



PLANNING AND ZONING COMMISSION MEETING

May 23, 2023

6:00 PM

City Council Chambers

Agenda

- 1. Call to Order**
- 2. Roll Call**
- 3. Agenda Approval**
 - A. Approval of the May 23rd agenda.
- 4. Minutes Approval**
 - A. Approval of May 9th meeting minutes.
- 5. Public Comment**
- 6. Old Business**
 - A.
Consider recommendation on request for approval of a Plat of Survey on the behalf of Blake Reynolds, for property identified as Parcel #140/0023-0640.
- 7. New Business**
 - A. A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.
 - B. Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.
 - C. Consider the request from Branden Stubbs for a modification to the Summercrest Planned Unit Development (PUD).
- 8. Comments**
 - A. Current Projects
 - B. Brief discussion regarding Zoning Code Review and Amendments
- 9. Adjourn**



PLANNING AND ZONING COMMISSION MEETING

May 9, 2023

6:00 PM

City Council Chambers

Minutes

1. Call to Order

The meeting was called to order at 6:00 PM.

2. Roll Call

Commission members present: Cortney Marmon, Sarah Ritchie, Al Farris, Bob Ormsby

Staff members present: Charlie Dissell, Emily Rizvic, Miranda Chadwick

3. Agenda Approval

A. Approval of the May 9th meeting agenda.

Sarah Ritchie made a motion to approve the agenda.

Al Farris seconded the motion.

The motion was passed.

4. Minutes Approval

A. Approval of April 11th meeting minutes.

Al Farris made a motion to approve the meeting minutes.

Sarah Ritchie seconded the motion.

The motion was passed.

5. Public Comment

6. Old Business

7. New Business

A. Consider waiving right to review of a Plat of Survey for Chad Daniels, for a property located within two miles of the City of Indianola

Al Farris made a motion to approve waiving the right to review.

Sarah Ritchie seconded the motion.

The motion was passed.

B. Consider recommendation on request for approval of a Plat of Survey for Chad Daniels, on the behalf of Steve Henry, for property addressed as 9393 143rd Avenue.

Al Farris made a motion to approve the request.

Sarah Ritchie seconded the motion.

The motion was passed.

C. Consider recommendation on request for approval of a Plat of Survey on the behalf of Blake Reynolds, for property identified as Parcel #140/0023-0640.

Al Farris made a motion to defer this to a later meeting after staff had time to review further and speak with the county.

Sarah Ritchie seconded the motion.

This motion was passed.

8. Comments

A. Building Permit Report

B. Current Projects

9. Adjourn

Sarah Ritchie made a motion to end the meeting.

Al Farris seconded the motion.

The meeting was adjourned at 6:43.



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: May 23, 2023

Subject: Consider recommendation on request for approval of a Plat of Survey on the behalf of Blake Reynolds, for property identified as Parcel #140/0023-0640.

Recommendation:

Attachments:

1. 1. Staff Report
2. 2. Application
3. 3. Plat of Survey
4. 4. County Zoning Code Requirements



COMMUNITY DEVELOPMENT

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STAFF REPORT

PLANNING AND ZONING COMMISSION

Date of Meeting: May 9, 2023

Agenda Item: 6.A Consider recommendation on request for approval of a Plat of Survey on the behalf of Blake Reynolds, for property identified as Parcel #140/0023-0640.

Application Type: Plat of Survey

Applicant: Chad Daniels

Property Owner: Yoder Family Revocable Trust

Property Address/Parcel: Parcels #140/0023-0640

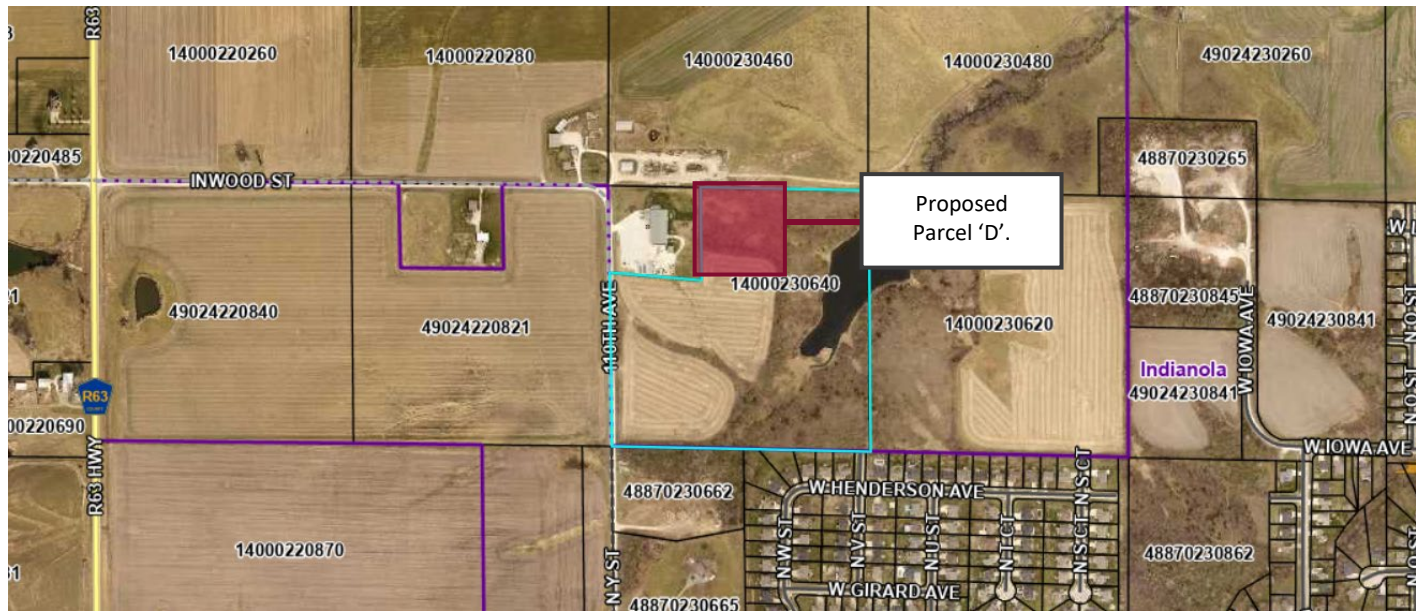
Current Zoning: A-1 'Agricultural' Zoning District (Unincorporated – Warren County)

Comprehensive Plan Designation: Neighborhood Mixed Use / Low Density Residential

Application Summary

Chad Daniels, on the behalf of Steve Henry, is requesting plat of survey approval for a property located outside of Indianola's corporate limits but within the two-mile jurisdictional boundary of Indianola.

AERIAL MAP



APPLICABLE CODE SECTIONS

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

170.06 FINAL PLATTING PROCEDURE

1. A final plat shall be submitted within six months of the approval of the preliminary plat, or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to the preparation of a final plat.
2. Procedures for final plats shall be the same as set out for preliminary plats in Section 170.05 above.
3. Upon approval of the final plat, a certification of approval signed by the Mayor and attested by the Clerk shall be affixed to the original tracing of the final plat and copies of the same filed with the Clerk, County Auditor and County Recorder, along with such other certifications and instruments that may be required by law.

170.10 FINAL PLAT REQUIREMENTS

The final plat shall meet the following specifications:

1. It may include all or only part of the preliminary plat.
2. The plat shall be drawn to the scale of 50 feet to one inch, provided that if the resulting drawing would be over 36 inches in its shortest dimension, a scale of 100 feet to one inch may be used. An electronic file is required to be filed prior to Planning and Zoning action with the Clerk.
3. The final plat shall contain the following:
 - A. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 3,000 feet.
 - B. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of the county of which the subdivision is a part.
 - C. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 - D. Accurate metes and bounds description of the boundary.

Agenda Item: 6.A Consider recommendation on request for approval of a Plat of Survey on the behalf of Blake Reynolds, for property identified as Parcel #140/0023-0640.

- E. Street names.
 - F. Complete curve notes for all curves included in the plat.
 - G. Street right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
 - H. Lot numbers and dimensions.
 - I. Accurate locations and descriptions of easements for utilities and any limitations on such easements.
 - J. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
 - K. Building lines and dimensions.
 - L. The location, type, material and size of all monuments and markers.
 - M. The name of the subdivision.
 - N. The name and address of the owner and the subdivider.
 - O. North point, scale, and date.
 - P. Certification by a registered land surveyor of the State of Iowa.
 - Q. Certification of dedication of streets, easements and other public property.
 - R. A resolution and certificate of approval by the Council for signatures of the Mayor and Clerk, stating that the plat, as described, has been acted upon and approved as required by Chapter 354, Code of Iowa, and that all dedications of streets easements and public lands have been accepted by the City.
 - S. Location and dimensions of sidewalks to be installed prior to the occupancy of a developed lot.
4. The final plat shall be accompanied by the following instruments:
- A. A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the Council.
 - B. A statement by the Auditor approving the name or title on the subdivision plat.
 - C. Either (i) a certificate bearing the approval of the Council stating that all improvements and installations in the subdivision required by this chapter have been made or installed in accordance with the City specifications, or (ii) a certificate from the owner or developer stating that all improvements required by this chapter shall be made or installed in accordance with City specifications before an occupancy compliance certificate is issued under the Zoning Ordinance, except as otherwise provided for in this chapter.
 - D. A petition by the subdivider to the Council to provide the necessary improvements and to assess the costs thereof against the subdivided property in accordance with the requirements regarding special assessments, provided, however, that the subdivider or property owners shall furnish the necessary waivers to permit the assessment of the entire cost of the improvement plus the necessary and reasonable cost of the assessment proceedings against the platted property even though the total amount exceeds the statutory limitations. The final plat shall state that the subdivider, the grantees, assignees and successors in interest agree that public services including but not limited to street maintenance, snow removal, rubbish, refuse and garbage collection will not be extended to this subdivision until the improvements have been completed and accepted by the City.
 - E. Easement(s) for Overland Drainage and/or Public Storm Sewer is required by and shall be in a form approved by the City.
 - F. A letter from the owner's engineer designing the public improvement stating that all public improvements completed have been made or installed in accordance with City Specifications prior to acceptance of maintenance bonds for such improvements.
5. The final plat shall also be accompanied by the following at the time it is presented for filing at the Warren County Recorder's Office.

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- A. A statement from the mortgage holders or lienholders, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in lieu of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
- B. An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- C. A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.

The Council or Commission may request drafts or copies of any of the above instruments for examination at the time of processing the final plat if, in their opinion, the review of such instruments is deemed necessary to properly evaluate the proposed subdivision.

170.11 DESIGN STANDARDS – STREETS

1. General Considerations that must comply with the current Iowa Statewide Urban Design Standards for Public Improvements (“SUDAS”).

- A. The street and alley layout shall provide access to all lots and parcels of land within the subdivision.
- B. Street jogs of less than 150 feet shall be avoided.
- C. Cul-de-sacs shall not exceed 700 feet in length.
- D. New subdivisions shall make provisions for continuation and extension of thoroughfares and collector streets and roads.
- E. No dead-end streets will be permitted except at subdivision boundaries and in no event shall any dead-end street be in excess of 500 feet.
- F. Thoroughfare and collector streets in a subdivision shall extend through to the boundaries thereof, unless a terminal point within the subdivision is shown in the master street plan.
- G. Alleys shall be discouraged in residential areas but shall be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
- H. Intersection of road centerlines shall be between 80 degrees and 100 degrees.
- I. Intersection of more than two streets at a point shall not be permitted.
- J. Where parkways or special types of streets are proposed, the Commission may apply special standards for the design of such parkways or streets.
- K. Proposed streets that are extensions of or in alignment with existing streets shall bear the name of the existing street. Names of new streets shall avoid duplication of or similarity to existing names of streets, or public and semi-public buildings and areas.
- L. Streets, avenues, places, and courts shall be named in the following manner:

General Direction	Long Streets	Short Streets
North and South	Streets	Courts
East and West	Avenues	Places
Diagonal	Roads	Ways
Curving	Drives	Lanes

2. Minimum rights-of-way shall be provided as follows:

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- A. Thoroughfares - 100 feet. In addition, access spacing on thoroughfares is as follows: (i) intersection spacing – 600 foot minimum; (ii) entrance spacing – 300 foot minimum; (iii) separation of entrance from intersection – 150 foot minimum.
- B. Residential collector streets - 70 feet.
- C. Commercial collector streets - 80 feet.
- D. Residential streets - 60 feet.
- E. Cul-de-sacs - 110 feet in diameter.
- F. Alleys - 20 feet.

3. The minimum width of surfacing to be provided shall be as follows:

- D. Residential Street – 25 feet or 31 feet within the discretion of the Council.
- E. Cul-de-sacs – 85 feet in diameter.
- F. Alleys – 20 feet.
- G. Sidewalks – 4 feet.

4. Grades. No street grade shall be less than one-half of one percent and shall not exceed the following limits:

- A. Thoroughfare streets – 4 percent.
- B. Collector streets – 6 percent.
- C. Residential streets – 8 percent.

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 two and one-half times the width.
- 6. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.

170.14 EASEMENTS

- 1. Easement not less than 15 feet in width shall be provided along each side of the front yard lot lines of all lots, and in the case of corner lots, the side street yard, and along such other lot liens as may be required by public and private utility companies.
- 2. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses or high voltage lines and shall be provided as determined by the utility or Council.
- 3. Utility easements shall convey to the City, its successors and assigns, the perpetual right within the areas shown on the plat and described in the easement, to construct, reconstruct, operate and maintain electric lines consisting of poles, wires, cables, conduits, fixtures, anchors and other similar equipment, including the right to trim or remove trees within such areas where necessary to secure a clearance of four feet from the wires or poles, together with the right to extend to any telephone, telegraph, electric or power company, the right to use separately or jointly with the City, the areas included in the easement for the purposes above enumerated.

170.15 PARKS, SCHOOL SITES AND PUBLIC AREAS.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the most current Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by an appropriate taxing agency.

170.16 NATURAL DRAINAGE COURSES

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Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or drainage course.

170.17 EROSION CONTROL (DESIGN STANDARDS)

Methods for controlling soil erosion shall be in accordance with current Iowa Department of Natural Resources Standards and requirements of NPDES permit.

170.19 SANITARY SEWERS

The subdivider shall at the subdivider's expense provide the subdivision with a complete sanitary sewer system including all necessary pumping stations, force mains, pumping equipment and other appurtenances, which shall connect with a sanitary sewer outlet or treatment facility approved by the Council. The sewers shall extend to the subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property. Where sewers in excess of 15 inches in diameter are required, the additional cost shall be borne by the City.

170.20 PROHIBITED DISCHARGE

No storm water, surface water, ground water, roof runoff, swimming pool, subsurface drainage, cooling water or unpolluted water shall be discharged into the City sanitary sewer system. Any such discharge into the City sanitary sewer system shall be deemed a public nuisance and a municipal infraction.

170.21 STORM DRAINS

1. The subdivider shall, at the subdivider's expense, provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide the collection and removal of all surface waters. These improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties. Where oversize storm sewers or drainage structures are required to serve other areas of the watershed, the additional cost shall be borne by the developer.

2. The subdivider shall, at the subdivider's expense, provide the subdivision with a storm sewer system to adequately handle a five-year rain storm. The system shall include culverts, ditches, intakes, manholes, or any structure deemed necessary. All such structures shall meet the City of Indianola Standard Specifications. In addition, the subdivider shall, at the subdivider's expense, provide the subdivision with overland drainage courses and easements to adequately handle storm water in excess of a five-year rain storm and up to a 100-year rain storm. For any subdivision containing new streets, the system shall be designed by a licensed engineer registered to practice in the State of Iowa.

- A. Each lot shall be provided with minimum six-inch diameter storm sewer service line that is a minimum of four feet below ground level, stubbed to the property line, unless the Director of Community Development determines that sump lines can be taken to an existing overland drainage area. The sump pump line shall be a minimum of one and one-half inches in diameter.
- B. The storm sewer system line shall be made of reinforced concrete pipe or polyvinyl chloride (PVC) pipe. The sump pump lines shall be made of PVC, PVC Truss, or PVC corrugated pipe. All structures shall be built in accordance with City of Indianola Standard Construction Specifications for Subdivisions.
- C. The storm sewer system shall be large enough to provide for anticipated extension of use to serve additional areas, as set out in Indianola Comprehensive Plan.
- D. Storm sewer service lines shall be connected to the City storm sewer system at intakes, manholes, or directly into the City storm sewer pipe. Tapping storm sewer service lines into the City storm sewers shall be by using approved methods.

Should it not be possible to install a storm sewer service, as described above, alternate plans may be submitted for review by the City's consulting engineer and City staff.

170.22 WATER

The subdivider shall at the subdivider's expense provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall be extended into and through the subdivision to the boundary lines, and which shall provide a water connection for each lot, and shall be connected to the City water

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system. Fire hydrants shall be uniform throughout the subdivision and shall meet the standards and design approved by the Utilities Board of Trustees. Where water mains in excess of eight inches are required, the additional cost shall be borne by the City if the area is zoned R-2 or R-3. If at the time the main is to be installed the area in question is zoned R-4, any commercial or any industrial classification, the subdivider may be required to put in a water main in excess of eight inches at the subdivider's own expense. Whether the City shall pay a portion of the additional cost shall be discretionary with the Board of Trustees. Water mains shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.

170.23 SIDEWALKS

The subdivider, developer or owner of the lot shall at their expense provide a four-foot wide concrete sidewalk along each lot frontage prior to the occupancy of the structure on the lot except as otherwise provided herein. In commercial or industrial areas where it can be demonstrated that there will be limited or no need for sidewalks, the Council may waive or modify the requirement for the installation of sidewalks after review and report from the Commission. The Council may waive the sidewalk requirement on cul-de-sacs. Any such waiver shall not be acted upon until the Council has received the recommendation of the Commission.

