



**PLANNING & ZONING COMMISSION ZOOM MEETING**  
**Monday November 21, 2022**  
**6:00 P.M.**

**Zoom Information:**

Meeting ID: 838 1110 2123

Passcode: 50124

Dial In: 312-626-6799

**AGENDA**

1. Roll Call
2. Motion to approve the minutes from the September 26, 2022 Planning & Zoning Commission Meeting.
3. Public Comments (5-minutes limit for items not on this agenda)
4. Business Items
  - a. Fjeldberg Church Site Plan
  - b. 55703 Oak Bend Rd Subdivision (2-mile review)
  - c. PUD Ordinance
5. Informational Items for Planning & Zoning Consideration/Input- None
6. Planning and Zoning Commission Comments
  - a. Next meeting is December 19, 2022 via Zoom.
7. Adjournment

For more information on this and other agenda items, please call the City Clerk's Office at 515-597-2561 or visit the Clerk's Office, City Administration Building at 515 N. Main Ave. Agendas are available to the public at the City Clerk's Office on Friday morning preceding Monday's Planning & Zoning Commission meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email.

## **Huxley Planning & Zoning Commission Minutes September 26, 2022**

Chairman Roger Bierbaum called the meeting to order at 6:02 P.M.

**ROLL CALL:** Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst present. Welcome Doug Schonhorst to the Planning and Zoning Commission!

**CITY STAFF PRESENT:** Amy Kaplan – Zoning Clerk, Jolene Lettow, City Clerk.

**CONSULTANTS PRESENT:** None.

**GUESTS PRESENT:** Adam Schoeppner (Nilles Associates, Inc), Chris Gardner (120 South) and David Bentz (Bishop Engineering).

**MINUTES APPROVAL:** Motion by Frantz, second by Patterson to approve the minutes from the June 20, 2022 meeting. 7 Aye. 0 Nay. MCU.

**PUBLIC COMMENTS:** None.

### **PUBLIC HEARING:**

*120 South Voluntary Annexation-* Motion by Mosher, second by Murphy to open the hearing at 6:04 PM. Adam Schoeppner provided a brief summary of the eighty-acre area. A question was asked if Rick Sheldahl's property (32491 US Highway 69) would be involved in the annexation. Kaplan indicated that she spoke to the City Attorney and at this time it was not in the City's interest to annex said property. Motion by Patterson, second by Frantz to close the hearing at 6:08 PM. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

*120 South Rezoning from A-1 (agricultural district) to R-5 (planned unit development)-* Motion by Murphy, second by Patterson to open the hearing at 6:12 PM. Adam Schoeppner provided a brief summary of the commercial, residential and senior living development plan proving the need for the R-5 zoning. Discussion was had regarding the type of residential housing as well as the age requirements of the senior living development. Motion by Ebel, second by Mosher to close the hearing at 6:24 PM. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

### **BUSINESS ITEMS:**

*Recommendation to Council on 120 South Voluntary Annexation-* Motion by Bierbaum, second by Mosher to recommend approval of the voluntary annexation to City Council. It is noted that the Commission agrees that the Sheldahl property at 32491 US Highway 69 should not be annexed at this time after discussion with staff who reviewed with the City Attorney. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

*Recommendation to Council on 120 South Rezoning Request-* Discussion was had to determine if the rezoning request was in line with the City's Comprehensive Plan. It was determined that it is. It was noted that each project will have a site plan that will need to be approved. Motion by Ebel, second by Frantz to recommend approval of rezoning the area from A-1 to R-5 to City Council. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

*Site Plan—Ballard Dental-* David Bentz from Bishop Engineering provided a brief summary of the Ballard Dental addition. Kaplan noted that Ballard Dental received a variance from the Zoning Board of Adjustment reducing the setback requirement to 7.5 feet. Motion by Patterson, second by Ebel to recommend approval of the Ballard Dental Site Plan to City Council. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

*Appointment of Vice Chair-* It was noted that the existing Vice Chair, Mike Schonhorst, has resigned from the Commission and a new Vice Chair should be appointed. Motion by Mosher, second by Frantz to appoint Ebel as Vice Chair of the Planning and Zoning Commission. Bierbaum, Murphy, Patterson, Mosher, Frantz, Ebel, Schonhorst voted yes. MCU.

**INFORMATIONAL ITEMS FOR PLANNING & ZONING CONSIDERATION/INPUT:**

*R1A discussion-* Discussion will resume regarding R1A zoning once the new City Administrator is hired.

*Council Action Update:* Kaplan gave a re-cap of the action taken at the City Council Meetings on topics that were discussed at Planning & Zoning.

**PLANNING AND ZONING COMMISSION COMMENTS:**

- Next meeting will be in the Council Chambers on October 17, 2022, if needed.
- Kevin Deaton thanked the commission for all of their work and extended his deepest appreciation.
- Mosher asked if the trail system will continue through 120 South. Plans indicate that it will.
- Bierbaum inquired about how much involvement the Commission will have in the development of 120 South. It was indicated that each site plan will go through Planning & Zoning before heading to Council.
- Mosher asked about the status of the search for a new City Administrator. Lettow indicated that the City has hired a consultant and will be meeting with them at the September 27<sup>th</sup> Council Meeting.

**ADJOURNMENT:** Motion – Patterson, second- Ebel to adjourn meeting at 6:51 P.M. 7 ayes, 0 nays. MCU.

\_\_\_\_\_  
Amy Kaplan, Zoning Clerk

\_\_\_\_\_  
Roger Bierbaum, Chairman

\_\_\_\_\_  
Date of Approval

# Fjeldberg Church Site Plan



**VEENSTRA & KIMM INC.**

3000 Westown Parkway  
West Des Moines, Iowa 50266

515.225.8000 // 800.241.8000  
[www.v-k.net](http://www.v-k.net)

November 18, 2022

Don Marner  
Snyder & Associates  
2727 SW Snyder Blvd.  
P.O. Box 1159  
Ankeny, IA 50021-0974

HUXLEY, IOWA  
FJELDGEBERG LUTHERAN CHURCH  
REVISED SITE PLAN REVIEW

We have reviewed the Fjeldberg Lutheran Church revised site plan and find it acceptable.

If you have any questions or comments, please contact us at 515-225-8000.

VEENSTRA & KIMM, INC.

