



ADEL CITY COUNCIL AGENDA
Monday, January 24, 2022 at 6:00 p.m.
Adel City Hall, 301 S. 10th Street, Adel, IA 50003

COMMENTS FROM THE PUBLIC

CONSENT AGENDA

- a) Consider Approval of City Council Minutes Dated January 11, 2022
- b) Consider Approval of Class C Liquor, Special Class A Beer License with Sunday Sales for Adel Family Fun Center
- c) Consider Approval of Class B Native Wine Permit License for Hazel Mae Floral Events, LLC
- d) Consider Approval of Class C Liquor License with Sunday Sales for Fiesta Mexican Restaurant
- e) Consider Approval of Resolution No. 22-11, Approving the City Attorney Services Engagement Agreement 2022-2023

OLD BUSINESS

- a) Consider Approval of Ordinance No. 380, Amending the Zoning Ordinance By Changing the Zoning Classification of Property Located at the Intersection of Hwy 169 and Bradfield Street – Second Reading

NEW BUSINESS

- a) First Draft of the Fiscal Year 2022-2023 Budget
 - a. Overview, 2022-2023 Goal Setting Session, Tax Levy Rate, Debt Service, and General Fund Revenues
 - b. External Requests (e.g., Alliance, Chamber, HIRTA)
 - c. Police Department
 - d. Fire Department
 - e. Library
 - f. Parks & Recreation Department
 - i. Parks (including Island Park)
 - ii. Cemetery
 - iii. Pool
 - iv. Recreation
 - g. Finance
 - h. Zoning
 - i. RUT
 - j. Water, Sanitary Sewer, & Storm Water
- b) Next Steps for the FY22-23 Budget

OTHER BUSINESS

ADJOURNMENT

Adel City Council
January 11, 2022 – Meeting Minutes

The Adel City Council met in regular session at the Adel City Hall, 301 S. 10th Street, Adel, Iowa on Tuesday, January 11, 2022. At 6:00 p.m., Mayor Peters called the meeting to order. The following answered roll: McAdon, Selby, Christensen, and Miller. Ockerman participated by phone.

Staff Present: City Administrator Brown, City Clerk Erickson, Finance Director Sandquist, City Attorney Stone, Library Director Jayne, Parks & Recreation Director Schenck, Police Chief Shepherd, Code Compliance Officer Nichols, and Public Works Director Overton.

PUBLIC HEARING

1. Rezoning Approximately 63.52 acres of Land Owned by Cramer & Associates, Inc. (Proposed Southbridge Plat 8) Along HWY 169 South of Southbridge Plat 7 and North of Southbridge Plat 4
Motion by Christensen, seconded by Miller, to open the public hearing.
Roll: Ayes – Unanimous. Motion carried.

No written/oral comments received.

Motion by Miller, seconded by Selby, to close the public hearing.
Roll: Ayes – Unanimous. Motion carried.

COMMENTS FROM THE PUBLIC

1. Adel Partners Chamber of Commerce Update – Deb Bengtson, President
2. **John Sobak, 1309 Crimson St., West Des Moines, IA – John, a representative from IP Pathways, presented information regarding cyber security and services his company could provide.**

CONSENT AGENDA

- a) Consider Approval of City Council Minutes Dated December 14, 2020
- b) Consider Approval of December Bills and December 31, 2021 Treasurer's Report
- c) Consider Approval of Ahler's & Cooney, P.C. December 2021 Invoice to be Applied to Retainer
- d) Consider Approval of Resolution No. 22-01, Approving Budget Transfers for City Attorney Services
- e) Consider Approval of Resolution No. 22-02, Designating the Dallas County News as an Official Newspaper for the City of Adel
- f) Consider Approval of Resolution No. 22-03, Designating the Des Moines Register, Inc. as an Official Newspaper for the City of Adel
- g) Consider Approval of Resolution No. 22-04, Naming Depositories for the City of Adel
- h) Consider Approval of Appointing Anthony Brown as the CIRTPA TPC Primary Representative and Kip Overton as the CIRTPA TPC Alternate
- i) Consider Approval of Appointing Kip Overton as the CIRTPA TTC Primary Representative and Anthony Brown as the CIRTPA TTC Alternate
- j) Consider Approval of Resolution No. 22-05, Requesting Membership in the Mid-Iowa Planning Alliance for Community Development
- k) Consider Approval of Resolution No. 22-06, Approving Increase to Fire Department Per Call Stipend
- l) Consider Approval of Resolution No. 22-07, Setting a Public Hearing Date for February 8, 2022 at 6:00 p.m. for a Resolution Relating to the Total Maximum Property Tax Dollars for FY22-23