170.24 MARKERS

The subdivider shall at the subdivider's expense place an iron rod not less than one-half inch in diameter and 24 inches in length as follows:

1. Set in concrete three feet deep at the intersection of all lines forming angles in the boundary of the subdivision, and at all street intersections.
2. At lot corners and changes in direction of block and lot boundaries.

170.25 GRADING

The subdivider shall at the subdivider's expense bring all streets and alleys with the platted area which are being dedicated for public use to the grade approved by the Council.

170.26 CURB AND GUTTER

The subdivider shall at the subdivider's expense install curb and gutter on all streets in the plat being dedicated for public use. Curb and gutter shall be constructed of Portland cement concrete in accordance with designs and specifications and at grades approved by the Council.

170.27 EROSION CONTROL (REQUIRED IMPROVEMENTS)

The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide erosion and runoff control measures as work progresses on site grading, the installation of sewers or other improvements or phases of work. Insofar as practical, erosion control measures shall be undertaken prior to any other development within the subdivision which will contribute to runoff or erosion.

170.28 SURFACING

The subdivider shall at the subdivider's expense surface all streets being dedicated for public use from curb to curb. Surfacing shall consist of not less than six inches of Portland cement concrete over a prepared subgrade and shall be constructed in accordance with designs and specifications and at grades approved by the Council. Where a surface width in excess of 31 feet is required, the cost of the additional surface width, which shall be assumed to be the center portion of the roadway surface, shall be paid by the City. On collector and thoroughfare streets where a higher standard than is herein required or a thickness of greater than eight inches is deemed necessary by the Council, the additional cost shall be born by the City. Where unimproved street right-of-way exists the owner or developer at the owner's or developer's own expense shall improve such right-of-way as required by this section for the entire width of the lot or lots (or for the entire width and the length of the lot or lots in the case of lot or lots bordered by more than one street) prior to or contemporaneous with the development of the lot or lots. The owner or developer shall also improve all other portions of unimproved street right of way serving such areas.

170.29 SPECIFICATIONS

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The type of construction, the materials, the methods, the standards of subdivision improvements and the maintenance bonds shall be in accordance with the specifications found in a bound volume which is entitled Iowa Statewide Urban Design and Specification for Public Improvements which is on file in the Clerk's office. The Council may from time to time amend by resolution the standard construction specifications for subdivisions found in the volume. The Clerk shall keep a record of all amendments made to the specifications. Plans and specifications for subdivisions shall be submitted to the Community Development for approval prior to construction, accompanied by a fee as set by resolution of the City Council, and construction shall not be started until the plans and specifications have been approved.

170.30 APPROVAL OF PLANS AND SPECIFICATIONS

The approval of plans and specifications relative to improvements required by this chapter shall be effective for a period of two years after the approval. If the required improvements are not in place and accepted by the City within the times specified, the approval shall lapse and construction shall not be started and construction under way shall cease until resubmitted plans and specifications have been approved. The City shall have the right, at the time of the new request for approval, to require the subdivider to use the type of construction, the materials, the methods and standard of subdivision improvements equal to the specifications of the City for like work which are in effect at that time. The City may also require that the subdivider comply with any amended ordinance or ordinances relative to improvements under this chapter or any successor chapter relative to subdivision improvements which have been adopted between the time of initial approval and the renewed approval as herein required. The reapproval as required by this section specifically applies only to the plans and specifications relative to subdivision improvements and has no application as to lot sizes, set backs, lot boundaries, street location or other platting requirements which shall be final on Council approval unless changed by some other method permitted by law.

170.31 INSPECTION

The subdivider or developer shall cause the installation of all improvements to be inspected to ensure compliance with the requirements of this chapter. The cost of the inspection shall be borne by the subdivider or developer. All inspection reports and certificates of compliance shall be filed with the Clerk before any improvements are accepted by the Council. Before accepting any portion of paving, storm water improvement or sanitary sewer system and maintenance thereof which has been constructed under the provisions of Sections 170.19 and Section 170.29 above, the Council reserves the right to have all mains within the sewer system to be dedicated, televised in order to determine whether they have been properly constructed. The televising shall be at the expense of the subdivider or party making the dedication.

170.32 ACCEPTANCE

All of the improvements required in this chapter under **Sections 170.19** through **170.28** shall, upon their completion, inspection, approval and acceptance by the City of Indianola, become the property of the City.

170.33 ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, shall extend electric service to the subdivision and shall make electric service available to each lot in the subdivision that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476. The City, by and through Indianola Municipal Utilities, shall install street lighting that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476 to current Indianola Municipal Utilities' standards and specifications. In residential subdivisions, all electric lines, including individual house service lines installed by the owner or developer, shall be placed underground.

170.34 CHARGE FOR INSTALLATION OF ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, reserves the right to make a reasonable charge to be paid by the developer, builder or owner for any service extended as provided by Section 170.33 above. Said charges may be changed from time to time, but shall be in accordance with a schedule of charges set by the Indianola Municipal Utilities Board of Trustees.

170.36 FEES

Each plat of survey, preliminary plat and final plat submitted for approval shall be accompanied by a fee as set by Resolution of the City Council.

170.38 ENFORCEMENT

In addition to other remedies and penalties as prescribed by law, the provisions of this chapter shall not be violated subject to the following:

1. No plat of survey or subdivision in the City of within two miles thereof shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat of subdivision have any validity until it complies with the provisions of this chapter and has been approved by the Council as prescribed herein.

ANALYSIS

Subject Property

Chad Daniels has submitted a plat of survey application, on the behalf of Blake Reynolds, for an unaddressed property, identified as Parcel #140/0023-0640. The subject property currently is vacant and a portion of the property is used for row-crop production.

The subject property fronts along and contains access off of 110th Avenue, which is a gravel road. This portion of the gravel road is currently maintained by Warren County. According to the Iowa Department of Transportation (IDOT), this road has an Annual Average Daily Traffic (AADT) of 260 vehicles, as of 2012. The proposed parcel, Parcel 'D', would not have frontage along 110th Avenue.

The subject property does appear to contain environmentally sensitive land features, including woodlands and waterway features, including a lake/pond and streams/creeks. The property does not contain floodplain. The area proposed for splitting contains row-crop production, prairie, and woodlands.

Future Land Use

The 'Elevate Indianola' Comprehensive Plan guides for the subject area to be Neighborhood Mixed use along the southern portion of property. The Neighborhood Mixed Use Land Designation guides for low-density residential uses, limited retail, office and personal/business services, small-scale overnight accommodations, civic uses and places of worship, and parks/open space/trails.

The northern portion of the subject property guides for Low-Density Residential. The Low-Density Residential Land Designation guides for 2-5 dwelling units per gross acre, single-family detached dwellings, accessory dwelling units, non-traditional single-family forms if compatibility standards are met, civic uses and places of worship, and parks/open space/trails.

The future land use plan does guide for a continuation of Iowa Avenue through the subject parcel for splitting to create an east-west connection up towards Inwood Street. The future land use plan also guides for a future park to be located to the east of the property. This future roadway however is located outside of the area to be split.

The proposed plat of survey, if approved, would create Parcel 'D', a 5.00-acre parcel. Parcel 'D' would be located to the east of 10533 110th Avenue (Parcel #140/0023-0644). The applicant has indicated that the purpose of this split is for sale for a future industrial business expansion that is located at 10533 110th Avenue, known as Reynolds Ag Solutions. The applicant has indicated that the parcel would be rezoned to commercial zoning.

Warren County Zoning

The Reynolds property located at 10533 110th Avenue (Parcel #140/0023-0644) has County zoning jurisdiction is currently zoned for the C-2 '*General Commercial-Highway Service District*'. This zoning district is intended to provide for the commercial and highway service uses required to serve the general needs of the County and the highway traveling public. The C-2 Zoning District allows for the following uses (A list of all zoning district uses/requirements are provided within the Agenda Packet):

- Uses Permitted in the C-1 Zoning District, which includes:
 - Automotive services (car wash, repair garage, filling stations, and tire/auto accessory stores)
 - Business services (bank, loan office, professional or commercial office, travel bureau, and real estate office)
 - Clothing service (apparel shop, clothes cleaning pick up station, costume rental, diaper service, shoe sales or repair, tailor, and hat cleaning/repair shop)
 - Equipment service (household appliances, record shops, and photographic shops)
 - Food service (caterer, grocery, fruit and vegetable store, meat market, drug store, tea rooms, restaurant, and taverns)
 - Personal services (beauty parlor, barber shop, cosmetics, masseur salon, optician, reducing salon, medical and dental clinics)
 - General retail service (antique store, bicycle sales, bird/pet shop, bookstore, cigar store, consumer fireworks seller, florist shop, furrier, hardware, paint and wallpaper store, toy shop, and variety store)
 - Amusement enterprises (bowling alleys, billiard hall, and indoor theater)
 - Hotel, motel, private club, and lodge
 - Electrical substations and telephone exchanges
 - Advertising signs and billboards
 - Milk distribution stations, but not for processing concerns
 - Communication towers
- Automobiles, trailer, mobile home, and farm implement establishments for display, hire, sales, and repair, including sales lots.
- Theaters
- Animal hospitals, veterinary clinic, or clinic
- Commercial baseball fields, swimming pools, skating, golf driving ranges, and other recreational uses of similar type
- Carpenter, sheet metal/sign painting shops, baker, laundry, clothes, cleaning, lumber yards, and commercial greenhouses
- Outdoor advertising signs
- Camping grounds
- Drive-in restaurants
- Public mini-storage
- Amusement parks

In discussions with the County Planning and Zoning Department, it was determined that the more appropriate zoning designation for the property would be the C-A '*Commercial-Agricultural District*'. This zoning district is intended to provide for those agriculturally related service business uses

unique to and interrelated to the A-1 Agricultural Districts. Uses within this zoning district include the following:

- Agricultural buildings and structures including livestock, feed lots, poultry farms, grain storage and grain drying facilities, provided however that all feed lots and poultry farms meet all of the waste treatment requirements of the Iowa Department of Natural Resources (IDNR)
- Commercial feed lots
- Agricultural feed and seed sales
- Agricultural equipment repair, such as blacksmith, welding, mechanical repair, and related services
- Storage and repair facilities of custom hire machinery and equipment and supplies incidental to the production of farm produce. This includes any type of tillage equipment and chemical application equipment.

Additionally, special use permits may be obtained for the following listed uses within the C-A zoning district:

- Veterinary clinics
- Ammonia storage and pumping facilities
- Sale barns
- Facilities for the custom cleaning and drying of grain
- Storage and repair of facilities of tiling contractors including incidental supplies and equipment
- Fertilizer and agricultural chemical sales
- Electrical substations

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200 feet of the subject property regarding the request on April 28, 2022. The request was originally heard by the Planning and Zoning Commission on May 10, 2023. During this meeting, the following members of the public spoke at the meeting:

1. James Lindsley inquired on procedural process for land divisions.
2. Dennis Van Fleet inquired on county zoning requirements and what land uses would be permitted at the property.
3. Jim Yoder, the property owner spoke on the request. He indicated that portions of the property are not buildable due to site conditions. He indicated that the pond and property has had illegal dumping. He indicated that if the split was not approved, he would sell the entire property to Blake Reynolds to become commercial.
4. Blake Reynolds indicated that they needed several additional feet for fill to create a mow-able slope. They indicated that they would zone the parcel to commercial. Reynolds indicated that the business initially started as a seed business and now has become a precision planning dealer, where corn and soybean planters are pre-built and then selling the equipment. Reynolds also indicated that he farms out of the building and partially uses the building for storage.

ALTERNATIVES

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

- 1) The City of Indianola Planning and Zoning Commission recommends that the request be approved, as submitted.
- 2) The City of Indianola Planning and Zoning Commission recommends the request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the request to be denied.**
- 4) The City of Indianola Planning and Zoning Commission remands the 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

As the proposed split is intended to increase the size of an existing industrial use and is designated as Neighborhood Mixed Use / Low Density Residential on the 'Elevate Indianola' Comprehensive Plan, staff recommends that the Indianola Planning and Zoning Commission move alternative 3, recommending that the request be denied.

LAND DIVISION APPLICATION

Community Development

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



PROPERTY OWNER

(Last Name) Yoder Family Trust
(First Name) _____
(Address) 14691 Lakeview Dr
(City) Clive (State) IA (Zip) 50325
(Phone) _____ (Email) _____

APPLICANT (if not Property Owner)

(Last Name) Daniels
(First Name) Chad
(Address) 22470 18th Ln
(City) New Virginia (State) IA (Zip) 50210
(Phone) 515-577-2583 (Email) PLS17532@gmail.com

☒ 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.

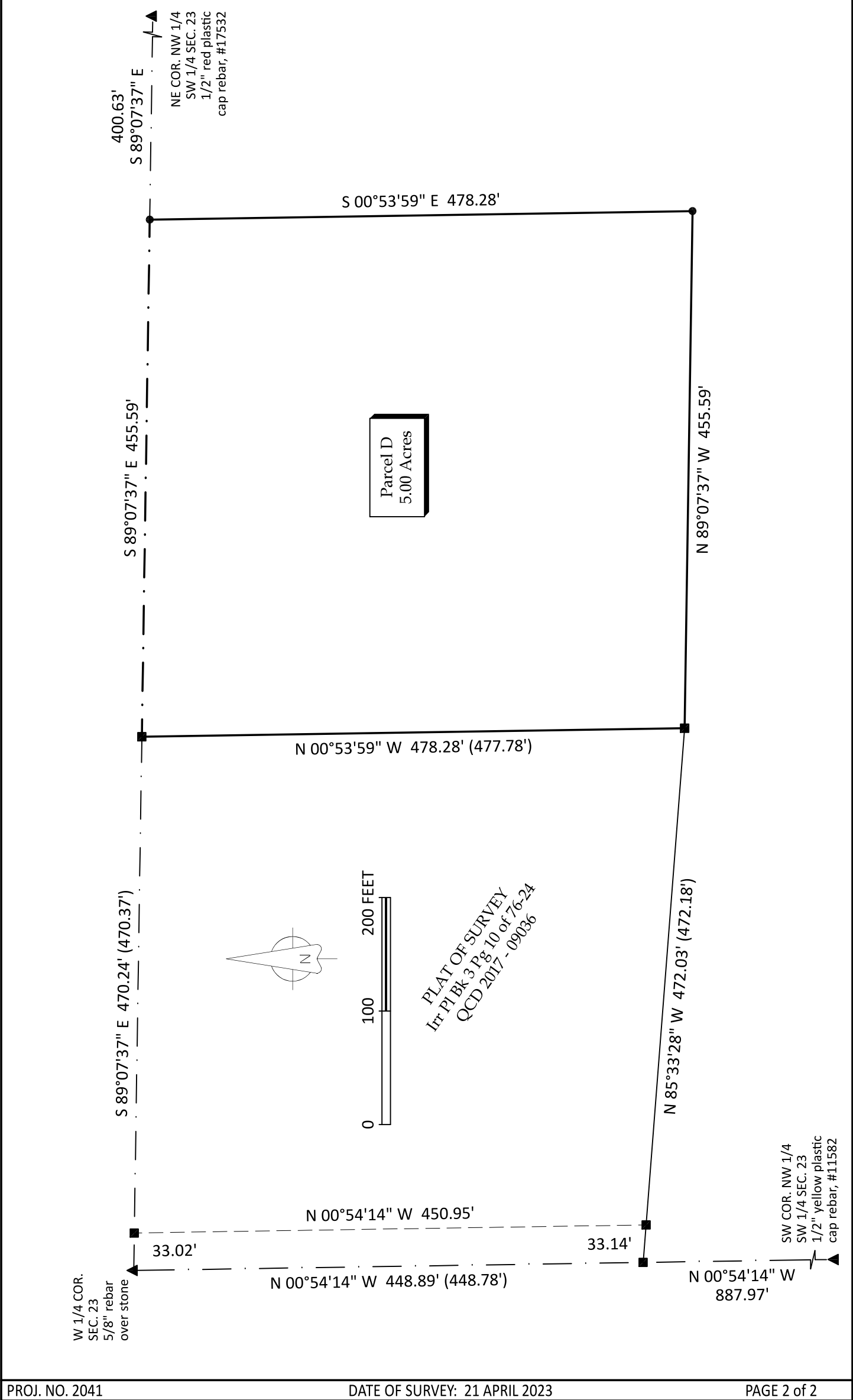
Signature Chad Daniels Digitally signed by Chad Daniels
Date: 2023.04.21 13:59:31 -05'00'

Name (printed) Chad A Daniels Date 21 April 2023

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

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

PLAT OF SURVEY		SURVEY LEGEND () - Recorded Distance/Bearing — — — — 33' Road Easement — · — · — Section line — × — × — Fence line Monuments ▲ - Found section corner ● - Set 1/2" red plastic capped rebar, #17532 ○ - Set 12" spike w/ brass washer, #17532 ■ - Found 5/8" yellow cr #3754 BASIS OF BEARINGS IS IA RCS ZONE 8
INDEX LEGEND LOCATION: NW ¼ OF SW ¼ OF SECTION 23 T 76N, R 24W, WARREN COUNTY, IOWA OWNER: YODER FAMILY TRUST 14691 LAKEVIEW DR., CLIVE IA 50325 SURVEY FOR: BLAKE REYNOLDS PREPARED BY CHAD A. DANIELS DANIELS LAND SURVEYING, 22470 18TH LN, NEW VIRGINIA IA 50210 RETURN TO: 515-577-2583		
DESCRIPTION - PARCEL D: That part of the Northwest Quarter of the Southwest Quarter of Section 23, Township 76 North, Range 24 West of the 5th P.M., Warren County, Iowa, described as follows; Commencing at the West Quarter corner of said Section 23; thence South 89 degrees 07 minutes 37 seconds East, 470.24 feet along the North line of said Northwest Quarter of the Southwest Quarter to the Northeast corner of a tract of land described on a Plat of Survey recorded in Irregular Plat Book 3 Page 10 of 76-24 and to the Point of Beginning; thence South 89 degrees 07 minutes 37 seconds East, 455.59 feet along said North line; thence South 00 degrees 53 minutes 59 seconds East, 478.28 feet; thence North 89 degrees 07 minutes 37 seconds West, 455.59 feet to the Southeast corner of said tract of land; thence North 00 degrees 53 minutes 59 seconds West, 478.28 feet to the Point of Beginning, having an area of 5.00 Acres.		
PROJ. NO. 2041		CHAD A. DANIELS 17532 LICENSED LAND SURVEYOR I O W A I hereby certify that this surveying document was prepared by me 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. Signed  21 APR 23 Chad A. Daniels Date Iowa License No. 17532 My license renewal date is 12-31-2024 Page No.'s covered by this seal: 1 and 2
DATE OF SURVEY: 21 APRIL 2023		PAGE 1 of 2



41.10 C-1 DISTRICT REGULATIONS. The C-1 Districts (Local Service Commercial Districts) are intended to provide for the normal business and commercial uses required to serve the local needs of the unincorporated areas of the County.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-1 Districts: Any retail business or service establishment supplying commodities or performing services, such as the following.

