PUBLIC MEETING

Governmental Body: Van Meter Board of Adjustment Date of Meeting: Thursday, December 19, 2024 Time/Location of Meeting: 6:00pm – 310 Mill Street (City Hall)

Agenda:

- 1. Call to Order/Roll Call
- 2. Approval of Agenda
- 3. Approval of the Minutes from November 6, 2024
- 4. PUBLIC HEARING

Public Hearings are held during the Board of Adjustment's regular meetings. Those who wish to speak will be requested to provide their name and address for the record when called upon. The order of proceedings for each application will be as follows:

- 1. City staff will summarize the issue and present their findings.
- 2. The applicant will present testimony and evidence regarding their request.
- 3. City staff will provide a summary of all written comments received prior to the hearing.
- 4. Testimony may be heard from members of the audience who wish to speak in support of or in opposition to the request and will be limited to five (5) minutes per speaker
- 5. The Board will give the applicant and city staff the opportunity to present concluding summaries and arguments.
- 6. At the conclusion of all public testimony, the Board will close the public hearing.
- 7. The Board will discuss the issues and evidence and come to a decision. The applicant may withdraw their application at any time prior to the decision of the Board of Adjustment.
- A. CONDITIONAL USE PERMIT

An application for a Conditional Use Permit has been received from AUSTIN REED, a potential buyer of real estate currently for sale located at 325 Grand Street.

The potential buyer has submitted an application for a Conditional Use Permit for the property located at 325 Grand Street, Van Meter, IA 50261 to establish a used auto dealership. Zoning districts are defined in the Van Meter Code of Ordinances, Chapter 165 Zoning Regulations. The property is currently zoned "C-1 Downtown Commercial District." Auto sales are not permitted within the C-1 zoning district. A conditional use permit is a permit that allows an exception to the zoning code.

- Discussion & Action by Board of Adjustment regarding the CONDITIONAL USE PERMIT as described in Agenda Item 4A
- 6. Adjournment

Call to Order

Roll Call: Carter _____

Anderson _____

Lyons _____

Young _____

Doremus _____

Staff:

Approval of the Agenda

City Clerk: Do I hear a motion to approve the agenda?

Board Member _____: So moved.

Board Member _____: Second.

City Clerk: All in favor? _____ Not in favor? _____

Approval of Minutes

City Clerk: Do I hear a motion to approve the meeting minutes from November 6, 2024?

Board Member _____: So moved.

Board Member _____: Second.

City Clerk: All in favor? _____ Not in favor? _____

Agenda Item #4 - OPEN

Public Hearing for a Variance Request

Sample Language:

City Clerk: I would entertain a motion to open the public hearing.

Board Member: _____ So moved.

Board Member: _____ Second.

City Clerk: Carter - ____; Anderson - ____; Lyons - ____; Young - ____; Doremus - ____.

City Clerk: *The public hearing is now open at _____pm.*

CITY REPORT

P&Z reviewed a request on 10/30 regarding intended use at 325 Grand Street. Based on the feedback received, the potential buyer submitted a Rezoning Request to rezone from C-1 to I-1. Staff had additional conversations with adjacent parcel owners and business owners in that area who were generally in support of the rezoning request & would likely join the request to rezone if it moves forward. Staff also discussed the request with the City's Economic Development Committee and Mayor who also supported the rezoning request as a way to enable and encourage commercial activity while also addressing instances of non-conformance with current zoning by current businesses.

However, the City's Zoning Administrator has a different opinion. His written opinion is included and states that he believes the City should retain the C-1 zoning, force compliance with the zoning using Code Enforcement tools that City has and that a change to I-1 will create additional future issues.

Planning & Zoning reviewed the request and determined that a PUD may be the best long term option but in the mean time, a Conditional Use Permit application should be filed for review by BOA.

