

CITY OF OSKALOOSA  
PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
October 13, 2014

A regularly-scheduled meeting of the Planning and Zoning (P&Z) Commission for the City of Oskaloosa was called to order at 4:34 p.m. on Monday, October 13, 2014, by Akhilesh Pal, at 220 South Market Street, Oskaloosa, Iowa.

COMMISSION MEMBERS PRESENT: Holden Barnhart, Pamela Blomgren, Wyndell Campbell, Dawn Collins, Andrew Jensen, R. D. Keep and Sarah Tarbell. COMMISSION MEMBERS ABSENT: None. CITY STAFF PRESENT: Akhilesh Pal, Wyatt Russell and Marilyn Johannes. OTHERS PRESENT: Dylan Mulfinger, David Krutzfeldt, Charlie Comfort, Ken Allsup, and several members of the public.

It was moved by Blomgren, seconded by Keep to move Item 11B, Election of Chairperson and Vice Chairperson, to the front of the agenda. Motion carried with all aye votes.

Barnhart expressed an interest in being elected chairperson and mentioned he had been on the commission a long time. It was moved by Blomgren, seconded by Keep to nominate Barnhart for Chairperson. Motion carried with all aye votes.

It was moved by Jensen, seconded by Campbell to appoint Blomgren Vice Chairperson. Motion carried with all aye votes.

Minutes from the September 8, 2014 Planning and Zoning Commission meeting.

It was moved by Blomgren, seconded by Keep to approve the September 8, 2014 Planning and Zoning Commission minutes. Motion carried with all aye votes.

Consider vacation and sale of 60' X 16' of the North-South alley adjacent to 1002 North 2<sup>nd</sup> Street.

Pal said the six adjoining property owners that responded to the survey want the alley vacated. Pal explained the alley cannot be build on because the alley contains Century Link utility infrastructure so easement rights will need to be retained. Russell pointed out there is a building at 701 North 3rd Street that appears to be on part of the alley.

Max Maddy, 1012 North 2<sup>nd</sup> Street, addressed the commission regarding traffic in the alley, indicating the alley has been grass for the 30 years he has been here. He doesn't want vehicles in his backyard. Blomgren said by selling the alley it makes the land private so the alley will not be opened to traffic. Maddy indicated that he is fine with the sale of the alley then.

Campbell questioned what would happen if the owner of 701 does not want to buy their portion of the alley if the building at 701 is in on part of the alley. Russell said if Greenfield buys the entire alley she can require the building to be removed.

Tyler Pilcher, 1002 North 2<sup>nd</sup> Street, addressed the commission and said he was speaking on behalf of Greenfield, the owner of 1002 North 2<sup>nd</sup> Street. Pilcher said Greenfield basically just wants to buy her half of the alley. Blomgren pointed out the application from Greenfield indicates she is interested in purchasing only her half of the alley.

It was moved by Campbell, seconded by Blomgren to approve vacation and sale of 60' X 16' of the north-south alley adjacent to 1002 North 2<sup>nd</sup> Street with retention of utility easement. Motion carried with all aye votes.

Consider an Ordinance amending accessory building regulations in Oskaloosa Municipal Code Sections 17.04.030 and 17.24.030.

Pal explained the city adopted the International Building Code and there has been some confusion when complying with the code requirements regarding the height of accessory structures. Jensen said need to clarify what height means in the definition. Jensen recommended the definition of height for accessory building be revised to be consistent with the language stated in the same paragraph.

Blomgren asked if the number of detached structures on larger lots would be limited to two and Pal said yes. Russell said 80 square feet or more requires a building permit. Barnhart said can allow more structures on larger lots. Blomgren said can ask for a variance. Tarbell said better to deal with issues before have to ask for a variance. Pal explained up to 70% of area can be built upon with 30% impervious in residential districts. Russell pointed out construction also has to meet setbacks, limitations regarding lot lines and other requirements.

Campbell said he did not want to restrict the accessory buildings to one detached garage and one storage shed. Therefore, he recommended taking the limit out on the accessory buildings by allowing two accessory buildings. Pal said most cities have a limit on the number of accessory structures. Jensen said he favored a limitation on the number of accessory structures, said each property in a residential district should not be allowed more than two accessory structures. Pal said International Building Code has no restriction on the number of accessory structures. Barnhart said he did not like to limit the number. Campbell suggested changing staff proposal No. 4 to limit the number of accessory structures to two and remove the phrase "(1 detached garage and 1 storage shed)."

Scott Ver Steeg, 2064 245<sup>th</sup> Street, addressed the commission. Ver Steeg said he owns 7 acres of commercial property in the city, and he objects to just 2 detached structures on 7 acres. Staff explained the change in the code applies only to residential properties.