Forrest S. Aldrich

FSA:rsb  
45229-080

cc: Jeff Peterson, City of Huxley (e-mail)  
Keith Vitzthum, City of Huxley (e-mail)  
Mat Kahler, City of Huxley (e-mail)  
AJ Strumpfer, City of Huxley (e-mail)  
Amy Kaplan, City of Huxley (e-mail)

SITE PLANS  
FOR  
FJELDBERG LUTHERAN CHURCH  
209 N 2ND AVE  
CITY OF HUXLEY, STORY COUNTY, IOWA

**OWNER / DEVELOPER**  
FJELDBERG LUTHERAN CHURCH  
209 N 2ND AVE  
HUXLEY, IA, 50124



| SHEET INDEX  |                          |
|--------------|--------------------------|
| Sheet Number | Sheet Title              |
| C100         | TITLE SHEET              |
| C101         | PROJECT INFORMATION      |
| C102         | EXISTING CONDITIONS PLAN |
| C200         | DEMOLITION PLAN          |
| C300         | DIMENSION PLAN           |
| C400         | GRADING PLAN             |
| C500         | LANDSCAPE PLAN           |

**NOT FOR  
CONSTRUCTION**

Feldberg Lutheran Church  
Hudson, Iowa

[illegible]



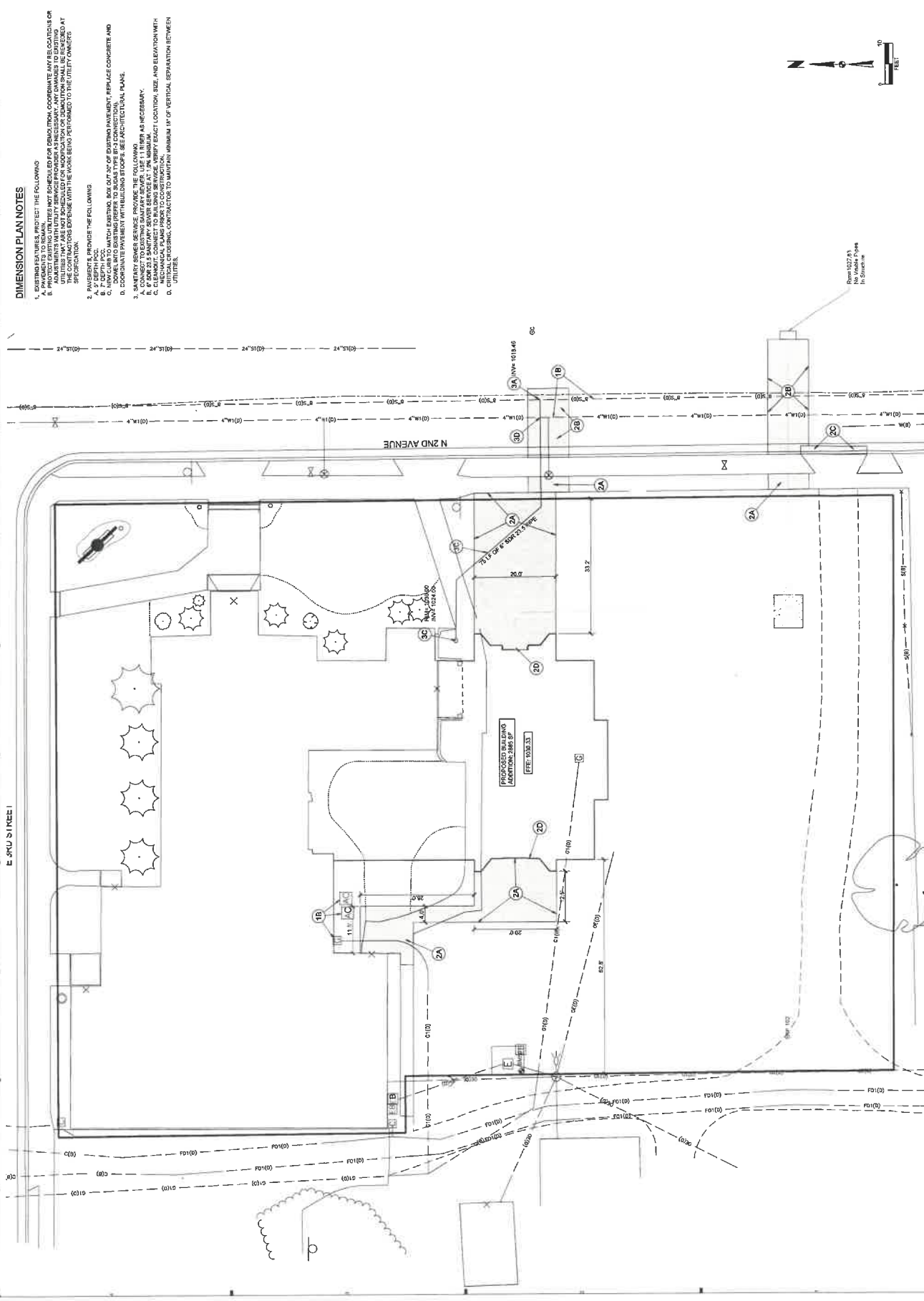


- Rm=1025.51  
F.L.=1024.31 12' RCP NE  
F.L.=1019.71 39' RCP E  
F.L.=1020.92 24' RCP S  
F.L.=1020.22 24' RCP W  
F.L.=1023.01 12' RCP NW



3. OWNER TO REMOVE EXISTING BUILDING, SEE SHEET 102 FOR EXISTING





**DIMENSION PLAN NOTES**

- EXISTING FEATURES: PROTECT THE FOLLOWING:
  - A. EXISTING UTILITY LINES NOT SCHEDULED FOR REMOVAL. COORDINATE ANY RELOCATIONS OR
  - B. PROTECT EXISTING UTILITY LINES NOT SCHEDULED FOR REMOVAL OR MODIFICATION SHALL BE RELEASED AT
  - C. OWNER'S RISK FOR DAMAGE TO EXISTING UTILITY LINES SHALL BE RELEASED AT THE
  - D. OWNER'S RISK FOR DAMAGE TO EXISTING UTILITY LINES SHALL BE RELEASED AT THE
- PAVEMENT: PROVIDE THE FOLLOWING:
  - A. 4" DEPTH POOL
  - B. 4" DEPTH POOL
  - C. 4" DEPTH POOL
  - D. 4" DEPTH POOL
- SAFETY: PROVIDE THE FOLLOWING:
  - A. CONSIDER EXISTING SAFETY FEATURES. USE 1" RIBS AS NECESSARY.
  - B. CONSIDER EXISTING SAFETY FEATURES. USE 1" RIBS AS NECESSARY.
  - C. CONSIDER EXISTING SAFETY FEATURES. USE 1" RIBS AS NECESSARY.
  - D. CONSIDER EXISTING SAFETY FEATURES. USE 1" RIBS AS NECESSARY.
- CONSTRUCTION: PROVIDE THE FOLLOWING:
  - A. CONSIDER EXISTING CONSTRUCTION FEATURES. USE 1" RIBS AS NECESSARY.
  - B. CONSIDER EXISTING CONSTRUCTION FEATURES. USE 1" RIBS AS NECESSARY.
  - C. CONSIDER EXISTING CONSTRUCTION FEATURES. USE 1" RIBS AS NECESSARY.
  - D. CONSIDER EXISTING CONSTRUCTION FEATURES. USE 1" RIBS AS NECESSARY.