A. Automotive Service:

Filling station (See Chapter 42 for Regulations)
Tire and auto accessory store
Public parking
Repair garage
Car wash.

B. Business Service:

Bank
Loan office
Professional or commercial office
Travel bureau.
Real estate office.

C. Clothing Service:

Apparel shop
Clothes cleaning pickup station
Costume rental
Diaper service
Shoe sales or repair
Tailor
Hat cleaning or repair shop.

D. Equipment Service:

Household appliances
Phonograph/record shop
Photographic shop.

E. Food Service:

Caterer
Grocery
Fruit and vegetable store
Meat market

Drug store
Tea rooms
Restaurant
Tavern
Delicatessen shop.

F. Personal Services:

Beauty parlor
Barber shop
Cosmetics
Masseur salon
Optician
Reducing salon
Medical and dental clinics.

G. General Retail Service:

Antique store
Bicycle sales and repair shops
Bird or pet shop
Book store
Cigar store
Consumer Fireworks Seller; as defined in Section 100.19, Statutes of the State of Iowa, provided that the retailer engaged in sale of consumer fireworks shall possess a consumer fireworks seller license issued by the state fire marshal, show proof of general liability insurance with minimum per occurrence coverage of at least one million dollars and aggregate coverage of at least two million dollars, and abide with all rules adopted by the state fire marshal regarding a consumer fireworks license.
Florist shop
Furrier
Hardware
Paint and wallpaper store
Toy shop
Variety store.

H. Amusement Enterprises:

Bowling alleys
Billiard hall
Theater (indoor).

I. Hotel, Motel, Private Club or Lodge.

J. Electrical Substations and Telephone Exchanges.

- K. Advertising Sign or Billboard; provided that when the same is located within fifty (50) feet of an “R” district boundary line, it shall be affixed to or be on a building and not extend over any street line nor project above the roof line or parapet wall. See Chapter 42 for additional regulations.
- L. Milk Distribution Stations, but not processing concerns.
- M. Towers allowing for the construction and erection of microwave, radio, television, digital or cellular communication equipment. Towers 100 feet or less must be stealthed. No fall area on monopoles or silos. Fall areas shall be required on all towers over 100 feet in height. Requirement of fall zone be equal to the height of tower (as measured from the base) to all tower site boundaries.
- N. No new residential uses shall be permitted unless accessory to a permitted principal use.
- O. Any other use as determined by the Zoning Administrator to be a similar and like use to one of those named above.

2. Permitted Accessory Uses.

- A. Accessory uses and structures customarily accessory and incidental to any permitted principal use.
- B. Any exterior sign shall pertain only to a use conducted within the building and be integral or attached thereto. No sign may project over any street line or extend more than six (6) feet over any building line whether fixed to the building or any other structure. In no case shall any sign project more than four (4) feet above the roof line or a parapet wall, and the total area of all signs pertaining to the business conducted in any building shall not exceed two (2) square feet in area for every foot occupied by the front of the building displaying such sign. Where the lot adjoins an “R” district, the exterior sign shall be attached flat against the building and shall not face the side of the adjacent lot located in the “R” district; however, this does not apply to the side of the building which is opposite that side adjoining the “R” district.
- C. One post sign on each street on which a business abuts, provided, however, that said post sign shall not have a surface area greater than fifty (50) square feet on any one side thereof and not more than two (2) sides of said post sign shall be used for advertising purposes. The bottom of said post sign or surface area thereof shall be not less than twelve (12) feet above the sidewalk or above the surface of the ground upon which it is erected, and the total vertical or horizontal dimension of said sign shall not be greater than nine (9) feet. The term post sign as herein defined shall not be deemed to include any sign advertising the trade name, merchandise, or service of any person, firm, or corporation who pays a

consideration for the privilege of placing, maintaining, or using any portion of said sign to the owner or occupant of the premises upon which said sign is erected or placed. Said post sign shall not extend over street right-of-way lines nor otherwise obstruct or impair the safety of pedestrians or motorists.

3. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.
 - A. Minimum Lot Area. Permitted uses listed in this section: no minimum.
 - B. Minimum Lot Width. Permitted uses listed in this section: no minimum.
 - C. Minimum Front Yard Depth. All uses: Thirty (30) feet. In all cases the front yard shall be measured from the right-of-way line.
 - D. Minimum Side Yard Width. Permitted uses in this section:

When adjacent to an “A” District - 50 feet.

When adjacent to an “R” District – 75 feet.
 - E. Minimum Rear Yard Depth. Thirty-five (35) feet.
 - F. Height Regulations. Two and one-half (2 ½) stories, but not exceeding thirty-five (35) feet in height; and no accessory structure shall exceed one (1) story or fifteen (15) feet in height.
 - G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

41.11 C-2 DISTRICT REGULATIONS. The C-2 Districts (General Commercial-Highway Service Districts) are intended to provide for the commercial and highway service uses required to serve the general needs of the County and the highway traveling public.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-2 District.
 - A. Uses as permitted and regulated in the C-1 District except as otherwise provided herein.
 - B. Automobile, trailer, mobile home, and farm implement establishments for display, hire, sales, and repair, including sales lots; however, this paragraph shall not be construed to include automobile, tractor, machinery, or similar wrecking and used parts yards.
 - C. Theaters, provided that for drive-in theaters, the screen shall be so located as to not be visible from adjacent highways. Sufficient driveway area shall be provided so that cars will not be waiting in line on any public right-of-way or otherwise create a hazard to vehicular movement.
 - D. Animal hospital, veterinary clinic, or kennel provided any structure or area used for such purpose shall be at least two hundred (200) feet from any “R” district boundary and one hundred (100) feet away from any A-1 or C-1 district boundary.
 - E. Commercial baseball fields, swimming pools, skating, golf driving ranges, or similar recreational uses and facilities.
 - F. Carpenter, sheet metal and sign painting shops, baker, laundry, clothes cleaning and/or dyeing establishments; lumber yards and commercial greenhouses, provided that no heating plant or ventilating flue in connection with such operations shall be within fifty (50) feet of any “R” district.
 - G. Outdoor advertising signs in accordance with the provisions of Chapter 42.
 - H. Camping grounds.
 - I. Drive-in Restaurants.
 - J. Public mini-storage.
 - K. Amusement Parks.
 - L. Towers allowing for the construction and erection of microwave, radio, television, digital or cellular communication equipment. Towers 100 feet or less must be stealthed. No fall area on monopoles or silos. Fall areas

shall be required on all towers over 100 feet in height. Requirement of fall zone be equal to the height of tower (as measured from the base) to all tower site boundaries.

- M. Any other use as determined by the Zoning Administrator to be a similar and like use to one of those named above.

2. Permitted Accessory Uses.

- A. Accessory uses and structures customarily incidental to any permitted principal use.
- B. Accessory uses and structures as permitted in and regulated by the C-1 District regulations; provided, however, that the surface area of post signs may be increased to two hundred (200) square feet.

3. Bulk Regulations. The following minimum requirements shall be observed, subject to the modifications contained in Chapter 42 of the Zoning Ordinance.

- A. Minimum Lot Area. Permitted uses listed in this section: no minimum.
- B. Minimum Lot Width. Permitted uses listed in this section: no minimum.
- C. Minimum Front Yard Depth. All uses: thirty (30) feet. In all cases the front yard shall be measured from the right-of-way line.
- D. Minimum Side Yard Width. Permitted uses in this district:

When adjacent to an “A” District – 50 feet.

When adjacent to an “R” District – 75 feet.
- E. Minimum Rear Yard Depth. Thirty-five (35) feet.
- F. Height Regulations. No structure shall exceed three (3) stories or forty (40) feet in height (excluding Section 41.11 [1][L]).
- G. Off-street Parking and Loading. As required by Sections 40.22 and 40.23 of the Zoning Ordinance.

4. Special Use Permits: The following uses may be permitted in the C-2 district subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 5 and 6 hereof:

- A. Adult uses.
- B. Amusement parks.

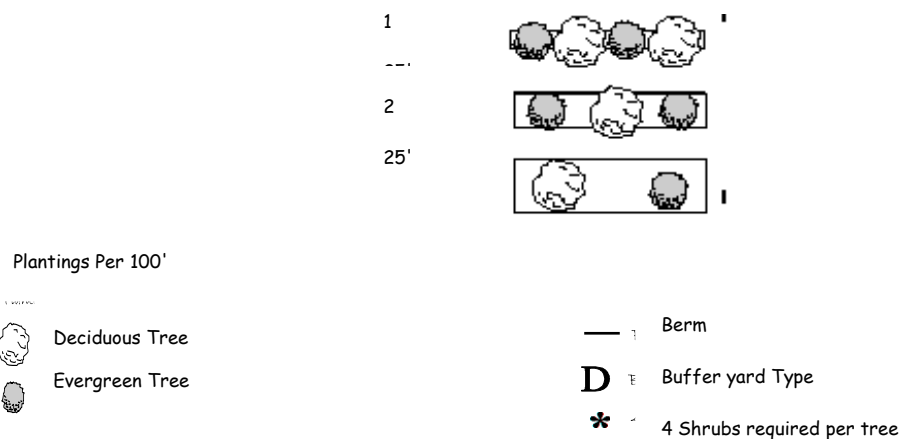
- C. Camping grounds.
 - D. Drive-in theater.
5. Special Restrictions.
- A. Adult uses.
 - 1. An adult use shall not be located within one thousand five hundred (1,500) feet of another adult use, nor shall they be located within one thousand five hundred, (1,500) feet of any public school or parochial school, day care center, church, public park, residential district, or any existing residential dwelling (one family, two family, or multiple dwelling).
 - 2. The one thousand five hundred (1,500) foot restrictions shall be computed by measurement from the residential zone or from the nearest property line of the land used for another adult use or any public or parochial school, licensed day care facility, church, public park, residential district, or any existing dwelling to the nearest entrance of the building in which adult uses are to occur, using a route of direct measured horizontal distance.
 - 3. All building openings, entries, windows, etc., shall be covered or screened in such a manner as to prevent a view into the interior from any public or semi-public area. Advertisements, displays, or other promotional materials shall not be shown or exhibited so as to be visible to the public from pedestrian sidewalks, walkways, or from other public, or semi-public areas. Signage for the adult use will be restricted to printed word form which shall include only the name of the business, type of operations, and hours of operation. No visually explicit or derogatory signs will be allowed on any sign or on the façade of the building. Compliance to other signage requirements in sections 40.19, 40.20, and 40.21 is required.
 - 4. No more than one adult business will be allowed per building and property.
 - 5. Due to their adverse effect, the adult use property shall be screened from the road and from other adjacent uses by either use of landscaping or screened fence. A site plan according to subsection 7 of this section showing the location of the building, the overall site layout, and methods of buffering, will be submitted to the director and Board of Adjustment for their review at the time of application.

6. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
 - A. That the proposed location, design, construction, and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
 - B. That such use shall not impair an adequate supply of fresh air and light to surrounding properties.
 - C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
 - D. That such use shall not diminish or impair established property values in adjoining or surrounding property.
 - E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the county.
7. Application for Special Use Permit. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property. It shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location size and number of signs and the manner of providing water supply sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan. The board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.

41.03 C-A DISTRICT REGULATIONS. The C-A Districts (Commercial-Agriculture Districts) are intended to provide for those agriculturally related service business uses unique to and interrelated to the A-1 Agricultural Districts. The C-A Districts are to be dispersed through the A-1 Districts.

1. Principal Permitted Uses. Only the use of structures or land listed in this section shall be permitted in the C-A District.
 - A. Agriculture and the usual agricultural buildings and structures including livestock feed lots, poultry farms, grain storage and grain drying facilities, provided however, that all feed lots and poultry farms meet all of the waste treatment requirements of the Iowa Department of Natural Resources and obtain the necessary permits where applicable.
 - B. Commercial feed lots subject to the requirements of subsections 41.02 (1) (A) (1) and (2) of this chapter.
 - C. Agricultural feed and seed sales.
 - D. Agricultural equipment repair, such as blacksmith, welding, mechanical repair, and related services.
 - E. Storage and repair facilities of custom hire machinery and equipment and supplies incidental to the production of farm produce. Such types of equipment or machinery included in this section may include but are not necessarily limited to: any type of tillage equipment, chemical application equipment (ground types only).
2. Special Use Permits C-A. The following uses may be permitted in the C-A District subject to approval by the Board of Adjustment after notice and public hearing, and subject to the conditions contained in subsection 3 hereof:
 - A. Veterinary clinics provided that any structures, including any livestock holding facilities, be located at least two hundred (200) feet from any “R” District boundary lines.
 - B. Ammonia storage and pumping facilities.
 - C. Sale barns provided that all structures including any holding facilities, be located at least four hundred (400) feet from any “R” District boundary lines.
 - D. Facilities for the custom cleaning and drying of grain.
 - E. Storage and repair of facilities of tiling contractors including incidental supplies and equipment.
 - F. Fertilizer and agricultural chemicals sales.

- G. Towers allowing for the construction and erection of microwave, radio, television, digital or cellular communication equipment. Towers 100 feet or less must be stealthed. No fall area on monopoles or silos. Fall areas shall be required on all towers over 100 feet in height. Requirement of fall zone be equal to the height of the tower (as measured from the base) to all tower site boundaries.
- H. Electrical Substations, provided that the fence surrounding the substation equipment shall be built no closer than 200 feet from any then existing residential dwelling house with 100 feet of the required separation being on the utility property and that the substation satisfies one of the following buffer yard requirements of the utilities' choice:



Further, structures and equipment within such facilities are exempt from the height regulations of the district.

3. Conditions for Special Use Permits. In its determination upon the particular use at the location requested, the Board shall consider all of the following conditions:
- A. That the proposed location, design, construction, and operation of the particular use adequately safeguards the health, safety, and general welfare of the persons residing or working in adjoining or surrounding property.
- B. That such use shall not impair an adequate supply of fresh air and light to surrounding property.
- C. That such use shall not unduly increase congestion in the streets or public danger of fire and safety.
- D. That such use shall not diminish or impair established property values in adjoining or surrounding property.

- E. That such use shall be in accord with the intent, purpose and spirit of the Zoning Ordinance and the Comprehensive Land Use Plan of the County.
- 4. Applications for Special Use Permits. Applications for a special use permit under terms of this section shall be accompanied by evidence concerning the feasibility of the proposed request and its effect on surrounding property and shall include a site plan defining the areas to be developed for buildings and structures, the areas to be developed for parking, the locations of driveways, and the points of ingress and egress, including access roads where required, the location and height of walls, the location and type of landscaping, the location, size and number of signs and the manner of providing water supply and sewage treatment facilities. Before issuance of a special use permit for any of the above buildings, or uses, the Board of Adjustment shall review the conformity of the proposal and site plan with the standards of the Comprehensive Land Use Plan, and with recognized principles of engineering design, land use planning and landscape architecture. The Board may approve or disapprove the special use permit as submitted, or before approval may require that the applicant modify, alter, or amend the proposal as the Board deems necessary to the end that it preserve the intent and purpose of the Zoning Ordinance to promote public health, safety, and the general welfare. In the event a special use permit is granted under the terms of this section, any change thereafter in the approved use or site plan shall be resubmitted and considered in the same manner as the original proposal.
- 5. Permitted Accessory Uses.
 - A. Uses of land or structures customarily incidental and subordinate to one of the principal permitted uses.
 - B. Signs pertaining to products or uses in the C-A Districts.
- 6. Bulk Regulations. The following minimum requirements shall be observed, subject to modifications contained in Chapter 42 hereof:
 - A. Minimum Lot Area. Permitted uses listed in this section: No minimum.
 - B. Minimum Lot Width. Permitted uses listed in this section: No minimum.
 - C. Minimum Front Yard Depth. All uses: fifty (50) feet. In all cases the front yard depth shall be measured from the right-of-way line.
 - D. Minimum Side Yard Width. Permitted uses listed in this section:
 - 1. When adjacent to an “A” District-fifty (50) feet.
 - 2. When adjacent to an “R” District-one hundred (100) feet.
 - E. Minimum Rear Yard Depth. Fifty (50) feet.

- F. Height Regulations. No structure shall exceed three (3) stories or forty (40) feet in height.
- G. Off-Street Parking and Loading. As required in Sections 40.22 and 40.23 of the Zoning Ordinance.



