



**HUXLEY**  
—HEART OF THE PRAIRIE—

## **PLANNING & ZONING COMMISSION ZOOM MEETING**

**Monday July 17, 2023**

**City Council Chambers—515 N Main Ave**

**6:00 PM**

### **AGENDA**

1. Roll Call
2. Motion to approve the minutes from the June 19, 2023 Planning & Zoning Commission Meeting.
3. Public Comments (5-minutes limit for items not on this agenda)
4. Business Items
  - a. Discussion and specification of the rationale for the decision not to recommend rezoning of the property located at 204 West Railway from M-1 to R-3 – City Council request
  - b. Approval of Huxley Urban Renewal Area/ Urban Renewal Plan Amendment – Blue Sky Residential Housing Project
5. Informational Items for Planning & Zoning Consideration/Input
  - a. Council Action Update
    - i. Ordinance Revising Huxley City Code Section 165.21, R-1A District – Single-Family Residential District
  - b. Site Plan Development Lot 4 Huxley Industrial Park
6. Planning and Zoning Commission Comments
  - a. Next meeting is Monday August 21, 2023
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**

## **June 19, 2023**

Chairman Roger Bierbaum called the meeting to order at 6:00 P.M.

**ROLL CALL:** Bierbaum, Murphy, Frantz, Mosher, Patterson, Ebel present. Schonhorst absent.

**CITY STAFF PRESENT:** Amy Kaplan- Zoning Clerk, Dave Haugland- City Administrator.

**CONSULTANTS PRESENT:** Forrest Aldrich—City Engineer, Jim Nervig—City Attorney.

**MINUTES APPROVAL:** Motion by Patterson, second by Ebel to approve the minutes from the May 15, 2023 meeting. 6 Aye. 0 Nay. MCU.

**PUBLIC COMMENTS:** None.

**BUSINESS ITEMS:** *Recommendation to City Council on revised site plan for Ankeny Lawn Care:* Sam Rankin was in attendance to discuss the updates to his site plan. The phasing plan has been removed as well as the accessory building. Aldrich discussed his concern with the lighting plan stating that he needs to review a lighting plan prior to Council approval and that the plan must meet Sudas. He has concerns regarding the wall packs not lighting the parking lot appropriately. The screening around the dumpster was also discussed. The site plan indicates screening on the east side only, however, City Code states that the dumpster must be enclosed on all four sides.

Motion by Patterson, second by Ebel to recommend approval of the updated site plan to City Council with three stipulations:

1. Lighting plan must be submitted and reviewed by Aldrich before the updated site plan is presented to City Council.
2. The dumpster must be enclosed on all four sides
3. The chain link fence must have the screening slats all the way around.

Bierbaum, Murphy, Frantz, Mosher, Patterson, Ebel voted yes. MCU.

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

- *Council Action Update:* Haugland gave a re-cap of the action taken at the city council meetings on topics that were discussed at last month's Planning & Zoning meeting.
- *Discussion and appropriate follow up regarding R1A Zoning:* Jim Nervig was in attendance to answer the Commissions questions regarding R1A zoning. The initial intent for R1A zoning was to allow for more affordable/starter homes to be built, however, developers are shrinking the lot sizes, building larger homes, and squeezing 2-3 additional lots per street into their developments. The Commission's intent is to have the ability to save that zoning classification for lower income/starter homes and will only be considered in a development that requests to be zoned as a PUD. Motion by Murphy, second by Mosher to recommend to City Council that R1A becomes a "holding classification only" and is effective on X date, going forward and needs to be codified. The code addition should state "No new zoning to R1A classification will be undertaken." Bierbaum, Murphy, Frantz, Mosher, Patterson, Ebel voted yes. MCU.

### **PLANNING AND ZONING COMMISSION COMMENTS:**

- Jim Nervig indicated that the City needs to get an updated Comp Plan. He stated that Iowa Code section 414 requires rezoning to comply with the Comp Plan.

- Updates were provided regarding Blue Sky Estates, Huxley Communications and 120 South's progress.
- Mosher inquired about the status of the exchange at Highway 210 and I35. December 20<sup>th</sup> is the date scheduled for the 210 Bridge to come down. The 1<sup>st</sup> St bridge will not come down at the same time as the 210 bridge.
- Next meeting will be at 6 PM on Monday July 17, 2023 in the Council Chambers.

