

PLANNING AND ZONING COMMISSION MINUTES

**City of Waverly, Iowa
City Council Chambers
October 2, 2014
7:00 p.m.**

A. Call to Order: 7:05 p.m.

- 1. Members Present:** Hank Bagelmann, Chairperson; Richard Dane, Vice-Chairperson; David Huser; Heidi Solheim; Bill Wilson.

Members Absent: Barb Anderson; Susan Franke; Kate Payne; Kathy Olson.

City Staff Present: Ben Kohout, Zoning Specialist (Secretary); Tim Kangas, Council Liaison; Edith Waldstein, Council Liaison.

2. Approval of Agenda:

Motion By: Huser

Seconded By: Dane

Move that the agenda be approved as printed.

Yes: 5

No: 0

Absent: 4

3. Approval of Previous Minutes:

Motion By: Huser

Seconded By: Solheim

Move that the minutes of the September 4, 2014 Planning and Zoning Commission meeting be approved.

Yes: 5

No: 0

Absent: 4

4. Communications: None

B. Public Hearings:

- 1. Public Hearing for Rezoning from C-2 to M-2 as requested by Schneider's Milling, Inc. for 3601 E. Bremer Ave.**

Schneider's Milling, Inc. is requesting a change in zoning classification from the current C-2, General Commercial to M-2, Heavy Industrial for a 23.6 acre property located on the north side of East Bremer Avenue, approximately 800 feet west of 39th Street NE. The Future Land Use Plan shows this property as Industrial. This is the setting of the public hearing on the rezoning change.

Secretary Kohout introduced the item and explained the owners desire a zoning change following a Board of Adjustment variance to allow a structure height taller than what the C-2 zoning district allows for. Mr. Kohout stated the height limitation with an M-2 designation is more than is allowed with a C-2 district and with the nature of existing structures exceeding the current C-2 guidelines a rezoning change can assist the owners with the future usage of their property. Mr. Kohout further confirmed for the Commission the Future Land Use Plan designates the property as "Industrial".

Chair Bagelmann confirmed with Mr. Kohout there were no comments received by the City Zoning office after duly advertising and giving notice of the public hearing scheduled on the rezoning.

Mr. Bagelmann opened the public hearing.

Mr. Beau Buchholz, attorney representing Schneider's Milling, Inc. explained following a granted variance in 2014 to exceed the height limitation of 45 feet in the C-2 district, the M-2 is being sought so as to permit taller structures.

Vice-Chair Dane confirmed with Mr. Buchholz the location of the property in question and existing structure distances from property lines. Mr. Dane expressed a concern over the width of the property and stated a setback from nearby residences would need to be observed in accordance with the Code for any future request.

Mr. Pete Lampe, Board of Adjustment Chair, stated support of this re-zoning request as presented as the current use is supported within the M-2 designation sought.

Mr. Wayne Kramer, property owner at 509 39th Street NE, stated his concern over his property values being lowered. Mr. Kramer stated the Schneider's Milling business operation is not as much of a concern as what the M-2 district may allow for and his property values. Mr. Kramer also questioned what the future development plans for the Schneider's Milling, Inc. property may include with this M-2 designation.

Mr. Kohout responded to Mr. Kramer with the allowable uses within the M-2 district and resulting setbacks.

Tammy Schneider, part owner of Schneider's Milling, Inc., stated for the Commission the M-2 zoning change allows for taller grain bins, which are to be constructed to house grain that normally would be stored on the ground in the elements. Ms. Schneider confirmed for the Commission there are no plans for further construction or expansion of the current business at this time.

Mr. Bagelmann referenced the Future Land Use Plan, which shows this area along East Bremer Avenue and the adjoining two properties to the east, as Industrial.

There being no one else wishing to speak, Mr. Bagelmann closed the public hearing.

Commissioner Wilson confirmed with Mr. Kohout properties south of the Schneider's Milling property are zoned similarly as they are zoned as M-2 and the Future Land Use Plan designates those properties as Commercial.

Motion By: Anderson

Seconded By: Huser

Move that the Planning and Zoning Commission recommend approval of the rezoning change as requested along East Bremer Avenue from C-2 to M-2 to the City Council.

Yes: 5

No: 0

Absent: 4

C. Regular Business:

None

D. Old Business:

1. Landscaping ordinance amendment update from Staff.

Mr. Kohout stated discussion with Commissioners Dane and Franke occurred in August and some progress was made. Future discussions were not able to be scheduled prior to tonight's meeting. The Commission confirmed with Mr. Kohout future discussions will happen in October prior to bringing an ordinance model back for review by the Commission.

E. New Business:

1. Mr. Kohout stated progress on the Cedar River Parkway continues and is anticipated on being completed in Summer of 2015.
2. Mr. Kohout stated new construction along the 2100 block of 4th Street SW includes two new retail stores and a new bank.

F. Adjournment:

Motion By: Dane

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting Adjourned at 7:25 p.m.

Respectfully Submitted,

Ben Kohout, Secretary