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: May 23, 2023

Subject: A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

Recommendation:

Attachments:

1. 1. Staff Report
2. 2. Application
3. 3. Plat of Survey



COMMUNITY DEVELOPMENT

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

STAFF REPORT

PLANNING AND ZONING COMMISSION

Date of Meeting: May 23, 2023

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

Application Type: Plat of Survey

Applicant: Alex Bradfield (Pelds Design Services)

Property Owner: Deer Run Partners LLC

Property Address/Parcel: #481/9500-0033

Current Zoning: C-2 'Commercial Highway' Zoning District

Comprehensive Plan Designation: Parks and Recreation

Application Summary

Alex Bradfield of Pelds Design Services, on behalf of Robert Myers, is requesting plat of survey approval for property identified as parcel #481/9500-0033. This property is located within the City of Indianola's corporate limits.

AERIAL MAP



APPLICABLE CODE SECTIONS

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

170.06 FINAL PLATTING PROCEDURE

1. A final plat shall be submitted within six months of the approval of the preliminary plat, or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to the preparation of a final plat.
2. Procedures for final plats shall be the same as set out for preliminary plats in Section 170.05 above.
3. Upon approval of the final plat, a certification of approval signed by the Mayor and attested by the Clerk shall be affixed to the original tracing of the final plat and copies of the same filed with the Clerk, County Auditor and County Recorder, along with such other certifications and instruments that may be required by law.

170.10 FINAL PLAT REQUIREMENTS

The final plat shall meet the following specifications:

1. It may include all or only part of the preliminary plat.
2. The plat shall be drawn to the scale of 50 feet to one inch, provided that if the resulting drawing would be over 36 inches in its shortest dimension, a scale of 100 feet to one inch may be used. An electronic file is required to be filed prior to Planning and Zoning action with the Clerk.
3. The final plat shall contain the following:
 - A. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 3,000 feet.
 - B. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of the county of which the subdivision is a part.
 - C. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 - D. Accurate metes and bounds description of the boundary.
 - E. Street names.

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

- F. Complete curve notes for all curves included in the plat.
 - G. Street right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
 - H. Lot numbers and dimensions.
 - I. Accurate locations and descriptions of easements for utilities and any limitations on such easements.
 - J. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
 - K. Building lines and dimensions.
 - L. The location, type, material and size of all monuments and markers.
 - M. The name of the subdivision.
 - N. The name and address of the owner and the subdivider.
 - O. North point, scale, and date.
 - P. Certification by a registered land surveyor of the State of Iowa.
 - Q. Certification of dedication of streets, easements and other public property.
 - R. A resolution and certificate of approval by the Council for signatures of the Mayor and Clerk, stating that the plat, as described, has been acted upon and approved as required by Chapter 354, Code of Iowa, and that all dedications of streets easements and public lands have been accepted by the City.
 - S. Location and dimensions of sidewalks to be installed prior to the occupancy of a developed lot.
4. The final plat shall be accompanied by the following instruments:
- A. A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the Council.
 - B. A statement by the Auditor approving the name or title on the subdivision plat.
 - C. Either (i) a certificate bearing the approval of the Council stating that all improvements and installations in the subdivision required by this chapter have been made or installed in accordance with the City specifications, or (ii) a certificate from the owner or developer stating that all improvements required by this chapter shall be made or installed in accordance with City specifications before an occupancy compliance certificate is issued under the Zoning Ordinance, except as otherwise provided for in this chapter.
 - D. A petition by the subdivider to the Council to provide the necessary improvements and to assess the costs thereof against the subdivided property in accordance with the requirements regarding special assessments, provided, however, that the subdivider or property owners shall furnish the necessary waivers to permit the assessment of the entire cost of the improvement plus the necessary and reasonable cost of the assessment proceedings against the platted property even though the total amount exceeds the statutory limitations. The final plat shall state that the subdivider, the grantees, assignees and successors in interest agree that public services including but not limited to street maintenance, snow removal, rubbish, refuse and garbage collection will not be extended to this subdivision until the improvements have been completed and accepted by the City.
 - E. Easement(s) for Overland Drainage and/or Public Storm Sewer is required by and shall be in a form approved by the City.
 - F. A letter from the owner's engineer designing the public improvement stating that all public improvements completed have been made or installed in accordance with City Specifications prior to acceptance of maintenance bonds for such improvements.
5. The final plat shall also be accompanied by the following at the time it is presented for filing at the Warren County Recorder's Office.
- A. A statement from the mortgage holders or lienholders, if any, that the plat is prepared with their free consent

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in lieu of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.

- B. An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- C. A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.

The Council or Commission may request drafts or copies of any of the above instruments for examination at the time of processing the final plat if, in their opinion, the review of such instruments is deemed necessary to properly evaluate the proposed subdivision.

170.11 DESIGN STANDARDS – STREETS

1. General Considerations that must comply with the current Iowa Statewide Urban Design Standards for Public Improvements ("SUDAS").

- A. The street and alley layout shall provide access to all lots and parcels of land within the subdivision.
- B. Street jogs of less than 150 feet shall be avoided.
- C. Cul-de-sacs shall not exceed 700 feet in length.
- D. New subdivisions shall make provisions for continuation and extension of thoroughfares and collector streets and roads.
- E. No dead-end streets will be permitted except at subdivision boundaries and in no event shall any dead-end street be in excess of 500 feet.
- F. Thoroughfare and collector streets in a subdivision shall extend through to the boundaries thereof, unless a terminal point within the subdivision is shown in the master street plan.
- G. Alleys shall be discouraged in residential areas but shall be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
- H. Intersection of road centerlines shall be between 80 degrees and 100 degrees.
- I. Intersection of more than two streets at a point shall not be permitted.
- J. Where parkways or special types of streets are proposed, the Commission may apply special standards for the design of such parkways or streets.
- K. Proposed streets that are extensions of or in alignment with existing streets shall bear the name of the existing street. Names of new streets shall avoid duplication of or similarity to existing names of streets, or public and semi-public buildings and areas.
- L. Streets, avenues, places, and courts shall be named in the following manner:

General Direction	Long Streets	Short Streets
North and South	Streets	Courts
East and West	Avenues	Places
Diagonal	Roads	Ways
Curving	Drives	Lanes

2. Minimum rights-of-way shall be provided as follows:

- A. Thoroughfares - 100 feet. In addition, access spacing on thoroughfares is as follows: (i) intersection spacing

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

- 600 foot minimum; (ii) entrance spacing – 300 foot minimum; (iii) separation of entrance from intersection – 150 foot minimum.

- B. Residential collector streets - 70 feet.
- C. Commercial collector streets - 80 feet.
- D. Residential streets - 60 feet.
- E. Cul-de-sacs - 110 feet in diameter.
- F. Alleys - 20 feet.

3. The minimum width of surfacing to be provided shall be as follows:

- D. Residential Street – 25 feet or 31 feet within the discretion of the Council.
- E. Cul-de-sacs – 85 feet in diameter.
- F. Alleys – 20 feet.
- G. Sidewalks – 4 feet.

4. Grades. No street grade shall be less than one-half of one percent and shall not exceed the following limits:

- A. Thoroughfare streets – 4 percent.
- B. Collector streets – 6 percent.
- C. Residential streets – 8 percent.

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 two and one-half times the width.
6. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.

170.14 EASEMENTS

1. Easement not less than 15 feet in width shall be provided along each side of the front yard lot lines of all lots, and in the case of corner lots, the side street yard, and along such other lot liens as may be required by public and private utility companies.
2. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses or high voltage lines and shall be provided as determined by the utility or Council.
3. Utility easements shall convey to the City, its successors and assigns, the perpetual right within the areas shown on the plat and described in the easement, to construct, reconstruct, operate and maintain electric lines consisting of poles, wires, cables, conduits, fixtures, anchors and other similar equipment, including the right to trim or remove trees within such areas where necessary to secure a clearance of four feet from the wires or poles, together with the right to extend to any telephone, telegraph, electric or power company, the right to use separately or jointly with the City, the areas included in the easement for the purposes above enumerated.

170.15 PARKS, SCHOOL SITES AND PUBLIC AREAS.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the most current Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by an appropriate taxing agency.

170.16 NATURAL DRAINAGE COURSES

Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or drainage course.

170.17 EROSION CONTROL (DESIGN STANDARDS)

Methods for controlling soil erosion shall be in accordance with current Iowa Department of Natural Resources Standards and requirements of NPDES permit.

170.19 SANITARY SEWERS

The subdivider shall at the subdivider's expense provide the subdivision with a complete sanitary sewer system including all necessary pumping stations, force mains, pumping equipment and other appurtenances, which shall connect with a sanitary sewer outlet or treatment facility approved by the Council. The sewers shall extend to the subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property. Where sewers in excess of 15 inches in diameter are required, the additional cost shall be borne by the City.

170.20 PROHIBITED DISCHARGE

No storm water, surface water, ground water, roof runoff, swimming pool, subsurface drainage, cooling water or unpolluted water shall be discharged into the City sanitary sewer system. Any such discharge into the City sanitary sewer system shall be deemed a public nuisance and a municipal infraction.

170.21 STORM DRAINS

1. The subdivider shall, at the subdivider's expense, provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide the collection and removal of all surface waters. These improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties. Where oversize storm sewers or drainage structures are required to serve other areas of the watershed, the additional cost shall be borne by the developer.

2. The subdivider shall, at the subdivider's expense, provide the subdivision with a storm sewer system to adequately handle a five-year rain storm. The system shall include culverts, ditches, intakes, manholes, or any structure deemed necessary. All such structures shall meet the City of Indianola Standard Specifications. In addition, the subdivider shall, at the subdivider's expense, provide the subdivision with overland drainage courses and easements to adequately handle storm water in excess of a five-year rain storm and up to a 100-year rain storm. For any subdivision containing new streets, the system shall be designed by a licensed engineer registered to practice in the State of Iowa.

- A. Each lot shall be provided with minimum six-inch diameter storm sewer service line that is a minimum of four feet below ground level, stubbed to the property line, unless the Director of Community Development determines that sump lines can be taken to an existing overland drainage area. The sump pump line shall be a minimum of one and one-half inches in diameter.
- B. The storm sewer system line shall be made of reinforced concrete pipe or polyvinyl chloride (PVC) pipe. The sump pump lines shall be made of PVC, PVC Truss, or PVC corrugated pipe. All structures shall be built in accordance with City of Indianola Standard Construction Specifications for Subdivisions.
- C. The storm sewer system shall be large enough to provide for anticipated extension of use to serve additional areas, as set out in Indianola Comprehensive Plan.
- D. Storm sewer service lines shall be connected to the City storm sewer system at intakes, manholes, or directly into the City storm sewer pipe. Tapping storm sewer service lines into the City storm sewers shall be by using approved methods.

Should it not be possible to install a storm sewer service, as described above, alternate plans may be submitted for review by the City's consulting engineer and City staff.

170.22 WATER

The subdivider shall at the subdivider's expense provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall be extended into and through the subdivision to the

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

boundary lines, and which shall provide a water connection for each lot, and shall be connected to the City water system. Fire hydrants shall be uniform throughout the subdivision and shall meet the standards and design approved by the Utilities Board of Trustees. Where water mains in excess of eight inches are required, the additional cost shall be borne by the City if the area is zoned R-2 or R-3. If at the time the main is to be installed the area in question is zoned R-4, any commercial or any industrial classification, the subdivider may be required to put in a water main in excess of eight inches at the subdivider's own expense. Whether the City shall pay a portion of the additional cost shall be discretionary with the Board of Trustees. Water mains shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.

170.23 SIDEWALKS

The subdivider, developer or owner of the lot shall at their expense provide a four-foot wide concrete sidewalk along each lot frontage prior to the occupancy of the structure on the lot except as otherwise provided herein. In commercial or industrial areas where it can be demonstrated that there will be limited or no need for sidewalks, the Council may waive or modify the requirement for the installation of sidewalks after review and report from the Commission. The Council may waive the sidewalk requirement on cul-de-sacs. Any such waiver shall not be acted upon until the Council has received the recommendation of the Commission.

170.24 MARKERS

The subdivider shall at the subdivider's expense place an iron rod not less than one-half inch in diameter and 24 inches in length as follows:

1. Set in concrete three feet deep at the intersection of all lines forming angles in the boundary of the subdivision, and at all street intersections.
2. At lot corners and changes in direction of block and lot boundaries.

170.25 GRADING

The subdivider shall at the subdivider's expense bring all streets and alleys with the platted area which are being dedicated for public use to the grade approved by the Council.

170.26 CURB AND GUTTER

The subdivider shall at the subdivider's expense install curb and gutter on all streets in the plat being dedicated for public use. Curb and gutter shall be constructed of Portland cement concrete in accordance with designs and specifications and at grades approved by the Council.

170.27 EROSION CONTROL (REQUIRED IMPROVEMENTS)

The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide erosion and runoff control measures as work progresses on site grading, the installation of sewers or other improvements or phases of work. Insofar as practical, erosion control measures shall be undertaken prior to any other development within the subdivision which will contribute to runoff or erosion.

170.28 SURFACING

The subdivider shall at the subdivider's expense surface all streets being dedicated for public use from curb to curb. Surfacing shall consist of not less than six inches of Portland cement concrete over a prepared subgrade and shall be constructed in accordance with designs and specifications and at grades approved by the Council. Where a surface width in excess of 31 feet is required, the cost of the additional surface width, which shall be assumed to be the center portion of the roadway surface, shall be paid by the City. On collector and thoroughfare streets where a higher standard than is herein required or a thickness of greater than eight inches is deemed necessary by the Council, the additional cost shall be born by the City. Where unimproved street right-of-way exists the owner or developer at the owner's or developer's own expense shall improve such right-of-way as required by this section for the entire width of the lot or lots (or for the entire width and the length of the lot or lots in the case of lot or lots bordered by more than one street) prior to or contemporaneous with the development of the lot or lots. The owner or developer shall also improve all other portions of unimproved street right of way serving such areas.

170.29 SPECIFICATIONS

The type of construction, the materials, the methods, the standards of subdivision improvements and the maintenance bonds shall be in accordance with the specifications found in a bound volume which is entitled Iowa Statewide Urban Design and Specification for Public Improvements which is on file in the Clerk's office. The Council may from time to time amend by resolution the standard construction specifications for subdivisions found in the volume. The Clerk shall keep a record of all amendments made to the specifications. Plans and specifications for subdivisions shall be submitted to the Community Development for approval prior to construction, accompanied by a fee as set by resolution of the City Council, and construction shall not be started until the plans and specifications have been approved.

170.30 APPROVAL OF PLANS AND SPECIFICATIONS

The approval of plans and specifications relative to improvements required by this chapter shall be effective for a period of two years after the approval. If the required improvements are not in place and accepted by the City within the times specified, the approval shall lapse and construction shall not be started and construction under way shall cease until resubmitted plans and specifications have been approved. The City shall have the right, at the time of the new request for approval, to require the subdivider to use the type of construction, the materials, the methods and standard of subdivision improvements equal to the specifications of the City for like work which are in effect at that time. The City may also require that the subdivider comply with any amended ordinance or ordinances relative to improvements under this chapter or any successor chapter relative to subdivision improvements which have been adopted between the time of initial approval and the renewed approval as herein required. The reapproval as required by this section specifically applies only to the plans and specifications relative to subdivision improvements and has no application as to lot sizes, set backs, lot boundaries, street location or other platting requirements which shall be final on Council approval unless changed by some other method permitted by law.

170.31 INSPECTION

The subdivider or developer shall cause the installation of all improvements to be inspected to ensure compliance with the requirements of this chapter. The cost of the inspection shall be borne by the subdivider or developer. All inspection reports and certificates of compliance shall be filed with the Clerk before any improvements are accepted by the Council. Before accepting any portion of paving, storm water improvement or sanitary sewer system and maintenance thereof which has been constructed under the provisions of Sections 170.19 and Section 170.29 above, the Council reserves the right to have all mains within the sewer system to be dedicated, televised in order to determine whether they have been properly constructed. The televising shall be at the expense of the subdivider or party making the dedication.

170.32 ACCEPTANCE

All of the improvements required in this chapter under **Sections 170.19** through **170.28** shall, upon their completion, inspection, approval and acceptance by the City of Indianola, become the property of the City.

170.33 ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, shall extend electric service to the subdivision and shall make electric service available to each lot in the subdivision that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476. The City, by and through Indianola Municipal Utilities, shall install street lighting that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476 to current Indianola Municipal Utilities' standards and specifications. In residential subdivisions, all electric lines, including individual house service lines installed by the owner or developer, shall be placed underground.

170.34 CHARGE FOR INSTALLATION OF ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, reserves the right to make a reasonable charge to be paid by the developer, builder or owner for any service extended as provided by Section 170.33 above. Said charges may be changed from time to time, but shall be in accordance with a schedule of charges set by the Indianola Municipal Utilities Board of Trustees.

170.36 FEES

Agenda Item: 7.A Consider recommendation on request for approval of a Plat of Survey for Alex Bradfield of Pelds Design Services, on the behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue.

Each plat of survey, preliminary plat and final plat submitted for approval shall be accompanied by a fee as set by Resolution of the City Council.

170.38 ENFORCEMENT

In addition to other remedies and penalties as prescribed by law, the provisions of this chapter shall not be violated subject to the following:

1. No plat of survey or subdivision in the City of within two miles thereof shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat of subdivision have any validity until it complies with the provisions of this chapter and has been approved by the Council as prescribed herein.

ANALYSIS

Subject Property

Alex Bradfield of Pelds Design Services has submitted a plat of survey application, on behalf of Robert Myers, for property addressed as 2405 W 2nd Avenue (Parcel #481/9500-0333). The parcel is also identified as Lot 3 of the Deer Run Plat 8 Subdivision. The subject parcel is 3.90-acre irregularly shaped, vacant parcel.

