

PLANNING AND ZONING COMMISSION MINUTES
City of Waverly, Iowa
City Council Chambers
February 5, 2015

A. Call to Order: 7:00 p.m.

1. Members Present: Hank Bagelmann, Chairperson; Richard Dane, Vice-Chairperson; David Huser; Kate Payne; Heidi Solheim, Arrived at A.4.; Bill Wilson.

Members Absent: Barb Anderson; Susan Franke; Kathy Olson; Edith Waldstein, Council Liaison

City Staff Present: Ben Kohout, Zoning Specialist (Secretary); Tim Kangas, Council Liaison; Bill Werger, Community Development Director.

2. Approval of Agenda:

Motion By: Dane

Seconded By: Huser

Move that the agenda be approved as printed.

Yes: 5

No: 0

Absent: 4

3. Approval of Previous Minutes:

Motion By: Huser

Seconded By: Payne

Mr. Bagelmann confirmed with the Commission the minutes should reflect Mr. Kangas was present on January 22.

Move that the minutes of the January 22, 2015 Planning and Zoning Commission meeting be approved as amended.

Yes: 5

No: 0

Absent: 4

4. Communications:

- i. Board of Adjustment Meeting – Feb. 9, 2015 Agenda was discussed.
- ii. Workshop learning opportunity for Commissioners was discussed.
- iii. Champions Ridge Update

Mr. Fred Ribbich, representative for the Champions Ridge project, which includes the City ball fields and future site of Bremer County fair, located in the 1200 block of 230th Street, on Highway 3 West, presented the Commission the latest site development plan and proposed layout for the 70 acre property. Mr. Ribbich sought the Commission's input on the plan, with no formal recommendations sought.

Mr. Ribbich stated the Iowa Department of Transportation will allow a commercial grade entrance off of Highway 3 to access the ball fields. Mr. Ribbich stated the Bremer County Fair is looking at establishing four buildings to get started with hosting a fair, beginning in 2019. Mr. Ribbich stated the retention pond shown on the site plan will need to be a four acre size pond to accommodate the site, with an amphitheater adjacent to the pond. Mr. Ribbich stated he anticipates starting play on the ball fields in late 2016.

Ms. Solheim confirmed with Mr. Ribbich shelter to accommodate severe weather will be further researched to accommodate the users of the ball fields and the County fair prior to opening to users. Mr. Chris Knapp, representing the Bremer County fair, stated for the fair, the 4-H building would be sought to be utilized for fair patrons or an adjacent property owner would be contacted to accommodate for inclement weather warnings.

Mr. Wilson confirmed with Mr. Ribbich enlargement of the retention pond from one to four acres would need to be re-drawn to further consider any future building layout. Mr. Wilson confirmed the site layout does consider a north-south road corridor as shown on the Comprehensive Land Use Plan to connect Highway 3 with U.S. Business Highway 218 by the airport. Mr. Wilson confirmed there will be a recreational trail extension from Willow Lawn subdivision extended west into the Champions Ridge development, functioning as an extension of West Bremer Avenue.

Mr. Ribbich confirmed parking for the ball fields would accommodate 285 spaces of unimproved parking. Mr. Ribbich confirmed there would be approximately 600 parking stalls of unimproved parking spaces for the fair use.

Mr. Ribbich stated the need to start construction on the project for the ball fields soon due to the risk of the current youth fields being flooded every year. Mr. Wilson stated support for the youth ball fields for use by local youth clubs.

B. Public Hearings:

None

C. Regular Business:

1. Review and Set Public Hearing on Special Provisional Use Requests for indoor recreational use as a fitness club and wrestling camp boarding house uses in R-4 zoned property at 350 1st Ave. NW.

Mr. Bagelmann stated Mike Deneui, owner of property at 350 1st Ave. NW, is seeking to have the City review the request to allow for a fitness club and a

place for wrestling camp with overnight stay uses out of an existing structure. The structure contains a gymnasium and numerous classrooms that were formerly used to house classes for the Waverly-Shell Rock school district. The City Code allows these specified uses to be brought forward in the R-4 zoning district for consideration.

Mr. Kohout reviewed the application with the Commission. Mr. Kohout stated the fitness club use reflects the current use out of the structure. Mr. Kohout stated the use was allowed when the School district owned the building and was under contract to purchase. Mr. Kohout explained when the building purchase option was not exercised, the use remained until the present day, with the now current owner, Mr. Deneui, required to bring this use forward for review and consideration as a special provisional use in the R-4 district.

Mr. Andrew Bell, of AHTS Architects, Waterloo, Iowa, reviewed the application request with the Commission. Mr. Bell stated he desires to receive from the Commission more clarification on the parking conditions to be required with this project as the previous Junior High usage did not result in off-street parking being required due to the building being constructed prior to today's requirements. Mr. Bell stated there is on-street parking surrounding the building on adjacent streets and there is a requirement of minimum off-street parking and Mr. Bell is seeking clarification from the Commission if off-street parking will be enforced and how many stalls are required.