City of Van Meter, Iowa

Planning & Zoning Commission Meeting, Monday, December 2, 2024

- The Van Meter Planning & Zoning Commission met on Monday, December 2, 2024 for a regularly scheduled meeting. Chairperson Wahlert called the meeting to order at 5:31pm.
 Commissioners Wahlert, Feldman, Hulse, Cook & Coyle were present. Commissioner DeVore arrived at 5:37pm.
 Commissioner Miller was absent. City Clerk Drake was in attendance. The public audience included Joe Herman, Al Suckow, Cody Eveson and Katie Farrell.
- 2) Hulse moved, supported by Feldman, to approve the agenda. Motion passed unanimously.
- Hulse moved, supported by Cook, to approve the minutes from the Planning & Zoning Meeting held on October 30, 2024. Motion passed unanimously.
- 4) The Commission discussed the Plat of Survey pertaining to Parcels 24-108, 24-109 and 24-123. Staff and the City Engineer reviewed the plat which creates 2 buildable parcels in addition to the parcel specific to the City's Right of Way Easement Area. Due to the nature and location of the plat, the City Engineer recommended approval of the plat and waiving the requirement to comply with the City's Sub-Division Ordinance. Cook moved, supported by Wahlert, to recommend approval the Plat of Survey relating to Parcels 24-108, 24-109 and 24-123 & waiver of compliance with the City's Sub-Division Ordinance to Council. On roll call, the votes were as follows: Wahlert YES; Feldman YES; DeVore YES; Cook YES; Coyle YES. YES (6) NO (0) ABSTAIN (0) ABSENT (1)
- 5) The Commission discussed the Application for Re-Zoning Received for 325 Grand. The request was to rezone from "C-1 Downtown Commercial" to "I-1 Light Industrial" as I-1 is the only current zoning district that allows for auto sales, the proposed use of the building. Al Suckow expressed his opinion regarding the request, the state of other non-conforming uses in the C-1 district and wanted to know how tax payers can be protected as it relates to code enforcement. The Commission discussed the idea of a Planned Unit District in the C-1 district to enable certain commercial activities and a Conditional Use Permit application. City Clerk Drake explained the timelines as they relate to a rezoning to a PUD and a CUP application. Cook moved, supported by Coyle, to deny the re-zoning application to I-1 stating that a favorable option would be a PUD and/or a Conditional Use Permit Application. On roll call, the votes were as follows: Wahlert YES; Feldman YES; Hulse YES; DeVore YES; Cook YES; Coyle YES. YES (6) NO (0) ABSENT (1)
- 6) City Clerk Drake reviewed the proposed amendment to the City's building code as provided by the City's Building Inspectors, Veenstra & Kimm. Cook moved, supported by Feldman, to recommended the proposed amendment to adopt the 2021 International Building Code as amended and recommended by Veenstra & Kimm to Council for consideration. On roll call, the votes were as follows: Wahlert – YES; Feldman – YES; Hulse – YES; DeVore – YES; Cook – YES; Coyle - YES. YES (6) NO (0) ABSTAIN (0) ABSENT (1)
- 7) Coyle moved, supported by Cook, to adjourn the meeting. Motion passed unanimously. The meeting adjourned at 6:28pm.

APPLICANT DOCUMENTS & COMMENTS



Board of Adjustment Application

Filing fee: \$15.00			
Paid:	Rece	eipt No.:	
I/We, the undersigned, do	hereby request that you consid	der this application for:	
Variance	<u>Conditional Use</u>	Exception	
to Section 165.14	of the Code of C	ordinances.	
Application Date:			
Address of Property:			
The following are persons	having an interest in the above	e-mentioned property:	
Recorded Owner/s:			
Mailing Address:			
Contract Purchaser/s:			
Mailing Address:			
Mailing Address:			
 Required Documents: Site Plan Ground Plan or Ele List of names, addi lines for the proper 	resses and lot numbers for all _l	property owners within 250 fee	et of the exterior property
Please respond to the fo	Ilowing questions providing	any information requested.	

- 1. Legal description of the subject property: _____
- 2. Present zoning classification: <u>Downtown Commercial District</u>



3. Describe the existing uses in the immediate vicinity and explain whether the proposed variance/use would have any adverse affect on surrounding properties.

4. Are there any circumstances unique to the property which do not apply to other properties in the immediate vicinity, and which would result in the inability of your property to yield a reasonable return?

5. What hardship will result if the variance/use is not granted?

6. Explain why the conditional use you are requesting is necessary (if applicable).

7. Will the proposed variance/use interfere with the development or use of the neighboring property?



8. Please provide any additional information which supports your request.

FOR EXCEPTIONS:

1. Provide a description of the exception.

2.	As it relates to the occupants of adjoining and surrounding property, does the proposed exception adequately safeguard: a. Health? YES NO b. Safety? YES NO
	 c. Welfare? YES NO Does the proposed exception increase congestion in the public streets? YES NO Does the proposed exception increase public danger of fire or diminish safety? YES NO
	Does the proposed exception microase public danger of micro duminish safety * NO
	Is the appellant a public service corporation? YES NO
	Is the proposed exception for public utility purposes or for public communications? YES NO Does the boundary line of a zoning district divide a lot in single ownership? YES NO
9.	Does the proposed exception extend the zoning district line by more than 40 feet? YES NO

FOR VARIANCES:

1. Is there a limitation on the use of the property due to physical topographical and geological features? If yes, please explain.



