



**City of Oskaloosa
Planning and Zoning Commission
Council Chambers
City Hall, 220 S. Market Street
Oskaloosa IA, 52577
Agenda 4:30P.M.
Monday, March 9, 2015**

1. Roll Call

Chair: Barnhart _____; Members: Blomgren _____; Campbell; _____ Collins _____;
Jensen _____; Keep _____; Tarbell _____;

2. Approval of the Minutes

A. Approval of the minutes for the January 12, 2015 meeting

Documents: 20150112 PZ MINUTES.PDF

3. Street and Alley Vacations

A. Consider vacation and sale of 134.25' X 16.5' of the north-south alley adjacent to 815 4th Avenue West.

Documents: ALLEY VACATE AGENDA.DOC, APPLICATION.PDF

4. Adjournment

If you require special accommodations, please contact the City Manager's Office at least 24 hours prior to the meeting at (641) 673-9431.

CITY OF OSKALOOSA
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
January 12, 2015

A regularly-scheduled meeting of the Planning and Zoning (P&Z) Commission for the City of Oskaloosa was called to order at 4:31 p.m. on Monday, January 12, 2015, by Holden Barnhart, at 220 South Market Street, Oskaloosa, Iowa.

COMMISSION MEMBERS PRESENT: Holden Barnhart, Pamela Blomgren, Wyndell Campbell, Dawn Collins (arrived at 4:32 p.m.) and R. D. Keep. COMMISSION MEMBERS ABSENT: Andrew Jensen and Sarah Tarbell. CITY STAFF PRESENT: Nathan Willey, Dylan Mulfinger and Marilyn Johannes. OTHERS PRESENT: Blaine Vos.

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

It was moved by Blomgren, seconded by Campbell to approve the December 8, 2014 Planning and Zoning Commission minutes. The vote was: YES – Barnhart, Blomgren, Campbell and Keep. No – None. Motion carried.

(Collins entered the meeting.)

Consider an Ordinance amending Oskaloosa City Code Chapter 12 Streets, Sidewalks and Public Places by adding Section 12.46 Farmers' and Public Markets.

Mulfinger explained the benefit of farmers' and public markets to the community and explained the addition to the city code will create a formal process that allows markets on city property. Blomgren suggested that Section 12.46.090(2) include reference to the city code that deals with the process for closure of city streets for public events. Campbell said he would like to see a fee charged for the permit. Willey said there is a fee charged if a street is closed.

The commission asked staff why the application needed to be submitted 30 days prior to the first proposed date of the market and why each Farmers' Market is limited to no more than two days per week within a one year period. Mulfinger explained the time was needed because the request needs to be placed on a city council agenda for City Council approval and the two day limit is to allow other markets; besides an organizer could apply again for a different market.

Blaine Vos, 2346 Patriot Avenue, a vendor with the Farmers' Market, addressed the commission indicating he is in favor of the ordinance.

It was moved by Campbell, seconded by Blomgren to approve the ordinance with the addition of reference to the procedure to block off streets in the city code added to Section 12.46.090(2). The vote was: YES – Barnhart, Blomgren, Campbell, Collins, and Keep. No – None. Motion carried.

Consider an Ordinance amending Oskaloosa City Code Section 12.48 Miscellaneous Regulations to include Community Gardens.

Mulfinger explained that adding community gardens to the city code allows residents to use public property for community gardens through a permit process, and adding community gardens to the city code would ensure that community gardens are allowed on city-owned property in all zoning

districts. Campbell asked if there was a fee. Mulfinger said there is no fee involved. Blaine Vos, 2346 Patriot Avenue, addressed the commission indicating he is in favor of the ordinance. It was moved by Campbell, seconded by Barnhart, to approve the ordinance amending City Code Section 12.48 Miscellaneous Regulations to include Community Gardens. The vote was: YES – Barnhart, Blomgren, Campbell, Collins, and Keep. No – None. Motion carried.

The meeting adjourned at 5:02 p.m.

