

**PLANNING AND ZONING COMMISSION MINUTES**  
**City of Waverly, Iowa**  
**City Council Chambers**  
**August 7, 2014**  
**7:00 p.m.**

A. Call to Order:

1. Members Present: Barb Anderson; Hank Bagelmann, Chairperson; Richard Dane, Vice-Chairperson; David Huser; Kathy Olson; Kate Payne; Bill Wilson

Members Absent: Susan Franke; OPEN SEAT (To be filled by Mayor)

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

2. Approval of Agenda:

Motion By: Huser

Seconded By: Dane

Chairperson Bagelmann recommended changes to the agenda include amending the property address in item B.1., to reflect “SW” instead of “SE”.

Move that the agenda be approved as amended.

Yes: 7

No: 0

Absent: 2

3. Approval of Previous Minutes:

Motion By: Huser

Seconded By: Dane

Mr. Bagelmann recommended changes to the previous minutes include correcting how names are addressed and to include “Mr.” and “Mrs.” where applicable.

Ms. Waldstein recommended changing the minutes to reflect her attendance at the July 10 meeting.

Move that the minutes of the July 10, 2014 Planning and Zoning Commission meeting be approved as amended.

Yes: 7

No: 0

Absent: 2

4. Communications: None

B. Public Hearings:

1. Public hearing for a new proposed religious institution use at 1919 8<sup>th</sup> Street SW.

Cross Point Church, applicant, in conjunction with the owner, S & J Enterprises of Denver, Lc, are requesting a special provisional use for religious institution use out of an existing structure in the Waverly Industrial Park at 1919 8<sup>th</sup> Street SW. Per the City Code, the proposed use requires setting a public hearing and holding a public hearing in the M-1 zoned properties prior to the City Council considering the request. The property is zoned as M-1, Light Industrial and the Future Land Use Plan classifies this property as Commercial. Per direction from the Commission, this item was opened for public hearing at the July 10, 2014 Commission meeting and is being continued to this meeting.

Steve Schmitt, of S & J Enterprises, addressed the Commission. Mr. Schmitt went over the history of the property and indicated a church use in an industrial setting has occurred in Waterloo and thinks this property should be permitted to be utilized in this fashion. Mr. Schmitt stated approximately 15 years ago, Mid Com operated a business in the property until 2005. From 2005 to 2009 CUNA operated out of the structure. In 2010, CUNA vacated the building and the property has sit vacant since that time. Mr. Schmitt stated this property has been listed with a few commercial real estate firms trying to market the building for lease and for sale since 2010. Mr. Schmitt stated with the church use, the building would be occupied on Sundays and evenings, when the surrounding industrial uses would not be in operation and would not be in conflict. Mr. Schmitt confirmed with Mr. Bagelmann 10,000 square feet of the 30,000 square foot structure has been leased to Prairie Construction since 2013 and Prairie Construction is on a month to month lease arrangement.

Ms. Olson confirmed with Mr. Schmitt the building was constructed for light manufacturing and has nine foot side walls, which may limit the desirability for large manufacturing businesses, which require taller ceilings. Ms. Olson confirmed with the Commission there are limited industrial buildings for sale and lease and the City is looking to provide for more industrial business locations.

Mr. Schmitt confirmed for the Commission the church desires a three year lease with the option to purchase the property in year three. Mr. Schmitt stated the potential church use and existing construction company use would both occupy the structure.

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

Mr. Wilson confirmed with staff the height of the roof may limit prospects and the building may lend itself to more of a call center as opposed to manufacturing prospects. Mr. Werger stated the industrial park where this structure is situated on cost the City some money to establish infrastructure with the expected return of jobs and added tax base.

Mr. Werger confirmed the structure does have value today, although it remains difficult to market. Mr. Werger added staff continues to work with Mr. Schmitt by sending to him inquiries of potential businesses received by the Waverly City Hall.

