date but shall register their property and provide their contact information to the City in order to be compliant with provisions in this chapter.
- h) The Code Enforcement Officer may issue a rental housing certificate for dwelling units inspected yearly pursuant to the Uniform Physical Conditions Standards (UPCS) as established by the Department of Housing and Urban Development (HUD) if the property owner/agent submits a valid inspection report from HUD.

147.08 INSPECTION PROCEDURES

The owner and/or agent shall schedule an inspection to be conducted by the Community Development Department to ensure compliance with the requirements of this chapter.

- a) Appointments: Appointments for inspections shall be scheduled by the applicant through the City during regular business hours and shall provide at minimum one (1) business day notice. The City may request for the appointment to be rescheduled. The owner and/or agent shall be required to arrange for access to all portions of the building. Failure to provide

access to all portions of the building shall prevent the issuance of a rental certificate and thus compliance with the law. The owner and/or agent shall notify all tenants of the inspection in accordance with Chapter 562A, *Uniform Residential Landlord and Tenant Law*, of the Code of Iowa. Failure to notify tenants shall result in reinspection.

- b) Inspection Schedule: The Community Development Department shall seek to inspect every residential rental dwelling within the corporate limits of the City of Indianola every two (2) years. As part of the inspection process, the City may determine to extend or shorten the timeframe to the next scheduled inspection. Factors that may influence the City to inspect more or less frequently include, but are not limited to the following:

- a) Age and condition of dwelling
- b) Inspection history
- c) Tenant/management complaints
- d) Natural disasters such as flooding
- e) Timely inspection scheduling, follow-up, and fee payment by the owner
- f) In-house inspection and maintenance program by the owner that includes specific life/safety provisions

It shall be the responsibility of the owner and/or agent to ensure that their rental properties have a valid rental inspection certificate. The City may schedule inspection appointments with the owner and/or agent of the property by regular mail and/or email, a minimum of thirty (30) days in advance of the inspection. It shall be the owner and/or agent's responsibility to notify all tenants of the inspection date and time, in accordance with Iowa law.

- c) Inspections shall not be conducted under the following circumstances and shall result in a reinspection:

- a) When a minor is serving on the behalf of the owner and/or agent
- b) When the inspection is against the will of the tenant without the building owner and/or agent present
- c) When no prior notice is given to the tenant, as is required by state law
- d) Without either the owner and/or agent, tenant of the dwelling, or the designated agent being present

- d) Administrative Search Warrants: When under any section of this code it is necessary to enter in or upon any building, structure, land or other premises for inspection purposed or when there is reasonable cause to believe there exists in, at or upon a building, structure, land or other premises within the jurisdiction of the city a violation of any section of this Code enacted under police powers related to health or safety and a city officer or employee is authorized to conduct inspections has attempted to gain entry to any building, structure, land or other premises for the purpose of such inspection and has been refused such entry, the council in the exercise of its home rule powers authorizes the city attorney or their designee to make an application for an administrative search warrant in the name and authority of the city as provided by law

147.09 MOBILE HOMES

Mobile homes shall be regulated and inspected in accordance with the following classifications:

- a) The class of mobile homes denoted as manufactured homes, as defined in 42 USC 5402(6), shall bear a data plate, serial number and certification label as required by Manufactured Home Construction and Safety Standards, Department of Housing and Urban Development (1985) sections 3280.5, 3280.6 and 3280.8, or shall meet the requirements of section 3280.7.
- b) Mobile homes manufactured from March 1973 through May 1976 shall bear the seal of the state.
- c) Mobile homes manufactured prior to March 1973 shall be inspected for general conformity with the Manufactured Home Construction and Safety Standards cited in this section as such standards govern fire safety, plumbing, mechanical and electrical systems, and general construction.
- d) All other mobile homes not included in the classifications in sections (1) through (3) of this section shall be inspected for general conformity with the Manufactured Home Construction and Safety Standards cited in this section as such standards govern fire safety, plumbing, mechanical and electrical systems, and general construction.
- e) A mobile home showing no evidence of modification and generally well-maintained as set forth in this article, shall be issued an inspection certificate in the same manner as any other dwelling unit subject to this article.