The subject parcel does contain an overland flowage easement which retains water on a normal basis and drains into a storm sewer which exists on Lot 2 of the Deer Run Plat 8 Subdivision. The parcel does not contain other environmentally sensitive features however, such as floodplain.

The property fronts along West 2nd Avenue. According to the Iowa Department of Transportation (IDOT), this road has an Annual Average Daily Traffic (AADT) of 8,500, as of 2021.

The parcel is currently split-zoned with portions fronting West 2nd Avenue as being within the C-2 'Commercial Highway' Zoning District and the rear portion being a part of the Deer Run Planned Unit Development Zoning District.

Future Land Use

The 'Elevate Indianola' Comprehensive Plan shows the subject parcel's future land use as Parks and Recreation. The Parks and Recreation designation calls for parks and open space, recreational facilities, trails and trailheads, and golf courses. Although the comprehensive plan does not currently guide this area for commercial, the zoning is already in place to allow for commercial at the site.

A comprehensive plan and its Future Land Use Map (FLUM) is a community's visual guide to future planning and describes desired types, intensities, and spatial arrangements for each land use to achieve the vision outlined in the plan – it is to serve as a guide for future decisions above zoning, development, and infrastructure investments. An adopted FLUM is not a zoning map which outlines property rights that are in place through zoning, but rather a framework for making decisions. Because the property is already zoned for commercial use, staff do not have any concern regarding the split.

The proposed plat of survey, if approved, would create Parcel 'F', a 2.07-acre lot. The applicant has indicated that the property is being divided for future development purposes. The plat of survey would render the remaining portions of the parcel as non-buildable. In initial discussions, staff indicated concerns regarding the shape of the remainder parcel, however, the applicant has provided a conceptual plan for this remainder parcel, as well as adjacent parcels to the west of the subject property to be developed for commercial use.

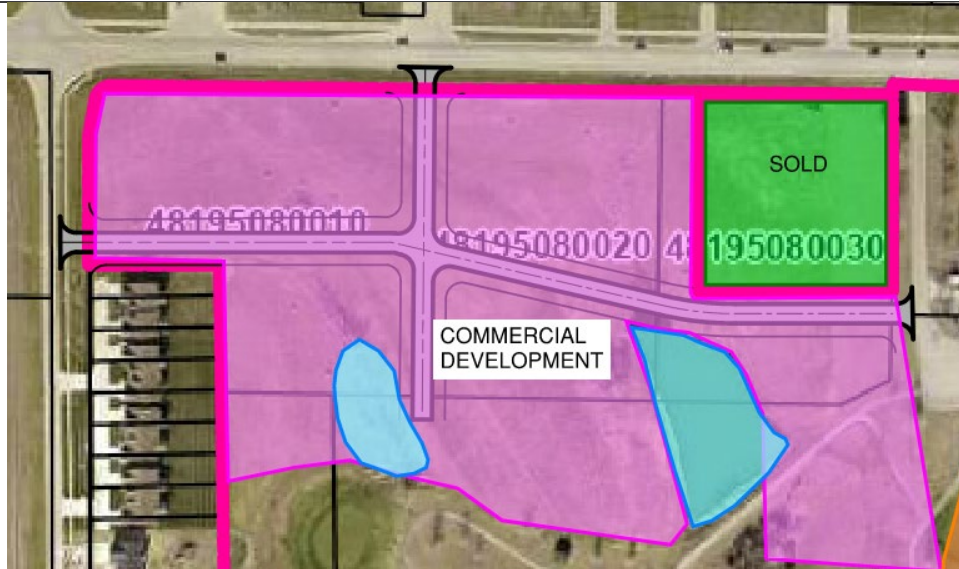


Figure 1. Conceptual Drawing for overall development of area.

A subdivision would be required and would be reviewed by the Planning and Zoning Commission as well as the City Council should additional splits be proposed or for road platting purposes.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200 feet of the subject property regarding the request on May 12, 2023. No comments were received at the time of writing this report:

ALTERNATIVES

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

- 1) **The City of Indianola Planning and Zoning Commission recommends that the request be approved, as submitted.**
- 2) The City of Indianola Planning and Zoning Commission recommends the request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the request to be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the 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 Indianola Planning and Zoning Commission move alternative 1, that the request be approved, 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) myers
(First Name) Tarnes
(Address) 2540 73rd st
(City) urbandale (State) IA (Zip) 50322
(Phone) 515-440-1000 (Email) Sasi@Paramountlandia.com

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: \$125 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: \$350, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering
- ☒ ~~Cost~~ 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: \$200, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering
- ☒ ~~Cost~~ 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) Robert Myers

Date 5-3-23

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

Date Received: _____

Receipt No: _____

Receipt Amount: _____

PREPARED BY: PELDS DESIGN SERVICES - 2323 DIXON STREET, DES MOINES, IOWA 50316 - PH. (515)265-8196

PLAT OF SURVEY

LEGAL DESCRIPTION:

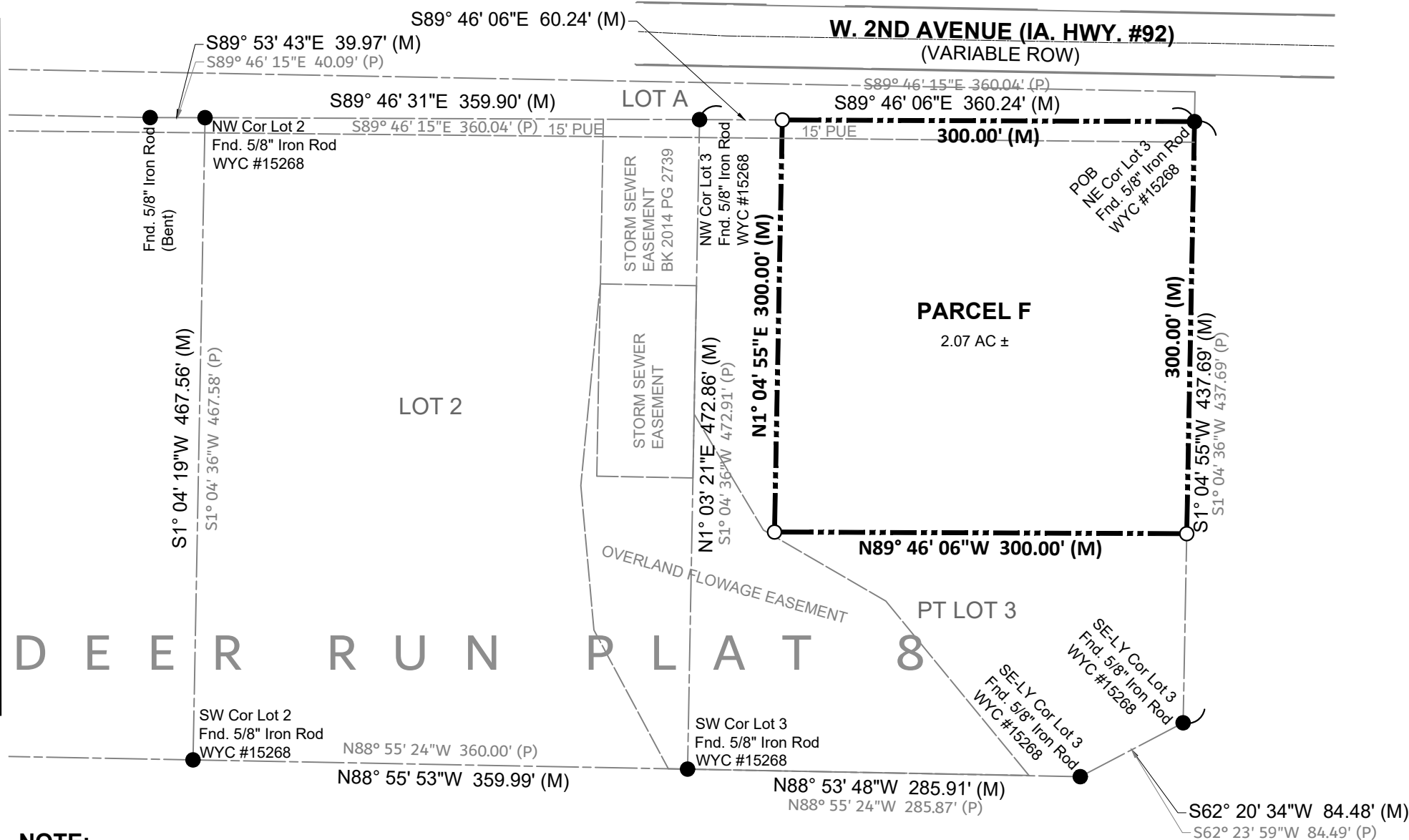
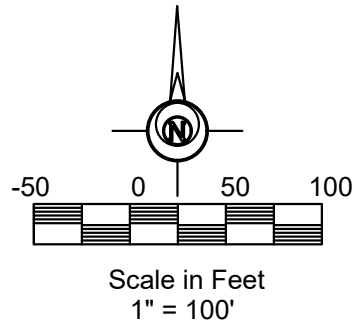
A part of Lot 3 in DEER RUN PLAT 8, an Official Plat, now included in and forming a part of the City of Indianola, Warren County Iowa is more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 3, THENCE South 01°04'56" West, a distance of 300.00 feet along the east line of said Lot 3; THENCE North 89°46'06" West, a distance of 300.00 feet; THENCE North 01°04'55" East, a distance of 300.00 feet to a point on the North line of said Lot 3; THENCE South 89°46'06" East, a distance of 300.00 feet along said North line of said Lot 3 to the POINT OF BEGINNING.

Containing 2.07 acres, more or less.

SYMBOLS LEGEND

- FOUND IRON ROD OR PIPE
- SET 1/2" REROD w/ YELLOW PLASTIC CAP STAMPED #18842
- ± MORE OR LESS
- (M)/(P) MEASURED/PLATTED
- WYC WITH YELLOW CAP
- PUE PUBLIC UTILITY EASEMENT
- POB POINT OF BEGINNING
- SE-LY SOUTHEASTERLY



NOTE:

This survey was performed without the benefit of a Title Opinion, therefore all existing easements may not be shown.

NOTE:

THIS DRAWING IS BEING MADE AVAILABLE BY PELDS DESIGN SERVICES (P.D.S.) FOR USE ON THIS PROJECT IN ACCORDANCE WITH P.D.S. 's AGREEMENT FOR PROFESSIONAL SERVICES. P.D.S. ASSUMES NO RESPONSIBILITY OR LIABILITY (CONSEQUENTIAL OR OTHERWISE) FOR ANY USE OF THESE DRAWINGS (OR ANY PART THEREOF) EXCEPT IN ACCORDANCE WITH THE TERMS OF SAID AGREEMENT.

NOTE:

THE EXISTING EASEMENTS ARE SHOWN ON FINAL PLAT OF DEER RUN PLAT 8 RECORDED AS INSTRUMENT #2022-07825 IN THE OFFICE OF THE WARREN COUNTY RECORDER.

NOTE:

ORIENTATION OF THIS BEARING SYSTEM IS IOWA STATE PLANE SOUTH (NAD 83) THIS SURVEY WAS PERFORMED USING THE IOWA RTN NETWORK.

DATE OF SURVEY:

04.14.2023

RECORD INDEX:

LOCATION:

DEER RUN PLAT 8

REQUESTOR/PROPRIETOR(S):

DEER RUN PARTNERS LLC

PROPRIETOR ADDRESS:

2540 73RD ST
URBANDALE, IA 50322

SITE ADDRESS:

2405 WEST 2ND AVENUE
INDIANOLA, IA 50125

SURVEYOR:

VOLDEMARS PELDS

COMPANY:

PELDS DESIGN SERVICES

RETURN TO:

2323 DIXON STREET
DES MOINES, IA 50316

EXISTING ZONING:

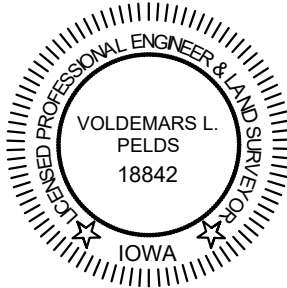
C-2 HIGHWAY COMMERCIAL ZONING DISTRICT

PROPOSED ZONING:

N/A

INTENT OF SURVEY:

TO SPLIT PARCEL F



I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED 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.

VOLDEMARS LEO PELDS, P.L.S. IA. LIC. NO.18842 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2023

ADDITIONAL PAGES OR SHEETS COVERED BY THIS SEAL (NONE UNLESS INDICATED HERE):

Architecture | Engineering | Surveying
2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | Ph: 515 265 9196

PLAT OF SURVEY PARCEL F
2405 W. 2ND AVENUE
INDIANOLA IA, 50125

DATE	BY	DATE	BY
04.14.2023	A. BRADFIELD	05.3.2023	23-055

12023 Projects\23-055 Lot 1, Deer Run Golf Course\Survey\Plat of Survey



MEMORANDUM

To: Planning and Zoning Commission

From:

Date: May 23, 2023

Subject: Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

Recommendation:

Attachments:

1. 1. Staff Report
2. 2. Application
3. 3. Plat of Survey



COMMUNITY DEVELOPMENT

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

STAFF REPORT

PLANNING AND ZONING COMMISSION

Date of Meeting: May 23, 2023

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

Application Type: Plat of Survey

Applicant: Craig Boldman

Property Owner: Inception Group LLC

Property Address/Parcel: Parcels #130/0007-0660

Current Zoning: A-1 'Agricultural' Zoning District (Unincorporated – Warren County)

Comprehensive Plan Designation: Agricultural

Application Summary

Craig Boldman, on the behalf of Lee Adams, is requesting plat of survey approval for a property located outside of Indianola's corporate limits but within the two-mile jurisdictional boundary of Indianola.

AERIAL MAP



APPLICABLE CODE SECTIONS

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

170.06 FINAL PLATTING PROCEDURE

1. A final plat shall be submitted within six months of the approval of the preliminary plat, or such approval shall expire and the preliminary plat shall be resubmitted for approval prior to the preparation of a final plat.
2. Procedures for final plats shall be the same as set out for preliminary plats in Section 170.05 above.
3. Upon approval of the final plat, a certification of approval signed by the Mayor and attested by the Clerk shall be affixed to the original tracing of the final plat and copies of the same filed with the Clerk, County Auditor and County Recorder, along with such other certifications and instruments that may be required by law.

170.10 FINAL PLAT REQUIREMENTS

The final plat shall meet the following specifications:

1. It may include all or only part of the preliminary plat.
2. The plat shall be drawn to the scale of 50 feet to one inch, provided that if the resulting drawing would be over 36 inches in its shortest dimension, a scale of 100 feet to one inch may be used. An electronic file is required to be filed prior to Planning and Zoning action with the Clerk.
3. The final plat shall contain the following:
 - A. Accurate boundary lines, with dimensions and angles, which provide a survey of the tract, closing with an error of not more than one foot in 3,000 feet.
 - B. Accurate references to known or permanent monuments, giving the bearing and distance from some corner of a congressional division of the county of which the subdivision is a part.
 - C. Accurate locations of all existing and recorded streets intersecting the boundaries of the tract.
 - D. Accurate metes and bounds description of the boundary.

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

- E. Street names.
 - F. Complete curve notes for all curves included in the plat.
 - G. Street right-of-way lines with accurate dimensions in feet and hundredths of feet with angles to right-of-way lines and lot lines.
 - H. Lot numbers and dimensions.
 - I. Accurate locations and descriptions of easements for utilities and any limitations on such easements.
 - J. Accurate dimensions for any property to be dedicated or reserved for public, semi-public or community use.
 - K. Building lines and dimensions.
 - L. The location, type, material and size of all monuments and markers.
 - M. The name of the subdivision.
 - N. The name and address of the owner and the subdivider.
 - O. North point, scale, and date.
 - P. Certification by a registered land surveyor of the State of Iowa.
 - Q. Certification of dedication of streets, easements and other public property.
 - R. A resolution and certificate of approval by the Council for signatures of the Mayor and Clerk, stating that the plat, as described, has been acted upon and approved as required by Chapter 354, Code of Iowa, and that all dedications of streets easements and public lands have been accepted by the City.
 - S. Location and dimensions of sidewalks to be installed prior to the occupancy of a developed lot.
4. The final plat shall be accompanied by the following instruments:
- A. A statement by the proprietors and their spouses, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgments of deeds. The statement by the proprietors may also include a dedication to the public of all lands within the plat that are designated for streets, alleys, parks, open areas, school property, or other public use, if the dedication is approved by the Council.
 - B. A statement by the Auditor approving the name or title on the subdivision plat.
 - C. Either (i) a certificate bearing the approval of the Council stating that all improvements and installations in the subdivision required by this chapter have been made or installed in accordance with the City specifications, or (ii) a certificate from the owner or developer stating that all improvements required by this chapter shall be made or installed in accordance with City specifications before an occupancy compliance certificate is issued under the Zoning Ordinance, except as otherwise provided for in this chapter.
 - D. A petition by the subdivider to the Council to provide the necessary improvements and to assess the costs thereof against the subdivided property in accordance with the requirements regarding special assessments, provided, however, that the subdivider or property owners shall furnish the necessary waivers to permit the assessment of the entire cost of the improvement plus the necessary and reasonable cost of the assessment proceedings against the platted property even though the total amount exceeds the statutory limitations. The final plat shall state that the subdivider, the grantees, assignees and successors in interest agree that public services including but not limited to street maintenance, snow removal, rubbish, refuse and garbage collection will not be extended to this subdivision until the improvements have been completed and accepted by the City.
 - E. Easement(s) for Overland Drainage and/or Public Storm Sewer is required by and shall be in a form approved by the City.
 - F. A letter from the owner's engineer designing the public improvement stating that all public improvements completed have been made or installed in accordance with City Specifications prior to acceptance of maintenance bonds for such improvements.
5. The final plat shall also be accompanied by the following at the time it is presented for filing at the Warren County Recorder's Office.