Mr. Bell reviewed the scope of the uses with the Commission. Mr. Bell stated the fitness club would remain in the current southwest corner of the facility and the wrestling camp boarding use would utilize the eastern side of the building, on the second floor, and the basement gymnasium.

Mr. Bell stated the usage of the current fitness club has an average of 40 users, with no more than 10 users at any one time observed during periodic monitoring. Mr. Bell stated he believes this can be utilized to better accommodate any off-street parking demands for this use. Mr. Bell presented to the Commission a study of the available on-street parking considerations and he counted 38 spaces to the west, north and east, and 20 diagonal stalls on the south, along 1st Ave. NW. Mr. Bell stated he thinks these spaces could be considered to be utilized by visitors to the building for the requested uses.

Mr. Huser confirmed with Mr. Kohout a condition of approval may consider on-street parking to meet the required off-street demand following further evaluation and study by the Commission. Mr. Bell stated the owner supports a notion of the Commission granting a condition of allowing the uses and utilizing the on-street parking for a defined time period, such as one-year.

Mr. Bagelmann confirmed with Mr. Bell the wrestling camp dynamics would include 50 users, aged 8-18 years, during various times throughout the year. Mr. Bell confirmed for the Commission coaches and camp staff, which may drive here, may utilize up to 10 parking spaces. Mr. Bell stated the potential wrestling camp staff has contacted the adjacent Fareway store owners verbally to utilize their parking lot to accommodate off-street parking demands during events.

Mr. Bell confirmed for the Commission fire safety considerations and building code considerations include installation of sprinkling system and working with the building inspection office of the City to meet all minimum safety standards.

Mr. Wilson confirmed with Mr. Bell the existing fitness club area has building code considerations met and no sprinkling system is required for that use. Mr. Wilson stated the lack of off-street parking surrounding this building is not unique to other buildings in the downtown area. Mr. Wilson stated the Commission can evaluate any uses as a special provisional use when they are presented to the Commission and believes the lack of off-street parking can be evaluated over a period of time.

Mr. Bagelmann confirmed for the Commission historic tax credits have been sought by Mr. Deneui and that all attempts will be made to retain the interior character and materials of the structure. Mr. Bell confirmed with Ms. Payne ADA requirements will be reasonably accommodated and that an elevator can be utilized.

Mr. Dane stated he thinks the definition of boarding house and serving meals through a kitchen facility is not met. Mr. Dane stated concern over high-school aged students driving and parking for the wrestling camp proposed use not being included in the parking demands. Mr. Bell stated in reviewing the parking needs according to the City Code are not specifically called out and that the parking demand would be calculated based on uses that would be similar. Mr. Kohout confirmed staff is calculating the minimum parking spaces required for the fitness club to be one space per every three workout stations in the fitness center is akin to the one space for every three seats standard. Mr. Kohout stated the parking spaces for the wrestling camp use required will be considered further and follow up with Mr. Bell will occur prior to next month's public hearing.

Ms. Waldstein stated the Commission could consider how many staff who worked at the building as a school use could better clarify the demand to further evaluate if the proposed uses and resulting parking demand would be akin to the school use when it was in operation.

Mr. Bell stated he believes the owner would be agreeable to a condition of approval for a period of time such as one year to evaluate the parking conditions surrounding the building.

Mr. Kohout confirmed for Mr. Wilson there is property owned by the applicant on the south side of 1st Ave. NW that could be evaluated for improved parking area to function for off-street. Mr. Kohout confirmed there are no driveway entrances off of 1st Ave. NW into this property.

Mr. Bell stated he thinks the Commission could consider unimproved off-street parking such as a gravel surface for a period of time, to wait and see if the businesses demand off-street parking with improved surfaces.

Mr. Dane confirmed with Mr. Kohout professional service establishments may locate on this property under the R-4 zoning district without coming before the Commission and they would need to address cumulative off-street parking spaces for each requested use.

Mr. Bagelmann stated he thinks there are enough elements discussed to further refine prior to the public hearing.

Motion By: Huser

Seconded By: Wilson

Move that the Planning and Zoning Commission set a public hearing for the indoor recreational use fitness club and wrestling camp boarding house use request for the March 5, 2015 Commission meeting.

Yes: 6

No: 0

Absent: 3

2. Review and Set Public Hearing on the Rezoning Request from R-1, R-2 and R-4 to C-2 for approx. 11.2 acres located on the south side and in the 3000 block of East Bremer Avenue, and to amend the CLUP from Public use to Commercial.