- m) Consider Approval of Resolution No. 22-08, Approving the City Attorney Services Engagement Agreement 2022-2023
- n) Consider Approval of Pay Application No. 7 for the Adel Water System Improvements 2020 – High Service Pump Building
- o) Consider Approval of Pay Application No. 16 for the Adel Wastewater System Improvements 2019 – Wastewater Treatment Plant Improvements

Motion by McAdon, seconded by Selby, to approve the Consent Agenda.

Roll: Ayes – Unanimous. Motion carried.

DEPARTMENT HEAD REPORT

- 1. \$300,000 Grant Provided from the State’s 2021 Wastewater and Drinking Water Treatment Financial Assistance Program for the City’s New Wastewater Treatment Plant
- 2. Second Council Meeting This Month – Monday, January 24 at 6:00 p.m. (FY22-23 Budget)
- 3. Likely Second Council Meeting In February – Monday, February 28 at 6:00 p.m. (FY22-23 Pre-Levy Resolution)
- 4. Police Chief Shepherd presented the Council with the End of Year Activity Report and commented about how pleased he was that the department is fully staffed and very competent.

NEW BUSINESS

- a) Consider Approval of Ordinance No. 380, Amending the Zoning Ordinance By Changing the Zoning Classification of Property Located at the Intersection of Hwy 169 and Bradfield Street – First Reading

Motion by Selby, seconded by Ockerman, to approve the first reading of Ord. No. 380.

Roll: Ayes – Unanimous. Motion carried.

- b) Consider Approval of Resolution No. 22-09, Approving Agreement with Granicus for Agenda Management Software Services

As the Agreement with Granicus has not been received with all modifications suggested by City Attorney Stone and Council Member Christensen, no action was taken.

- c) Discussion / Possible Action Regarding Pre-Levy Resolution for FY22-23 Budget (Projects including 2022 Pavement Resurfacing and Two New Fire Trucks)
City Administrator Brown stated that this item highlights the potential costs and budgetary impacts involved with these projects. With a \$1.5 million pavement resurfacing project and another \$1 million to purchase two new fire trucks, the projected debt service impact in FY22-23 is approximately a \$0.55 increase. While final approval has not been given for these projects, preliminary actions like a pre-levy resolution must be taken to prepare for them.

Motion by Christensen, seconded by McAdon, to continue work on the Resolution by City Staff.

Roll: Ayes – Unanimous. Motion carried.

- d) Consider Approval of Resolution No. 22-10, Ordering Construction of the Eagle Vista Drive Pavement Rehabilitation, and Fixing a Date For Hearing Thereon and Taking of Bids Therefor

Motion by Miller, seconded by Selby, to approve Resolution No. 22-10.

Roll: Ayes – Unanimous. Motion carried.

OTHER BUSINESS

- 1. **Council Member Christensen visited with the program director for the \$300,000 grant received by the City of Adel from the State’s 2021 Wastewater and Drinking Water**

Treatment Financial Assistance Program and the program director commented that the application by the City of Adel was written very well.