Minutes by Marilyn Johannes



Planning & Zoning Commission
Meeting Date: March 9, 2015
Requested By: Public Works Dept.

Item Title:

Consider vacation and sale of 134.25' X 16.5' of the north-south alley adjacent to 815 4th Avenue West.

Explanation:

Jeff Shelton, owner of 815 4th Avenue West, has requested that the portion of the north-south alley adjacent to his property be vacated. Mr. Shelton would like to purchase the land in order to maintain his property and for other aesthetic reasons.

The city conducted a survey of property owners with direct access to this alley. Among the residents that responded (3 total), 2 of them (Patterson Hahn Inc. and Shelton) wanted the alley to be vacated and 1 (M. Shrago & Son, Inc.) did not want the alley vacated. The owner of M. Shrago & Son, Inc. stated that they do not want the alley vacated because they need the alley access in order to maintain their fence. This alley contains no utility infrastructure.

The City Council previously approved this ally vacation in 2005. However, since the quit claim deed was never paid, the alley was not vacated.

Budget Consideration:

\$100.00 for application fees, and if the alley vacate is approved, revenue of \$1,107.56 (134.25' X 16.5' X \$.50/SF). Alley vacates result in revenue received by the city. The city sells residential alleys for \$0.50 per square foot.

Attachments:

Alley Vacate Application, Location Map, Existing Pictures, Responses from owners and utility companies.

ALLEY VACATION REQUEST
City of Oskaloosa, Iowa

Policy for sale of alleys:

Policy Adopted: 2/18/2003

1. The property owner requesting the vacation of the alley will pay the \$100.00 application fee and the purchase price of one-half of the alley at the time of the request. If the alley vacation and sale is not approved, the amount of the purchase will be refunded. Other property owners adjacent to the alley that wish to purchase their half will have 30 days after the third reading of the ordinance to purchase their portion. After the 30 days it could be sold to other adjoining property owners.
2. Alleys sold within a residentially zoned area will be sold at the residential rate (\$.50/SF), and alleys located in commercially or industrially zoned areas will be sold at commercial rates (\$1.00/SF).

Date of Request: 1-21-15

Property Owner Name: Jeff Shelton

Address: 815 4th Ave West

Phone: 641-660-0981

Description of alley requested for vacation: Entire east side of property has a 20 ft^{wide} strip of land owned by the city. This "alley" separates my property and the neighbor, Shragno.

Reason for requesting alley vacation: The "alley" (20 ft wide strip of land) is on a hill and is unusable for city use or use by the neighbor. The land has been maintained for years and appears to be part of my property. I would like to purchase the land so I can continue to mow and maintain it to keep the neighborhood remaining nice looking.