# LANDSCAPE PLAN GENERAL NOTES

- UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND RECORDS. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. UTILITIES NOT SHOWN ARE TO BE LOCATED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
- ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH THE "NATIONAL STANDARD FOR NURSERY STOCK" (ANSI Z60.1-1, LATEST EDITION).
- STAKES SHALL BE PLACED AT 10' INTERVALS ALONG ALL PLANT MATERIAL LOCATIONS. STAKES SHALL BE 1/2" DIA. OR SMALLER.
- CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR ONE YEAR, UNLESS SPECIFIED OTHERWISE.
- TREES SHALL HAVE A 3" DIAMETER MULCH RING WITH 4" DEPTH SPACE-OUT EDGE.

## LANDSCAPE PLAN CONSTRUCTION NOTES

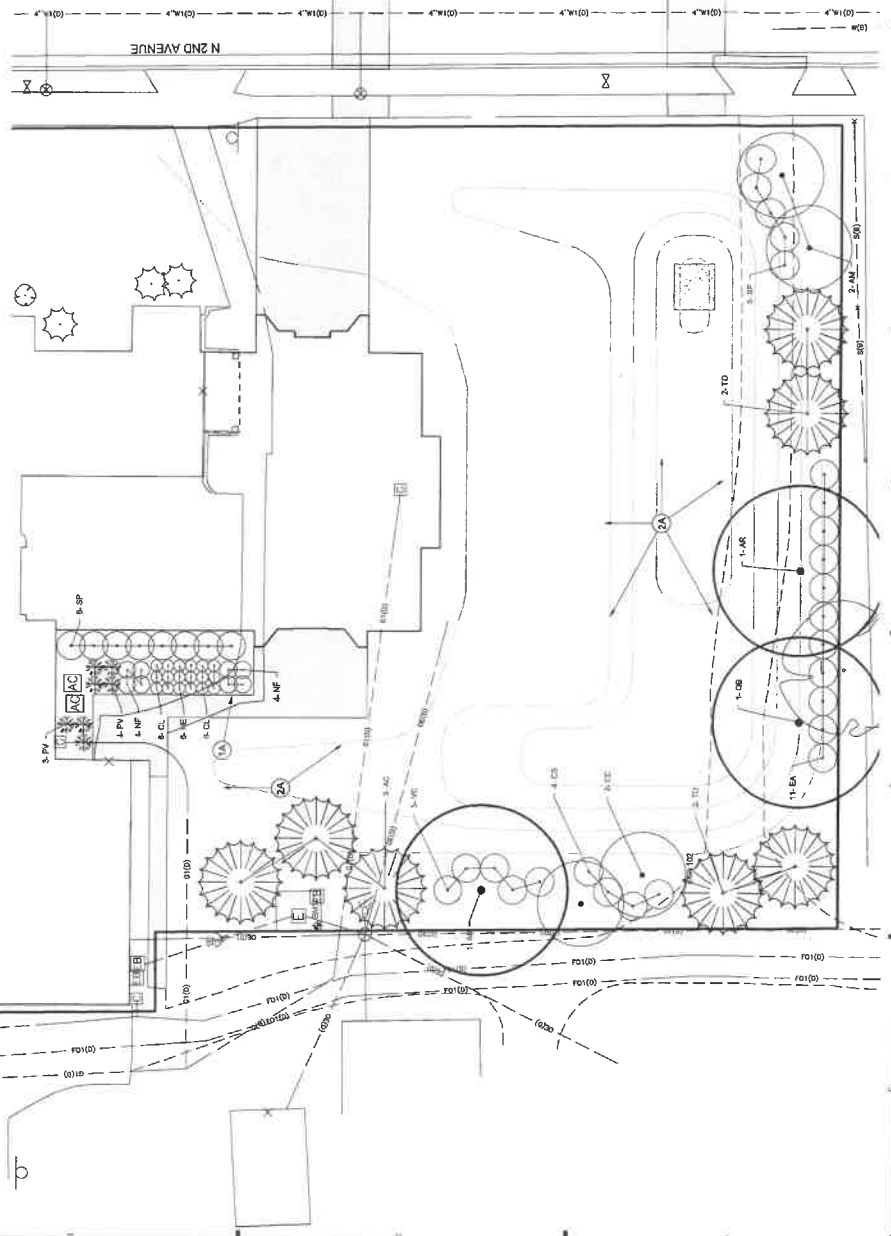
- MULCH BED, PROVIDE THE FOLLOWING:
  - SHRUBS: 2" DEEP, 1/2" DIA. OR SMALLER
  - TREES: 4" DEEP, 1/2" DIA. OR SMALLER
- USE OF MULCH SHALL BE IN ACCORDANCE WITH THE "NATIONAL STANDARD FOR NURSERY STOCK" (ANSI Z60.1-1, LATEST EDITION).
- LANDSCAPE REQUIREMENTS AND CALCULATIONS:
  - NO QUANTITY REQUIREMENTS APPLY TO THIS SITE.

## PLANTING PLAN REQUIREMENTS

- LANDSCAPE REQUIREMENTS AND CALCULATIONS:
  - NO QUANTITY REQUIREMENTS APPLY TO THIS SITE.

| QTY | KEY | BOTANICAL NAME            | COMMON NAME                | INSTALL SIZE | COMMENTS          |
|-----|-----|---------------------------|----------------------------|--------------|-------------------|
| 2   | AR  | Araucarioxylon arizonicum | RED MAPLE                  | 1 1/2" CAL.  | BAR               |
| 1   | OB  | Quercus bicolor           | SWAMP WHITE OAK            | 1 1/2" CAL.  | BAR               |
| 3   | AC  | Alnus incana              | WHITE HUR                  | 6" HT.       | BAR               |
| 4   | TD  | Taxodium distichum        | BAUDY CYPRESS              | 6" HT.       | BAR               |
| 2   | AM  | Amelanchier alnifolia     | AUTUMN ORANGE SERVICEBERRY | 6" HT.       | BAR, MULTI-STEM   |
| 2   | CC  | Cornus canadensis         | EASTERN REDDOGB            | 1 1/2" CAL.  | BAR, MULTI-STEM   |
| 1   | CS  | Cornus alternifolia       | WAX DOGWOOD                | 24" H.       | 45 CONT. (4.0 G.) |
| 11  | EA  | Eurotia alata             | CHAMPAGNE BURNING BUSH     | 24" H.       | 45 CONT. (4.0 G.) |
| 13  | SA  | Syringa pinnatifida       | BLOOMING SYRINGA           | 24" H.       | 45 CONT. (4.0 G.) |
| 5   | VC  | Viburnum cuneatum         | KOREANSPRING VIBURNUM      | 24" H.       | 45 CONT. (4.0 G.) |
| 12  | CL  | Conocarpus erectus        | LANCELEAF CORNERS          | N/A          | 45 CONT. (4.0 G.) |
| 6   | HE  | Hesperaloe parviflora     | DAKOTA ROSE                | N/A          | 45 CONT. (4.0 G.) |
| 6   | NE  | Nerita sibirica           | WALKER'S LOW CACTUS        | N/A          | 45 CONT. (4.0 G.) |
| 7   | PV  | Persea virginiana         | NORTHERN WHITE CEDAR       | N/A          | 45 CONT. (4.0 G.) |

