

CITY OF OSKALOOSA
PLANNING & ZONING COMMISSION

Meeting Minutes
Tuesday, December 6, 2022

A regular meeting of the Planning and Zoning Commission was called to order on Tuesday, December 6, 2022 at 4:30 p.m. by chair R.D. Keep at 220 South Market Street, Oskaloosa, Iowa.

1. Roll Call

Present: R.D. Keep, Pamela Blomgren, Brant Champoux, Jeremy Hunolt, Scott Moore

Absent: Robb Beane, Andrew Gemmell

Staff: Shawn Christ

Others: Earl & Belinda Ramirez, Vera Graham, Debbie Diaz, Steph Christner

Chairman Keep welcomed new commission member Jeremy Hunolt.

2. **Approval of the Minutes.** It was moved by Blomgren, seconded by Moore, to approve the November 8, 2022 meeting minutes. Motion carried unanimously.

3. **Citizens to be Heard.** None

4. Public Hearings

1. Consider an application to rezone property located at 604 North B Street from R-2 to UC.

Chairman Keep introduced the item and Shawn Christ provided comments. Earl & Belinda Ramirez are the applicants. The property is a former elementary school and contains a church, and previously a child daycare center. A portion of the property is used for RV storage. The application proposes ‘commercial, beer sales, and offices’, to open a golf simulator, and to zone the land for business. The applicant purchased the equipment, will allow alcohol, and have food concessions. The property is in a residential area one block west of the North Market Street corridor. It abuts UC mixed use zoning to the east, and R-2 zoning to the north, south and west. It is surrounded by residential and there are no businesses in the vicinity.

Findings. The proposed uses are not allowed in R-2 but permitted in UC, except indoor commercial recreation. Vehicle storage is not allowed. The application is inconsistent with the comprehensive plan; medium density residential is recommended, including civic uses. New commercial should not be introduced to a residential neighborhood, and a compatibility rating 2 – significant conflict. The proposed uses are typically in established commercial areas due to added traffic and activity. It is inconsistent with the existing land use pattern and would result in business encroachment into the neighborhood. It could impact neighborhood character due to increased customers, deliveries, employees, and extended hours. The UC district would allow other incompatible uses such as auto sales/service, convenience stores, lodging, retail. It would also constitute spot zoning.

Keep opened the public hearing. A written letter was provided by Mauree Haage, 309 D Avenue West, stating concerns and opposition. It cited increased traffic to the neighborhood. It also states the owners have not cooperated with state guidelines

which led to closure of the daycare, and the owners are disregarding local guidelines by using the property for RV storage.

Earl Ramirez, applicant, stated he won't turn his back on the church and they will continue services. He wants to help people and children, doesn't want the building to become an eyesore. He didn't realize there were limitations. There will only be concession food - hot dogs, chips, nachos, pizza. Tee times will be 2 hours max, 8 people at a time. He provided pictures of the installed equipment inside the building. He wants to rent office space to a handicapped web designer. The simulator will be used by Penn and Osky students who currently travel to Pella for practice. He wants to teach kids golf, give back to the community, donate, offer scholarships. Everything is in place. Won't allow parking on B Avenue. His daughter's husband has a gutter business and stores his trailer there. He won't sell alcohol but will allow it to be brought in. Without this he will have a hard time taking care of the building.

Belinda Ramirez, applicant, said traffic will be minimal. There were 22 employees and 80 kids coming and going twice per day with the daycare which they will no longer have. There is a website, last tee time is 6 pm, will wrap up by 8 pm 7 days per week. Earl said they'd like to set up toys for neighborhood kids to play on, sell hot dogs.

Vera Graham, 606 North A, stated she is in support of the application and lives directly across. The daycare had more traffic. This gives kids something to do. The community talks about walkability. Doesn't want the building to sit in disarray and become a hazard. Owner will keep it up and help kids.

Debbie Diaz, 515 North B, said their daycare was a better situation than the original daycares after the school closed, no problem with them. Using the parking lot on North A means a lot. Glad to see it won't be a liquor store with people loitering. She is in support. The businesses sound logical and shouldn't bother the neighborhood.

Steph Christner, 213 F Avenue West. Daycare was great except at drop off times, everyone was respectful. Curious what they wanted to do. Letter was misleading, reached out to their daughter. Is all for the simulator. Concerned what happens after they sell it. Happy to have a place for kids to do something. Using the parking lot is outstanding. The church takes a lot of clothes in and out.

With no further comments the public hearing was closed. Keep asked for a motion to allow discussion. It was moved by Moore, seconded by Blomgren, to decline the application. Keep stated it's nice to have the applicants in attendance for questions and discussion. Moore thanked the applicants for helping the community, and however they vote doesn't reflect on them or what they want to do, as it is for the zoning. Blomgren said their charge is to look at the immediacy but also how it will impact the future. The city adopts a comprehensive plan and this is not a statement toward the individual or need, but rather what happens when things change. Once zoned commercial you can have a completely different impact beyond their intention. The plan clearly states this should remain residential. The golf simulator proposal would be great, but from a zoning standpoint her position is to deny because we need to follow the comprehensive plan.

Christ said there could be an opportunity under the current R-2 zoning to allow some of what the applicants want to do. Park space, playground space, continue the church, civic uses. If the application is denied, staff could sit down with the applicants to explore existing opportunities. Perhaps private clubs, nonprofits, school facilities, or

other things that could partially accommodate what they want to do. It would need to follow all zoning and building codes.

Blomgren said she appreciated staff's willingness to meet with the owners and go through the code options. Champoux said he lives in the neighborhood and loves the idea, staff has some good ideas on trying to help if not approved. It's a good place but bad situation being this far into the project, we just passed a comprehensive plan. Hunolt asked if it will continue to be a multi-use building with the church and others. Earl Ramirez said small offices, an artist wants space. The church has been renting the gym for birthday parties, karaoke, there is a kitchen. They'll rent for holiday gatherings. Not everyone can afford banquet space.

Following discussion Keep said there is a motion and second to decline the application. He clarified that a vote in favor is to deny the request. Following roll call vote, the motion carried unanimously to decline the application. On December 19 the council will set the public hearing and hold a first reading January 3.

5. **Miscellaneous Business.**

1. Consider work priorities for 2023

Commissioners discussed training. The ISU training is good for new members but perhaps repetitive for others. It would be good to discuss changes and local impacts, staff would like to put together something else. Keep asked about tiny houses in the 2-mile area. Christ described current allowances and said those will be evaluated along with other topics with the new zoning code in 2023. RDG Planning & Design will continue to lead this effort and the technical review will be done primarily by staff. Staff is also asking for funding for a northwest growth area master plan and downtown master plan which could also involve the commission.

6. **Reports.**

Keep asked about the old Kum & Go. Christ stated Jason Carter is remodeling the building for a training and conference center for RE/MAX agents. Keep said he's received requests and asked if additional time can be added to the stoplight at A Avenue and Market Street. Blomgren said that may be dictated by the state. Christ cautioned that's not the role of this commission but those requests could be forwarded to the Public Works department to look into. There was additional discussion about the 3-lane conversion project on A Avenue, Domino's, Pizza Hut, Christner's laundromat and their additional restaurant space, the former Bonanza, and another golf simulator proposal.

Christ also reported all current P&Z members will receive bound copies of Plan Osky when received from the printer. Future members will likely receive printed copies in a 3-ring binder.

7. **Adjournment.** With no other items for discussion, the meeting adjourned at 5:39 p.m.

Minutes by Shawn Christ