147.10 COMPLAINTS

Unless there are significant health, safety, or general welfare issues, a tenant shall first file a written complaint to the owner or agent. Complaints shall be submitted in writing and if desired, tenants may use a written complaint form made available from the Community Development Department.

- a) An owner or agent shall seven (7) days to address the complaint.
- b) If the complaint is not remedied to the tenant's satisfaction within seven (7) days of receiving said complaint, or if the complaint is of a significant health, safety, or general welfare issue, the Code Enforcement Officer shall schedule an inspection with the tenant and owner.
- c) No person shall pursue an action for eviction in retaliation for a complaint.
- d) No person shall cause any service, facility, equipment or utility required under this chapter to be removed, shut off, or discontinued in retaliation for a complaint

147.11 REVOCATION AND SUSPENSION OF CERTIFICATES

Any rental inspection certificate may be summarily revoked and/or suspended by the Code Enforcement Officer upon the review of a notice of violation of any provision of this chapter or upon any outstanding fees, fines, or violations on any rental properties and/or units under the jurisdiction of the City of Indianola

147.12 WITHHOLDING OR DENIAL OF CERTIFICATES

Any rental inspection certificate may be withheld or denied by the Community Development Department if an owner has outstanding fees, fines, or violations on any rental properties and/or units under the jurisdiction of the City of Indianola

147.13 VIOLATIONS AND PENALTIES

Any person who fails to comply with any provisions of this chapter or other applicable code or regulation shall be subject to a fine as set forth in Chapter 4. In the instance that a rental property fails to meet the requirements within this chapter, The Community Development Department may issue an order requiring for the property owner or agent to correct violations within a reasonable amount of time.

Whenever the City determines that a violation of this chapter exists, the City shall give notice of the violation. The notice shall be in writing and shall describe with reasonable detail the violation(s) to allow the property owner to correct said violation(s)

147.14 FEES

All fees due to the City for registration, and/or rental housing certificates, as determined by City Council resolution, shall be collected in prior to issuance of a certificate.

147.15 RENT COLLECTIONS

Rent shall not be recoverable by the owner or lessor of any dwelling unit which does not comply with the provisions of this chapter for any period of occupancy which commences on or after the date that the City gives notice to the owner and tenant of the provisions of this section. Rent shall not thereupon be recoverable by the owner of such dwelling unit until the City gives written notice to the owner and tenant that such dwelling unit has been issued a valid inspection certificate as required by this chapter

147.16 APPEALS

Appeals to the Board of Adjustment concerning interpretation or administration of this chapter may be taken by any person aggrieved or by any officer or bureau of the governing body of the City affected by any decision of the Administrative Officer. Such appeals shall be taken within a reasonable time, not exceeding 60 days, by filing with the Administrative Officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Administrative Officer shall forthwith transmit to the Board all papers constituting the record upon which the action appeal from was taken. The Board of Adjustment shall fix a reasonable time for the hearing of appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney. A fee as set by the Resolution of the City Council shall be paid to the Administrative Officer at the time the notice of appeals is filed.

147.18 VARIANCES

Where the strict application of standards or requirements established by this chapter would cause substantial hardship or impose unreasonable restrictions in establishing a rental housing unit because of natural or physical conditions or limitations not created by the owner, agent or developer, the property owner may apply for a variance to the standards or requirements established in this chapter. The Community Development Department may create a recommendation for approval and the Board of Adjustment may grant such variances from

these standards or requirements as may be necessary to permit the reasonable certification of a rental property and/or unit while preserving the intent of this chapter.

147.19 INJUNCTION; MANDAMUS

If rent on any residential building or structure or sleeping unit is being collected of which is not lawfully or legally certified or licensed to do so, the City may, in addition to other remedies, institute injunction, mandamus, or other appropriate lawful action necessary to prevent, correct, or abate such violation.

