



PLANNING & ZONING MEETING

Lower Level Council Chambers
Monday, October 14, 2024
6:30 PM

AGENDA

ROLL CALL

AGENDA ITEMS

1. Approve Minutes from the August 12, 2024 Planning & Zoning Meeting.
2. Review and Recommendation on Designation of the Expanded Consolidated Dyersville Economic Development District and on Urban Renewal Plan Amendment

ADJOURNMENT



PLANNING & ZONING

Lower Level Council Chambers
Monday, August 12, 2024
6:30 PM

MINUTES

ROLL CALL

PRESENT: Ryan Cahill, Chairperson Roger Gibbs, Vice-Chairperson Tim Nefzger,
Joe Petsche, Matt Tauke, Bec Willenborg

ABSENT:

AGENDA ITEMS

1. Approve minutes of the June 10, 2024, Planning & Zoning Committee meeting.

There were no questions, changes or comments.

Motion to approve Minutes of the June 10, 2024, meeting made by Bec Willenborg. Seconded by Tim Nefzger.

Voting Yea: Ryan Cahill, Roger Gibbs, Tim Nefzger, Joe Petsche, Matt Tauke, Bec Willenborg

Voting Nay:

Motion carried.

2. Approve Preliminary Plat of Westridge Estates 12th Addition. Plat submitted by Jeanine Koch.

Tom Larson, engineer with Buesing & Associates, was present. Larson stated the preliminary plat is extending 6th Avenue SW to the west and extending 10th & 11th Streets SW and stubbing the street ends for 9th Street SW. That street will be connected in a future development. He said the sanitary sewer, water and storm sewer have standard specifications.

Chairperson Gibbs had two questions. The first was asking if the water drainage issue between this subdivision and Bill Hermesen's was addressed. Larson stated it was still being discussed and they are trying to work out how the retention basin will fit. The plat does include a proposed retention basin. Gibbs asked where the water would go after the retention basin, Larsons said it would go north into the pond and that is noted in Hermesen's subdivision plans. Gibbs' second question was regarding Lot 10 being landlocked. Larson stated it was, but the owners of lot 16 & 17 of the 9th Addition are planning on purchasing it.

Chairperson Gibbs asked if the committee had any questions and there were none at that time. He then asked for comments from the audience.

Mark Tegeler, 2100 332nd Avenue, Dyersville, stated he had questions and concerns regarding the detention of the water. In 2008-2009, before the ditch was built, the lake filled with water. Jerry Koch designed the ditch to alleviate the water from 3 different sources from running into the lake. Back then Tegeler did have to do some sandbagging and there was a lot of debris that flowed into the pond. The ditch helped but there haven't been any water issues like that since. Even with that, somehow FEMA put his property in the flood plain and now the plans are to add more water to the pond even though there will be detention basins. He understands there is always a chance of flooding, but adding water to the pond will increase the chance. Tegeler said before the meeting he looked at the detention areas by westside park and along the beltline

and doesn't think that is something someone would want to build by because they look horrible. Tegeler said he is not sure how the detention basin will help. Tegeler just wanted to express his concerns regarding flooding.

Bill Hermesen, 2104 332nd Avenue, Dyersville clarified that none of the ditch water is from his subdivision. The water from his subdivision that runs into the pond has always gone to the pond. Commission member Tim Nefzger asked how the water is being discharged from the ditch to the pond. Hermesen stated it is running between his property and Koch's. City Administrator Mick Michel said it runs through an overflow pipe. Michel stated that the runoff water already goes into the pond. The property owners wanted that bypassed so the ditch was created. Michel said that runoff designs will need to be engineered and pre/post testing will need to be done to make sure no more water is going into the pond than there is now. Hermesen also mentioned that the two discharge pipes on Koch's property will need to be lowered, because they are too high now. Larson said he would look into that. Michel stated that all development improvement plans will need to be approved by the city.