NOTE: IF THERE IS A DISCREPANCY BETWEEN THE SCHEDULE QUANTITY AND QUANTITY OF PLANT SYMBOLS DRAWN ON PLAN, THE QUANTITY OF SYMBOLS DRAWN SHALL GOVERN. CONTRACTOR IS RESPONSIBLE FOR VERIFYING PLANT QUANTITIES PRIOR TO BEGIN.



## DECIDUOUS TREES STAKING DETAIL

1. NO SCALE

2. NO SCALE

3. NO SCALE

4. NO SCALE

5. NO SCALE

6. NO SCALE

7. NO SCALE

8. NO SCALE

9. NO SCALE

10. NO SCALE

11. NO SCALE

12. NO SCALE

13. NO SCALE

14. NO SCALE

15. NO SCALE

16. NO SCALE

17. NO SCALE

18. NO SCALE

19. NO SCALE

20. NO SCALE

Hudson, Iowa

Friedberg Lutheran Church

NOT FOR CONSTRUCTION

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

ELECTRICAL ENGINEER

CIVIL ENGINEER

LANDSCAPE ARCHITECT

ARCHITECT

ENGINEER

PLANNING

DESIGN

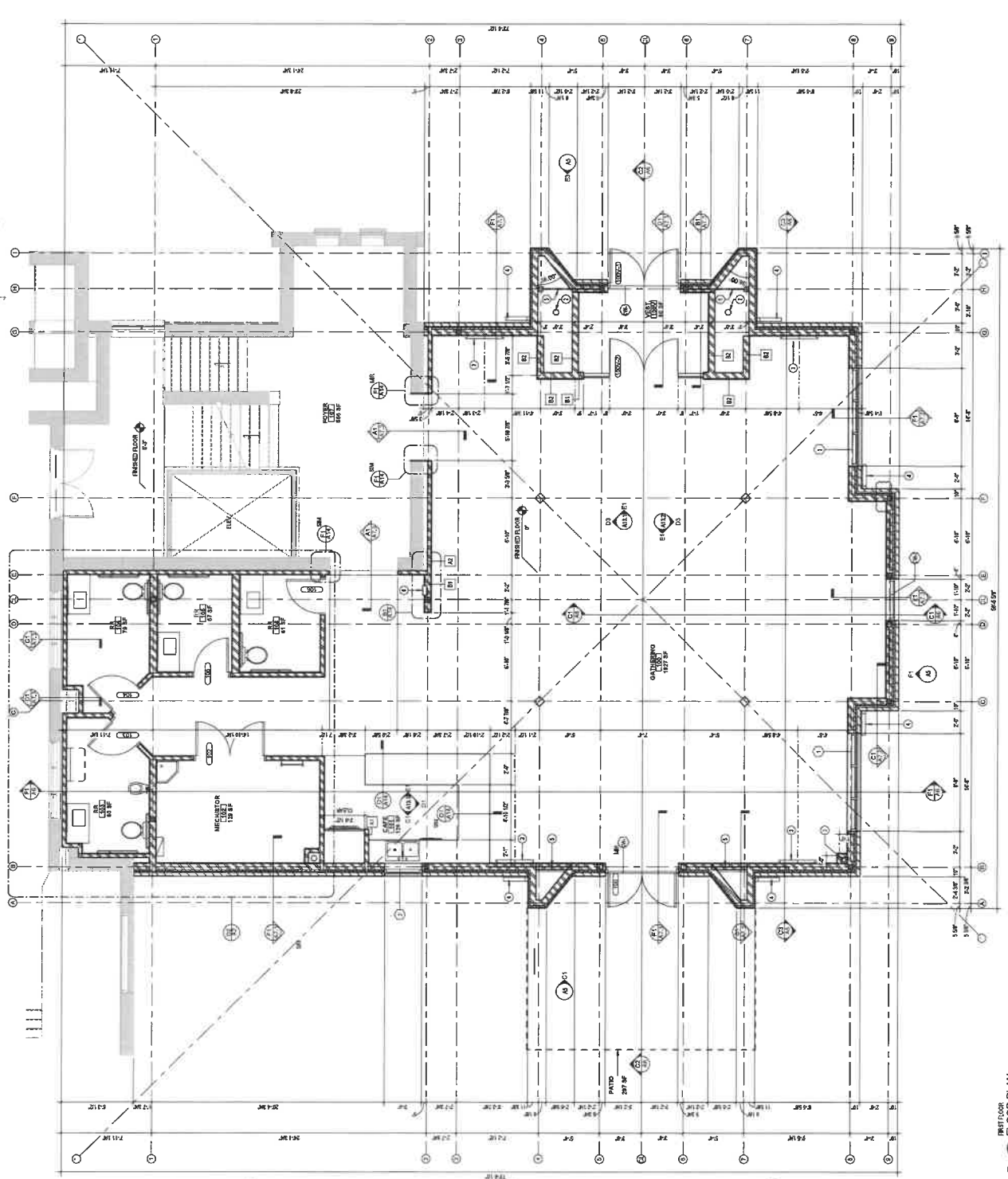
CONSTRUCTION

MAINTENANCE

OPERATION

REPAIR

C500

[illegible]

REVISIONS

| NO. | DATE     | REVISION          |
|-----|----------|-------------------|
| 1   | 01/15/20 | ISSUED FOR PERMIT |
| 2   | 01/15/20 | ISSUED FOR PERMIT |
| 3   | 01/15/20 | ISSUED FOR PERMIT |
| 4   | 01/15/20 | ISSUED FOR PERMIT |
| 5   | 01/15/20 | ISSUED FOR PERMIT |
| 6   | 01/15/20 | ISSUED FOR PERMIT |
| 7   | 01/15/20 | ISSUED FOR PERMIT |
| 8   | 01/15/20 | ISSUED FOR PERMIT |
| 9   | 01/15/20 | ISSUED FOR PERMIT |
| 10  | 01/15/20 | ISSUED FOR PERMIT |