- 2. Will this variance grant any special privilege to you? If yes, please explain.
- 3. Can you demonstrate that without a variance there can be no reasonable use of the property? If yes, please explain.

4. Is the request for a variance based solely on economic reasons? If yes, please explain.

- 5. Is the necessity for a variance created by you? If yes, please explain.
- 6. Is the variance request the minimum variance necessary to allow reasonable use of the property? If yes, please explain.
- 7. Will granting the variance be injurious to the public's health, safety or welfare? If yes, please explain.



8.	Does the property possess one or more unique characteristics generally not applicable to similarly
	situated properties? If yes, please explain.

Present Facts, Not Conclusions – This appeal will not be successful unless sufficient facts, not mere conclusions, are presented in this Application to justify the variance in light of the requirements of the Ordinance. As a general statement, you must show that the granting of the variance relates to the overall intent and purposes of the Zoning Ordinance and the Comprehensive Plan as a whole. These documents are available at City Hall. You are free to review them, but are not required to do so. All of the basic, required information needed is contained in this Application.

Building Permit Still Required – Approval of the Variance/Exception/Conditional Use by the Board of Adjustment in no way absolves the applicant from subsequently obtaining the necessary building permits or other permits from the City of Van Meter or from other applicable agencies.

ON PENALTY OF PERJURY, I DECLARE THAT THE ABOVE STATEMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT

OWNER

Date

Date

Office Use:

Date_____ Application Received

Date _____ Owners within 250 feet notified (list attached)

Date ______ Board of Adjustment Meeting Notice Posted

Date ______Board of Adjustments Meeting Held

Decision: ___

(Meeting minutes attached)



City of Van Meter 310 Mill Street, PO Box 160 Van Meter, IA 50261 Phone: (515) 996-2644 www.vanmeteria.gov

Rezoning Request Application Form

All items listed must be submitted with this application:

Failure to complete and submit all the required materials as part of this application will result in a delay in processing your application. Submit the application & required materials to: pandz@vanmeteria.gov.

Legal Description of the property. The applicant must provide a copy of the full legal description. If the full legal description, the applicant may obtain the description from the Dallas County Recorder's Office. The tax description on the County Assessor website is not the full legal description.

Application Fee. A \$75 fee is required payable to the "City of Van Meter." The fee must be paid when the application is submitted.

	Property Owner Information
Property Owner:	Brown Stone LLC
Mailing Address:	2284 Norwood Ave Winterset, IA 50273
Phone Number:	Email Address:
	Applicant Information (if different than Property Owner)
Applicant Name:	Austin Reed
Phone Number:	515-333-0554 Email Address: reed. hawkeyeautosalvage@gmail-
	Property Information
Legal Description:	325 Grand St. Van Meter, IA 50261
Current Zoning:	Commercial
Current Use:	Heating / Air Conditioning Storage
Proposed Zoning:	Industria - LI
Proposed Use:	used Automotive Sales
Additional Comments:	
Applicant Signature:	Aust Rud Date: 11/11/24
For Office Use:	For Office Use:
Date Received: Received By: Payment Receipt Date: _	Planning & Zoning Meeting Date: Planning & Zoning Submission Date: City Council Meeting Date (Public Hearing):

Beacon[™] Dallas County, IA



(Note: Not to be used on legal documents)

Date created: 10/25/2024 Last Data Uploaded: 10/24/2024 10:54:46 PM

Developed by SCHNEIDER

Austin Reed	
Jess Drake	
325 Grant St	
Friday, October 25, 2024 2:22:32 PM	
325 Grand.pdf	

Good afternoon Jessica,

It's Austin Reed with Hawkeye Auto Salvage and Hawkeye Auto Sales. It was a pleasure speaking with you a couple days ago. I appreciate you taking the time to explain the next steps to take in order to ensure I can qualify for the correct zoning licenses to have a used car dealership at 325 Grant St. You mentioned to include a brief description of my intentions with this property and photos of my other two used car dealerships which I have done below.