**ADJOURNMENT:** Motion –Murphy, second- Ebel to adjourn meeting at 6:44 P.M. 6 ayes, 0 nays. MCU.

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

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

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

# HUXLEY CITY COUNCIL MEETING MINUTES

Tuesday, June 27, 2023

These minutes are as recorded by the City Clerk and are subject to City Council approval at the next regular council meeting.

**COUNCIL MEETING:** The Huxley City Council held a meeting on the above date pursuant to rules of the council, notice posted at City Hall and onto website. Mayor Deaton called the meeting to order at 6:00 pm.

**ROLL CALL:** Echer, Thompson, Roberts, Kuhn, Pilcher

**CITY STAFF PRESENT:** Dave Haugland – City Administrator, Jolene Lettow – City Clerk, Travis Woodbeck – Fire Chief, Keith Vitzthum – Water Supt., A.J. Strumpfer – Wastewater Supt., Nathan Albaugh – Police Chief, Heather Denger – Parks and Recreation Director

**CONSULTANTS PRESENT:** Amy Beattie – City Attorney

## CONSENT AGENDA:

- a. Approve Minutes from June 13th Council Meeting
- b. Approve Payment of Bills
- c. Motion to Approve Resolution No. 23-038 to Update Bank Depository Amounts and Signatories
- d. Motion to Approve Purchase of Playground Equipment for Berhow Park
- e. Motion to Approve Sewer Cleaning Service Contract
- f. Motion to Approve Surplus Property Disposal Policy

Motion – Kuhn, second Roberts to Approve Consent Agenda Items *a through e* and pull *Item f* for separate discussion. Roll Call: Roberts, Echer, Kuhn, Thompson, Pilcher voted yes. Motion carried.

Motion – Roberts, second – Echer to Defer Action on Consent Item f: Surplus Property Disposal Policy to Next Council Meeting. Council directed city administrator to remove paragraph in Section III, 5b of policy and make other minor changes. Roll Call: Pilcher, Thompson, Kuhn, Echer, Roberts voted yes. Motion carried.

## CLAIMS:

AFLAC	AFLAC	263.06
AMAZON CAPITAL SERVICES	PROGRAMS/DVD/BOOKS	919.90
ARNOLD MOTOR SUPPLY	ENGINE OIL, FILTER, RUBBER GLO	189.95
ASCAP	LICENSING FEE/PLAY TV/RADIO	447.26
BAKER & TAYLOR ENTERTAINME	BOOKS	618.74
BRENDELAND MEGAN	PARADE CANDY/MICROSOFT 365	164.77
BRICK GENTRY P.C.	LEGAL FEES	7,750.00
BUCK AVALON	SOCCER REFEREE/6 GAMES	72.00
BUCK ELDEN	10 SOCCER GAMES/REFEREE	132.00
BUD'S AUTO REPAIR INC	STEERING GEAR ASSEMBLY	2,249.56
CARDMEMBER SERVICE	CARDMEMBER SERVICE	5,643.76
CENTRAL IOWA LAWN & HOME C	PTO SWITCH/CLUTCH/THROTTLE CAB	1,171.02
CITY SEWER SOLUTIONS	PARKRIDGE STORM SEWER	3,122.74
CLARKE MOSQUITO CONTROL	JUNE '23 MOSQUITO MANAGEMENT	3,087.00
COCHRAN HTG & CLG	HOOKED UP SPLIT UNIT FOR JEFF	380.00
COMPASS MINERALS AMERICA	24.28 TON COARSE ROCK SALT	4,168.32
CONSUMERS ENERGY	UTILITIES	9,757.01
DELL MARKETING L.P.	DELL LAPTOP	553.50
DEPARTMENT OF THE TREASURY	PCORI FEE	53.20
DOOR & FENCE STORE INC.	HINGES/BOTTOM FIXTURE/STEM ROL	586.00
DORSEY & WHITNEY LLP	LEGAL FEES	8,920.50
EDEN HART	BASKETBALL LEAGUE/SCORE KEEPER	48.00
FALLER, KINCHELOE & CO, PL	AUDIT	7,620.00
FJELLAND, MATT	67% OF REG REVENUE	0.00
GATEHOUSE-DB IOWA HOLDINGS	NOTICE OF PUBLIC HEARING AMEND	105.56
GENERAL INSURANCE AGENCY	POLICY CHANGES	1,304.00
GREAT-WEST LIFE & ANNUITY	DEFERRED COMPENSATION	23.08
HAWKINS, INC.	CHEMICALS	5,470.13
HEARTLAND CO-OP	2.5 GAL ROUNDUP	273.50
HOMES BY ADVANTAGE LLC	HOMES BY ADVANTAGE LLC	1,000.00
I-80 CONCRETE	STORM INTAKE REPAIR	4,636.25