Feldberg Lutheran Church Addition  
208 N 2nd Ave  
Huxley, Iowa, 50124

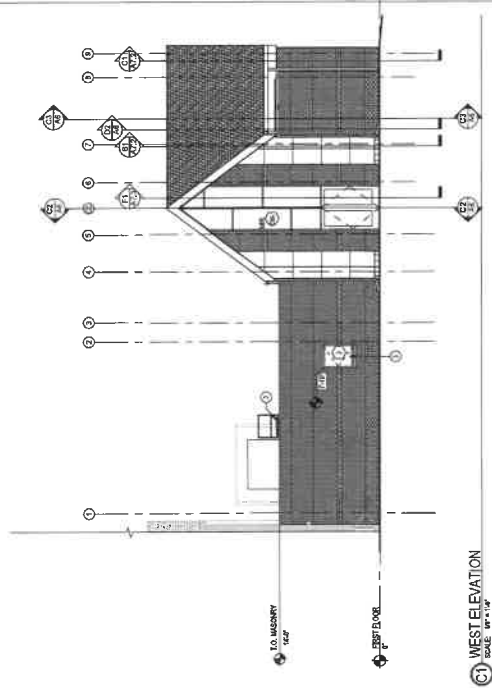
NOT FOR  
CONSTRUCTION

DATE: 01/15/20  
DRAWN: J. W. FELDBERG  
CHECKED: J. W. FELDBERG  
PROJECT: 208 N 2nd Ave  
SHEET: 1 OF 1

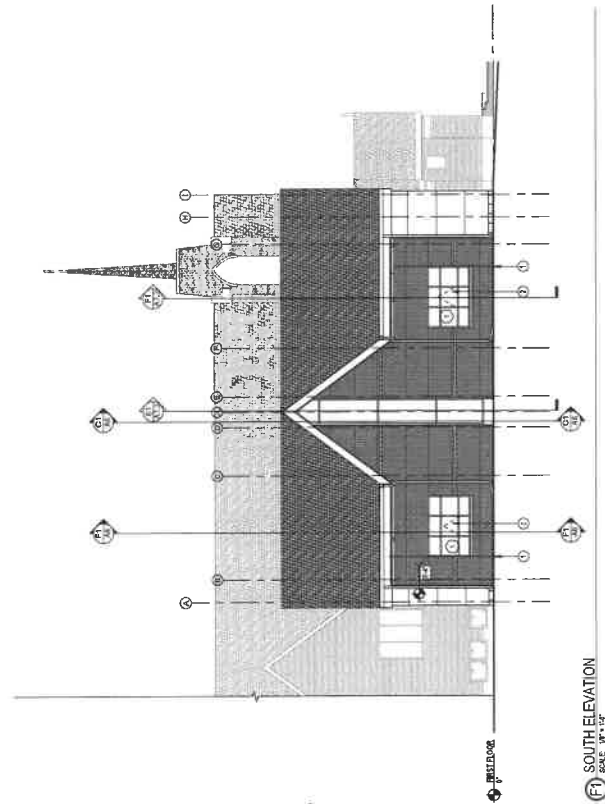
ARCHITECTURE + ENGINEERING  
J. W. FELDBERG

EXTERIOR ELEVATION NOTES

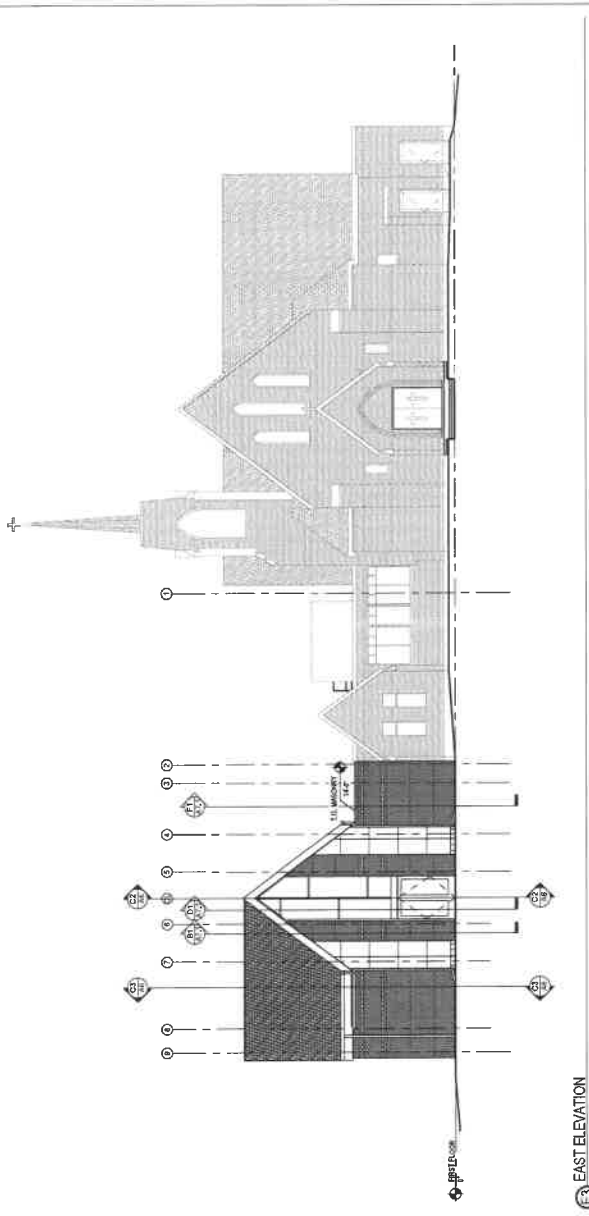
- 1. EXTERIOR FINISH
- 2. EXTERIOR FINISH
- 3. EXTERIOR FINISH



WEST ELEVATION  
SCALE: 1/4" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"



EAST ELEVATION  
SCALE: 1/4" = 1'-0"



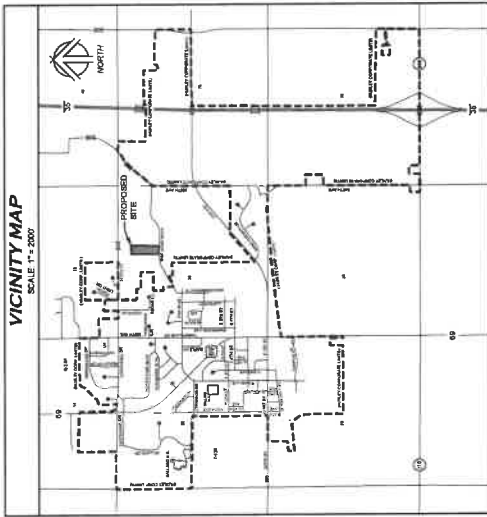
# 55703 Oak Bend Rd Subdivision (2-mile review)

Story County Planning and Development received a subdivision application for 55703 Oak Bend Road, Huxley, which is within two miles of city limits. The proposed subdivision would be creating just one additional lot for a dwelling, with access taken from an easement over an existing driveway.

