

Minutes of Meeting Zoning Board of Adjustment Electronic/Virtual Meeting

September 9, 2020

ROLL CALL: Board members present: Hanson, Rossow, Hollander, and Birkenholz
Board members absent: Billingsley

STAFF PRESENT: Erin Chambers, Community Development Director
Matt Muckler, City Administrator

A quorum being present, Chair Hollander called the meeting to order at 4:32 p.m.

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

Minutes

The Board reviewed the minutes of the previous meeting from August 5, 2020.

Motion by Birkenholz, **seconded** by Hanson to approve the minutes from August 5, 2020. Approved, 4-0.

Public Hearing

- A. CU20-5: Conditional Use permitting group care facility at 426 North 2nd Avenue East, Clearview Recovery, Applicant.

Chambers reviewed the prepared staff report and zoning analysis. Two neighbors reached out to Brian Dunkelberger, Newton City Planner, prior to the meeting to voice concern about safety and nuisance potential. Neither neighbor chose to attend the meeting after Dunkelberger responded to their initial questions. The applicant, Scott Pritchard, Executive Director, and DeDe Blom, Director of Operations, then reviewed their current operation in Prairie City and addressed all raised concerns. The two described what the home would look like in Newton, and how the intention and purpose for such a home is to create a transitional location to provide a safe, additional step towards independent living. Clearview Recovery has been in Prairie City for 15 years, and Pritchard stated that he feels it has provided a great value to the community. He reviewed their licensing and complexities associated with insurance/managed care.

Chambers reviewed three letters of support submitted before the meeting. Larry and Stephanie Cline from Prairies City described a “disciplined program” and how it would be “an asset to Newton.” Carl Van Der Kamp, EMT and Water and Wastewater Superintendent from Prairies City, submitted a letter of support describing the program as “turning their life around” and the willingness of the owner and Clearview Recovery to keep their property compliant with code and also “neat and clean.” Jessica Lowe Vokes, United Way of Jasper County Executive Director, voiced her support for Clearview Recovery and described how Clearview Recovery was a valuable community partner and how they “help improve lives

in the community.” Jessica stated, “I have seen how the facility changes lives, reunited families, and impacts the community. The addition of Clearview’s services in Newton would be a welcomed and supported venture and one that is so badly needed in our community.”

Chambers reviewed the staff recommendation which included any conditions placed upon the property based on neighborhood feedback (none proposed), a building permit would be required to ensure code compliance, and an updated Certificate of Occupancy.

Hanson asked about parking on-site at the property and expected traffic. Pritchard answered and clarified that residents would not have cars, and it was expected that two staff-owned vehicles would be parked on-site during days and one during the evenings and nights. Birkenholz asked about a note in the application documents that mentioned the 3-stall garage might be converted to office space in the future. Pritchard answered and described his initial thoughts, but clarified that it would not be pursued until a much later date and not without ensuring compliance with the City. Hollander asked about single or shared bedrooms, and Pritchard answered that there would be two residents per room (2 twin beds per bedroom). Hollander then asked if the property was “move-in ready.” Pritchard described how the property was mostly move-in ready, but that railings for stairwells were needed. No further questions or comments.

Motion by Birkenholz to close the public hearing, **seconded** by Rossow. Approved, 4-0.

Birkenholz felt confident with supporting this proposal based on the Clearview Recovery in Prairie City and the letters of support. Rossow agreed and felt that any questions or concerns raised by neighbors were adequately addressed. Hanson stated that he felt comfortable with supporting the conditional use. Hearing no additional comments, Hollander called for a motion.

Motion by Rossow to approve the conditional use permitting a group care facility at 426 North 2nd Avenue East, with the conditions that the applicant would acquire a building permit to ensure compliance and that the Certificate of Occupancy would be updated before operations began, **Seconded** by Birkenholz. Approved 4-0.

- B. V20-4: Temporary Use Variance permitting temporary exterior storage of damaged equipment and vehicles for the purpose of insurance adjustment at the Iowa Speedway, 3333 Rusty Wallace Drive, Tyler Clement, Applicant.

Chambers reviewed the prepared staff report. No comments were received before the meeting. The applicant, Tyler Clement, reviewed the proposal and described the impact of the August Derecho storm. He then reviewed what types of activity and operations would occur at the property based on the submitted application documents.

Hollander verified that all highlighted areas on the submitted maps were to be used as storage areas, and Clement confirmed. Clement answered and stated that he and his team wanted to avoid any parking on grass, so that was the motivation for the proposed storage areas. Hollander asked about whether or not the Insurance Auto Auctions Corporation (the contracting entity) had staff at the facility. Rich Hoopis from IAA answered directly and said they worked collaboratively with Tyler Clement and that IAA did indeed have staff on-site. Birkenholz noted the need for the storage area after the damage and devastation caused by the Derecho storm that occurred on August 10th, 2020. Rossow agreed. No further questions or comments.

Motion by Birkenholz to close the public hearing, **seconded** by Rossow. Approved, 4-0.

Board members discussed the proposal and all voiced support for the temporary use. Hollander noted that he had received a notice, as his residence is near the project location, but that he felt this would not be harmful to the neighborhood or area. Hearing no additional comments, Hollander called for a motion.

Motion by Birkenholz to approve the temporary use variance permitting the temporary exterior storage of damaged equipment and vehicles for the purpose of insurance adjustment at the Iowa Speedway (3333 Rusty Wallace Drive) with an expiration date of February 28th, 2021, by which time all exterior storage should be removed, **Seconded** by Hanson. Approved 4-0.

New Business

None.

Adjournment:

Motion by Birkenholz to adjourn the meeting, **Seconded** by Rossow. Approved, 4-0. The meeting was adjourned at 5:24 pm.