I currently own Hawkeye Auto Salvage south of De Soto and Hawkeye Auto Sales in De Soto which is located on the corner of Highway 169 and Willow St. I also have another Hawkeye Auto Sales location right off Highway 5 in Carlisle. I'm a 30 year old entrepreneur that has had success in the automotive industry. I have the appetite for more growth, and I love Dallas county and all the towns that make up the community, as they have supported me over the last 10 years. In return, I also make it a priority to give back to the community and will continue to do so as I believe it is the community's support that will continue to drive a long and prosperous journey in business. I would love to bring my line of business to Van Meter. We would be offering and providing quality used Automobiles with low miles at very competitive pricing. Although we don't want to or intend to run a repair shop, we strive to always take care of any of our customers in-house with any of their mechanical needs for vehicles that they have purchased off of us. Image and branding is very important to us for our continued growth and success. Rest assured, any vehicles that would be worked on will ALWAYS be done so indoors. We will use any outdoor space for parking and the displaying of finished vehicles for sale. We will NOT have any partially taken apart or unfinished vehicles outdoors. Hawkeye Auto Salvage is conveniently located less than 5 miles away from 325 Gant, and Hawkeye Auto Salvage sits on 30 acres which are properly zoned for the storage and parts sales for automobiles. 325 Grants will not be needed for any of these things as we already have a proper space for it. To reiterate, we have plenty of room for the storage of any vehicles that will be parted out, or any unfinished vehicles at Hawkeye Auto Salvage. The 325 Grant location will continue to look organized, clean to the eye, and only have presentable and finished automobiles for sale outside of the buildings.

I have attached photos of the outdoor area at our current sales office where our cars are displayed. Since the De Soto office is right down the street, please feel free to stop by anytime and you will see that our office is very clean and organized as well as our lot outside. You will find that there is no clutter and our vehicles are nicely spaced out with NO stagnant or broken down vehicles. This will be consistent with how the 325 Grant location would look.

Again thank you, Jessica, for taking the time to talk with me. I hope this is what you were looking for/referring to. Please let me know if you need anything else right away. I am looking forward to progressing with 325 Grant and hopefully becoming a part of the Van Meter community.

Thank You,

Austin Reed

Hawkeye Auto

(Cell) 515-333-0554 Please feel free to call me on my cell anytime if needed

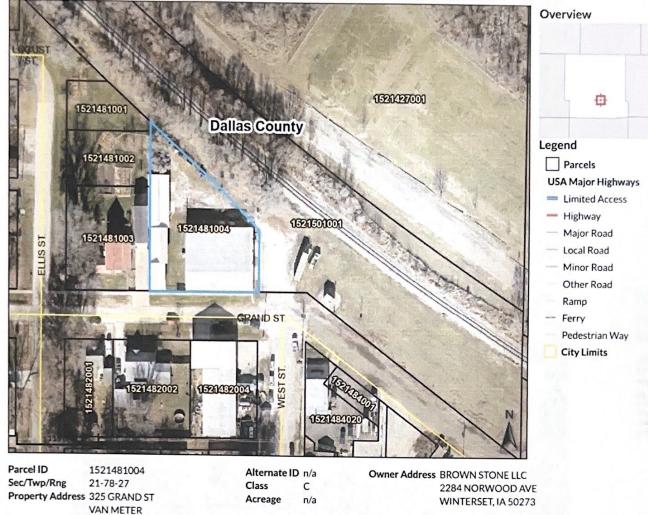


11/25/2022



325 Grant

Beacon[™] Dallas County, IA



District Brief Tax Description

CLAYTONS ADD BLK 4 /EX W114'/ & COMM SE COR LOT 5 E66' N84' SWLY 107' TO X (Note: Not to be used on legal documents)

ALL PROPERTY

Date created: 10/25/2024 Last Data Uploaded: 10/24/2024 10:54:46 PM

420000

Developed by SCHNEIDER





From:	Jess Drake	
То:	connorfaber@gmail.com	
Subject:	325 Grand St, Van Meter	
Date:	Monday, September 16, 2024 9:56:00 AM	
Attachments:	Van Meter C1 Zoning.pdf	
	Van Meter Site Plan Review.pdf	

Connor – Attached is the information based on our conversation today. Please let me know if you have any additional questions.

Depending on the specifics of the intended use, if a variance is requested, there is a specific process that will need to be followed. The site plan would need to be submitted to the City prior to requesting a meeting with P&Z. Upon receipt of the plan in accordance to the site plan requirements as defined by City code (attached), the site plan review would be added to the next scheduled Planning & Zoning Meeting (P&Z meets the last Wednesday of each month). In addition, if the P&Z review shows that a variance is required, that will need a separate meeting with Board of Adjustment. Board of Adjustment is who would review regarding a variance request.

The buyer should also be aware that a site plan would be required if there will be a remodel or renovation that is over \$25,000 in value which would require review by Planning & Zoning. All of the current standards for the C1 zoning will apply if any addition/expansion adds 20% or more gross area of the existing building, a remodel valued at \$25,000 or more or change of surface material of the off-street parking or expansion of the parking area. I've attached the zoning regulations for this property. The permitted uses are listed in the zoning code as well.

A building permit will be required for any interior renovations. If there are exterior improvements that don't change the structure of the building, those would not require a building permit. However, any electrical, plumbing or mechanical work (interior or exterior) would require trade permits. Each trade permit is \$85 and the building permit cost is determined by the building inspectors based on the scope of the project.