- 2. Mayor Peters thanked the Council for stepping up in their specific committees, as well as having a great staff to work with.**

ADJOURNMENT

- 1. Meeting adjourned at 6:49 p.m.**

James F. Peters, Mayor

Attest: _____
Carrie Erickson, City Clerk



State of Iowa

Alcoholic Beverages Division

Applicant

| | | | |
|----------------------|------------------------|----------------|-------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | |
| K&B Strategies, LLC | Adel Family Fun Center | (515) 993-3350 | |
| ADDRESS OF PREMISES | CITY | COUNTY | ZIP |
| 1526 Greene Street | Adel | Dallas | 50003 |
| MAILING ADDRESS | CITY | STATE | ZIP |
| 1526 Greene Street | Adel | Iowa | 50003 |

Contact Person

| | | |
|-------------|----------------|--------------------|
| NAME | PHONE | EMAIL |
| Bryce Smith | (515) 559-4636 | owner@affcbowl.com |

License Information

| | | | |
|--------------------------|---------------------------|----------------------|------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE | TERM | STATUS |
| LC0043436 | Class C Liquor License | 12 Month | Submitted to Local Authority |
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS | |
| Feb 1, 2022 | Jan 31, 2023 | | |
| SUB-PERMITS | | | |
| Class C Liquor License | | | |



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

No Ownership information found

Insurance Company Information

INSURANCE COMPANY

Illinois Casualty Co

POLICY EFFECTIVE DATE

Feb 1, 2022

POLICY EXPIRATION DATE

Feb 1, 2023

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



Applicant

| | | | |
|----------------------|-----------------------------|----------------|-------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | |
| BreAnna Forret | Hazel Mae Floral Events LLC | (515) 478-5794 | |
| ADDRESS OF PREMISES | CITY | COUNTY | ZIP |
| 2109 Greene Street | Adel | Dallas | 50003 |
| MAILING ADDRESS | CITY | STATE | ZIP |
| 18211 270th Street | Adel | Iowa | 50003 |

Contact Person

| | | |
|----------------|----------------|--------------------|
| NAME | PHONE | EMAIL |
| BreAnna Forret | (515) 478-5794 | hazelmfe@gmail.com |

License Information

| | | | |
|----------------------------|----------------------------|----------------------|------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE | TERM | STATUS |
| | Class B Native Wine Permit | 12 Month | Submitted to Local Authority |
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS | |
| Jan 13, 2022 | Jan 12, 2023 | | |
| SUB-PERMITS | | | |
| Class B Native Wine Permit | | | |



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Limited Liability Company

Ownership

No Ownership information found

Insurance Company Information

INSURANCE COMPANY

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE
DATE

OUTDOOR SERVICE EXPIRATION
DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE
DATE

TEMP TRANSFER EXPIRATION
DATE



State of Iowa

Alcoholic Beverages Division

Applicant

| | | | |
|----------------------|---------------------------|----------------|-------|
| NAME OF LEGAL ENTITY | NAME OF BUSINESS(DBA) | BUSINESS | |
| FIESTADSM.COM INC | Fiesta Mexican Restaurant | (515) 802-7464 | |
| ADDRESS OF PREMISES | CITY | COUNTY | ZIP |
| 815 Main St | Adel | Dallas | 50003 |
| MAILING ADDRESS | CITY | STATE | ZIP |
| 815 Main St | Adel | Iowa | 50003 |

Contact Person

| | | |
|------------------------|----------------|------------------|
| NAME | PHONE | EMAIL |
| Antonio Berber Ramirez | (515) 802-7464 | ab@fiestadsm.com |

License Information

| | | | |
|--------------------------|---------------------------|----------------------|-------------------------------|
| LICENSE NUMBER | LICENSE/PERMIT TYPE | TERM | STATUS |
| LC0043178 | Class C Liquor License | 12 Month | Pending Dramshop Review |
| TENTATIVE EFFECTIVE DATE | TENTATIVE EXPIRATION DATE | LAST DAY OF BUSINESS | |
| Feb 17, 2022 | Feb 16, 2023 | | |
| SUB-PERMITS | | | |
| Class C Liquor License | | | |