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

- A. A statement from the mortgage holders or lienholders, if any, that the plat is prepared with their free consent and in accordance with their desire, signed and acknowledged before an officer authorized to take the acknowledgment of deeds. An affidavit and bond as provided for in Section 354.12 of the Code of Iowa may be recorded in lieu of the consent of the mortgage or lienholder. When a mortgage or lienholder consents to the subdivision, a release of mortgage or lien shall be recorded for any areas conveyed to the City or dedicated to the public.
- B. An opinion by an attorney-at-law who has examined the abstract of title of the land being platted. The opinion shall state the names of the proprietors and holders of mortgages, liens or other encumbrances on the land being platted and shall note the encumbrances, along with any bonds securing the encumbrances. Utility easements shall not be construed to be encumbrances for the purpose of this section.
- C. A certificate of the County Treasurer that the land is free from certified taxes and certified special assessments or that the land is free from certified taxes and that the certified special assessments are secured by bond in compliance with Section 354.12 of the Code of Iowa.

The Council or Commission may request drafts or copies of any of the above instruments for examination at the time of processing the final plat if, in their opinion, the review of such instruments is deemed necessary to properly evaluate the proposed subdivision.

170.11 DESIGN STANDARDS – STREETS

1. General Considerations that must comply with the current Iowa Statewide Urban Design Standards for Public Improvements (“SUDAS”).

- A. The street and alley layout shall provide access to all lots and parcels of land within the subdivision.
- B. Street jogs of less than 150 feet shall be avoided.
- C. Cul-de-sacs shall not exceed 700 feet in length.
- D. New subdivisions shall make provisions for continuation and extension of thoroughfares and collector streets and roads.
- E. No dead-end streets will be permitted except at subdivision boundaries and in no event shall any dead-end street be in excess of 500 feet.
- F. Thoroughfare and collector streets in a subdivision shall extend through to the boundaries thereof, unless a terminal point within the subdivision is shown in the master street plan.
- G. Alleys shall be discouraged in residential areas but shall be provided in commercial and industrial areas unless other suitable public or private access to loading and service areas is provided.
- H. Intersection of road centerlines shall be between 80 degrees and 100 degrees.
- I. Intersection of more than two streets at a point shall not be permitted.
- J. Where parkways or special types of streets are proposed, the Commission may apply special standards for the design of such parkways or streets.
- K. Proposed streets that are extensions of or in alignment with existing streets shall bear the name of the existing street. Names of new streets shall avoid duplication of or similarity to existing names of streets, or public and semi-public buildings and areas.
- L. Streets, avenues, places, and courts shall be named in the following manner:

General Direction	Long Streets	Short Streets
North and South	Streets	Courts
East and West	Avenues	Places
Diagonal	Roads	Ways
Curving	Drives	Lanes

2. Minimum rights-of-way shall be provided as follows:

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

- A. Thoroughfares - 100 feet. In addition, access spacing on thoroughfares is as follows: (i) intersection spacing – 600 foot minimum; (ii) entrance spacing – 300 foot minimum; (iii) separation of entrance from intersection – 150 foot minimum.
- B. Residential collector streets - 70 feet.
- C. Commercial collector streets - 80 feet.
- D. Residential streets - 60 feet.
- E. Cul-de-sacs - 110 feet in diameter.
- F. Alleys - 20 feet.

3. The minimum width of surfacing to be provided shall be as follows:

- D. Residential Street – 25 feet or 31 feet within the discretion of the Council.
- E. Cul-de-sacs – 85 feet in diameter.
- F. Alleys – 20 feet.
- G. Sidewalks – 4 feet.

4. Grades. No street grade shall be less than one-half of one percent and shall not exceed the following limits:

- A. Thoroughfare streets – 4 percent.
- B. Collector streets – 6 percent.
- C. Residential streets – 8 percent.

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 two and one-half times the width.
- 6. No lot shall have less area than required by the Zoning Ordinance for the district in which it is located.

170.14 EASEMENTS

- 1. Easement not less than 15 feet in width shall be provided along each side of the front yard lot lines of all lots, and in the case of corner lots, the side street yard, and along such other lot liens as may be required by public and private utility companies.
- 2. Easements of greater width may be required for trunk lines, pressure lines, open drainage courses or high voltage lines and shall be provided as determined by the utility or Council.
- 3. Utility easements shall convey to the City, its successors and assigns, the perpetual right within the areas shown on the plat and described in the easement, to construct, reconstruct, operate and maintain electric lines consisting of poles, wires, cables, conduits, fixtures, anchors and other similar equipment, including the right to trim or remove trees within such areas where necessary to secure a clearance of four feet from the wires or poles, together with the right to extend to any telephone, telegraph, electric or power company, the right to use separately or jointly with the City, the areas included in the easement for the purposes above enumerated.

170.15 PARKS, SCHOOL SITES AND PUBLIC AREAS.

In subdividing property, consideration shall be given to suitable sites for schools, parks, playgrounds and other common areas for public use so as to conform to any recommendations of the most current Comprehensive Plan. Any provision for schools, parks and playgrounds should be indicated on the preliminary plan in order that it may be determined when and in what manner such areas will be provided or acquired by an appropriate taxing agency.

170.16 NATURAL DRAINAGE COURSES

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

Whenever any stream or important surface drainage course is located in an area which is being subdivided, the subdivider shall provide an adequate easement along each side of the stream for the purpose of widening, deepening, sloping, improving or protecting the stream or drainage course.

170.17 EROSION CONTROL (DESIGN STANDARDS)

Methods for controlling soil erosion shall be in accordance with current Iowa Department of Natural Resources Standards and requirements of NPDES permit.

170.19 SANITARY SEWERS

The subdivider shall at the subdivider's expense provide the subdivision with a complete sanitary sewer system including all necessary pumping stations, force mains, pumping equipment and other appurtenances, which shall connect with a sanitary sewer outlet or treatment facility approved by the Council. The sewers shall extend to the subdivision boundaries as necessary to provide for the extension of the sewers by adjacent property. Where sewers in excess of 15 inches in diameter are required, the additional cost shall be borne by the City.

170.20 PROHIBITED DISCHARGE

No storm water, surface water, ground water, roof runoff, swimming pool, subsurface drainage, cooling water or unpolluted water shall be discharged into the City sanitary sewer system. Any such discharge into the City sanitary sewer system shall be deemed a public nuisance and a municipal infraction.

170.21 STORM DRAINS

1. The subdivider shall, at the subdivider's expense, provide the subdivision with adequate drains, ditches, culverts, complete bridges, storm sewers, intakes and manholes to provide the collection and removal of all surface waters. These improvements shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties. Where oversize storm sewers or drainage structures are required to serve other areas of the watershed, the additional cost shall be borne by the developer.

2. The subdivider shall, at the subdivider's expense, provide the subdivision with a storm sewer system to adequately handle a five-year rain storm. The system shall include culverts, ditches, intakes, manholes, or any structure deemed necessary. All such structures shall meet the City of Indianola Standard Specifications. In addition, the subdivider shall, at the subdivider's expense, provide the subdivision with overland drainage courses and easements to adequately handle storm water in excess of a five-year rain storm and up to a 100-year rain storm. For any subdivision containing new streets, the system shall be designed by a licensed engineer registered to practice in the State of Iowa.

- A. Each lot shall be provided with minimum six-inch diameter storm sewer service line that is a minimum of four feet below ground level, stubbed to the property line, unless the Director of Community Development determines that sump lines can be taken to an existing overland drainage area. The sump pump line shall be a minimum of one and one-half inches in diameter.
- B. The storm sewer system line shall be made of reinforced concrete pipe or polyvinyl chloride (PVC) pipe. The sump pump lines shall be made of PVC, PVC Truss, or PVC corrugated pipe. All structures shall be built in accordance with City of Indianola Standard Construction Specifications for Subdivisions.
- C. The storm sewer system shall be large enough to provide for anticipated extension of use to serve additional areas, as set out in Indianola Comprehensive Plan.
- D. Storm sewer service lines shall be connected to the City storm sewer system at intakes, manholes, or directly into the City storm sewer pipe. Tapping storm sewer service lines into the City storm sewers shall be by using approved methods.

Should it not be possible to install a storm sewer service, as described above, alternate plans may be submitted for review by the City's consulting engineer and City staff.

170.22 WATER

The subdivider shall at the subdivider's expense provide the subdivision with a complete water main supply system including hydrants, valves and other appurtenances which shall be extended into and through the subdivision to the boundary lines, and which shall provide a water connection for each lot, and shall be connected to the City water

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

system. Fire hydrants shall be uniform throughout the subdivision and shall meet the standards and design approved by the Utilities Board of Trustees. Where water mains in excess of eight inches are required, the additional cost shall be borne by the City if the area is zoned R-2 or R-3. If at the time the main is to be installed the area in question is zoned R-4, any commercial or any industrial classification, the subdivider may be required to put in a water main in excess of eight inches at the subdivider's own expense. Whether the City shall pay a portion of the additional cost shall be discretionary with the Board of Trustees. Water mains shall extend to the boundaries of the subdivision so as to provide for extension by adjoining properties.

170.23 SIDEWALKS

The subdivider, developer or owner of the lot shall at their expense provide a four-foot wide concrete sidewalk along each lot frontage prior to the occupancy of the structure on the lot except as otherwise provided herein. In commercial or industrial areas where it can be demonstrated that there will be limited or no need for sidewalks, the Council may waive or modify the requirement for the installation of sidewalks after review and report from the Commission. The Council may waive the sidewalk requirement on cul-de-sacs. Any such waiver shall not be acted upon until the Council has received the recommendation of the Commission.

170.24 MARKERS

The subdivider shall at the subdivider's expense place an iron rod not less than one-half inch in diameter and 24 inches in length as follows:

1. Set in concrete three feet deep at the intersection of all lines forming angles in the boundary of the subdivision, and at all street intersections.
2. At lot corners and changes in direction of block and lot boundaries.

170.25 GRADING

The subdivider shall at the subdivider's expense bring all streets and alleys with the platted area which are being dedicated for public use to the grade approved by the Council.

170.26 CURB AND GUTTER

The subdivider shall at the subdivider's expense install curb and gutter on all streets in the plat being dedicated for public use. Curb and gutter shall be constructed of Portland cement concrete in accordance with designs and specifications and at grades approved by the Council.

170.27 EROSION CONTROL (REQUIRED IMPROVEMENTS)

The subdivider shall be responsible for controlling soil erosion and surface water runoff within the subdivision during its construction and development and shall provide erosion and runoff control measures as work progresses on site grading, the installation of sewers or other improvements or phases of work. Insofar as practical, erosion control measures shall be undertaken prior to any other development within the subdivision which will contribute to runoff or erosion.

170.28 SURFACING

The subdivider shall at the subdivider's expense surface all streets being dedicated for public use from curb to curb. Surfacing shall consist of not less than six inches of Portland cement concrete over a prepared subgrade and shall be constructed in accordance with designs and specifications and at grades approved by the Council. Where a surface width in excess of 31 feet is required, the cost of the additional surface width, which shall be assumed to be the center portion of the roadway surface, shall be paid by the City. On collector and thoroughfare streets where a higher standard than is herein required or a thickness of greater than eight inches is deemed necessary by the Council, the additional cost shall be born by the City. Where unimproved street right-of-way exists the owner or developer at the owner's or developer's own expense shall improve such right-of-way as required by this section for the entire width of the lot or lots (or for the entire width and the length of the lot or lots in the case of lot or lots bordered by more than one street) prior to or contemporaneous with the development of the lot or lots. The owner or developer shall also improve all other portions of unimproved street right of way serving such areas.

170.29 SPECIFICATIONS

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

The type of construction, the materials, the methods, the standards of subdivision improvements and the maintenance bonds shall be in accordance with the specifications found in a bound volume which is entitled Iowa Statewide Urban Design and Specification for Public Improvements which is on file in the Clerk's office. The Council may from time to time amend by resolution the standard construction specifications for subdivisions found in the volume. The Clerk shall keep a record of all amendments made to the specifications. Plans and specifications for subdivisions shall be submitted to the Community Development for approval prior to construction, accompanied by a fee as set by resolution of the City Council, and construction shall not be started until the plans and specifications have been approved.

170.30 APPROVAL OF PLANS AND SPECIFICATIONS

The approval of plans and specifications relative to improvements required by this chapter shall be effective for a period of two years after the approval. If the required improvements are not in place and accepted by the City within the times specified, the approval shall lapse and construction shall not be started and construction under way shall cease until resubmitted plans and specifications have been approved. The City shall have the right, at the time of the new request for approval, to require the subdivider to use the type of construction, the materials, the methods and standard of subdivision improvements equal to the specifications of the City for like work which are in effect at that time. The City may also require that the subdivider comply with any amended ordinance or ordinances relative to improvements under this chapter or any successor chapter relative to subdivision improvements which have been adopted between the time of initial approval and the renewed approval as herein required. The reapproval as required by this section specifically applies only to the plans and specifications relative to subdivision improvements and has no application as to lot sizes, set backs, lot boundaries, street location or other platting requirements which shall be final on Council approval unless changed by some other method permitted by law.

170.31 INSPECTION

The subdivider or developer shall cause the installation of all improvements to be inspected to ensure compliance with the requirements of this chapter. The cost of the inspection shall be borne by the subdivider or developer. All inspection reports and certificates of compliance shall be filed with the Clerk before any improvements are accepted by the Council. Before accepting any portion of paving, storm water improvement or sanitary sewer system and maintenance thereof which has been constructed under the provisions of Sections 170.19 and Section 170.29 above, the Council reserves the right to have all mains within the sewer system to be dedicated, televised in order to determine whether they have been properly constructed. The televising shall be at the expense of the subdivider or party making the dedication.

170.32 ACCEPTANCE

All of the improvements required in this chapter under **Sections 170.19** through **170.28** shall, upon their completion, inspection, approval and acceptance by the City of Indianola, become the property of the City.

170.33 ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, shall extend electric service to the subdivision and shall make electric service available to each lot in the subdivision that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476. The City, by and through Indianola Municipal Utilities, shall install street lighting that is within Indianola Municipal Utilities' assigned area of service pursuant to Code of Iowa Chapter 476 to current Indianola Municipal Utilities' standards and specifications. In residential subdivisions, all electric lines, including individual house service lines installed by the owner or developer, shall be placed underground.

170.34 CHARGE FOR INSTALLATION OF ELECTRICAL SERVICE

The City, by and through Indianola Municipal Utilities, reserves the right to make a reasonable charge to be paid by the developer, builder or owner for any service extended as provided by Section 170.33 above. Said charges may be changed from time to time, but shall be in accordance with a schedule of charges set by the Indianola Municipal Utilities Board of Trustees.

170.36 FEES

Each plat of survey, preliminary plat and final plat submitted for approval shall be accompanied by a fee as set by Resolution of the City Council.

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

170.38 ENFORCEMENT

In addition to other remedies and penalties as prescribed by law, the provisions of this chapter shall not be violated subject to the following:

1. No plat of survey or subdivision in the City of within two miles thereof shall be recorded or filed with the County Auditor or County Recorder, nor shall any plat of subdivision have any validity until it complies with the provisions of this chapter and has been approved by the Council as prescribed herein.

ANALYSIS

Subject Property

Craig Boldman has submitted a plat of survey application, on the behalf of Lee Adams, for property addressed as 8919 Highway 65/69 (Parcel #130/0007-0660). The subject property currently contains a single-family dwelling built in 1987 and several detached accessory structures. The property is also partially in row-crop production.

The subject property fronts along North Jefferson Way (Highway 65/69). According to the Iowa Department of Transportation (IDOT), this road has an Annual Average Daily Traffic (AADT) of 19,600, as of 2021.

The subject property does appear to contain environmentally sensitive land features, including waterway features such as a lake/pond. The property does not contain floodplain.

Future Land Use

The 'Elevate Indianola' Comprehensive Plan shows this area as being within a low-priority growth area and guides for the subject area to be Agricultural, with areas containing the lake/pond as being under the Environmentally Sensitive Overlay designation. The Agricultural Designation guides for Agriculture, Conservation, and Rural Housing. The Environmentally Sensitive Overlay Designation guides for restricting development to be that of which is compatible with the environmental challenges of the area. That includes having a 100-foot-wide buffer on each side of streams and creeks.

The Plat of Survey proposed does not split or divide the parcel into new parcels, however, is a boundary line retracement. A boundary line retracement essentially reestablishes the existing legal or deed description of the parcel. If the parcel were to be divided in the future, a land division application would be heard by the Planning and Zoning Commission and the City Council again to exercise the cities Subdivision Authority for divisions outside of the city but within 2-miles.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200 feet of the subject property regarding the request on May 12, 2022. No comments have been received by the general public at the time of writing this report.

ALTERNATIVES

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

Agenda Item: 7.B Consider recommendation on request for approval of a Plat of Survey for Craig Boldman on the behalf of Lee Adams, for property addressed as 8919 Hwy 65/69.

