



AGENDA OF THE SPECIAL SESSION OF THE
COUNCIL OF THE CITY OF WASHINGTON, IA
TO BE HELD IN THE
COUNCIL CHAMBERS
215 E. WASHINGTON STREET
AT 8:30 A.M., TUESDAY, November 30, 2021

Call to Order

Pledge of Allegiance

Roll call

Agenda for the Special Session to be held at 8:30 A.M., Tuesday, November 30, 2021 to be approved as proposed or amended.

PRESENTATION FROM THE PUBLIC – Please limit comments to 3 Minutes.

NEW BUSINESS

1. Closed Session per Iowa Code 21.5(1)(i) – *to evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session*
2. Discussion and Consideration of a Resolution Setting Public Hearing for NLW Phase 2 (December 21, 2021)
3. Discussion and Consideration of Conditional Zoning Agreement with Tribulation and Trust Ministry, Inc. (980 West 5th Street)
4. Discussion and Consideration of First Reading of an Ordinance Changing the Boundaries of Zoning Districts (West 5th Street from I-2 to B-2, three properties)

MAYOR & COUNCILPERSONS

Jaron Rosien, Mayor
Illa Earnest
Steven Gault
Elaine Moore
Danielle Pettit-Majewski
Fran Stigers
Millie Youngquist

ADJOURNMENT

RESOLUTION NO. 2021-_____

A RESOLUTION SETTING A DATE FOR PUBLIC HEARING ON THE PLANS, SPECIFICATIONS, ESTIMATE OF COST AND FORM OF CONTRACT; SETTING A DATE FOR RECEIVING OF BIDS AND DIRECTING POSTED NOTICE OF THE SAME FOR THE NLW PHASE 2 PROJECT

WHEREAS, the City Council has deemed it necessary and desirable to develop Phase 2 of the NLW Subdivision Project referred to as the "NLW Phase 2 Project" (the Project); and

WHEREAS, preliminary plans and specifications have been drafted for the Project; and

WHEREAS, it is now time for the City Council to set a public hearing on said plans and specifications as required by Chapter 26 of the Code of Iowa;

WHEREAS, it is also now time set a date for the receipt of bids on this Project.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Washington, Iowa, that a public hearing on the plans, specifications, estimate of cost and form of contract is hereby set for 6:00 p.m. on Tuesday, December 21st, 2021 in the Council Chambers at 215 E. Washington Street, Washington, Iowa.

BE IT FURTHER RESOLVED, that the City shall receive sealed bids on this Project until 11:00 a.m. on Thursday, January 13, 2022.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of the hearing on the plans, specifications, estimate of cost and form of contract no less than four (4) days prior to the hearing date on December 21, 2021.

BE IT FURTHER RESOLVED, that the City's engineer is hereby required to post the date to receive bids in an appropriate place as required by Chapter 26 of the Code of Iowa.

PASSED AND APPROVED this 30th day of November, 2021.

Jaron P. Rosien, Mayor

ATTEST:

Sally Y. Hart, City Clerk



Development Services
215 E. Washington St.
Washington, IA 52353
319.653.6584 ext. 124

Memo

To: City Council
From: Jeff Duwa-Building and Zoning Official
Date: 11/10/2021
Re: Rezone Property from I-2 (Heavy Industrial District) to B-2 (General Business District)

Issue

Review and consider the change in the zoning of property.

Background

Tribulation and Trust Ministries, Inc. have requested to rezone the property at 980 W. 5th St. from I-2 to B-2. Tribulation and Trust Ministries, Inc. are looking at moving their thrift store and create a location for a food pantry for a better distribution and storage site. After reviewing this request, it seemed appropriate to rezone the neighboring properties to match the surrounding properties. On Tuesday, November 9, 2021, the City of Washington's Planning and Zoning Commission met to review and discuss the Rezoning of 980 W. 5th St. along with 986 and 1000 W. 5th St. to prevent spot zoning and bring the properties more in compliance with the current zoning requirements.

Recommendation

The City of Washington's Planning and Zoning Commission recommends that the City of Washington's City Council approve the Rezoning of 980, 986, and 1000 W. 5th St. from I-2 (Heavy Industrial) to B-2 (General Business).