Section 2. The following sections be and is hereby amended by adding the underlined language as follows:

154.02 AMENDMENTS, MODIFICATIONS, ADDITIONS AND DELETIONS.

The following sections of the *International Property Maintenance Code*, 2018 edition, as published by the International Code Council, are hereby revised:

1. Section 101.1. Insert: City of Indianola, Iowa
2. Delete Code Section: IMPC103.5. Replace with the following language:
103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be found in the Fee Schedule adopted annually by resolution of the City Council.
3. Delete Code Section: IMPC112.4. Replace with the following language:
112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine as outlined in Chapter 4.
4. Insert Definition into Section 202. Add the following language:

STORED MATERIALS. Includes a supply of materials such as firewood, maintenance equipment, and construction items and is intended for future usage
5. Add Code Section 301.4. Insert the following language:

Section 301.4 Mold, Dampness and Moisture. Interior and exterior surfaces and coverings shall be free of visible mold or chronic/persistent excessive dampness and/or moisture
6. Add Code Section 301.5. Insert the following language:

Section 301.5 Methamphetamine. If it is determined that a dwelling unit or building has been previously used for methamphetamine manufacture or is currently being used to manufacture methamphetamine, the building shall be vacated until certified as safe by the Code Enforcement Officer.

4.7.Section 302.4. Insert:

Grass, weeds or brush on private property shall be cut, mowed and maintained so as not to exceed the following height specifications:

- A. Developed Areas – not to exceed eight inches.
- B. Undeveloped Areas – not to exceed 12 inches.
 - i. This section does not apply to grasses grown as agricultural crops on undeveloped property or to prairies, wetlands, or similar areas of naturalized perennial vegetation grasses growing on undeveloped property as determined by the City Council.
- C. All undeveloped properties adjacent to a developed property - not to exceed eight inches for a distance of 10 feet measured horizontally into the property from the property line.
- D. Grass, weeds or brush on undeveloped properties adjacent to the curb line or outer boundary of any street shall be cut, mowed and maintained so as not to exceed eight inches for a distance of 25 feet measured horizontally into the property from the property line.

5.8.Section 304.14. Insert: (from date) April 1 (to date) October 31

9. Add Code Section 304.18.4. Insert the following language:

Section 304.18.4 Building Security

- 1. Following each change in tenancy, locking devices on dwelling unit entry doors shall be changed or rotated.
- 2. Primary egress doors in multi-family housing units shall be equipped to provide the occupant with a clear view of the area immediately outside of the door. This view may be provided by a one-way door viewer designed to provide a one hundred eighty (180) degree field of view. Such viewer shall not be mounted in excess of 60 inches.

10. Add Code Section 304.20. Insert the following language:

Section 304.20 Building Openings. If openings are identified that penetrate exterior walls, the opening shall be sealed with low-VOC caulk or closed-cell insulation

11. Add Code Section 305.7. Insert the following language:

Section 305.7 Lead Paint

- 1. Deteriorated paint or surfaces that are in need of resurfacing at a property built before 1978 shall be repaired in accordance with applicable state and federal renovation requirements. The underlying cause of deteriorated paint at a property built before 1978 shall be corrected.
- 2. If disturbance to a painted surface is proposed, methods including open-flame burning or operating a heat gun at a temperature of 1,100 degrees Fahrenheit power sanding, grinding, power planing, needle gun, abrasive blasting and sandblasting unless with a high-efficiency particulate air vacuum attachment, shall not be permitted. Dust clearance shall be performed at the conclusion of renovation work.

12. Add Code Section 305.8. Insert the following language:

Section 305.8 Asbestos. Asbestos containing material shall be in good repair, free from any defects and shall be maintained non-friable. Any renovation, demolition, or other activity that will disturb asbestos shall be performed by a certified asbestos professional.

13. Add Code Section 305.9. Insert the following language:

Section 305.9 Radon. Radon at or above the level of four picocuries radon per liter of air (4 pCi/L) in the lowest habitable space of the dwelling shall be deemed as hazardous and be mitigated by a Radon Mitigation Specialist certified by the State of Iowa.

14. Add Code Section 305.10. Insert the following language:

Section 305.10 Building Renovation and Maintenance

1. Any renovation that is completed must use building materials certified to meet the following formaldehyde maximum emission standards:
 - a. Hardwood with a never core, 0.05 ppm
 - b. Medium-density fiberboard, 0.11 ppm
 - c. Thin medium-density fiberboard, 0.13 ppm
 - d. Particleboard, 0.09 ppm
2. Building materials used in maintenance and renovations shall be certified as having no volatile organic chemicals (VOCs) or low-VOC emissions

15. Add Code Section 309.6 Insert the following language:

Section 309.6 Pest Elimination Methods. Pesticide usage shall be used in accordance with Integrated Pest Management (IPM) methods and shall use the least-toxic pesticide with demonstrated efficacy for the identified pest. Foggers and organic phosphates shall not be used to eliminate pest infestation unless approved by the Code Enforcement Officer.