- 1) **The City of Indianola Planning and Zoning Commission recommends that the request be approved, as submitted.**
- 2) The City of Indianola Planning and Zoning Commission recommends the request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the request to be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the 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 Indianola Planning and Zoning Commission move alternative 1, recommending that the request be approved, 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) Inception Group LLC
(First Name) Craig Lee Adams
(Address) 209 E. Salem
(City) Indianola (State) Ia (Zip) 50273
(Phone) 515-238-9704 (Email) leetadams@msn.com

APPLICANT (if not Property Owner)

(Last Name) Boldman
(First Name) Craig
(Address) 521 West Green Street
(City) Winterset (State) Ia (Zip) 50273
(Phone) 515-971-9242 (Email) boldland99@gmail.com



PLAT OF SURVEY

Submittal Requirements:

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

- ☐ Completed Application
- ☐ Filing Fee: \$125 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: \$350, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering
- ☒ 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: \$200, plus \$10.00 for each lot in excess of 10 lots, land plus Outside Engineering
- ☒ 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 Craig A Boldman

Name (printed) craig boldman

Date 5/3/23

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

Date Received: _____

Receipt No: _____

Receipt Amount: _____

INDEX LEGEND

Location:: S7&18-T76-R23W of the 5th P.M.
Requestor: Lee Adams
Proprietor: Inception Group LLC.
Project: 23018 Date of Survey: 4/26/2023
Surveyor Co: Boldman Surveying & Consulting
Prepared by/Return to: Craig S.Boldman
521 West Green Street, Winterset, Ia 50273
Phone/fax: 515-462-9242

PLAT OF SURVEY

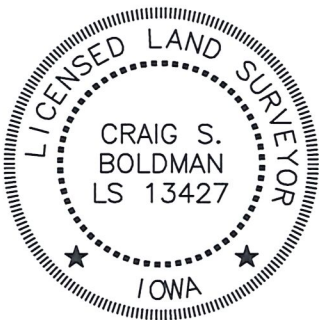
Parcel J part of the South half (S 1/2) of the Southwest Fractional Quarter (SW Fr 1/4) and the South Five Rods, 7 1/2 feet of the North half of the Southwest Fractional Quarter (N 1/2 SW Fr 1/40, all in Section Seven (7), Also the South one-half (S 1/2) of the old wagon road that runs along the North side of Section Eighteen (18), beginning at the Northwest (NW) corner thereof and running East to the Northeast (NE) corner of the Northwest Fractional Quarter (NW Fr 1/4) of the Northwest Quarter (NW 1/4) of said section, all in Township Seventy-six (76) North, Range Twenty-three (23) West of the 5th P.M.,Warren County,Iowa, more particularly described as follows:

Beginning 33.34' South of the Southwest corner of said Section 7;

thence N 00°08'37" W a distance of 33.34'to the SW corner of said Section 7;
thence N 00°23'08" W, along the West line thereof, a distance of 1458.35'to the Southwest corner of Parcel "A" recorded in Irregular Plat Book 7 at Page 8 of 76-23;
thence S 87°41'46" E, along the South line thereof, a distance of 1161.66';thence S 00°05'04" E a distance of 1474.61' to the North line of Langfitt Subdivision recorded in Plat Book 8 at Page 44; thence N 88°31'37" W, along said North line, a distance of 1153.24'the point of beginning. Containing 39.381 acres including 2.21 acres of road right of way easement and including 0.60 acres of land deeded to the City of Indianola recorded in Instrument # 2017-08730.

LEGEND

- SET 1/2"IR O.P.C.#13427
- FOUND MONUMENT
- ⊙ FOUND 1/2"IR O.P.C.#12265
- Y.P.C. YELLOW PLASTIC CAP
- O.P.C. ORANGE PLASTIC CAP
- (xxx) FROM RECORD DEED OR PLAT
- IDOT ROW RAIL
- x NOTHING FOUND OR SET



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa

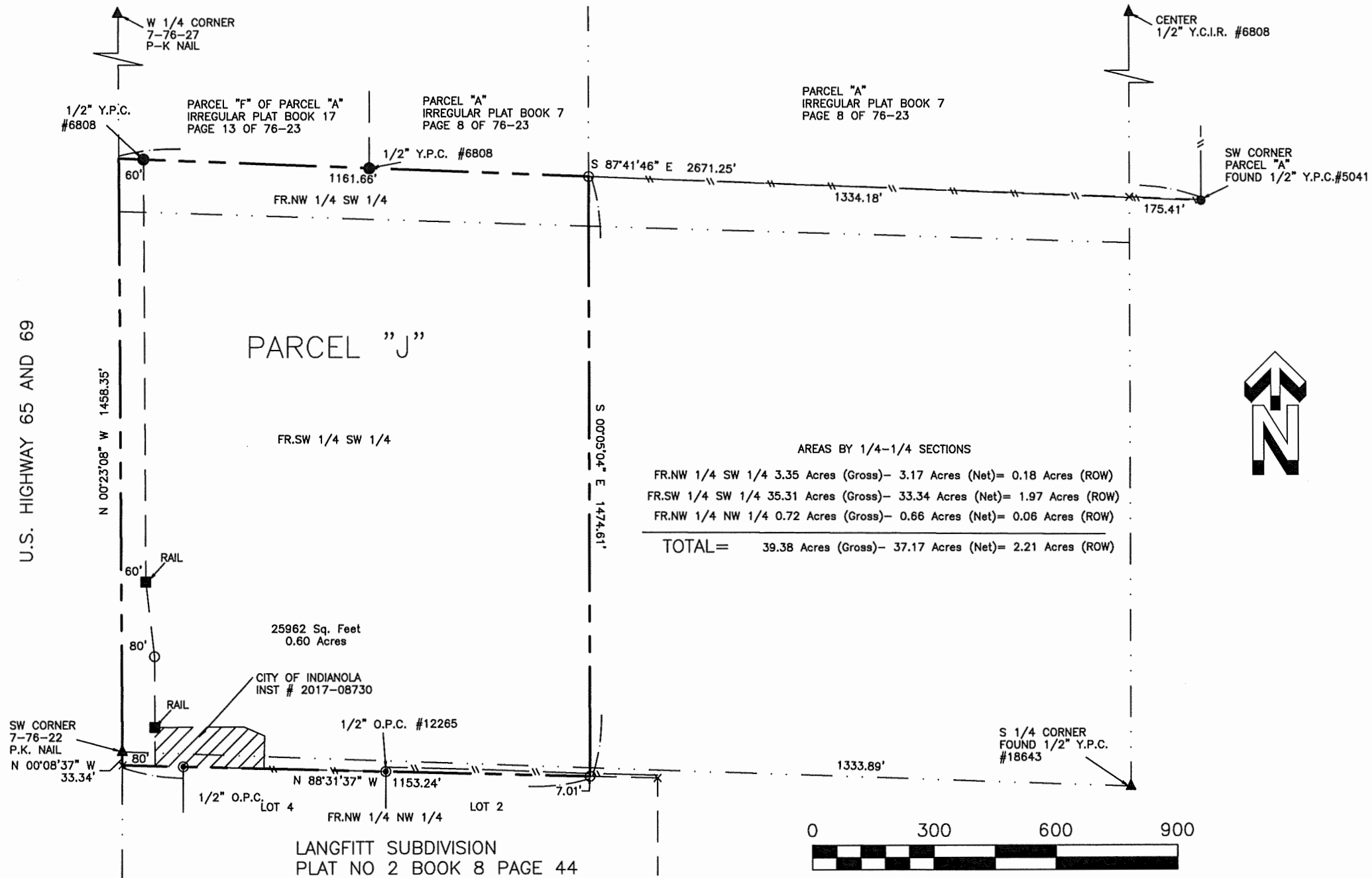
Signature Craig S. Boldman Date 5/3/23

Name Craig S. Boldman P.L.S No. 13427

Renewal date is December 31, 2024

Pages or sheets covered by this seal A-11

U.S. HIGHWAY 65 AND 69





MEMORANDUM

To: Planning and Zoning Commission

From:

Date: May 23, 2023

Subject: Consider the request from Branden Stubbs for a modification to the Summercrest Planned Unit Development (PUD).

Recommendation:

- Attachments:**
- 1. 1. Staff Report
 - 2. 2. Application
 - 3. 3. Cover Letter
 - 4. 4. Summercrest PUD Master Plan



COMMUNITY DEVELOPMENT

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

STAFF REPORT

PLANNING AND ZONING COMMISSION

Date of Meeting: May 23, 2023

Agenda Item: 7.C Consider the request from Branden Stubbs for a modification to the Summercrest Planned Unit Development (PUD).

Application Type: Planned Unit Development Modification

Applicant: Branden Stubbs

Property Owner: DR Horton

Property Address/Parcel: Summercrest Planned Unit Development

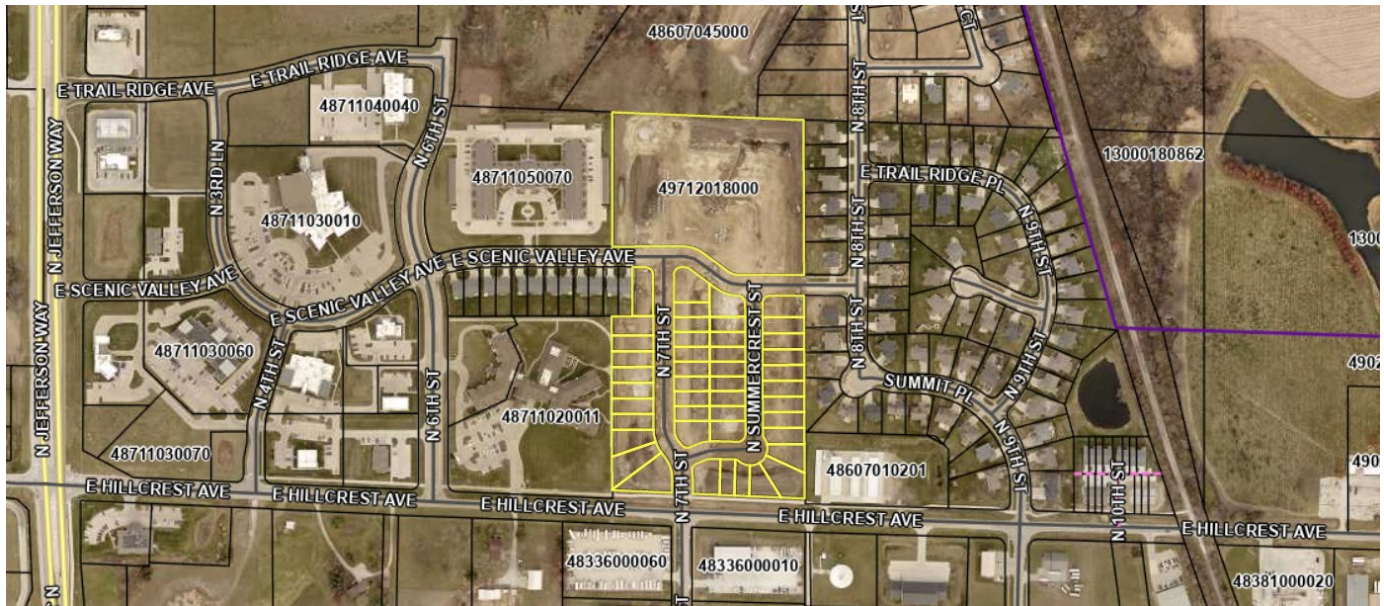
Current Zoning: PUD '*Planned Unit Development*' Zoning District

Comprehensive Plan Designation: Medium / High Density Residential

Application Summary

Branden Stubbs is requesting a modification to an existing Planned Unit Development (PUD) for the Summercrest PUD. The request proposes to amend the minimum side yard setbacks from the currently required 16-feet, to a minimum 12-feet. This change would affect single-family residential lots located adjacent to the east and west boundary.

AERIAL MAP



APPLICABLE CODE SECTIONS

The following code 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, 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

Agenda Item: 7.C Consider the request from Branden Stubbs for a modification to the Summercrest Planned Unit Development (PUD).

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

E. Filing Fees

Before any action is taken as provided in this section, the owner or owners of the property requesting the proposed changed in the district regulations or district boundaries shall pay to the City Clerk the fee as established by resolution of the City Council.

ANALYSIS

Subject Property

Branden Stubbs has submitted a Planned Unit Development modification request on behalf of DR Horton, for their property known as the Summercrest Planned Unit Development. The request is to modify existing side yard setback requirements from the currently required 16-feet, to a minimum required 12-feet. This would reduce the side yard setback requirement by 4 feet. The request also reduced the minimum side yard setback needed on one side from the currently required 8-feet to the minimum total required setback on one side to 6-feet.

A final plat for the Summercrest Planned Unit Development was approved October 17, 2022, for a 45-lot residential subdivision. In the future 2nd phase of this project, an additional 23 lots are anticipated to be platted, which would extend North 7th Street northward.

Future Land Use

According to the 'Elevate Indianola' Comprehensive Plan, the future land use of this area is designated as Medium to High Density Residential. This future land use designation calls for up to 25 dwelling units per gross acre and may incorporate a mix of housing types such as single-family detached and attached, as well as multi-family dwellings such as condominiums and apartments. Businesses that primarily serve residents may also be incorporated if compatibility standards are met.

The modification requested in this application would not change land uses or lot metes and bounds as approved in previous approval processes (i.e., initial rezoning to PUD District and the preliminary and final platting procedure). The modification requested would increase the potential building envelope by reducing minimum side yard setbacks. This reduction would result in the following:

- Total required minimum side yard setbacks would be reduced from the currently required 16-feet, to a minimum total required setback of 12-feet.
- The minimum side yard setback required would be reduced from the currently required 8-feet to a minimum total required setback of 6-feet.

These reductions would apply to lots along the east and west boundary. This includes lots 1 through 11, lots 31 through 41, lots 46 through 52, and lots 64 through 68. In sum, this would affect thirty-four (34) lots within the subdivision. The modification does not propose any other amendments to the Planned Unit Development other than the reduction of side yard setbacks.

COMMENTS FROM THE GENERAL PUBLIC

Notification letters were mailed to surrounding property owners within 200 feet of the subject property on May 12th, 2023 for the Planning and Zoning Commission meeting. At the time of writing this staff report, no public comment was received.

ALTERNATIVES

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

- 1) The City of Indianola Planning and Zoning Commission recommends that the request be approved, as submitted.**
- 2) The City of Indianola Planning and Zoning Commission recommends the request be approved, with conditions.
- 3) The City of Indianola Planning and Zoning Commission recommends the request to be denied.
- 4) The City of Indianola Planning and Zoning Commission remands the 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 Indianola Planning and Zoning Commission move alternative 1, that the request be approved.

LAND USE CHANGE APPLICATION

Community Development

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



PROPERTY OWNER

(Last Name) DR Horton
(First Name) _____
(Address) 1910 SW Plaza Shops Ln
(City) Ankeny, IA (State) IA (Zip) 50023
(Phone) 515-360-4775 (Email) cgbloom@drhorton.com

APPLICANT (if not Property Owner)

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

☐ 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 7TH St, E Saber Pl, E Scenic Valley Ave, N Summercrest ST, E Trail Ridge Pl
- ☐ Filing Fee: \$250
- ☐ Current Zoning: PUD Proposed Zoning: PUD
- ☐ 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) Seth Moulton

Date 5/5/2023

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

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



STUBBS ENGINEERING

431 NE 72nd St. Pleasant Hill, IA 50327

05/04/2023
City of Indianola

Summercrest Rezoning Amendment

The purpose of this letter is to request an amendment on behalf of the owner to the PUD for Summercrest, located in Indianola, IA. The proposed amendment revises the side yard setbacks of the lots adjacent to the east and west boundary from 16 feet to 12 feet. This change would allow for construction of popular houses that are already permitted on the interior lots. We believe that this amendment would be beneficial to the community and are confident that it will be well-received by the neighbors.

5-4-23

Engineer

Date

(Branden Stubbs)

SUMMERCREST

PLANNED UNIT DEVELOPMENT (PUD)

CITY OF INDIANOLA

Approved: July 6, 2020

Amended: October 17, 2022

Amended: May 4, 2023

VICINITY MAP:



STUBBS ENGINEERING

431 NE 72ND ST, PLEASANT HILL, IA 50327

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SECTION 1

PROJECT PLAN

SUMMERCREST – INDIANOLA

PROJECT OVERVIEW

The Summercrest is a 17.72-acre Planned Unit Development (PUD) proposing a single-family residential with 50'+ front lot width. The property is located North of E Hillcrest Ave and roughly east of N 6th Street. E Scenic Valley Ave will run through the property connecting the two subdivisions to the East and West of the property.

The property was annexed into the incorporated city limits of Indianola. The existing land use is agricultural farm land. The City of Indianola shows established zoning districts through Beacon. Beacon is an online map system that stores county public information. According to Beacon in upon application in 2020, the property held the standard R-3 (Mixed Residential) zoning classification for the City of Indianola.

On July 19, 2021, the City of Indianola adopted new zoning regulations and a new zoning map, removing the R-3 (Mixed Residential) zoning district. As a result, all surrounding zoning districts to this PUD were changed to and R-2 (Single Family Residential Attached) zoning district. This same change renamed the previous R-5 (Planned Residential) to PUD (Planned Unit Development)

The proposed Summercrest PUD will include: a small pond and a larger pond for storm water management, street lighting features, and neighborhood signage will also be explored and implemented if feasible to enhance curb-appeal and promote a neighborhood/community setting.