Wayne Wessels, part owner of 1405 1st Avenue W, Dyersville, disagrees with what was said regarding water going into the pond because the pond was not that big until a few years ago. Their drainage tube will not keep up with extra water that is put into the pond by the retention basin. Wessels said that adding water from streets in the subdivision will increase that amount of water, not to mention the sand and debris that will be added. Michel said the city is working on a drainage improvement agreement that is currently identified as Lot A, which is the retention cell. A pre/post test was done and now this development along with Lake View Estates and future development by FarmTek will need to be included in the testing. Wessels stated he is against any drainage or dumping of sand and anything from the roads into the pond. Wessels wants to see the retention pond drain into Bear Creek. Gibbs asked if all street water from this area already goes into Bear Creek. Michel said the existing storm sewer water goes into an open drainage way. K & K Buildings existing drainage way goes into Bear Creek. Catch Basins take care of sand and other material from flowing into the creek. The current water from US20 and the farmland will go into a first retention cell and then into a second basin which is Lot A on the plat. The city will work with engineers to eliminate materials from flowing into the pond or creek.

Commission Member Tauke asked if FarmTek's storm sewer in their future development would still be separate from the ditch. Michel stated that FarmTek and Lake View runoff already goes into the pond. Everything west of the ditch goes into the pond. Everything east has segments that go into the ditch and to Bear Creek. Tegeler Pond also goes into Bear Creek. Michel feels confident that having the drainage ways will help in normal rain events. However, if looking at 100- or 500-year rain events, there will be impacts whether the drainage way is there or not. Wessels said now the ground is farm ground the water is absorbed into the ground, now with a development, there will be more water and it will be faster flowing into the pond when it should go to Bear Creek.

Commission Member Tim Nefzger clarified that this was just a preliminary plat and there were still issues that needed to be worked out. Michel confirmed that it was preliminary and there were things that still needed to be done, like a zoning change on some of the lots and agreements needed to be finalized.

Larson wanted to point out that for the preliminary plat there was no new storm water going into the pond for the detention basin; the storm water is flowing to Bear Creek. Gibbs wanted confirmation of where the street water was going and that the existing ditch is not going to add to the pond. The drainage ditch is there to collect the water and slow down the water. Michel confirmed with Larson that Lot A and Lots 1-6 will still go to the pond as it currently does. The

remaining development would have its own collection system. Michel explained that the drainage way that is Lot A has constant flow of water that goes into a detention cell. Tile is in place to take away the water in normal rain events. In a heavy rain event, the channel takes care of the extra flow. When it was designed it was done so to have the water go into the pond. The homeowners wanted that changed. This development is taking everything from Lot A and to the west to the south. That water is already going into Tegeler Pond.

Chairperson Gibbs confirmed that Lots 6-10 have a sanitary sewer easement. He also confirmed that Lot 7 is not landlocked because it has a 30' entrance.

Michel stated the city understands the concerns regarding the drainage way issue. He is working with all the developers to have continuity with all the developments. This is the last piece to tie-in with the industrial development and Lake View Estates development. The city has required other developments to add more water retention areas and as development continues there will be a need for more. Pre and post testing will need to be done. Lake View Estates has had to go through it and this development will need to also. The city will likely do a capital improvement project to address Lot A to make sure it is done correctly. He is not sure what it will be yet but there is room for that. The 12th addition layout is appropriate and consistent with their original proposal. The city has asked for some changes and that is why Lot 7 has the 30' entrance. There is also a development agreement that will be in place. The water and sanitary sewer improvements were negotiated and approved. Steet systems have a policy for incentives. The developer has agreed on consistent sidewalk connections. Michel said the public input is mostly concerned with drainage. This issue is not just with this development but includes Lake View and FarmTek. The city and council are working with the developers, and they understand the sensitivity to the issue. Computer models will be used to determine the water flow and pre and post testing will be required. There will need to be zoning changes for a few lots prior to the final plat being approved. The city is Ok with Lot 10 which will be green space because it is in the flood plain. Michel stated that if this is approved the city will finalize the development agreement and will be contingent on a zoning change.

Nefzger asked that in doing the testing it will make sure that everything that goes into the pond will come out. Michel stated a 3rd party firm is working on this matter and has done studies and presented models will be double checked.

There were no further comments or questions.

Motion to approve the Preliminary Plat of Westridge Estates 12th Addition made by Roger Gibbs. Seconded by Matt Tauke.