16. Add Code Section 402.4. Insert the following language:

Section 402.4 Light Switches. Light switches that control ceiling or wall-type electric light fixtures shall be located conveniently for safe use within 12 inches.

17. Add Code Section 403.6. Insert the following language:

Section 403.6 Air Filters. Forced-air systems should have a clean air filter with minimum efficiency reporting value of eight (MERV-8) unless the system is not equipped to use one.

18. Add Code Section 403.7. Insert the following language:

Section 403.7 Exhaust Fans. Air exhausted from the bathroom, toilet room, kitchen, laundry, and basement shall not discharge near any intake on the building's exterior.

19. Add Code Section 403.8. Insert the following language:

Section 403.8 Separation. Walls, ceilings, and floors that separate a dwelling unit from neighboring units, corridors, chases, stairwells, and other openings shall be sealed to limit air exchanges between interior spaces.

20. Add Code Section 503.5. Insert the following language:

Section 503.5 Watertight Seal. Corners or edges where the water-resistant floor and wall materials meet each other, or the bathtub/shower shall have a watertight seal.

21. Add Code Section 601.3. Insert the following language:

Section 601.3 Facilities. If facilities for heating and ventilation control becomes inoperative, they shall be replaced by an alternative safe source within 48 hours after failure due to a mechanical problem or power failure other than a utility outage.

22. Add Code Section 601.4. Insert the following language:

Section 601.4 Equipment. Mechanical, utility and heating equipment shall be separated from habitable rooms. Equipment rooms in multi-family buildings shall be locked.

~~6-23.~~ Section 602.3. Insert: (from date) September 15 (to date) May 15

~~7-24.~~ Section 602.4. Insert: (from date) September 15 (to date) May 15

25. Add Code Section 602.6. Insert the following language:

Section 602.6 Protective Cover/Barrier. A protective cover/barrier shall be installed on and maintained for exposed surfaces in dwellings with heating appliance/equipment utilizing steam or hot water with a temperature of 110 degrees or greater.

26. Add Code Section 602.7. Insert the following language:

Section 602.7 Wood Stoves. A wood stove manufactured after June 1988 shall contain a manufacturer's label certifying compliance with the emission standard at 40 C.F.R 60-part AAA and shall provide a heat shield which provides clearance between combustible materials and the stove.

27. Add Code Section 702.5. Insert the following language:

Section 702.5 Fire Safety Requirements

1. Egress shall lead outside without passing through another dwelling unit.
2. Every multi-family dwelling unit shall have at minimum two means of egress that serve as emergency escapes and rescue openings.
3. Stored materials shall be six inches above the ground, at least six inches away from the wall and shall not block egress

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2021, and approved

this _____ day of _____, 2021.

Pam Pepper, Mayor

ATTEST:

Andrew J. Lent, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of Indianola, Iowa, on _____, 2021, and was published on _____, 2021.

Andrew J. Lent, City Clerk



Community Development

110 N. First St., Indianola, IA 50125-0299 • www.indianolaiowa.gov
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Sept 2021 Permit Report

<u>Code</u>	<u>Type</u>	<u>Permits Issued</u>	<u># of Units</u>	<u>Amount</u>	<u>Average</u>	<u>Non-Taxable</u>
101	Single Family Home	11	11	\$2,835,000.00	\$257,727.27	
102	Single Family Attach	2	2	\$550,000.00	\$0.00	
103	Two Family	0	0	\$0.00	\$275,000.00	
104	Three or More Families	0	0	\$0.00	\$0.00	
	Mobile Homes	0	0	\$0.00	\$0.00	
322	Service Stations	0		\$0.00	\$0.00	
324	Office	0		\$0.00	\$0.00	
328	Non-resident buildings	0				
329	Pool	1		\$48,000.00	\$48,000.00	
434	Residential Add/Alt	10		\$183,368.42	\$18,336.84	
437	Non-residential add/alt	0		\$0.00	\$0.00	
438	Res garage/carports	1		\$10,000.00	\$10,000.00	
645	Demo - sfd	0		\$0.00	\$0.00	
649	Demo - commercial			\$0.00	\$0.00	
Sept Total		25	13	\$3,626,368.42		
Residential Value		Commercial Value		All Non-Taxable		
100.0%		0.0%		0.0%		