Signature Jeff Shelton

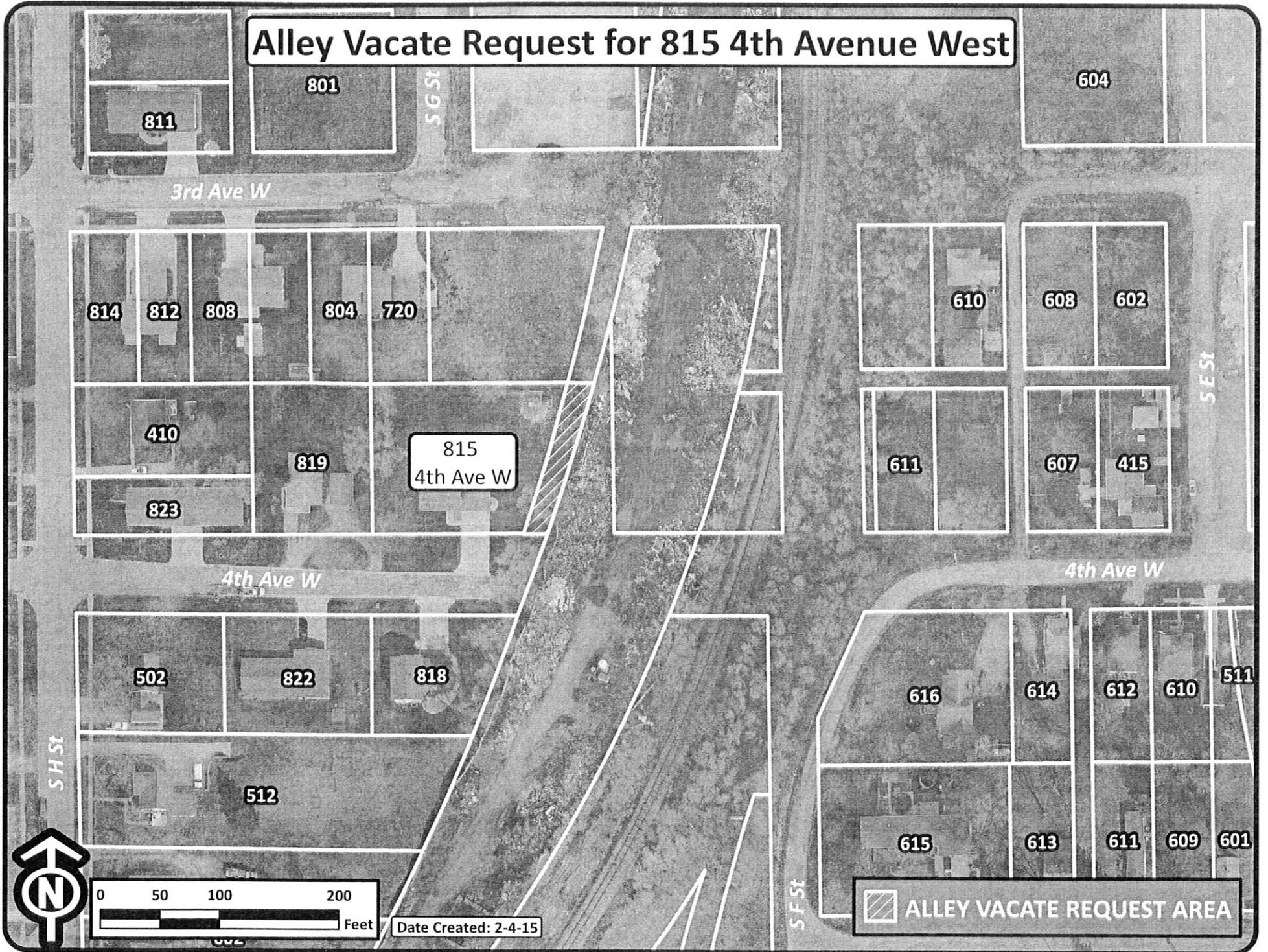
OFFICE USE:

Application Fee Paid 100.00 2/3/2015

Amount Paid For 1/2 of Alley: \$ 553.78 (134.25 X 10.5 X \$.50 /SF) Total: \$ 1,107.56

Vacation Approved Denied Refund Payment

Alley Vacate Request for 815 4th Avenue West





North-south alley adjacent to 815 4th Avenue West, looking north.



North-south alley adjacent to 815 4th Avenue West, looking south.

ALLEY VACATION RESPONSE : 815 4th Avenue West

ADDRESS	NAME	RESPONSE	COMMENTS
815 4th Avenue West	Jeffery & Cheri Shelton	Yes, Approve the proposed alley vacation	
Parcel ID #1024129011	M. Shrago & Son, Inc.	No, Do not approve the proposed alley vacation	M. Shrago & Son Inc. needs the alley access to maintain fence
720 3rd Avenue West	Patterson Hahn Inc.	Yes, Approve the proposed alley vacation	

UTILITY COMPANY RESPONSE

MCG	No major Utility Infrastructure
WATER DEPT.	No major Utility Infrastructure
CENTURY LINK	No major Utility Infrastructure
MIDAMERICAN ENERGY	No major Utility Infrastructure
CITY SANITARY SEWER	No major Utility Infrastructure