City Clerk

Jessica Drake

Office: 515-996-2644 | Cell: 515-478-5047 Jdrake@vanmeteria.gov www.vanmeteria.gov

Mailing Address: City of Van Meter PO BOX 160 Van Meter, IA 50261

To ensure compliance with the State of Iowa Open Meeting laws, members of the City Council may reply to this message, but they should not copy the reply to other members of the Council. Thank you for your attention to this concern.

Please be aware messages sent from and received of this e-mail address may become public record.

165.14 C-1 DOWNTOWN COMMERCIAL DISTRICT.

1. Intent. The Downtown Commercial District is intended for the conduct of general business to which the public requires direct and frequent access. The regulations set forth in this section are meant to achieve the following purposes:

A. To protect commercial development against the establishment of uses which would create hazards, dust, odors, smoke or other objectionable influences or heavy trucking traffic.

B. To provide appropriate space for strengthening the economic base of the community.

- C. To conserve the value of existing commercial buildings.
- D. To encourage pedestrian movement in a developed downtown.

E. To encourage minimum development standards that will aid to unify the appearance of the district.

2. Applicability. The standards identified in this chapter shall apply in the following circumstances, and are subject to the site plan submittal and review procedure as identified in Chapter 167.04 of the Municipal Code:

- A. New construction of a building(s);
- B. Reconstruction of a building(s);

C. Addition and/or expansion to an existing building by 20% or more of the gross area of the existing building;

D. Remodeling of a building when the building permit value is \$25,000 or more. The value is for collective value of improvements and/or development and shall not be circumvented by applying for multiple permits under the established value.

E. The change of surface material type of an off-street parking area, including a material overlay process(es) and/or the expansion of a parking area, of any surface type, by more than 20% of the existing surface lot area.

- 3. Permitted Uses.
 - A. Private clubs, lodges, or veterans' organizations.
 - B. Hospitals, clinics, nursing, and convalescent homes.

C. Any retail business or service establishment, including but not limited to the following:

- (1) Animal hospitals, veterinary clinics.
- (2) Bank, savings, and loan associations.
- (3) Barber shop or beauty parlor.
- (4) Clothing, sporting goods store.
- (5) Drugstore.
- (6) Florist shop.
- (7) Furniture, appliance store and repair. Grocery store or supermarket.
- (8) Hardware store, plumbing and heating.
- (9) Jewelry store.

- (10) Laundries and launderettes.
- (11) Office building, business and professional.
- (12) Photographic studio, camera shop.
- (13) Printing shop.

(14) Restaurant, drive-in restaurant.

(15) Tavern and night club, provided that it is not within three hundred (300) feet of an "R" district; church, school, or convalescent home.

D. Mixed use structure, commercial and residential where the residential use is secondary to the commercial use and where the residential use that is located on the ground floor is less than 40% of the ground floor area and is not located on the primary street façade of the ground floor. No residential occupancy shall be permitted until the commercial use of a lot within this district is complete and a certificate of occupancy is issued.

E. Any and all uses permitted under "C-0" classification.

F. An exception is allowed in this district to Section 165.04(8) of the Municipal Code, Number of Uses on One Lot. More than one principal use is allowable on one lot.

- 4. Accessory Uses.
 - A. Any and all accessory uses permitted under the "R-3" classification.
- 5. Signs.

A. No exterior attached sign may project over any street line or extend more than six (6) feet over any building line, whether attached thereto or to any other structure. In no case shall any sign project more than or eighteen (18) inches from the building wall and must be at least seven (7) feet above grade.

B. The total area of all signs pertaining to the use of or business conducted in any building shall be no greater than fifteen (15) percent of the wall area on which they are located.

C. Indirectly illuminated signs shall be illuminated by artificial light reflecting from the sign face and the light source shall not be visible from any street right-of-way.

D. Internally illuminated signs shall not be moving, rotating, flashing or strobe.

E. Message center signs can display a message in a stop position for a minimum of 5 seconds and then display then next message. The message cannot rotate, flash, strobe or scroll. The message center component shall not exceed 20% of the total sign area.

F. 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.

G. A sign, free-standing, or ground (a sign which is supported by one or more uprights or braces in or upon the ground and not attached to any building or wall) shall not exceed thirty-two (32) square feet in area on each side and shall have a setback of fifteen (15) feet from the property line.

H. Signs Types – Prohibited.

(1) The following sign types shall not be permitted:

a. Pole signs

- b. Above peak roof signs
- c. Off-premise signs

6. Area Regulations.

A. Lot Area. The minimum lot area shall be the same as that in the "R-3" classification for dwelling units; there is no minimum requirement for any other building. There shall be no minimum lot area for a mixed use, commercial and residential development.

