

Planning and Zoning Commission
Regular Meeting
November 25, 2013

- 1) The meeting was called to order at 7:00 p.m.
- 2) Roll Call.
Present: Nelson Bogaard, Julio Chiarella, Jim Danks, David Landon, Bob Smith, Mike Vander Molen, Gary Van Vark, Ervin Van Wyk, Ann Visser, Teri Vos.

Absent: Craig Agan.

Others Present: Francis Schiebout, Dennis Vander Horst, Craig Johnstone, Doug Van Zee, Dell Collins, George Wesselhoft.
- 3) Approval of Minutes. The minutes of the October 28, 2013 regular meeting were approved as submitted.
- 4) Public Hearing on Right of Way Vacation Application by U & Jean Properties, LLC to Vacate Part of West 6th Street North of Washington Street (Legal Description: Parcel "B", the West 20 feet of West End Street, now West 6th Street, within the Original Plat of the City of Pella lying within the Southwest Quarter of the Southwest Quarter of Section 3, Township 76 North, Range 18 West of the 5th P.M., City of Pella, Marion County, Iowa. More particularly described as follows: Commencing as a Point of Reference at the Southwest Corner of said Section 3. Thence North 0 degrees 14 minutes 19 seconds East, a distance of 783.90 feet along the West line of said Southwest Quarter of the Southwest Quarter to the Northwest Corner of Lot A of said Southwest Quarter of the Southwest Quarter; thence South 89 degrees 50 minutes 41 seconds East, a distance of 18.62 feet along the North line of said Lot A to the Northeast Corner of said Lot A and the Point of Beginning. Thence continuing South 89 degrees 50 minutes 41 seconds East, a distance of 20.00 feet along the North line of Columbus Street; thence South 0 degrees 09 minutes 43 seconds East, a distance of 304.81 feet to the northeasterly line of Washington Street; thence northwesterly, along said northeasterly line, a distance of 26.20 feet along a 768.60 foot radius curve, having a central angle of 1 degree 57 minutes 10 seconds, a chord of 26.19 feet and a chord bearing of North 49 degrees 56 minutes 11 seconds West to the Southeast Corner of said Lot A; thence North 0 degrees 09 minutes 43 seconds West, a distance of 288.00 feet along the East line of said Lot A to the Point of Beginning. Said Parcel contains 5930 Square Feet or 0.14 acres and subject to a Public Utility Easement over the North 60 feet).

No written comment or oral comments were received.
- 5) Right of Way Vacation Application by U & Jean Properties, LLC to Vacate Part of West 6th Street North of Washington Street. U & Jean Properties, LLC is requesting the partial vacation of West 6th Street right of way immediately adjacent their property at 1400 Washington Street. The request is for the vacation

of the West 20 feet of West 6th Street. Currently part of their existing building encroaches into this right of way area. The Comprehensive Plan identifies the street location in question as existing local street. As the existing right of way is 100 feet, the reduction to 80 foot width would still meet local street minimum requirements under the City's Subdivision Regulations, and Public Works Department has no objection to the proposed vacation. A public utility easement is proposed as part of the vacation ordinance to account for existing water and gas infrastructure in the north 60 feet of the area in question.

Gary Van Vark asked about the existing structure being in the right of way.

Dennis Vander Horst confirmed that the existing building structure is partly in the right of way.

Ervin Van Wyk questioned the width of the right of way.

Craig Johnstone, surveyor for applicant, responded that the original plat included 100 foot wide right of way width.

Gary Van Vark asked whether there is legal passageway to Van Gorp Corporation.

Craig Johnstone responded yes that the access easement goes back to the 1970s and is continued today.

There was further discussion.

Gary Van Vark made a motion to recommend approval of the right of way vacation request subject to provision of public utility easement. Julio Chiarella seconded the motion. Upon vote, all voted yes. Motion carried 10 to 0.

- 6) Site Plan for Vermeer Corporation. Vermeer Corporation is proposing a 6,000 square foot leanto addition to the east side of their existing Parts Building.

Julio Chiarella made a motion to approve the site plan. Ervin Van Wyk seconded the motion. Upon vote, Chiarella, Van Wyk, Bogaard, Danks, Vander Molen, Van Vark and Visser voted yes. Landon, Smith, and Vos abstained. Motion carried 7 to 0 with 3 abstentions.

- 7) Development Agreement Between City of Pella and Francis G. Schiebout & Marie M. Schiebout. Town and Country Addition is a seven lot subdivision that was approved in 2003. One lot, Lot 1, has been developed with a single family home while Lot 6 is where the developer's home is located. The developer Francis Schiebout still owns the other five undeveloped lots. The largest of the undeveloped lots, Lot 7, is 4.62 acres. The developer at this time is proposing to convey part of Lot 7 consisting of 38,512 square feet to adjoining property owner,

Paul W. Vande Noord Revocable Trust, to the south. In order to permit this conveyance through plat of survey a development agreement is needed to assure that the parcel is to be conveyed to said property owner since it does not otherwise meet the frontage requirement of City Code for a subdivision lot.

Bob Smith made a motion to recommend approval of the development agreement. Julio Chiarella seconded the motion. Upon vote, all voted yes. Motion carried 10 to 0.

- 8) 2014 Meeting Schedule. George Wesselhoft mentioned the proposed meeting scheduled for 2014 is similar to prior years with the one exception of the regular May meeting which is proposed for the Tuesday after Memorial Day instead of the Monday prior to Memorial Day. The reason for this is because of the Comprehensive Plan meeting schedule which includes a meeting on the Monday before Memorial Day. The Commission did not ask for any changes to the schedule.
- 9) Other Business. Mr. Wesselhoft mentioned the next meeting on December 9. He also mentioned the Comprehensive Plan update process including the November 18 day of meetings in which over sixty people turned out throughout the day.
- 10) The meeting was adjourned at 7:18 p.m.

Respectfully submitted,
George Wesselhoft
Planning and Zoning Director