INTERNAL REVENUE SERVICE	FED WITHOLDING TAX	15,881.89
IOWA DOT	TRASH BAGS/TOILET CLEANER/PT &	896.94
IOWA LEAGUE OF CITIES	MEMBER DUES 7/1/23 - 6/30/24	2,650.00
IOWA MUN. WORKERS' COMP. A	WORK COMP PREMIUM	26,066.00
IOWA PRISON INDUSTRIES	SPEED LIMIT/NO PARK SIGNS	1,845.68
KASSIDY NOBLE	TREE REBATE/ BUR OAK	75.00
KINZENBAW EVAN	MEN'S BBALL SCORE KEEPER	91.00
LOWE'S	BARB TEE, SPLICER, 90 DEG	12.49
MARCO TECHNOLOGIES LLC	CONTRACT PYMT & COPIES	317.92
MARCO, INC.	PRINTER COPIES	13.32
MARTIN MARIETTA MATERIALS	5 TON ROAD STONE	882.06
MATT DOSER	CAR SHOW PERFORMER	500.00
MENARDS	REAPAIR BERCH TRAIL	83.87
MENARDS - AMES	BERHOW RESTROOM MAINTENANCE	352.84
MICROBAC LABORATORIES INC	WASTEWATER WEEKELY TESTING	323.00
MID IOWA PLANNING ALLIANCE	ASSESSMENT DUES 2024	637.00
MIKE LARSON	TREE REBATE/MAPLE	75.00
MISCELLANEOUS VENDOR	WIRTH, RYAN ;US REFUND	452.88
MOLLY CORY	EMT RECERT APPLICATION FEE	25.00
MUNICIPAL SUPPLY	BLUE & GREEN PAINT	368.72
NEW CENTURY FS INC	UNLEADED/DIESEL	4,950.99
O'HALLORAN INTERNATIONAL	PRIM 00250/VEHICLE MAINT	65.94
ORTON HOMES LLC	REFUND BLDG PERMIT	1,000.00
POSTMASTER	POSTMASTER	579.72
PREMIER	HP PRINTER MONTHLY LEASE	33.95
RITA DOUGHERTY	AMBULANCE PYMT REIMBURSEMENT	295.00
SANDRY FIRE SUPPLY	FIRE PANTS & COATS	9,488.00
SARAH DOUGHERTY	TREE REBATE/CRAB	75.00
SECURE SHRED SOLUTIONS	APRIL SHRED	52.00
STAR EQUIPMENT, LTD	STAR EQUIPMENT, LTD	1,633.50
TASC	CHG FROM 2022/S ROBERTS	2,525.33
VAN DIEST SUPPLY COMPANY	GAME ON HERBICIDE	318.00
VAN METER, INC.	EATON STARTER CONTACTS	1,095.00
VEENSTRA & KIMM, INC.	PROFESSION FEES/ANKENY LAWN CA	14,122.50
VERIZON WIRELESS	POLICE PHONES	241.35
WINDSTREAM IOWA COMMUNICAT	DISPATCH PHONES	96.33
WOODRUFF CONSTRUCTION, LLC	WATER TREATMENT PLANT IMPROVEM	202,616.00
XEROX FINANCIAL SERVICES	LIBRARY PRINTER/LEASE & COPIES	179.76
Payroll Expense		73,187.66
TOTAL		\$447,514.34