B. Lot Width. There shall be no minimum lot width required.

C. Yard Width.

(1) The minimum front yard depth shall be twenty-five (25) feet, except as described below where the minimum setback shall be reduced to no less than the front yard depth of adjacent C-1 zoned properties.

a. Area One. Properties with frontage on Wilson Street located between Main Street and Grant Street.

b. Area Two. Properties with frontage on Grant Street between Wilson Street and West Street.

(2) The minimum rear yard depth shall be twenty-five (25) feet, except as described below where the minimum setback shall be reduced to no less than the rear yard depth of adjacent C-1 zoned properties.

a. Area One. Properties with frontage on Wilson Street located between Main Street and Grant Street.

b. Area Two. Properties with frontage on Grant Street between Wilson Street and West Street.

(3) For each one (1) foot that the front yard is increased over twenty-five (25) feet, the rear yard may be decreased proportionately, except that where the rear yard adjoins the side lot line of a lot in an "R" district, there shall be a minimum rear yard of ten (10) feet adjacent to said side lot line.

(4) The side yard required for residential uses shall be the same as that for the "R-3" classification. There shall be no minimum requirement for any permitted uses, except when adjoining any "R-1," "R-2," "R3" district, or street right-of-way, in which case it shall be fifteen (15) feet.

D. Building Height. The maximum height shall be three (3) stories, or forty-five (45) feet.

7. Off-Street Parking and Loading Requirements.

A. Parking lots should be effectively landscaped with trees and shrubs to reduce the visual impact of glare from headlights and parking lot lights and the view from public right-of-way and adjoining properties.

B. The parking space requirements listed in Section 165.34 and 165.35 Off-Street Loading and Off-Street Parking regulation in the City of Van Meter Zoning Ordinance shall be incorporated except for as follows:

(1) Properties south of Grant Street with frontage on Wilson, West, or Grant shall have no offstreet parking minimum standards.

(2) Properties north of Grant Street with frontage on Wilson, West or Grant shall provide offstreet parking at the minimum standard required to provide sufficient staff parking for the proposed business use as recommended by the City Engineer through a review of the proposed site plan. (3) All mixed-use structures containing residential uses shall provide a minimum of one (1) offstreet parking stall for each residential unit.

(4) Off-street parking requirements can be satisfied via shared parking agreements should offstreet parking requirements be impossible to meet on the proposed lot. In such instances, shared parking agreements must be included with site plan submittals and shall be drafted in such a way that they run with the land.

C. Required parking spaces shall have a minimum size of nine (9) feet wide by eighteen (18) feet long exclusive of access drives, aisles, or ramps. The length of parking stalls may be reduced to sixteen and one-half (16 $\frac{1}{2}$) feet including wheel stops if an additional one and one-half (1 $\frac{1}{2}$) feet is provided for the overhang of wheels.

D. Parking spaces shall be oriented so that no vehicle is required to back directly into a street right-of-way.

E. All exterior parking light structures shall be designed in conjunction with the overall architectural theme of the project. Parking areas shall be designed to minimize headlights shining into residential properties.

F. Uses which predominately occur during different times may share parking if it can be demonstrated that collectively the minimum number of parking spaces is provided at all times.

G. Parking lots shall be located in the rear of all commercial uses or on the side. Parking located on the side is allowable in accordance with the following:

(1) The parking must not extend into the required front yard setback.

(2) A single parking aisle with parking on one side, which is adjacent to the building, and meets the minimum dimension of the City's parking space requirements, is allowable.

H. Parking areas shall be set back 5 feet from the property line and shall be landscaped with vegetation and or turf. This requirement can be waived where parking lots adjoin and have cross access agreements/easements.

8. General Provisions.

A. Chain link fences shall not be allowed. Fences shall not exceed 4-feet in height when located in the front yard setback and may not exceed 6-feet in height when located in the side or rear side yard.

B. Paving shall not be allowed over or through the City-owned right-of-way in front of any commercial use, except for driveways providing access to an approved parking lot.

C. Minimum off-street parking requirements must be contained entirely outside of the public rightof-way.

D. All regular business must take place inside a structure, except for authorized outdoor dining or an authorized special/seasonal event permit.

E. Multiple buildings are allowed on one zoning lot.

F. Exterior storage of goods and equipment is not permitted.

G. Only one driveway approach shall be permitted on each street frontage, of each premise. At locations where driveways are not shared with an adjoining property each driveway shall be placed in such a way as to not impede the visual clearance to access the public street.