State of Iowa

Alcoholic Beverages Division

PRIVILEGES

Sunday Service

Status of Business

BUSINESS TYPE

Privately Held Corporation

Ownership

No Ownership information found

Insurance Company Information

INSURANCE COMPANY

Society Insurance

POLICY EFFECTIVE DATE

POLICY EXPIRATION DATE

DRAM CANCEL DATE

OUTDOOR SERVICE EFFECTIVE DATE

OUTDOOR SERVICE EXPIRATION DATE

BOND EFFECTIVE DATE

TEMP TRANSFER EFFECTIVE DATE

TEMP TRANSFER EXPIRATION DATE



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Kristine Stone

515.246.0314

kstone@ahlerslaw.com

January 6, 2022

VIA EMAIL AND U.S. MAIL

Mr. Anthony Brown
City Administrator
City of Adel
P.O. Box 248
301 S. 10th Street
Adel, IA 50003

RE: Engagement Agreement - 2022 Public Improvement Contract Proceedings

Dear Anthony:

The purpose of this Engagement Agreement ("Agreement") is to disclose and memorialize the terms and conditions under which Ahlers & Cooney, P.C. will represent the City of Adel (the "City") in connection with the preparation of the necessary contract proceedings for public improvement projects commenced in 2022 and specifically the Eagle Vista Drive Pavement Rehabilitation project.

SCOPE OF ENGAGEMENT

When City staff requests that we prepare the necessary proceedings for Council action on public improvement projects in 2022, we will perform the following services:

1. Review the engineer's Notice of Public Hearing and Notice to Bidders for compliance with Iowa law;
2. Prepare letters of instructions for Council proceedings;
3. Answer questions and advise City staff and Council throughout the public improvement contract (bidding and letting) process;
4. Prepare Notices of Meetings and partial agendas
5. Prepare proceedings and documents for initiation of the public improvement project, including:
 - a. Resolution ordering construction of certain public improvements, and fixing a date for hearing thereon and taking of bids therefor

6. Prepare proceedings to be used on the date fixed for the hearing on the proposed plans, specifications, contract, and estimated total cost of the public improvement project, including:
 - a. Resolution adopting plans, specifications, form of contract and estimated cost
 - b. Resolution making award of contract
 - c. Resolution approving contract and bond.
7. Prepare proceedings to be used upon completion of the public improvement project, including:
 - a. Resolution accepting public improvements

Our duties under this particular engagement are limited to those expressly set forth above. Absent a separate engagement agreement regarding one or more of the following services, our duties under this Agreement do not include:

1. Defending any legal challenges to or arising out of the particular public improvement project;
2. Reviewing, revising, or negotiating the City's contract with outside consultants - architects or engineers;
3. Reviewing and revising the terms and conditions of the City's contract for construction of the public improvements; and
4. Any bond (finance) related services.

Please be advised that we recommend that the City have legal counsel review all public improvement contracts and outside professional consultant (architects and engineers) contracts well in advance of posting the Notice to Bidders and publication of the Notice of Public Hearing for each particular project. The standard form contracts commonly used for public improvement contracts and professional consultant contracts do not provide sufficient protection for municipal owners in the event disputes arise concerning workmanship, delay, payment, and / or design related issues.

ATTORNEY-CLIENT RELATIONSHIP

Upon execution of this Agreement, the City will be our client and an attorney-client relationship will exist between us for public improvement projects commenced in 2022 for which the City staff requests our assistance. Our services are limited to those contracted for in this letter and the City's execution of this Agreement will constitute an acknowledgement of those limitations. Our representation of the City and the attorney-client relationship established by this Agreement will be concluded upon payment of our final invoice.

FEES

We will charge a flat fee of \$1,900 per project for services rendered under this Agreement. If we determine that an adjustment of our fee is necessary, we will advise you. Such adjustment might be necessary in the event that unusual or unforeseen circumstances arise which require a significant increase in the services rendered, such as the rejection of all bids and the need to re-bid, personal attendance at meetings or unexpected revision of the above referenced documents. Typically, personal attendance at Council meetings is not necessary in order to provide the services outlined above. We will, however, attend Council meetings in the event that circumstances require. In addition to the flat fee quoted above, we will bill the City for all expenses incurred on its behalf, such as photocopying, deliveries, and other related expenses. We estimate that such charges will not exceed \$100. We will contact you prior to incurring expenses that exceed that amount.