#### **BUSINESS ITEMS:**

**Motion – Kuhn, second Roberts to Approve Ordinance 531 to Rezone Property at 204 W. Railway from Industrial (M-1) to Multi-Family (R-3). Motion – Kuhn, second – Roberts to Withdraw Motion to Approve and Refer Ordinance Back to Planning & Zoning Commission to Seek Specifics on Reasons for the Commission's Recommendation. Roll Call: Roberts, Echer, Kuhn, Thompson, voted yes; Pilcher voted no. Motion carried.**

**Motion – Roberts, second – Echer to Approve Resolution No. 23-039 on Revised Site Plan for Ankeny Lawn Care. Council approval subject to city engineer signing off on revision with verification of dumpsters being properly placed on property. Roll Call: Thompson, Kuhn, Echer, Roberts, Pilcher voted yes. Motion carried.**

**Motion – Pilcher, second – Thompson to Approve Resolution No. 23-040 for Agreement with Ballard Community School District for School Resource Officer (SRO). Council requested that language be included in agreement that lists the breakdown of operating costs w/benefits between both parties and what the annual increase will be expected each year. Roll Call: Pilcher, Thompson, Kuhn, Roberts voted yes; Echer voted no. Motion carried.**

**Motion Pilcher, second – Thompson to Hire Police Officer to Replace Officer Moving to SRO Position. Roll Call: Pilcher, Roberts, Echer, Kuhn, Thompson voted yes. Motion carried.**

**Motion – Roberts, second – Kuhn to Approve Resolution No. 23-041 to Delete Property from the Huxley Urban Renewal Area.**

**Motion – Kuhn, second Roberts to Approve First Reading of Ordinance No. 532 to Delete Property from the Tax Increment Financing District for the Huxley Urban Renewal Area of the City of Huxley, Iowa Pursuant to Section 403.19 of the Code of Iowa. Roll Call: Echer, Kuhn, Thompson, Pilcher, Roberts voted yes. Motion carried.**

June 28, 2023

To: City of Huxley Planning & Zoning Commission

From: John P. Danos and Amy Bjork, Bond Counsel

Re: Huxley Urban Renewal Area /Urban Renewal Plan Amendment

A public hearing will be held by the City Council on July 25, 2023 on a proposed amendment to the urban renewal plan for the Huxley Urban Renewal Area to add the property legally described in the proposed amendment and to approve a new urban renewal project. We have prepared this memorandum to assist the Commission in performing its role in this process.

Section 403.5 of the Code of Iowa requires that, before they hold a public hearing, the City Council must submit a copy of the proposed plan amendment to the Commission, “for review and recommendations as to its conformity with the general plan for the development” of the City. The statute does not require that the Commission hold a hearing on the proposed plan amendment, nor does it require that the Commission take any action to either approve or reject the proposed plan amendment. It directs that the Commission review the plan amendment and comment to the City Council as to whether the plan amendment conforms to, or is consistent with, the City’s Comprehensive Plan. Please complete your review and submit any comments to the City Council by Noon on July 25, 2023.

Please call us at (515) 283-1000 if you have questions about the statutory process.

CITY OF HUXLEY, IOWA  
HUXLEY URBAN RENEWAL AREA  
URBAN RENEWAL PLAN AMENDMENT

July, 2023

The Urban Renewal Plan (the “Plan”) for the Huxley Urban Renewal Area (the “Urban Renewal Area”) for the City of Huxley, Iowa (the “City”) is being amended for the purposes of adding certain real property to the Urban Renewal Area and identifying a new urban renewal project to be undertaken therein.

**1) Addition of Property.** The real property (the "Property") legally described on Exhibit A hereto is, by virtue of this Amendment, being added as the July, 2023 Addition to the Urban Renewal Area. With the adoption of this Amendment, the City will designate the Property as an economic development area. The Property will become subject to the provisions of the Plan for the Urban Renewal Area. It is anticipated that the City will adopt an ordinance providing for the division of property tax revenues, as set forth in Section 403.19 of the Code of Iowa, with respect to the Property.

