

**Minutes of Meeting
Newton Planning and Zoning Commission
Special Meeting
March 8, 2022**

ROLL CALL: Board members present: Holchuh, Cantu, Johnson, Poynter, Repp, VanGilder, Woody

Board members absent:

STAFF PRESENT: Brian Dunkelberger, City Planner
Craig Armstrong, Development Specialist

A quorum being present, Chair Woody called the meeting to order at 5:00 PM.

In accordance with the Americans with Disabilities Act, Chair Woody questioned if there was anyone present that may require special assistance in being able to participate in this public meeting. There was no response.

Minutes. Minutes of the previous meeting of November 2, 2021 were reviewed. **Motion** by Poynter, **seconded** by Johnson to approve the minutes from the previous meeting as written. **Voice vote**, approved 6-0.

Public Hearing.

A) AV22-1: E-W alley vacation (east half) located in the 500 block of East 5th Street North. Peck Center, applicant.

Dunkelberger reviewed the prepared staff report and shared that no comments were received in advance of the meeting. He presented an aerial view of the subject alley, a street view, and a copy of a previously recorded survey of the whole block.

Cantu joined the meeting at 5:05 PM.

Johnson stated that she felt the vacation would make the area safer for children. Repp asked if the alley were to be vacated, could it be used for parking for the Peck Center. Dunkelberger confirmed. Jerry Wylie, 422 E. 4th St. N., shared that he owned the lot to the south and described the current use of the alley. He commented that the dust had been a major issue and that he recently added protections to prevent vehicles from tearing up the sod.

Hearing no additional comments or questions, Chair Woody called for a motion to close the public hearing.

Motion by Poynter, **seconded** by Johnson. **Voice vote**, approved 7-0.

With no further discussion amongst the Commissioners, Chair Woody entertained a motion. **Motion** by Holschuh to recommend approval of the proposed vacation of the east half of the east-west alley located in the 500 block of East 5th Street North. **Seconded** by Poynter. **Roll call vote**, approved 7-0.

B) FP22-1: Final Plat for Casey's Addition to Newton (northwest of I-80 westbound on-ramp). Casey's Marketing Company, applicant.

Dunkelberger reviewed the prepared staff report and shared that no comments were received in advance of the meeting. He presented an aerial view of the subdivision area as well as a copy of the submitted final plat. Wally Pelds, Pelds Design Services at 2323 Dixon St., Des Moines, Iowa, 50316, shared that he was filling in for Nick Halfhill from Casey's and that he was happy to answer questions if there were any. Casey's goal for the grand opening was March 31, 2022.

Johnson asked for clarification about ownership of the rest of the land. Pelds added that the hope would be that “activity breeds activity” and more development could come in the future. Johnson asked Dunkelberger about residential development in the area. Dunkelberger answered and described the current zoning of the property and its proximity to residential neighborhoods.

Holschuh voiced concerns regarding the requested sidewalk waiver request. Dunkelberger clarified the specifics about the requested waiver and shared that this approach was utilized for a similar subdivision in the past. Discussion amongst Commissioners, staff, and Pelds about this particular waiver request and future developments in the subdivision. Dunkelberger reiterated how the primary motivation behind the requested waiver was strictly a safety precaution as a result of the potential pedestrian/vehicular conflicts at Lot 1 considering the interstate-oriented use.

Hearing no additional comments or questions, Chair Woody called for a motion to close the public hearing.

Motion by Repp, **seconded** by Johnson. **Voice vote**, approved 7-0.

With no further discussion amongst the Commissioners, Chair Woody entertained a motion. **Motion** by Repp to recommend conditional approval of the Casey’s Addition to Newton final plat subject to the public improvements accepted by Public Works. **Seconded** by Poynter. **Roll call vote**, approved 7-0.

C) Mobile Food Unit Ordinance Amendment – parks and downtown parking.

Dunkelberger reviewed the prepared staff report and shared that no comments were received in advance of the meeting.

Hearing no comments or questions from the audience, Chair Woody called for a motion to close the public hearing. **Motion** by Poynter, **seconded** by Holschuh. **Voice vote**, approved 7-0.

Johnson stated that she trusted the Park Board to evaluate mobile food units operating in parks and to reach an appropriate decision. She thought it could be a good idea for local businesses downtown partnering with mobile food units for special events. Woody agreed and shared that she had no issue with mobile food units operating in city parks or downtown.

Holschuh asked for additional clarification about the process for mobile food units parking on streets in the Downtown Square Area. Discussion about procedures. Repp asked about proximity to restaurants. Dunkelberger shared how City Council had amended that language. Discussion about specific properties in the Downtown Square Area.

With no additional comments, Chair Woody entertained a motion. **Motion** by Holschuh to recommend approval of the proposed mobile food unit ordinance amendments as written. **Seconded** by Repp. **Roll call vote**, approved 7-0.

Old Business. None.

Motion by Poynter to adjourn the meeting, **seconded** by Holschuh. **Voice vote**, approved 7-0. Meeting was adjourned at 5:45 PM.