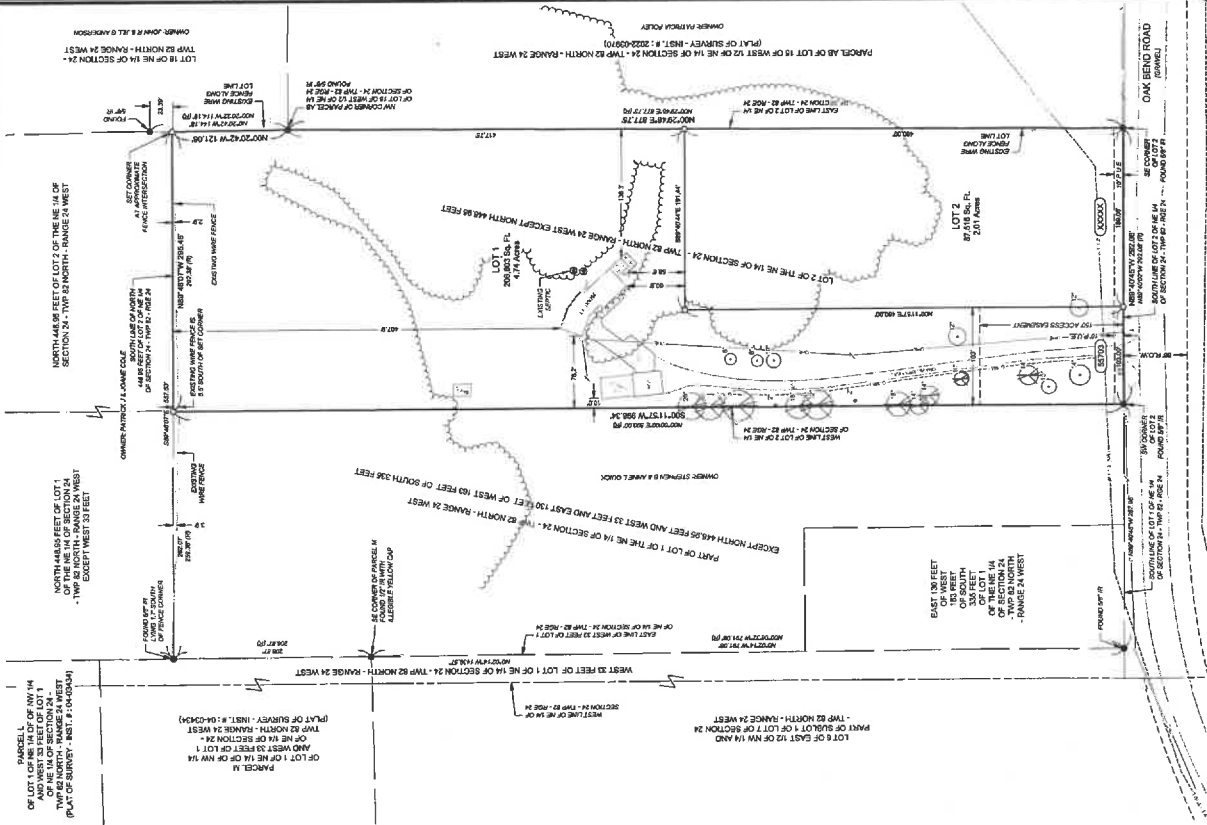
Subdivision plat was sent to Forrest Aldrich, City Engineer with Veenstra & Kim for review. Forrest's comments are as follows:

For this plat the purpose is to split a parcel for another residence and there are no public improvements proposed. So no comments on the plat. Good to go from V&K's perspective.

COUNTY: STORY COUNTY, IOWA  
LOCATION: SECTION 24, TWP. 82 NORTH - RGE. 5 WEST - NE 1/4 LOT 2  
OWNER: DALLAS CLARSON A  
55703 KAD BEND RD  
HUXLEY IA 50124-9075  
DEVELOPER: TYLER LOWY  
55703 KAD BEND ROAD  
HUXLEY IOWA 50724  
REQUESTED BY:  
SURVEYOR: ADAM D. SCHOPPIER, PLS #2006  
SUBMITTER: COMPANY, INC. NILES ASSOCIATES, INC.  
RETURN TO: ADAM D. SCHOPPIER  
NILES ASSOCIATES, INC.  
1350 DOWNTOWN STREET, SUITE A  
HUXLEY, IOWA 50124  
PHONE: (515) 845-0123



# OAK BEND PLAT 1

[illegible]

**zoning A-1 District - Agricultural District, Single Family Dwelling, LEAS exception**

[illegible]

Lot 2 of the Northeast Quarter of Section 24, Township 62 North, Range 24 West of line 5th P.M., Story County, Iowa.  
EXCEPT the North 445.95 feet of said Lot 2.  
Containing 6.75 acres more or less.

I hereby certify that this Survey/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.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Name: Adam D. Schoepner, P.L.S. No. 20066 Class of survey: 04/2022  
My license renewal date is December 31, 2023  
Project or sheets covered by this report: This sheet only

A circular seal for a Professional Land Surveyor. The outer ring contains the text 'PROFESSIONAL LAND SURVEYOR' at the top and 'IOWA' at the bottom. The inner circle contains the name 'ADAM D. SCHOEPNER' and the number '20066'.







# PUD Ordinance

It was discovered during the rezoning of 120 South, that Huxley's PUD ordinance only allows for residential development. The ordinance revision up for review and recommendation was drafted by our City Attorney, Amy Beatie, using Pleasant Hill's ordinance as a model. She thought it was very clear in both what is expected and in the process that is set out in it. This revision will allow for residential, commercial, and limited industrial development.

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE REVISING R-5 DISTRICT – PLANNED UNIT DEVELOPMENT DISTRICT REGULATIONS

BE IT ENACTED by the City Council of Huxley, Iowa:

**SECTION ONE:** The Code of Ordinances of the City Huxley, Chapter 165.26 shall be and is hereby amended by repealing the stricken language as follows:

~~165.26 R-5 District – Planned Unit Development District. The R-5 District is intended and designed to provide a means for the development of large tracts of land on a unit basis, allowing greater flexibility and diversification of land uses and building locations than the conventional single lot method provided in other sections of this chapter. It is the intent of this section that the basic principles of good land use planning including an orderly and graded relationship between various types of uses be maintained and that the sound zoning standards as set forth in this chapter concerning population density, adequate light and air, recreation and open space, and building coverage be preserved. The R-5 District is subject to the following regulations:~~