**2) Identification of Project.** By virtue of this amendment, the list of authorized urban renewal projects in the Plan is hereby amended to include the following project description:

**Name of Project:** Blue Sky Residential Housing Project\*

**Name of Urban Renewal Area:** Huxley Urban Renewal Area

**Date of Council Approval of Project:** March 15, 2022 and updated July 25, 2023

**Description of Project:** Second Van Houweling Property, LLC (the “Developer”) has proposed to undertake the development of a residential subdivision (the “Blue Sky Housing Project”) and the corresponding construction of public infrastructure (the “Infrastructure Project”) on a portion of the Property (as defined in Section 1 above) situated on an estimated 33.17 acres east of 560<sup>th</sup> Avenue and north of Blue-Sky Commons Business Park (the “Blue Sky Property”) in the Urban Renewal Area.

The addition of new residential housing in the City will enhance the quality of life in the City thereby resulting in additional economic development in the City.

It has been requested that the City provide tax increment financing assistance to the Developer in support of its efforts to complete the Infrastructure Project.

The costs incurred by the City in providing tax increment financing assistance to the Developer will include legal and administrative fees (the “Admin Fees”) in an amount not to exceed \$10,000.



**Description of Use of TIF:** The City intends to enter into a development agreement (the “Agreement”) with the Developer with respect to the Infrastructure Project and the Blue Sky Housing Project and to provide annual appropriation economic development payments (the “Payments”) to the Developer thereunder. The Payments, in an amount not to exceed \$644,000, will be funded with incremental property tax revenues to be derived from the Blue Sky Property. It is anticipated that the City’s total commitment of incremental property tax revenues with respect to the Infrastructure Project and the Blue Sky Housing Project, including the Payments, the Admin Fees and the LMI Set Aside (as described below) will not exceed \$980,508.

**LMI Set Aside:** Pursuant to the provisions of Section 403.22 of the Code of Iowa, the City will provide low and moderate income family housing assistance in its area of operation in an amount not less than 50.70% of the incremental property tax revenues applied to the Blue Sky Housing Project.

\*The City previously identified the Blue Sky Residential Housing Project in the March, 2022 Urban Renewal Plan Amendment. Since that time it has been determined that a portion of the Blue Sky Property was not included in the Urban Renewal Area. The purpose of this Amendment is to include such property in the Urban Renewal Area and reaffirm the Blue Sky Residential Housing Project as an urban renewal project in the Urban Renewal Area. The LMI Set Aside as also been updated to reflect the current percentage.

**3) Required Financial Information.** The following information is provided in accordance with the requirements of Section 403.17 of the Code of Iowa:

Constitutional debt limit of the City:	<u>\$20,846,149</u>
Outstanding general obligation debt of the City:	<u>\$</u>
Proposed TIF debt to be incurred under the July, 2023 Amendment**:	
	<u>\$ 644,000</u> (Payments)
	<u>\$ 326,508</u> (LMI Set Aside)
	<u>\$ 10,000</u> (Admin)
	<u>\$ 980,508</u> (Total)

\*\*It is anticipated that some or all of the debt incurred hereunder will be made subject to annual appropriation by the City Council.



**EXHIBIT A**  
Legal Description  
Huxley Urban Renewal Area  
(July, 2023 Addition)

Lots 1 and 2 and Outlot X, Blue Sky Commons Plat 2, City of Huxley, Story  
County, State of Iowa.

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

**ORDINANCE REVISING HUXLEY CITY CODE SECTION 165.21, R-1A DISTRICT – SINGLE-FAMILY RESIDENTIAL DISTRICT**

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

**SECTION ONE:** The Code of Ordinances of the City of Huxley, Chapter 165.21, R-1A District – Single-Family Residential District, shall be and is hereby amended by adopting the underlined language as follows:

**165.21 R-1A DISTRICT – SINGLE-FAMILY RESIDENTIAL DISTRICT.** The R-1A District is intended and designed to provide for certain low- and medium-density residential areas of the City now developed primarily with single-family detached dwellings and areas where similar residential development is appropriate. The R-1A District is subject to the following regulations:

(...)

4. Effective August 1, 2023, no further R-1A zoning will be granted within the City of Huxley and Section 165.21 shall apply only to those properties zoned R-1A as of that date.

**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.

\_\_\_\_\_  
Kevin Deaton, Mayor

ATTEST:

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Jolene Lettow, City Clerk