YEAR TO DATE TOTAL						
<u>Code</u>	<u>Type</u>	<u>Permits Issued</u>	<u># of Units</u>	<u>Amount</u>	<u>Average</u>	<u>Non-Taxable</u>
101	Single Family Home	46	46	\$14,690,573.00	\$319,360.28	
102	Single Family Attach	10	10	\$2,364,000.00	\$219,000.00	
103	Two Family	0	0	\$0.00	\$0.00	
104	Three or More Families	1	50	\$5,563,427.00	\$5,563,427.00	
	Mobile Homes	0	0	\$0.00	\$0.00	
322	Service Stations	0		\$0.00	\$0.00	
324	Office	0		\$0.00	\$0.00	
328	Non-resident buildings	3		\$2,557,500.00	\$852,500.00	
329	Pool	10		\$540,642.00	\$54,064.20	
434	Residential add/alt	70		\$1,330,027.42	\$19,000.39	
437	Non-residential add/alt	12		\$4,947,725.00	\$412,310.42	
438	Res garage/carports	6		\$136,043.00	\$22,673.83	
645	Demo - sfd	2		\$0.00	\$0.00	
649	Demo - commercial	1		\$0.00	\$0.00	
YTD TOTAL		161	106	\$32,129,937.42		
Residential Value		Commercial Value		All Non-Taxable		
76.6%		23.4%		0.0%		



COMMUNITY DEVELOPMENT

To: Ryan J. Waller, City Manager
From: Charlie E. Dissell, AICP, Community and Economic Development Director
Date: October 7, 2021
Subject: Current Projects Update

The purpose of this memorandum is to provide a brief synopsis of different projects that may be of interest to the Council. Of the 17 projects listed, nine (9) are in review, one (1) has been approved and is awaiting construction to begin, six (6) are in construction and (1) is completed. All dates are 2021, unless noted otherwise.

1. Executive Laser Wash (NE corner of East Hillcrest Avenue and North Jefferson Way)

Status: Review

- Site plan for building and site improvements submitted on July 27
- Site plan review comments returned on August 12
- Updated site plan submitted on August 26
- Site plan review comments returned on September 3

2. Southtown Chrysler Dodge Jeep Ram (2412 North Jefferson Way)

Status: Review

- Site plan for building and site improvements submitted on July 22
- Site plan review comments returned on August 6
- Updated site plan submitted on September 1
- Site plan approved on September 8

3. Overton Funeral Home (501 West Ashland Avenue)

Status: Construction

- Site plan submitted on June 15
- Site plan approved on July 14

4. Cavitt Creek Condominiums (1400 and 1500 blocks of North 9th Street)

Status: Review

- Site plan for Cavitt Creek Condominiums I, which proposes one (1) single-family unit and eight (8) two-family units, and for Cavitt Creek Condominiums II, which proposes one (1) single-family unit, 20 two-family units and 13 multi-family units (six-plexes), was submitted on May 20
- Site plan review comments returned on June 2

5. Phillips Floor (1605 North 9th Street)

Status: Construction

- Site plan and building permit submitted on May 3
- Site plan approved on June 9
- Building permit issued on June 29

6. Des Moines Metro Opera Warehouse (1909 North 14th Street)

Status: Construction

- Site plan submitted on April 8 for a building addition
- Site plan approved on June 18
- Building permit issued on June 18

7. DeYarman Ford (2406 North Jefferson Way)

Status: Construction

- Partial site plan submitted for building renovation on February 18
- Alternate site plan for building elevations was approved by the City Council on March 23
- City Council approved minor subdivision plat on April 19
- Site plan submitted on May 14
- Site plan approved on August 23
- Building permit issued on August 23

8. All Creatures Small (2400 West 2nd Avenue)

Status: Review

- Addition to the existing facility
- Site Plan/Stormwater Management Plan submitted on January 25
- Site Plan/Stormwater Management Plan comments returned on February 4
- Revised site plan received on February 26
- Site Plan/Stormwater Management Plan comments returned on April 28