Overview



Legend

- Cadastral Line**
- Corp Line
- County Line
- Geo Twp Line
- Lot Line
- Misc Line
- Mon Linear
- Page Match Line
- Parcel Line
- Pol Twp Line
- Railroad Centerline
- Railroad ROW
- Road Centerline
- Road ROW
- Section Line
- Sub Line
- Water Line
- Political Township
- Geographic Township
- Corporation
- Sections
- Subdivisions
- Parcels
- Road Centerline

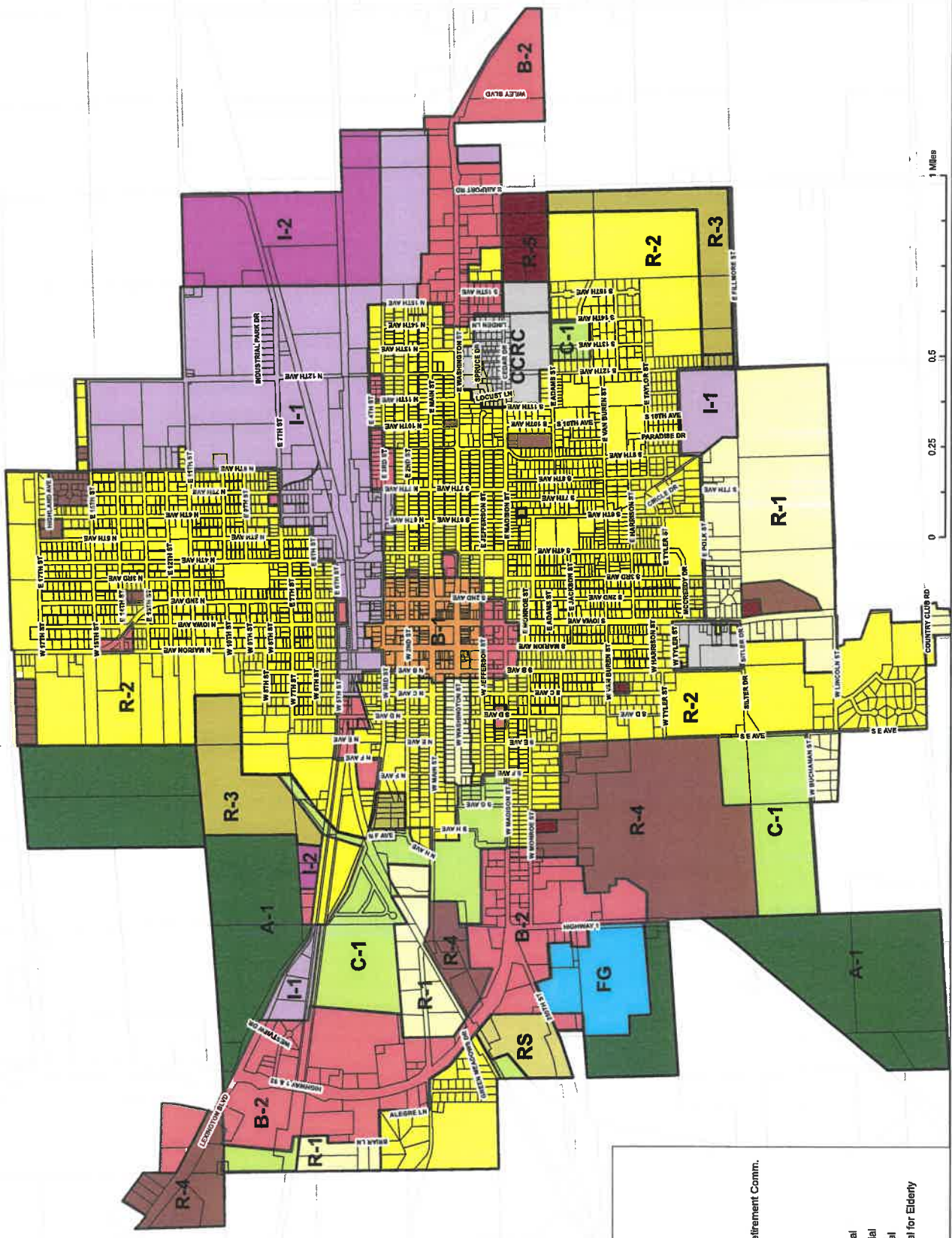
Parcel ID	1118251005	Class	C	Owner Address	TRIBULATION & TRUST MINISTRY, INC.
Sec/Twp/Rng	n/a	Acres	n/a		604 S IOWA AVE
Property Address	980 W 5TH ST				WASHINGTON, IA 52353
	WASHINGTON				
District	WACWS				
Brief Tax Description	NW WASH E 285.23 FT OF W 1181.25 FT LOT 5 N OF RD				
	(Note: Not to be used on legal documents)				

Date created: 11/2/2021
 Last Data Uploaded: 11/2/2021 2:42:13 AM



Source: Washington, IA GIS Database

Zoning Map for Washington, IA



Zoning Legend

Zoning Class	Description
A-1	Agricultural
B-1	Retail Business
B-2	General Business
C-1	Conservation
C-2	Continuous Care Retirement Comm.
FG	Fairground
I-1	Light Industrial
I-2	Heavy Industrial
R-1	1 Family Residential
R-2	1 & 2 Family Residential
R-3	1 to 6 Family Residential
R-4	Multi-Family Residential
R-5	Multi-Family Residential for Elderly
RS	Suburban Residential

Map for City of Washington By: JMB Data: May 2013

Drafted by: Kevin D. Olson, Washington City Attorney, PO Box 5640, Coralville, Iowa 52241 (319) 351-2277.
Return to: Washington City Clerk, 215 E. Washington Street, Washington, Iowa 52333

CONDITIONAL ZONING AGREEMENT

THIS CONDITIONAL ZONING AGREEMENT entered into by and between the City of Washington, Iowa, an Iowa municipal corporation, 215 E. Washington Street, Iowa 52333, hereafter referred to as "City;" and Tribulation & Trust Ministry, Inc., an Iowa nonprofit corporation, 604 S. Iowa Avenue, Washington, Iowa 52353, hereafter referred to "Developer."