Voting Yea: Ryan Cahill, Roger Gibbs, Tim Nefzger, Joe Petsche, Matt Tauke, Bec Willenborg

Voting Nay:

Motion carried.

ADJOURNMENT

Meeting adjourned at 7:09 pm on a motion made by Bec Willenborg. Seconded by Ryan Cahill.

Voice Call Voting Yea: Ryan Cahill, Roger Gibbs, Tim Nefzger, Joe Petsche, Matt Tauke, Bec Willenborg

Voting Nay:

Motion carried.



Lori A. Pantan, recording Secretary

MEMORANDUM

To: City of Dyersville Planning & Zoning Commission

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

Date: October 7, 2024

Re: Consolidated Dyersville Economic Development District

A public hearing will be held by the City Council on November 4, 2024 on a proposed amendment to the urban renewal plan for the Consolidated Dyersville Economic Development District to add the property legally described in the proposed amendment and to approve new urban renewal projects. I 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 convene a quorum of the Commission, complete your review and submit any comments to the City Council by Noon on November 4, 2024.

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

SET DATE FOR HEARING ON
DESIGNATION OF EXPANDED URBAN
RENEWAL AREA AND URBAN
RENEWAL PLAN AMENDMENT

419893-77

Dyersville, Iowa

October 7, 2024

The City Council of the City of Dyersville, Iowa, met on October 7, 2024, at ____:____ p.m., at the _____, in the City, for the purpose of setting a date for a public hearing on the designation of expanded Urban Renewal Area and on a proposed urban renewal plan amendment.

The Mayor presided and the roll being called, the following members of the Council were present and absent:

Present: _____

Absent: _____.

The Mayor announced that an amendment to the boundaries of the Consolidated Dyersville Economic Development District had been prepared, along with an amendment to the urban renewal plan for the areas, and that it was now necessary to set a date for a public hearing on the proposed amended areas and proposed amendment to the urban renewal plan. Accordingly, Council Member _____ moved the adoption of the following resolution entitled "Resolution Setting Date for a Public Hearing on Designation of the Expanded Consolidated Dyersville Economic Development District and on Urban Renewal Plan Amendment," and the motion was seconded by Council Member _____. Following due consideration, the Mayor put the question on the motion and the roll being called, the following named Council Members voted:

Ayes: _____

Nays: _____.

Whereupon, the Mayor declared the resolution duly adopted as follows:

RESOLUTION NO.59-24

Resolution Setting Date for Public Hearing on Designation of the Expanded Consolidated Dyersville Economic Development District and on Urban Renewal Plan Amendment

WHEREAS, this City Council of the City of Dyersville, Iowa (the “City”) by resolution previously established the Consolidated Dyersville Economic Development District (the “Urban Renewal Area”) and adopted an urban renewal plan (the “Plan”) for the governance of projects and initiatives therein; and

WHEREAS, a proposal has been made which shows the desirability of expanding the Urban Renewal Area to add and include all the property (the “Property”) lying within the legal description set out in Exhibit A; and

WHEREAS, this City Council is desirous of obtaining as much information as possible from the residents of the City before making this decision; and

WHEREAS, an amendment (the “Amendment”) to the Plan has been prepared which authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (i) providing tax increment financing support to JDJ Real Estate, LLC (“JDJ”) in connection with the construction by JDJ of a new warehouse for use in its business operations; (ii) providing tax increment financing support to Store SPE USLBM 2017-6 LLC (“Store SPE”) in connection with the construction by Store SPE of a new warehouse for use in its business operations; (iii) providing tax increment financing support to Crownline Properties LLC (“Crownline”) in connection with the construction by Crownline of an addition to its concrete batch plant facilities for use in its business operations; (iv) providing tax increment financing support to Dyersville Economic Development Corporation (“DEDC”) in connection with the construction by DEDC of public infrastructure necessary to support future development in the industrial park; (v) providing tax increment financing support to DEDC in connection with the construction by DEDC of a new childcare center; and

WHEREAS, it is now necessary that a date be set for a public hearing on the designation of the expansion of the Urban Renewal Area and on the Amendment;

NOW, THEREFORE, Be It Resolved by the City Council of the City of Dyersville, Iowa, as follows:

Section 1. This City Council will meet at the Memorial Building, 340 1st Avenue East, Dyersville, Iowa, on November 4, 2024, at 6:00 p.m., at which time and place it will hold a public hearing on the designation of the expanded Urban Renewal Area described in the preamble hereof and on the Amendment.