Mr. Huser stated he thinks the structure would require substantial amount of investment to the subfloor and increase in wall height to accommodate most typical uses seen today in an industrial park.

Mr. Werger stated staff has not received any comments after mailing out notices and advertising in the newspaper for the public hearing.

Mr. Dane stated the City goals are to attract and maintain a business environment and jobs and allowing a church may not uphold these goals. Mr. Dane added he believes the available industrial locations have not been overbuilt in Waverly and does not support allowing for non-industrial uses in the existing industrial parks when there is not a lot of available space left for industrial applications.

Ms. Anderson supports the church usage out of the property and stated she believes the building is not appealing to business applications and finds a tenant leasing this space and occupying the property would allow the vacant building to be utilized.

Ms. Olson identified existing church use on the southeast corner of East Bremer Avenue and 4<sup>th</sup> Street SW, the Vineyard church use, which is in C-3 zoned property.

Mr. Werger confirmed for Ms. Payne the special provisional use involves a connection between applicant and owner. Mr. Werger noted should Council grant a special provisional use, the owner who applied would be allowed to continue the use. If sold, the special provisional use would cease and another application would need to be made prior to allowing. Mr. Werger stated the Commission may provide a time limit, should they desire one to be added.

Mr. Wilson supports the church use and stated should the church become owners of the property, he finds quality of life values of having a church use in this location could benefit the local surrounding businesses by spending money in the community.

Motion By: Huser

Seconded By: Anderson

Move that the Planning and Zoning Commission recommend approval of this special provisional use for religious institutional use at 1919 8<sup>th</sup> Street SW to the Waverly City Council.

Yes: 7

No: 0

Absent: 2

C. Regular Business: None

D. Old Business:

1. Mr. Kohout updated the Commission on the potential ordinance amendment affecting the screening of non-residential and residential land uses. Mr. Kohout stated he will meet with Commissioners Dane and Franke prior to presenting a working ordinance proposal. A meeting is anticipated on occurring prior to the September 2014 Commission meeting.
2. Mr. Wilson confirmed with Mr. Kohout sidewalk will be expected as part of the Centennial Business Park Development in the 2100 block of 4<sup>th</sup> Street SW along the 4<sup>th</sup> Street SW corridor. Mr. Wilson further confirmed sidewalk system will be evaluated by the City to contact businesses to finish their sidewalks for a connected system. Mr. Werger stated there is no frontage along 3<sup>rd</sup> Street SW for Centennial Business Park and there will not be a required sidewalk system nor entrance provided from 3<sup>rd</sup> Street into this development.

Mr. Bagelmann confirmed the CLUP shows a trail corridor along 3<sup>rd</sup> Street SW southerly to 29<sup>th</sup> Ave SW, then westerly to Shell Rock and supports staff monitoring opportunities to finish a trail system.

3. Mr. Wilson supports staff bringing back corridor planning standards that would include façade considerations to improve certain corridors in the City. Mr. Werger stated the recent downtown hotel project announced in the 200 block of East Bremer Avenue, the City will encourage and supplement additional brickwork on the façade to better match existing brick buildings downtown. Mr. Kohout confirmed for the Commission staff may bring forward a concept in the future when budget may allow for a consultant to re-work the entire zoning code to better address this. Mr. Wilson supports involving Main Street Iowa and the City Historic Preservation Commission to assist with corridor plan minimum building façade guidelines.

Mr. Kohout invited the Commission members to notify his office if interested in working on reviewing corridor standards and ordinance samples prior to bringing forth to the Commission for review and consideration for ordinance amendments.

E. New Business:

1. Mr. Kohout updated the Commission the Waverly Dog Park group received a \$100,000 grant award towards the construction of a new City dog park south of the existing Waverly Soccer Fields along the west side of 8<sup>th</sup> Street SE.

F. Adjournment:

Motion By: Anderson

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 8:10 pm.

Respectfully Submitted,

Ben Kohout, Secretary