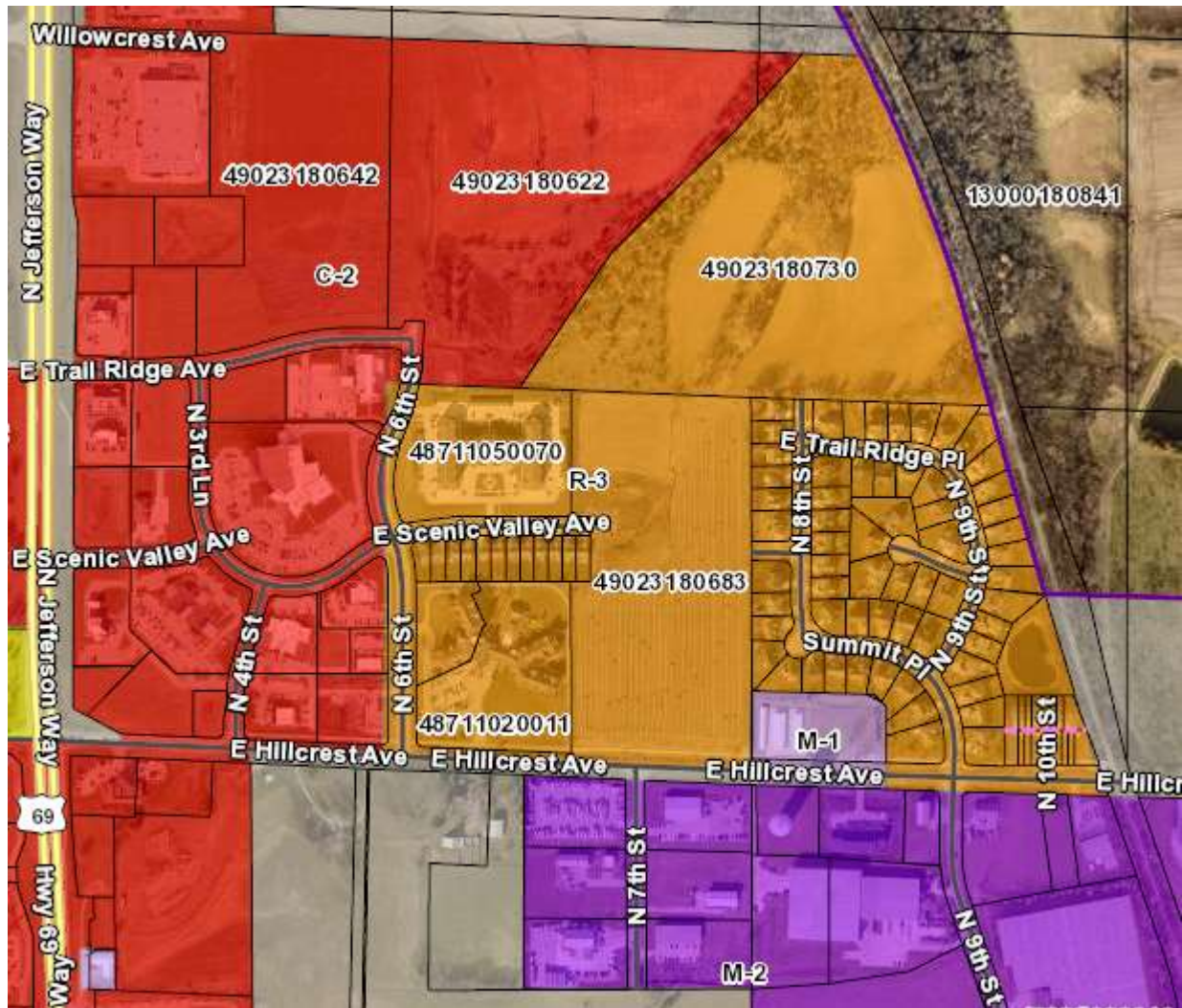
These single-family residential lots and homes will vary in size, floor plans, and front elevations to offer numerous product types and meet current demand from the marketplace while maintaining a consistent theme throughout the development. The minimum lot size will be 5,000 SF.

This proposed planned unit development establishes bulk regulation and provides supporting evidence for the development. The Conceptual Master Plan illustrates the proposed lot layout. Specifics for the PUD can be found in the bulk regulations.

A preliminary plat will be prepared and reviewed by the City of Indianola for the development of Summercrest. The preliminary plat will further address street layout, lot layout, utilities, and storm water calculations.

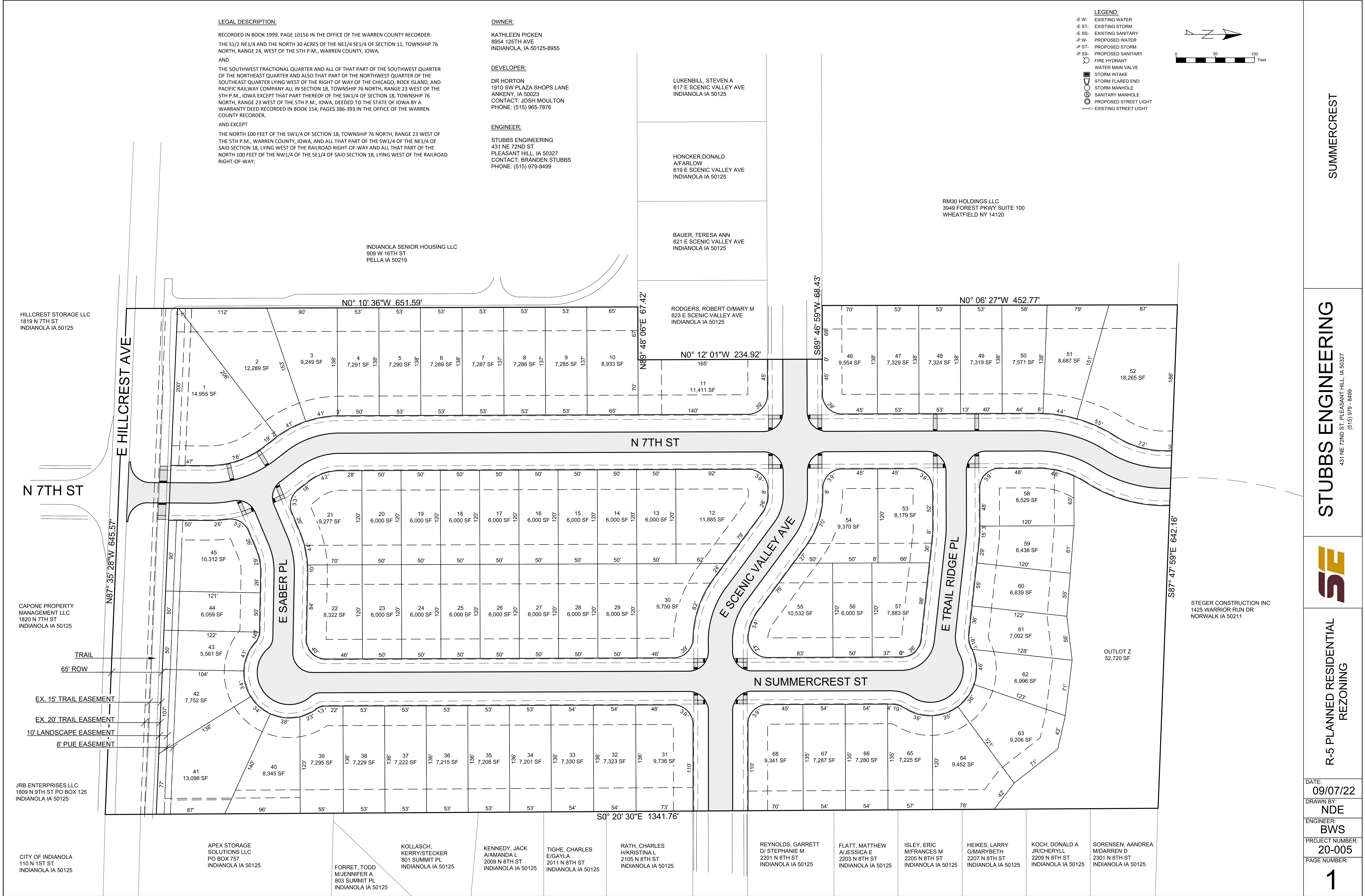
SUMMERCREST – INDIANOLA

CITY OF INDIANOLA ZONING MAP



Picture Captured: April 2, 2020

PARCEL 49023180683: Projected to be R-3



SUMMERCREST – INDIANOLA
LAND USE SUMMARY

CITY OF INDIANOLA ZONING MAP - APRIL 3, 2020

- 100% R-3 MIXED RESIDENTIAL

MASTER PLAN – APPROVED JULY 6, 2020

- 100% PLANNED UNIT DEVELOPMENT (PUD)
SINGLE-FAMILY RESIDENTIAL (50'+ LOTS)

SUMMERCREST – INDIANOLA

PLANNED UNIT DEVELOPMENT

BULK REGULATIONS

SINGLE-FAMILY RESIDENTIAL ADJACENT TO EAST & WEST BOUNDARY (50'+ LOTS)

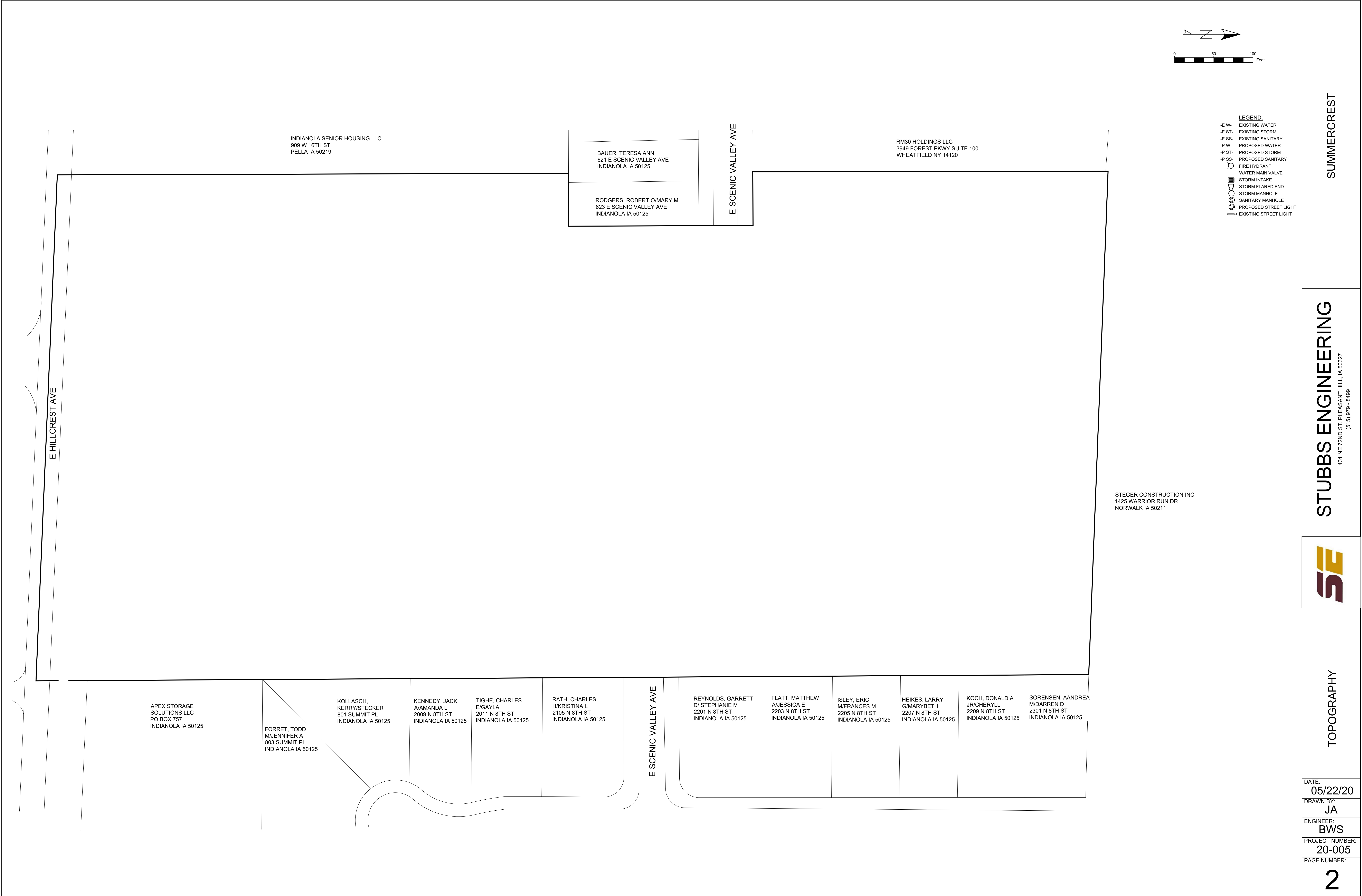
- A. Detached homes with minimum two-car attached or detached garages
- B. Minimum Lot Width at front yard setback - 50 feet
- C. Minimum Lot Area – 7,200 s.f.
- D. Minimum Yard Requirements:
 - i. Front – 25 feet
 - ii. Rear – 30 feet
- E. Side - 12 feet total (min. 6' one side)
- F. Screening Required: None
- G. R-2 Zoning Regulations shall apply to any items not covered within this PUD

SINGLE-FAMILY RESIDENTIAL ADJACENT TO SOUTH BOUNDARY (50'+ LOTS)

- A. Detached homes with minimum two-car attached or detached garages
- B. Minimum Lot Width at front yard setback - 50 feet
- C. Minimum Lot Area – 5,500 s.f.
- D. Minimum Yard Requirements:
 - i. Front – 25 feet
 - ii. Rear – 18 feet
- E. Side - 10 feet total (min. 5' one side)
- F. Screening Required: None
- G. R-2 Zoning Regulations shall apply to any items not covered within this PUD

SINGLE-FAMILY RESIDENTIAL - ALL REMAING LOTS (50'+ LOTS)

- A. Detached homes with minimum two-car attached or detached garages
- B. Minimum Lot Width at front yard setback - 50 feet
- C. Minimum Lot Area – 6,000 s.f.
- D. Minimum Yard Requirements:
 - i. Front – 25 feet
 - ii. Rear – 25 feet
- E. Side - 10 feet total (min. 5' one side)
- F. Screening Required: None
- G. R-2 Zoning Regulations shall apply to any items not covered within this PUD



SECTION 2

REZONING REQUEST



Community Development

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

REZONING APPLICATION

Local Address(es): N/A

Legal Description of Area: See attached document

Present Zoning: R-3 Mixed Residential

Zoning Requested: R-5 Planned Residential

Existing Use: Agriculture

Proposed Use: Single Family Residential

☒ A statement of the reasons why the applicant feels the present zoning classification is no longer valid.

See planned residential district plan.

☒ A plat showing the locations, dimensions and use of the applicant's property and all property within 200 feet thereof, including streets, alleys, railroads, and other physical features. Please attach plat.

☒ If the requested zoning change is from A-1 (Agricultural) to any other classification, the application shall contain the **number of acres** in each **soil type** for which a rezoning change is requested and the **crop suitability rating** of each. The soil type and its crop suitability rating shall be determined by the latest cooperative soil survey and accompanying data.

The undersigned affirmatively states that the special conditions and circumstances set out above did not result from the actions of the applicant and that the granting of this variance would not confer on the applicant and special privilege that is denied by this ordinance to other lands, structures or buildings in the same district.

Dated this _____ day of _____, 20 ____.

DocuSigned by:

Josh Moulton

4/3/2020

Applicant Signature RS913993E3E8426...

Fee \$200.00 Receipt # _____

Applicant Full Name Printed: DR Horton - Josh Moulton

Applicant Mailing Address: 1910 SW Plaza Shops Ln, Ankeny, IA 50023

Email Address: jlmoulton@drhorton.com

Contact Number: (515)965-7876

Legal Description Recorded in Book 1999, Page 10156 in the office of the Warren County Recorder:

The S1/2 NE1/4 and the North 30 acres of the NE1/4 SE1/4 of Section 11, Township 76 North, Range 24, West of the 5th P.M., Warren County, Iowa,

AND

The Southwest Fractional Quarter and all of that part of the Southwest Quarter of the Northeast Quarter and also that part of the Northwest Quarter of the Southeast Quarter lying West of the right of way of the Chicago, Rock Island, and Pacific Railway Company all in Section 18, Township 76 North, Range 23 West of the 5th P.M., Iowa EXCEPT that part thereof of the SW1/4 of Section 18, Township 76 North, Range 23 West of the 5th P.M., Iowa, deeded to the State of Iowa by a Warranty Deed Recorded in Book 154, Pages 386-393 in the office of the Warren County Recorder,

AND EXCEPT

The North 100 feet of the SW1/4 of Section 18, Township 76 North, Range 23 West of the 5th P.M., Warren County, Iowa, and all that part of the SW1/4 of the NE1/4 of said Section 18, lying West of the Railroad Right-of-Way and all that part of the North 100 feet of the NW1/4 of the SE1/4 of said Section 18, lying West of the Railroad Right-of-Way;

SECTION 3

SUPPORTING EVIDENCE

SUMMERCREST – INDIANOLA

EXISTING CONDITIONS – APRIL 2020

The proposed property was annexed into the incorporated city limits of Indianola. The existing land use is agricultural farm land. The City of Indianola establishes zoning districts through Beacon. Beacon is an online map system that stores county public information. According to Beacon, the property currently holds the standard R-3 (Mixed Residential) zoning classification for the City of Indianola.

VEHICULAR CIRCULATION

There is one access street to the proposed property off E Hillcrest Ave that runs north and south through the entire property. This street will allow the property to the North to have an existing access point for future development. This will be the primary north south collector for the development. There is one street, E Scenic Valley Ave, running through the entire property East and West. This street ties into the existing roadway on both sides.

PEDESTRIAL CIRCULATION

Five-foot-wide public sidewalks on both sides of the public streets will be constructed throughout the entire single-family residential area. The sidewalk system will provide access for all residents to reach all parts of the subdivision. The sidewalks will also connect to the adjoining properties sidewalk system. Detectable warnings will be required at all sidewalk crossings of public streets.



MEMORANDUM

To: Planning and Zoning Commission
From:
Date: May 23, 2023
Subject: Brief discussion regarding Zoning Code Review and Amendments

Recommendation:

Attachments: None