Section 2. The City Clerk shall publish notice of said hearing, the same being in the applicable form attached hereto, which publication shall be made in a legal newspaper of general circulation in Dyersville, which publication shall be not less than four (4) and not more than twenty (20) days before the date set for hearing.

Section 3. Pursuant to Section 403.5 of the Code of Iowa, the City Administrator, or his designee, is hereby designated as the City's representative in connection with the consultation process which is required under that section of the urban renewal law.

Section 4. The proposed Amendment is hereby submitted to the City's Planning and Zoning Commission for review and recommendations, as required by Section 403.5, Code of Iowa.

Passed and approved October 7, 2024.

Jeff Jacque, Mayor

Attest:

Tricia L. Maiers, City Clerk

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On motion and vote the meeting adjourned.

Jeff Jacque, Mayor

Attest:

Tricia L. Maiers, City Clerk

NOTICE OF PUBLIC HEARING ON DESIGNATION OF EXPANDED
CONSOLIDATED DYERSVILLE ECONOMIC DEVELOPMENT DISTRICT
AND ON PROPOSED URBAN RENEWAL PLAN AMENDMENT

Notice Is Hereby Given: That at 6:00 p.m., at the Memorial Building, 340 1st Avenue East, Dyersville, Iowa, on November 4, 2024, the City Council of the City of Dyersville, Iowa (the "City") will hold a public hearing on the question of amending the urban renewal plan (the "Plan") for the Consolidated Dyersville Economic Development District and designating an expanded Consolidated Dyersville Economic Development District (the "Urban Renewal Area"), pursuant to Chapter 403, Code of Iowa, by adding and including certain real property situated in the City and bearing Delaware County Property Tax Parcel Identification Numbers 540000200192, 540000100160, 210020000620 and 540000200171.

The proposed amendment to the Plan brings the property described above under the Plan and makes it subject to the provisions of the Plan. The amendment also authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (i) providing tax increment financing support to JDJ Real Estate, LLC ("JDJ") in connection with the construction by JDJ of a new warehouse for use in its business operations; (ii) providing tax increment financing support to Store SPE USLBM 2017-6 LLC ("Store SPE") in connection with the construction by Store SPE of a new warehouse for use in its business operations; (iii) providing tax increment financing support to Crownline Properties LLC ("Crownline") in connection with the construction by Crownline of an addition to its concrete batch plant facilities for use in its business operations; (iv) providing tax increment financing support to Dyersville Economic Development Corporation ("DEDC") in connection with the construction by DEDC of public infrastructure necessary to support future development in the industrial park; (v) providing tax increment financing support to DEDC in connection with the construction by DEDC of a new childcare center. A copy of the amendment is on file for public inspection in the office of the City Clerk.

At said hearing any interested person may file written objections or comments and may be heard orally with respect to the subject matters of the hearing.

Tricia Maiers
City Clerk

EXHIBIT A
Legal Description
Expanded Consolidated Dyersville Economic Development District
October, 2024 Addition

Certain real property bearing Delaware County Property Tax Parcel Identification Number 540000200192, more particularly described as:

20 West Industrial Center Fifth Addition, Lot 2, City of Dyersville, Delaware County, Iowa;

AND

Certain real property bearing Delaware County Property Tax Parcel Identification Numbers 540000100160 and 210020000620, more particularly described as:

20 West Industrial Center Fourth Addition, Part of Lot C, City of Dyersville, Delaware County, Iowa;

AND

Certain real property bearing Delaware County Property Tax Parcel Identification Number 540000200171, more particularly described as:

20 West Industrial Center Seventh Addition, Lot 1, City of Dyersville, Delaware County, Iowa.

HIGHWAY 20

HIGHWAY 20

Item 2.

Dyersville

INDUSTRIAL SW