Our statement for services and expenses will be sent after the hearing on the plans, specifications, form of contract and estimate of costs is held. Payment is due and payable within thirty (30) days of receipt of the invoice.

If, for any reason, the City terminates the engagement governed by this Agreement before a particular public improvement contract is awarded or, if a particular project is cancelled, we will bill the City for the services rendered as of the date of termination based on the hourly rates of those who provided services. The fee charged by the Firm for this representation will be based in part on the current hourly rate of the person performing the service at the time services are performed. We will also bill you for all expenses we have incurred as outlined above. My 2022 hourly rate is \$260. Services performed on your behalf by legal assistants will be billed at \$125 per hour. The Firm's billing rates are reviewed, and sometimes revised, annually in January. Accordingly, these rates are subject to change in January of each year and we expect to submit a new agreement for the Council's consideration annually at that time.

RECORDS

At the City's request, any documents furnished by the City will be returned promptly upon receipt of payment for outstanding fees and client charges. Our own files, including lawyer work product, pertaining to the above referenced project will be retained by us. For various reasons, including the minimization of unnecessary storage expenses, we reserve the right to dispose of any documents or other material retained by us after the termination of this engagement.

APPROVAL

Please carefully review the terms and conditions of this Agreement. **If this Agreement accurately reflects the terms of this particular engagement, please obtain approval by the city council, and execute, date and return to me the enclosed copy of this Agreement. Please retain the original for your file.**

January 6, 2022

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If you have questions regarding any aspect of the above or our representation, please do not hesitate to contact me. As always, we appreciate the opportunity to represent the City of Adel and we look forward to working with you on the City's 2022 public improvement projects.

Sincerely,

AHLERS & COONEY, P.C.

By */s/ Kristine Stone*

Kristine Stone

KS:aes

01982948-1\10113-000

Accepted and approved on behalf of the City Council*

By: _____ Dated: _____
Title: Mayor

*Authorized by Resolution \ Motion _____ approved on _____,
2022.

ORDINANCE NO. 380

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE
CITY OF ADEL, IOWA, BY CHANGING THE ZONING
CLASSIFICATION OF PROPERTY LOCATED AT THE
INTERSECTION OF HWY 169 AND BRADFIELD STREET, CITY
OF ADEL, DALLAS COUNTY, IOWA**

WHEREAS, the Zoning Ordinance of the City of Adel allows for the development of a Planned Unit Development (PUD) to promote and encourage development or redevelopment of tracts of land on a planned, unified basis;

WHEREAS, a PUD allows for greater flexibility and diversification than is normally permitted by conventional single lot development in other zoning districts because of the substantial public advantages of planned development;

WHEREAS, regulations adapted as part of a PUD are intended both to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, and to promote economical and efficient land use through an improved level of amenities, appropriate and harmonious variety, creative design, and a better living environment;

WHEREAS, Cramer & Associates, Inc. (Developer) has proposed a PUD development which the City Council finds to be consistent with an in furtherance of the City's comprehensive plan, zoning ordinance, subdivision ordinance, and platting requirements.

NOW, THEREFORE, be it ordained by the City Council of the City of Adel, Iowa, that:

SECTION 1. ZONING MAP AMENDMENT. The official zoning map of the City of Adel, Iowa, is amended as follows:

