

Minutes of Meeting
Newton Planning and Zoning Commission
Regular Meeting
May 2, 2023

ROLL CALL: Board members present: Cantu, Holschuh, Johnson, Poynter, Van Gilder, Woody

Board members absent:

STAFF PRESENT: Brian Dunkelberger, City Planner

A quorum being present, Chair Woody called the meeting to order at 5:00 PM.

Minutes. Minutes of the previous meeting of February 21, 2023 were reviewed. **Motion** by Poynter, **seconded** by Van Gilder to approve the minutes from the previous meeting as written. **Voice vote**, approved 6-0.

Public Hearing.

1. SV23-1: Vacation of the west 6 feet of East 6th Street North in the 1000 block. Bernie Van Til, applicant.

Dunkelberger reviewed the prepared staff report and shared an aerial map and the submitted survey. The proposal is to vacate the west 6 feet of the East 6th Street North street right-of-way and assign that land to the two adjacent properties. The motivation behind the request is to increase the developable footprint at 1001 East 6th Street North (parcel #0827401004).

In addition to the right-of-way vacation request, the applicant also proposed a conveyance of the northwest corner of the subject parcel to the city due to the fact that the roadway currently encroaches across said corner. This acquisition would functionally consolidate the small corner piece into public right-of-way so that the road would not need to be reshaped in the future. While that is a separate process from this vacation request, both are being reviewed concurrently. Pending both processes and additional due diligence, the applicant then plans to explore development at the subject property.

Van Gilder asked about the proposal and the subject land to be vacated. Johnson asked about the history of the right-of-way and why there was an extra six feet. Dunkelberger explained how the area was originally platted with a large right-of-way width in this block. Van Gilder asked about the potential future development. Dunkelberger shared that no application had been submitted, but the applicant could share if he chose to do so. Holschuh asked about the property adjacent and to the east of the subject property. Discussion ensued about the history of that specific property and the subject area. Chair Woody opened the hearing up to public comment and questions. No response.

Hearing no further discussion, Chair Woody called for a motion to close the public hearing. **Motion** by Johnson, **seconded** by Poynter to close the public hearing. **Voice Vote**: approved 6-0.

Discussion by the commissioners regarding the street right-of-way vacation.

Motion by Holschuh to recommend approval of SV23-1: a vacation of the west 6 feet of the East 6th Street North street right-of-way in the 1000 block of East 6th Street North as presented, **seconded** by Van Gilder. Dunkelberger suggested that the chair open the floor to discussion before the vote. No further discussion. Roll Call Vote: approved 6-0.

2. PP23-1: Arbor Estates Second Addition preliminary plat, a 23-lot residential subdivision in northeast Newton.

Dunkelberger reviewed the prepared staff report and shared an aerial map of the subject property and the preliminary plat plan set. The proposal is to subdivide the approximate east half of Parcel #0826426008 into 23 residential lots, street extensions of E. 23rd St. N. (connected to N. 11th Ave. E.) and E. 26th St. N. (cul-de-sac), and 7 out lots reserved for wetland areas, future subdivision phases, and/or trail connections. Dunkelberger reviewed the platting process, shared the proposed address assignments for the future lots, and discussed design considerations that were addressed prior to the Commission review.

Van Gilder asked about the current property owner. Dunkelberger answered. Holschuh asked about the large out lots and the purpose they serve. Dunkelberger provided details about the out lots being reserved for future phases of Arbor Estates and more lots. More discussion about the Newton Housing Development Corporation. Woody asked about street connections. Dunkelberger shared information about the design and discussion ensued. Van Gilder asked about process and the Commission's role in the review. Dunkelberger provided an overview of the review process and what the members should consider. Woody invited the audience to approach the podium if they had any comments. No response.

With no public input, Chair Woody called for a motion to close the public hearing. **Motion** by Poynter, **seconded** by Van Gilder to close the public hearing. Voice Vote: approved 6-0.

Holschuh asked about other future street connections. Dunkelberger explained how the master plan shows future phasing and what could be the potential future street extensions.

Motion by Van Gilder to recommend approval of PP23-1: Arbor Estates Second Addition preliminary plat, a 23-lot residential subdivision in northeast Newton, with the understanding that all feedback would be addressed prior to City Council review, **seconded** by Holschuh. Roll Call Vote: approved 6-0.

Old Business.

1. Election of Officers.

Motion by Poynter to retain the current leadership and nominate Van Gilder to serve as the Commission's secretary, **seconded** by Cantu. Roll call vote: approved 6-0.

New Business.

1. Vacant Commission seat.

Dunkelberger shared that filling the vacant seat on the Commission is still in the works. Discussion about eligibility and potential candidates.

2. 5/16 Meeting.

Dunkelberger inquired about another Commission meeting on May 16, 2023. Commissioners discussed their availability and confirmed a quorum would likely be achieved that evening. Dunkelberger shared that he would begin preparations for a meeting on that date.

Motion by Johnson to adjourn the meeting, **seconded** by Poynter. **Voice vote**, approved 6-0. Meeting was adjourned at 5:35 PM.