H. Service bays and drives, trash receptacles and dumpster areas shall be oriented in such a way that in the process of loading or unloading, no vehicle will block the passage of other vehicles on

the service drive or extend into any other public or private street.

I. A five feet wide as constructed or designated, accessible, pedestrian route shall be installed on each property to connect each building's primary access door with the public sidewalk located in the public street right-of-way. An accessible route may be designated with painted markings on parking lot pavement.

9. Design Guidelines.

A. All attached or detached garages shall be placed towards the rear of a building except on a corner, where the side may also be allowed. These can be accessed via privately controlled lanes and alleyways.

B. One story commercial buildings shall be constructed to appear of greater height in relation to the street. This can be achieved through the use of pitched roofs with dormers or gables facing the street, a higher parapet, and/or the use of an intermediate cornice line to separate the ground floor and the upper level.

C. Driveway locations shall be spaced such that they are at least 5 feet from any adjacent driveway.

D. Shared driveways are allowed.

E. Accessory structures shall not be placed in such a manner that they extend in front of the rear building line of the primary structure.

10. Architectural Standards.

A. The front façade, or any façade that directly abuts a public right-of-way including a street side yard of any building shall be at least fifty (50) percent brick or masonry stone.

B. All sides of buildings visible from the public right-of-way shall be architecturally treated to produce an aesthetically pleasing façade that is compatible with surrounding buildings and cohesive as development block. Exterior materials of commercial quality shall include brick, stone masonry, stucco like exterior systems, pre-cast concrete wall panels, or other like material. Painted concrete block or flat poured concrete walls are not allowed unless the blocks include an architectural finish and an articulated pattern that varies the block sizes, horizontal face alignment, and/or the coursing and vertical joints.

C. Exterior building walls may also be constructed of wood, fiber cement board, architectural concrete masonry units that contain variances in texture and/or integral color, vinyl, aluminum, or steel lap siding, or corrugated metal only when at least seventy-five (75) percent of the street façade is constructed of approved masonry. In cases where the structure is viewable from a public right-of-way or space the structure shall utilize the above materials on all building elevations. Smooth face concrete masonry units shall not be allowed.

D. All rooftop mechanicals must be placed or screened in such a way that they are not visible from any public street, alleyway, or park. Rooflines should have the appearance of a flat structure. In instances where a peaked or gable roof is existing and will not be modified structurally, design elements shall be designed such that the roof appears to be flat and screened in such a way that the peak of the structure is not visible. This regulation shall apply to property as follows:

(1) Properties with frontage on Grant Street, Wilson Street and West Street.

E. The front façade and street side façade of any new non-residential building shall be comprised of at least fifty (50) percent windows and doors at the ground level.

F. Accessory structures shall be constructed of similar and/or complimentary materials as the primary structure and shall be required to be compromised of at least twenty-five (25) percent

windows and doors at the ground level.

G. Accessory structures that are not open for business to the public are exempt from the window and door requirements of Subparagraph E above provided they are placed between the rear of the primary building and rear yard setback and are not visible from the public street. The structure is subject to compliance with Subparagraph B above.

H. All structures must be constructed on permanent foundations and may not be placed in a temporary manner.

11. Curbs and Curb Cuts. The number of curb cuts for any development shall be minimized to the greatest extent possible to provide for controlled ingress and egress.

A. All curbs shall be vertical curbs. No curb cut shall be greater than twenty-five (25) feet at the property line and thirty-five (35) feet at the curb line in accordance with the established City standards.

B. No curb cut for freight lanes shall be greater than thirty-five (35) feet at the property line and forty-five (45) feet at the curb line, unless an alternative curb cut width is approved by the Planning and Zoning Commission.

12. General Landscaping and Buffering Requirements.

A. No certificate of use shall be authorized unless all landscaping requirements are met. Existing, healthy plant material on site may be used as a credit towards fulfilling the landscaping requirements specified in this section.

B. Landscaping requirements are minimum standards and applicable to areas used for the parking of one or more vehicles to traverse back and forth to parking spaces, service bays, and loading/unloading areas. The landscaping requirements shall provide effective buffering of all vehicular use areas, including service bays, from neighboring buildings and from street view and shall serve to guide traffic.

C. Walls, fences, or other artificial screens to be used as buffers shall be shown in elevation and prospective. Proposed height and structural material to be used shall be clearly indicated on the site plan.

D. Landscape vegetation shall consist of species compatible with conditions in central lowa.

E. Minimum requirements, trees:

(1) Two (2) trees or two (2) trees per three thousand (3,000) square feet of required open space, or

(2) Fifty (50) percent of the required trees maybe two (2) inch caliper and the remaining required trees may be eight (8) feet to ten (10) feet in height and one and one-half (1.5') inch caliper.