A PART OF GOVERNMENT LOTS 11, 12, 13 AND 14 IN SECTION 6, TOWNSHIP 78 NORTH, RANGE 27 WEST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF ADEL, DALLAS COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 12; THENCE NORTH 00°04'14" WEST ALONG THE WEST LINE OF SAID GOVERNMENT LOT 12, A DISTANCE OF 733.68 FEET; THENCE NORTH 90°00'00" EAST, 70.34 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'12" EAST, 35.36 FEET; THENCE SOUTH 89°54'49" EAST, 77.50 FEET; THENCE NORTH 83°44'46" EAST, 45.28 FEET; THENCE SOUTH 89°54'49" EAST, 48.49 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 44°54'40" EAST, 35.36 FEET; THENCE SOUTH 89°55'03" EAST, 60.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 45°05'20" EAST, 35.35 FEET; THENCE SOUTH 89°54'49" EAST, 180.00 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 44°54'40" EAST, 35.36 FEET; THENCE SOUTH 89°54'32" EAST, 60.00 FEET; THENCE NORTH 00°05'28" EAST, 5.77 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 36.65 FEET AND WHOSE CHORD BEARS NORTH 42°05'38" EAST, 33.46 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 1030.00 FEET, WHOSE ARC

LENGTH IS 220.99 FEET AND WHOSE CHORD BEARS NORTH 77°57'01" EAST, 220.57 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 34.14 FEET AND WHOSE CHORD BEARS SOUTH 69°04'21" EAST, 31.55 FEET; THENCE SOUTH 29°56'56" EAST, 16.89 FEET; THENCE NORTH 60°03'04" EAST, 60.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 41.76 FEET AND WHOSE CHORD BEARS NORTH 17°54'14" EAST, 37.07 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 1030.00 FEET, WHOSE ARC LENGTH IS 102.57 FEET AND WHOSE CHORD BEARS NORTH 62°54'14" EAST, 102.53 FEET; THENCE NORTH 60°03'04" EAST, 85.11 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 74°56'56" EAST, 35.36 FEET; THENCE NORTH 60°03'04" EAST, 60.00 FEET; THENCE NORTHEASTERLY ALONG A CURVE CONCAVE SOUTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 15°03'04" EAST, 35.36 FEET; THENCE NORTH 60°03'04" EAST, 115.00 FEET; THENCE SOUTH 29°56'56" EAST, 633.58 FEET; THENCE SOUTH 29°32'13" EAST, 80.53 FEET; THENCE SOUTH 26°37'00" EAST, 84.06 FEET; THENCE SOUTH 23°13'28" EAST, 84.06 FEET; THENCE SOUTH 19°49'56" EAST, 84.06 FEET; THENCE SOUTH 16°26'25" EAST, 84.06 FEET; THENCE SOUTH 13°02'53" EAST, 84.06 FEET; THENCE SOUTH 09°39'21" EAST, 84.06 FEET; THENCE SOUTH 06°15'49" EAST, 84.06 FEET; THENCE SOUTH 02°52'18" EAST, 84.06 FEET; THENCE SOUTH 00°31'14" WEST, 84.06 FEET; THENCE SOUTH 03°54'46" WEST, 84.06 FEET; THENCE SOUTH 07°18'17" WEST, 84.06 FEET; THENCE SOUTH 10°41'49" WEST, 84.06 FEET; THENCE SOUTH 14°05'21" WEST, 84.06 FEET; THENCE SOUTH 17°28'53" WEST, 84.06 FEET; THENCE SOUTH 20°41'59" WEST, 79.28 FEET; THENCE SOUTH 10°26'05" WEST, 55.23 FEET; THENCE SOUTH 00°40'52" WEST, 87.96 FEET; THENCE SOUTH 05°35'55" EAST, 60.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 1280.00 FEET, WHOSE ARC LENGTH IS 140.29 FEET AND WHOSE CHORD BEARS SOUTH 87°32'29" WEST, 140.22 FEET; THENCE NORTH 89°19'08" WEST, 268.97 FEET; THENCE NORTH 00°40'52" EAST, 60.00 FEET; THENCE NORTH 89°19'08" WEST, 12.59 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE NORTHEASTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS NORTH 44°19'08" WEST, 35.36 FEET; THENCE NORTH 89°19'08" WEST, 60.00 FEET; THENCE SOUTHWESTERLY ALONG A CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS IS 25.00 FEET, WHOSE ARC LENGTH IS 39.27 FEET AND WHOSE CHORD BEARS SOUTH 45°40'52" WEST, 35.36 FEET; THENCE NORTH 89°19'08" WEST, 361.34 FEET; THENCE NORTH 32°57'35" WEST, 227.38 FEET; THENCE NORTH 35°53'53" WEST, 87.69 FEET; THENCE NORTH 45°47'57" WEST, 90.72 FEET; THENCE NORTH 56°30'43" WEST, 186.48 FEET; THENCE NORTH 67°50'56" WEST, 138.09 FEET; THENCE NORTH 80°13'12" WEST, 277.64 FEET; THENCE SOUTH 89°55'58" WEST, 63.84 FEET TO THE WEST LINE OF SAID GOVERNMENT LOT 13 ; THENCE NORTH 00°04'02" WEST ALONG SAID WEST LINE, 389.79 FEET TO THE POINT OF BEGINNING AND CONTAINING 63.52 ACRES (2,766,845 SQUARE FEET).