~~1. The owner or owners of any tract of land in an R district may submit to the Council a petition requesting a change to the R-5 zoning district classification. The petition shall be accompanied by a proposed plan for the use and development of the entire tract of land. The proposed development plan shall be referred to the Commission for study and report. The Commission shall review the conformity of the proposed development with the standards of the Comprehensive Plan, and with recognized principles of civic design, land use planning and landscape architecture. The Commission may approve the plan as submitted, or, before approval, may require that the applicant modify, alter, adjust, or amend the plan as the Commission deems necessary to the end that it preserves the intent and purpose of the Comprehensive Plan and this chapter and to promote public health, safety, morals, and general welfare. The development plan as approved by the Commission shall then be reported to the Council; whereupon the Council may approve or disapprove said plan as reported or may require such changes thereto as it deems necessary to effectuate the intent and purpose of the Comprehensive Plan and this chapter.~~

~~2. The final development plan shall be accompanied by the following required documents:~~

~~A. If the proposed development includes common land which will not be dedicated to the City and the proposed development will not be held in single ownership, proposed bylaws of a homeowners' association fully defining the functions, responsibilities and operating procedures of the association. The proposed bylaws shall include but not be limited to provisions:~~

~~(1) Automatically extending membership in the association to all owners of dwelling units within the development;~~

~~(2) Limiting the uses of the common property to those permitted by the final development;~~

~~(3) — Granting to each owner of a dwelling unit within the development the right to the use and enjoyment of the common property;~~

~~(4) — Placing the responsibility for operation and maintenance of the common property in the association;~~

~~(5) — Giving every owner of a dwelling unit voting rights in the association; and~~

~~(6) — If the development will combine rental and for sale dwelling units, stating the relationship between the renters and the homeowners' association and the rights renters shall have to the use of the common land.~~

~~B. — Performance bond which shall insure to the City that the dedicated public streets, utilities and other common development facilities shall be completed by the developer within the time specified on the final development plan.~~

~~C. — Covenant to run with the land, in favor of the City and all persons having a proprietary interest in any portion of the development premises, that the owner of the land or successors in interest will maintain all interior streets, parking areas, sidewalks, common land, parks and plantings which have not been dedicated to the City in compliance with the City ordinances.~~

~~D. — Any additional agreements required by the Council at the time of preliminary plan approval.~~

~~E. — A final plat shall be submitted with each stage of the final development plan. The plat shall show building lines, lots and/or blocks, common land, streets, easements and other applicable items required by Chapter 166 of this Code of Ordinances. Following approval of the final plat by the Commission and Council, the plat shall be recorded with the County Auditor and Recorder.~~

~~3. — The final development plan and required documents shall be reviewed by the Commission for compliance with R-5 standards and substantial compliance with the preliminary plan. The Commission's recommendations and report on the final development plan shall be referred to the Council for final approval. The final development plan and final plat shall be approved by the Council before any building permit is issued.~~

~~4. — Permitted principal and accessory land uses, lot area, yard and height requirements shall be as set out below, which shall prevail over conflicting requirements of this chapter or Chapter 166 of this Code of Ordinances.~~

~~A. — Buildings shall be used only for residential purposes; occupant garages, occupant storage space and similar accessory uses; noncommercial recreational facilities; and community activities.~~

~~B. — The minimum lot and yard requirements of the zoning districts in which the development is located shall not apply, except that minimum yards specified in the district shall be provided around the boundaries of the development. The Council may require~~



~~open space or screenings be located along all or a portion of the development boundaries in accordance with the design standards of this chapter applicable to site plan review. The height requirements of the zoning district in which the development is located shall apply. No structure shall be situated so that it shades or will shade an adjacent residence in a significant way, or interferes significantly in the uses of solar devices.~~

~~C. All public streets, water mains, sanitary sewer and storm sewer facilities shall comply with appropriate ordinances and specifications of the City.~~

~~D. "Common land," as used in this section, refers to land retained in private ownership for the use of the residents of the development, or to land dedicated to the general public.~~

~~E. Any land gained within the development because of the reduction in lot sizes below minimum title requirements shall be placed in common land to be dedicated to the City or retained in private ownership to be managed by a homeowners' association~~

~~F. The requirements of this chapter relating to off-street parking and loading shall apply to all R-5 Districts.~~

~~5. The maximum number of dwelling units permitted in an R-5 District shall be determined by dividing the net development area by the minimum lot area per dwelling unit required by the zoning district or districts in which the area is located. In the R-2 District, the one-family dwelling requirement shall apply. Net development area shall be determined by subtracting the area set aside for churches and schools, if any, and deducting the area actually proposed for streets from the gross development area. The area of land set aside for common land, open space, or recreation shall be included in determining the number of dwelling units permitted.~~

~~6. The Council may make the approval of the development plan contingent upon the completion of construction and improvements within a reasonable period of time; provided, however, in the determination of such period, the Council shall consider the scope and magnitude of the development project and any schedule of construction and improvements submitted by the developer. Failure to complete all construction and improvements within the said period of time shall be deemed sufficient cause for the Council to rezone the unimproved property to the classification effective at the time of original submission of the development plan, unless an extension is recommended by the Commission and approved by the Council for due cause shown. Any proposed change in the development plan after approval by the Council shall be resubmitted and considered in the same manner as the original proposal. "Unimproved" property means all property situated within a stage or stages of the final development plan upon which the installation of improvements has not been commenced.~~

~~7. In no event shall the installation of any improvements be commenced in the second or subsequent stages of the final development plan until such time as ninety percent of all construction and improvements have been completed in any prior stage of such plan.~~

And by adopting the underlined language as follows:

**165.26 R-5 District – Planned Unit Development District.** The PUD zoning district is intended to provide for the development or redevelopment of land under the control and in accordance with an approved Master Plan. The development guidelines and standards in which land uses, transportation elements, building densities, arrangements, and types are set out in a unified plan, thus providing greater flexibility of land use, transfer of development rights, and building locations than other zoning districts may permit.

The PUD District is intended to maximize benefits from the use of open spaces, maximize aesthetics, encourage certain architectural standards for buildings, and permit mixed uses and diversity of bulk regulations without endangering the health, safety, welfare, and land value of surrounding and internal properties. A PUD may consist of a mix of land uses of residential, commercial, and limited industrial, provided such PUD is compatible with the Comprehensive Plan of the City. It is not the sole intent of PUD zoning to be utilized to reduce or provide relief from an existing zoning regulation or requirement.