(3) The trees shall be balled or burlap stock.

(4) The minimum height for evergreens shall be six (6) feet and may be counted as 2-inch caliper for requirements.

(5) The trees must live for at least twelve (12) months after planting or be replaced by the landowner.

F. Minimum requirements, shrubs:

(1) One shrub shall be planted for every one-thousand (1,000) square feet of open space, but no less than three shrubs per lot.

export.amlegal.com/api/export-requests/d9b27972-c038-49f7-b1f4-d90edd16dd09/download/

G. Interior lot landscaping shall be provided by landscaped islands or medians within the vehicular area and shall be used to guide traffic and separate pedestrian walkways from vehicular traffic. One such landscaped island or median shall be placed for every twelve (12) parking spaces and shall be a minimum of sixty (60) square feet in area. Landscaped islands may be grouped or combined to meet interior landscape requirements provided the total square footage of any single grouping does not exceed one hundred-twenty (120) square feet.

(1) The use of ornamental shrubs and coniferous trees shall be encouraged.

(2) The ground cover of the island shall consist of grass and/or shrubs, excluding paving.

H. A landscape barrier shall be located between the common lot line and the service bay, loading, or unloading area, off-street parking, or other vehicular use area. The barrier shall be a minimum of six (6) feet in height consisting of a natural material such as ornamental fence, an earth berm or an opaque hedge or any combination thereof.

I. At a minimum, one tree shall be provided every twenty-five (25) linear feet. Such trees shall be located or grouped between the common lot line and the service bay, loading, or unloading area, off-street parking, or other vehicular use area.

J. The provisions of the subsection shall not apply when the proposed perimeter abuts an existing wall or durable landscape barrier on an abutting property, provided the barrier meets all applicable standards set out in this ordinance.

K. The perimeter(s) of the lot adjacent to public rights-of-way, shall include a strip of land of at least ten (10) feet in depth located between the right-of-way and the off-street parking or other vehicular use area(s), and shall be landscaped as follows:

(1) One (1) tree for every twenty-five (25) feet, or fraction thereof of lineal frontage. Such trees shall be located between the abutting right-of-way and the off-street parking or other vehicular use area.

(2) The vegetation is not required to be planted in a singular row and may be placed in a designed arrangement provided the full total of required shrubs is placed within the planting strip.

(3) A hedge, wall, earth berm, or other durable landscape barrier a minimum of three (3) feet in height shall be placed along the perimeter of such landscape strip. If said barrier consists of non-living material, one (1) shrub shall be planted every ten (10) feet and abutting the barrier.

(4) The remainder of the required landscape strip shall be planted with grass, ground cover or other landscape material, exclusive of paving.

(5) Ground cover plants shall form a solid mat or cover over the ground within a twelve (12) month period. Sod shall be employed when grass is used as a ground cover in Zone 1. Non-living material shall not be used as the primary ground cover device but may be used in conjunction with living plant material to develop an ornamental landscaping effect.

(6) Non-living materials such as rocks, pebbles, sand, wood mulch or wood chips shall be placed at a minimum depth of three (3) inches and shall be used in conjunction with an appropriate landscape weed control fabric.

(Section 165.14 – Ord. 2021-07 – Mar. 21 Supp.)

WRITTEN COMMENTS RECEIVED BY STAFF PRIOR TO HEARING

No written comments received as of 5:30pm on 12/17/24 Staff will update at the meeting if comments received

PUBLIC INPUT

APPLICANT CLOSING SUMMARY

CITY CLOSING SUMMARY

Agenda Item #4 - CLOSED

Public Hearing for a Variance Request

Sample Language:

City Clerk: I would entertain a motion to close the public hearing.

Board Member: _____ So moved.

Board Member: _____ Second.

City Clerk: Carter - ____; Anderson - ____; Lyons - ____; Young - ____; Doremus - ____.

City Clerk: *The public hearing is now closed at _____pm.*

Discussion and Action: Conditional Use Permit Application

Submitted for: **Discussion**

Board Members, the Applicant and City Staff discussion to ensue regarding the conditional use permit request.

City Clerk: Do I hear a motion?

Sample Motion: I move to (grant / deny) the request for a Conditional Use Permit by Austin Reed at 325 Grand Street, Van Meter, IA, 50261

Board Member	: So moved

Board Member _____: Second.

City Clerk: Carter____ Anderson____ Lyons ____ Young ____ Doremus____

Adjournment

City Clerk: With no further business, do I hear a motion to adjourn?

Board Member _____: So moved.

Board Member _____: Second.

City Clerk: All in favor? _____

City Clerk: This meeting is adjourned at _____pm. Thank you.