9. Williams Terrace (1600 Block of North 9th Street)

STATUS: Approved

- Developer hosted a neighborhood meeting on March 9, 2020
- The City Council approved the rezoning request on July 6, 2020
- City Council approved the final plat on January 19
- Building permit application/plans received on February 26
- Site Plan submitted on March 26
- Easement vacation application submitted on May 18
- City Council approved site plan at its June 21 meeting
- Building permit issued on July 14
- Easement vacation approved on July 19

10. Cabin Coffee (910 East 2nd Avenue)

STATUS: Construction

- Sale of D&D lot and development agreement was approved by Council on October 21, 2019
- Developer closed on the property on November 22, 2019
- Council approved a 90-day on construction begin date extension at its May 18, 2020 meeting
- Council approved an alternate site plan on September 21, 2020
- Site plan approved on October 5, 2020
- Building Permit issued on November 11, 2020
- Site work has begun

11. Quail Meadows 4

Status: Review

- Located on the north end of North 8th Street
- Construction documents received on August 27
- Comments on construction documents returned on September 8
- Revised construction documents received on September 29

12. Heritage Hills 12

Status: Review

- Located on the west end of Trail Ridge Road
- Preliminary plat received on August 10
- Comments on preliminary plat returned on August 25
- Revised preliminary plat submitted on September 8
- Comments on revised preliminary plat returned on September 22

13. Fox Run 2

Status: Review

- Located north of the intersection of North 7th Court and East Lincoln Avenue and east of the intersection of North 7th Street and East Norwood Avenue
- Preliminary plat received on April 23
- Review comments returned on May 10
- Planning and Zoning Commission reviewed preliminary plat at its meeting on May 11
- Updated preliminary plat submitted on May 28
- City Council approved preliminary plat at its June 21 meeting
- Revised preliminary plat submitted on August 18
- Comments on revised preliminary plat returned on August 25
- Updated revised preliminary plat submitted on September 1
- Revised preliminary plat approved by the Planning and Zoning Commission on September 14
- Revised preliminary plat approved by the City Council on September 20
- Construction documents submitted on September 24

14. Heritage Hills 11

Status: Review

- Located north of the intersection of North G Street and West Orchard Avenue
- Preliminary plat received on April 16
- Review comments returned on May 4
- Revised preliminary plat received on May 11
- Planning and Zoning Commission reviewed preliminary plat at its meeting on May 11
- City Council approved preliminary plat at its June 7 meeting
- Construction documents submitted on June 10
- Construction documents comments returned on June 29
- Revised construction documents submitted on September 30

15. Prairie Glynn Plat 3

STATUS: Review

- Located southeast of the intersection of North 15th Street and East Iowa Avenue
- Preliminary plat received on October 20, 2020
- Updated preliminary plat and stormwater management plan submitted on January 25
- Review comments returned on February 4
- Construction documents submitted on February 23
- Updated preliminary plat and stormwater management plan submitted on April 13
- Construction documents comments returned on April 23
- Updated construction documents submitted on April 27
- Planning and Zoning Commission reviewed preliminary plat at its meeting on May 11
- Construction documents comments returned on May 14
- City Council approved preliminary plat at its meeting on May 17
- Updated construction documents submitted on June 24
- Geotechnical report received on July 28
- Updated construction documents submitted on August 26
- Construction documents comments returned on September 30
- Updated construction documents submitted on October 4

16. Ashton Park Plat 7

STATUS: Completed

- Located east of the intersections of East Euclid Avenue and North 18th Street and East Boston Avenue and North 18th Street
- City Council approved the preliminary plat at its May 18, 2020 meeting
- Revised preliminary plat submitted on July 6, 2020
- Construction Documents approved on September 10, 2020
- Site work has begun
- Final Plat submitted on February 17
- Planning and Zoning Commission recommended final plat for approval on March 9
- Staff did a walk through and provided a punchlist on improvements on June 30
- Final plat approved by the City Council on September 20

17. Summercrest

STATUS: Construction

- Located north of the intersection of North 7th Street and East Hillcrest Avenue
- The City Council approved the Rezoning/PRD plan and preliminary plat on July 6, 2020
- Construction documents approved on September 25, 2020
- Site work has begun