1. Minimum Size and Density. A PUD shall consist of at least five (5) acres and the building unit density of the land developed shall not be in excess of the density set forth in the Comprehensive Plan Future Land Use Map and Zoning Ordinances of the City.
2. Pre-Submittal Meeting Required. Prior to submittal a PUD rezoning application to the City, the developer/property owner shall request a meeting with the Zoning Administrator to review the proposed PUD and PUD submittal requirements.
3. Application Required. The owner or developer, with consent of the owner, requesting rezoning to PUD, shall submit a completed PUD zoning application form, a non-refundable fee (as established by resolution of the City Council), electronic and folded paper copies of the proposed PUD master plan, and any other information and materials as determined and required by the Zoning Administrator for review by the City and distribution to the Planning and Zoning Commission.
4. Master Plan Requirements. As part of a proposed PUD rezoning, the property owner or developer shall prepare a master plan for the proposed PUD that shall be a scaled drawing not less than 24 inches by 36 inches at a minimum scale of 1 inch = 50 feet and shall show generalized overall plan for development of the proposed PUD area and the following information:
  - A. A vicinity map of a scale of 1 = 500 to show site boundaries and the zoning of adjacent properties within 1,000 feet.
  - B. Dimensions, legal descriptions, acreage, existing zoning, land use, and ownership of the area of the proposed PUD; and existing zoning, land use and ownership of contiguous properties within 250 feet.
  - C. PUD boundary, development phasing plan, and all existing and proposed property lines, street rights-of-way lines, easements, and proposed PUD building and parking lot setbacks.
  - D. Delineation of each "phase" proposed with their land uses and bulk regulations identified.
  - E. Existing topography and conceptual storm water management and drainage.



F. Existing and proposed streets, driveways, parking areas and other paved areas and anticipated including parking requirements.

G. Existing and proposed locations pedestrian ways, trails, parks, recreation areas, open space, buffers, parking areas, schools, and anticipated traffic generation.

H. Proposed lot locations for all uses, and conceptual building locations and functions for all multiple-family residential and nonresidential uses.

I. Existing and proposed buildings, uses, square footages, and number of dwelling units and density calculations.

J. Area and number of dwelling units, and anticipated floor area of nonresidential buildings by "phase."

K. Existing tree masses, water channels, drainage ways, flood hazard areas, and other topographic or environmentally important characteristics.

L. Proposed privately owned common areas and public ownership areas, including open space, parkland, and school sites.

M. Locations of existing or proposed municipal utilities to serve the PUD and adjoining properties, including sanitary sewer, storm sewer, and water.

N. Other required storm water management facilities and requirements.

O. Dimensions of all street right-of-way and paving widths, including all proposed easements.

P. Staging schedule of development, including anticipated year each phase of development is to be implemented.

Q. Landscape areas proposed as part of PUD, to include location of shrubs, trees and earth berms.

R. Delineation of the traffic impacts that would result from the project and how they can be mitigated.

S. Details for any requirements for Parkland Dedication and compliance with any parks master plan.

T. Conceptual building elevations including exterior building materials and colors.

U. Freestanding signage locations and concept plans.

5. Rules, Regulations and Guidelines for Land Use and Performance. In conjunction with the submittal of a Master Plan illustrating the location of each development "phase," there shall be

prepared rules, regulations and guidelines for the development of the PUD, and such matters shall be part of the consideration by the Planning and Zoning Commission and the City Council and incorporated within the ordinance providing for the rezoning of the property to a PUD.

The rules, regulations and guidelines shall set forth the permitted land use, bulk regulations, transfer of development rights within the area of the PUD, height requirements, open space and landscaping requirements, architectural standards, sign regulations, buffer requirements, off-street parking and loading requirements, and other performance standards as required by the City for each phase designated within the Master Plan.

6. Process for City Review of Master Plan of Planned Unit Development. The City Administrator with assistance from other City staff including the City engineer shall review the submitted Master Plan, may discuss any suggestions or provide additional information to the Developer, and shall file a report together with the applicant's proposal to the Planning and Zoning Commission. The owner shall submit a number of copies of the Master Plan, as determined by the Zoning Administrator, for distribution to the Planning and Zoning Commission.

A. The Planning and Zoning Commission, after receipt of the report from the Community Development Department and receipt of the Master Plan, shall consider the presentation and give special attention to the following:

- (1) Compatibility with Comprehensive Plan.
- (2) Land Use and density.
- (3) Building types, functions, architecture, buffers, and arrangements.
- (4) Provision and use of open space and landscaping.
- (5) Access to and from the site, and traffic circulation.
- (6) General relationship to surrounding area.

B. The Planning and Zoning Commission may hold a public hearing, giving notice as provided by law for a rezoning. The Planning and Zoning Commission may approve or disapprove the PUD Master Plan and associated development rules, regulations, and guidelines as submitted, or may require the developer to modify, alter, adjust or amend the proposed Master Plan and associated rules, regulations, and guidelines, in order to preserve the intent and purpose of the Zoning Ordinance and the Comprehensive Plan of the City.

C. Before any report is forwarded to the City Council by the Planning and Zoning Commission pertaining to an application submitted for a PUD, said Commission shall determine if such proposal is in compliance with the Comprehensive Plan.

D. After a complete review by the Planning and Zoning Commission, a written recommendation and report giving reasons as to their actions shall be filed with the City

Council. The owner shall submit an additional number of copies of the Master Plan, as determined by the Zoning Administrator, for distribution to the City Council.

E. Within a period of sixty (60) days after the City Council has received a report from the Planning and Zoning Commission, together with the proposed Master Plan and rules, regulations, associated development and guidelines of the PUD development, the City Council may approve or disapprove the Master Plan.

7. Recording of Master Plan and Associated Rules, Regulations, and Guidelines. The ordinance providing for the rezoning of the property to the PUD Zoning District and the associated Master Plan, Rules, Regulations, and Guidelines as approved by the City Council shall be recorded at the Office of the Story County Recorder and shall be binding on the property owners, their heirs, successors, or assigns. No phase of the PUD shall be started until all documents have been recorded.

8. Modifications. Any proposed modifications in the approved PUD shall first be reviewed by the Planning and Zoning Commission. Said proposed modification along with a report from the Commission shall then be forwarded to the City Council with appropriate recommendations. The City Council shall then take such appropriate action on the proposed modification and their decision shall be final. No modification may be considered that is more than a ten percent (10%) increase in density or change of uses of the site without a public hearing as required for a rezoning. A public hearing may be held by the City Council on any modification. All modifications and adjustments shall be recorded at the Office of the Story County Recorder.

9. Platting and Development. Prior to development within the PUD, applications for Preliminary and Final Plats, Site Plans, and Building Permits that are in conformance with the provisions of the PUD shall be submit for review in accordance with the City's regulations. At the applicant's own risk, Preliminary Plats, Final Plats, and Sites Plans may be submitted and reviewed concurrently with the PUD rezoning application.

**SECTION TWO:** Repealer. All ordinances, or parts of ordinances, in conflict with the provisions of this ordinance are hereby repealed.

**SECTION THREE:** Severability Clause. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION FOUR:** Effective Date. This ordinance shall become effective as of the date of its approval by the City Council of Huxley, Iowa.

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Kevin Deaton, Mayor

ATTEST:

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Jolene Lettow, City Clerk