WHEREAS, Developer is the owner of certain real estate described as follows:

Commencing at a point 896.02 feet east of the NW corner of south ½ of NE ¼ of Section 18, Township 75 North, Range 7 West of the 5th P.M.; which is also commencing at a point 896.02 feet east of the NW corner of Lot 5 of the North West Addition to Washington, Iowa; thence 285.23 feet; thence S6°41' West 355.73 feet; thence N78°26' West 248.77 feet; thence north 303.19 feet, more or less, to the point of beginning

(the "Property"); and

WHEREAS, pursuant to Iowa Code Section 414.5, the City Council may impose conditions on a rezoning which conditions are in addition to existing zoning regulations if said conditions are reasonable and imposed to satisfy public needs which are directly caused by the requested zoning change; and

WHEREAS, the Developer and the City have agreed that certain conditions should be placed upon the approval of the Application in order to ensure the public needs directly caused by the requested zoning change are addressed, including but not limited to those public needs related to long-term development of the subject property and surrounding area.

IT IS, THEREFORE, in consideration of the mutual agreements set out herein, agreed as follows:

1. The Developer expressly agrees that the Developer shall not have the right to use the Property for the purposes of housing or lodging of persons.
2. The conditions described above and any related restrictions imposed by this Agreement in accordance with Section 414.5 of the Iowa Code are reasonable and imposed to satisfy public needs which are directly caused by the requested zoning.
3. In the event a dispute arises about the interpretation or enforcement of this Agreement the parties agree to first attempt to resolve said dispute informally prior to seeking

Prepared by: Kevin D. Olson, Washington City Attorney, PO Box 5640, Coralville, Iowa 52241 (319)351-2277
Return to: City Clerk, City of Washington, Iowa, 215 E. Washington Street, Washington, Iowa 52353

ORDINANCE NO. _____

AN ORDINANCE RE-ZONING THE PROPERTY GENERALLY REFERRED TO AS 980, 986 AND 1005 W. 5TH STREET FROM I-2 GENERAL INDUSTRIAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT.

WHEREAS, the owners of the property generally referred to as 980 W. 5th Street petitioned the City to change its zoning designation from I-2 General Industrial District to B-2 General Business District; and

WHEREAS, in order to correct nonconforming uses near 980 W. 5th Street, the City also included the properties at 1005 and 986 W. 5th Street in this rezoning process (along with 980 W. 5th Street, collectively referred to as the "Properties"); and

WHEREAS, the Properties are legally described as follows:

Commencing at a point 896.02 feet east of the NW corner of the S ½ of NE ¼ of Section 18, Township 75 North, Range 7 West of the 5th P.M.; which is also commencing at a point 896.02 feet east of the NW corner of Lot 5 of the North West Addition to Washington, Iowa; thence east 285.23 feet; thence S 6°41' West 355.73 feet; thence N 78°26' West 248.77 feet; thence North 303.19 feet, more or less, to the point of beginning;

AND

Auditor's Parcel A, as shown by that Plat of Survey recorded in Plat Book 11, Page 366, in the Office of the Washington County Recorder, being located in Auditor's Subdivision of Lot 5, Northwest Washington, in the City of Washington, Washington County, Iowa;

AND

Commencing at a point 753.40 feet East of the NW corner of the S ½ of NE ¼ of Section 18, Township 75 North, Range 7 West of the 5th P.M., Washington County, Iowa, which is also commencing 753.40 feet east of the NW corner of Lot 5 of the North West Addition to Washington, Iowa; thence east 142.62 feet; thence south 303.19 feet; thence N 78°26' West 145.58 feet; thence north 274 feet to the point of beginning

; and

WHEREAS, the Washington Planning and Zoning Commission has recommended the City Council approve said rezoning request for the Properties; and

WHEREAS, a public hearing has been held on said request pursuant to published notice thereof.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Washington, Iowa :

Section 1. That the zoning map for the City of Washington is hereby amended to show the Properties being located entirely in an B-2 General Business District in place of I-2 General Industrial District.

Section 2. This ordinance shall be in full force and effect from and after its publication as by law provided.

Section 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this ____ day of _____, 2021.

Read First Time:
Read Second Time:
Read Third Time:

Jaron P. Rosien, Mayor

ATTEST:

Sally Y. Hart, City Clerk