is hereby amended from its present zoning classification, A-1, Existing Agricultural District, to PUD, Planned Unit Development, to be known as the Southbridge Plat 8 PUD.

SECTION 2. MASTER PLAN PROVISIONS. Consistent with Section 165.52 of the Zoning Ordinance, the Master Plan for the Southbridge PUD consists of the following documents, policies and regulations:

A. Master Plan Exhibit. The Trails – Parks exhibit as prepared by Civil Design Advantage and attached hereto as Exhibit 1 and the rezoning exhibit as prepared by Civil Design Advantage and attached hereto as Exhibit 2, are hereby adopted as the PUD Master Plan. The Master Plan and those additional guidelines as identified herein shall constitute the zoning requirements of the property. In the event of a conflict between the written terms of this Ordinance and the notations on the Master Plan, the written text of the Ordinance shall prevail.

B. Design Standards. The design standards shall be consistent with Section 165.36 of the

Zoning Ordinance unless otherwise stated in this Southbridge PUD.

C. Conditions. The following conditions, restrictions, and regulations are adopted as a part of this approval:

1. Underlying zoning regulations. Unless otherwise specified herein, the development of the land shall be in accordance with the provisions of the following zoning districts:

- a. Exhibit 2, Area A: R-1 zoning district
- b. Exhibit 2, Area B: R-1 zoning district
- c. Exhibit 2, Area C: R-1 zoning district

2. Zoning Requirements Waived or Amended.

a. Exhibit 2, Area B: The requirements of Section 165.36(6) are amended for single-family homes as follows: minimum lot area shall be reduced from 8,000 square feet to 4,500 square feet; the minimum lot frontage shall be reduced from 65 feet to 50 feet; the minimum front yard depth shall be reduced from 25 feet to 15 feet; the minimum side yard shall be reduced from 8 feet to 5 feet; the minimum rear yard depth shall be reduced from 25 feet to 20 feet.

3. General Conformance to Subdivision Ordinance. Unless otherwise specified herein, the development of the land shall be in accordance with the Subdivision Ordinance of the City of Adel.

D. Use Restrictions. Permissible uses shall include the following:

- 1. Exhibit 2, Area A: R-1 permissible uses
- 2. Exhibit 2, Area B: R-1 permissible uses
- 3. Exhibit 2, Area C: R-1 permissible uses

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

SECTION 4. 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

Passed and approved by the Adel City Council this _____ day of _____, 2022.

James F. Peters, Mayor

Attest: _____

Carrie Erickson, City Clerk

1st Reading _____

2nd Reading _____

3rd Reading _____

I, Carrie Erickson, City Clerk of the City of Adel, Iowa, do hereby certify that the foregoing ordinance was passed and approved by the City Council of the City of Adel on the _____th day of _____, 2022 and was published in the Dallas County News, a newspaper of general circulation in the said City of Adel on the _____th day of _____, 2022.

Carrie Erickson, City Clerk