It was moved by Campbell, seconded by Collins to approve the ordinance amending accessory building regulations in Oskaloosa Municipal Code Sections 17.04.030 and 17.24.030 with the explanation of height defined as "For accessory buildings the height means the vertical distance from the grade plane elevation to the highest roof surface of the accessory building roof elevation." added; and the phrase "(1 detached garage and 1 storage shed)" be removed. Motion carried with all aye votes.

Consider a site plan for a Dog Park located within Edmundson Park.

Pal outlined the plans for the dog park and said staff still needs to know the location of the signs with the rules, operating hours and other required information for use of the dog park and assurance of compliance with the other stipulations. Pal said the dog park sponsor will provide the gate/chain closure for the dog park and requested the city to provide the labor to install it.

Keep (dog park sponsor representative) provided the commission with information regarding dog waste disposal containers and containers for other trash and the gate system. Keep said this is a private project that will be turned over to the city. Campbell was concerned about the park area taking away parking needed for the ball fields and questioned whether the fence needed to be higher than 4 feet. Keep explained the American Kennel Club and other dog park sponsors all use four foot fences. Collins questioned the fence height and whether the city has liability concerns. Pal said city has no concerns regarding the four foot fence.

Keep indicated he would like to postpone compliance with the ADA requirements until July 2015. Jensen asked if the city will maintain the dog park after they take over. Keep said it is difficult to put a figure on the cost of mowing and snow removal, but said the sponsor is in the process of providing \$5,000; hopefully \$10,000; for a maintenance fund for upkeep of the dog park. Keep said the Council has been aware of the project for four years. Blomgren asked what happens after the city takes over. Keep said first month open the committee will work on etiquette items - proper use of the park. Campbell said site plan needs to show location of ADA required items. Jensen asked if Campbell was recommending the matter be tabled until the plans are complete. Collins questioned the need for the restrooms and water fountains. Keep said he objects to putting in the restroom and water fountains. Keep said average use by a patron is 20-45 minutes.

It was moved by Jensen, seconded by Blomgren to table the matter until the next Planning and Zoning Commission meeting. Keep said will lose \$15,000 grant if don't move forward now. Keep said restroom would cost \$10,000, and indicated the project will probably be dropped if required to install restrooms and water fountains. Jensen amended his motion to table the matter until a special Planning and Zoning Commission meeting to be held Wednesday, October 15, 2014, at 4:30 p.m. Blomgren seconded the amended motion. Motion carried with all aye votes except for Keep who abstained.

Consider a discussion regarding an Ordinance amendment to accommodate existing non-conforming residential development in Oskaloosa Municipal Code Sections 17.24.020, 17.32.030 and Table 17.08C.

Pal said this matter was brought up by the Board of Realtors because small properties with houses are difficult to sell. Wyatt explained that the buyers cannot get Fannie Mae or Freddie Mac loans because if the structure is destroyed, it cannot be rebuilt under the current code requirements. Pal explained the two options being considered. Jensen suggested perhaps could use a date to apply to non-conformity. Pal suggested that this topic be discussed and reviewed in a workshop. Keep wanted to know if the realtors had been invited to the meeting. Pal said realtors were invited but did not come. Keep said he would like to have realtors present. Pal said he didn't believe the Board of Realtors would prefer Option 2.

Erin Sherwood, 1203 C Avenue West, addressed the commission. Sherwood said like her there are a lot of single, working mothers who need a home for their family that can't afford to buy, nor do they want to buy, a large house on a large lot. Sherwood indicated she had found her dream home, but it is a non-conforming structure so she has had difficulty getting financing. Sherwood said one lending institution finally agreed to give her a loan, but if the house is destroyed she wants to be able to rebuild on the property.

Campbell said he did not like the time frame suggestion. Blomgren said the commission needs to consider what is best for our community. Consensus of the commission was to

schedule a workshop on non-conforming structures and encourage realtors to attend. Pal said need to schedule workshop before the November 10 commission meeting. The commission agreed to schedule a workshop on Wednesday, November 5, 2014, at 4:30 p.m.

Staff reminded the commission of the Introduction to Planning & Zoning Workshop to be held Thursday, November 13, 2014 at 6:00 p.m. at the Oskaloosa Public Library and encouraged the commission to attend. The commission was also encouraged to attend the Complete Streets Training Workshop scheduled on Monday, October 27, 2014 from 1:00 p.m.-4:00 p.m. and 5:15 p.m.-6:30 p.m. at the Oskaloosa Public Library.

Russell said discussion of the administrative attendance policy he distributed would be held at a future meeting. Blomgren said it was the obligation of commission members to make an effort to attend all commission meetings.

Barnhart adjourned the meeting at 6:36 p.m.

Minutes by Marilyn Johannes