Mr. Kohout stated Wes Gielau, Member and Manager of GLSW, LLC, is requesting the rezoning of the north 11.2 acres out of the 24.4 acre property located approximately 250 feet east of 30th Street SE, on the south side of East Bremer Avenue. The proposed zoning is to C-2 (General Commercial District) from the currently zoned R-1, R-2 and R-4 areas. The Comprehensive Land Use Map designates the property as Public/Government/Church/Recreational when this property was owned by a religious institution when the CLUP was finalized and is proposed by staff to be amended to Commercial.

Mr. Kohout stated the Rolling Hills development was approved with the premise road connectivity would happen from Monaghan Dr. (extended west) to East Bremer Avenue (State Highway 3). Mr. Kohout presented a site plan from the applicant that shows a road connection between Monaghan Drive and E. Bremer Ave., with two proposed entrances off of E. Bremer Ave.

Mr. Kohout confirmed for the Commission the C-2 zoning adjacent to this request includes the "Wells Hollow" commercial landscaping business fronting onto E. Bremer Ave.

Mr. Kohout confirmed for the Commission the C-2 area requested is similar to other development in this block of E. Bremer Ave. and is an expansion of the C-2 designation, further south from E. Bremer Ave.

Mr. Dane stated support over a transition area, such as R-4 currently shown, between commercial proposed and residential existing to the west with this application request. Mr. Huser also stated R-4 can be a good transition between the existing R-1 and the proposed expansion of C-2.

MR. Kohout confirmed for Ms. Solheim public notice will be given via mail to property owners within 250 feet of the property requested to be rezoned.

Motion By: Huser

Seconded By: Wilson

Move that a public hearing for the rezoning request from C-2 and R-4 to C-2 for the south 3000 block for the property described and the CLUP amendment from Public/Government/Church/Recreational use to Commercial use be set for the Planning and Zoning Commission meeting on March 5, 2015.

Yes: 6

No: 0

Absent: 3

3. Review and Set Public Hearing on the Rezoning Request from A-1 to R-1 for approximately 9 acres located on the southeast side of 2nd Avenue NE and 10th Street NE.

Mr. Kohout stated Waverly Real Estate, LLC, is requesting the rezoning of approximately 9 acres located on the southeast corner of 2nd Avenue NE and 10th Street NE. Mr. Kohout continued the request to change the zoning designation from A-1 to R-1 is complimentary with the Highpoint subdivision located to the east of the subject property. In addition, Mr. Kohout stated, the Comprehensive Land Use Map designates the property as Residential and supports this request.

Mr. Kohout stated a build out plan shows a road connection possible from extending 2nd Ave. NE in Highpoint on the east with the existing 2nd Ave. NW on the west.

Mr. Kohout confirmed for the Commission a roadway intersection configuration with 10th St. NE and 2nd Ave. NE would need to be addressed with the municipal design standards and sight distance and standards would be applied in finding a solution prior to coming forward as a subdivision plat for the Commission to review on and recommend action to the City Council.

Motion By: Huser

Seconded By: Dane

Move that a public hearing for the rezoning request for these 9 acres located on the southeast corner of 2nd Avenue NE and 10th Street NE from A-1 to R-1 be set for the Planning and Zoning Commission meeting on March 5, 2015.

Yes: 6

No: 0

Absent: 3

4. Review and Set Public Hearing on the Rezoning Request from R-1 to R-3 for approximately 2.7 acres located on the northwest side of 2nd Avenue NE and 10th Street NE.

Mr. Kohout stated Waverly Real Estate, LLC, is requesting the rezoning of approximately 2.7 acres located on the northwest corner of 2nd Avenue NE and 10th Street NE. Mr. Kohout confirmed for the Commission the request is to change the zoning designation from R-1 to R-3 to allow for the potential of condominium housing development on the subject property. Mr. Kohout stated the Comprehensive Land Use Map designates the property as Residential.

Mr. Bill Werger, Community Development Director, stated for the Commission he understands the owner demonstrating one access off of 2nd Ave. NE accessing multiple two-unit houses accessing off a private street. Mr. Werger stated he thinks the property can be developed to provide for green space and a drainage area between 2nd Ave. NE and the proposed private roadway and resulting homes. Mr. Werger stated he thinks this proposed development plan represents a good housing infill opportunity on a lot that has sat vacant for decades.

Mr. Werger confirmed for Ms. Solheim he believes the private road access off of 2nd Ave. NE would be far enough from the curve that there should be enough visibility for drivers.

Mr. Dane stated concern over the allowances in the R-3 district in terms of the provisions allowing for multiple family construction and not allowing for site plan review and recommendation by the Commission and he desires the Commission to have the ability to review the site development plan prior to further considering the R-3 for this property. Mr. Dane understands the plan is for condominium duplex style construction and there is no guarantee this will happen with the R-3 designation with this proposal.

Mr. Werger stated should the Commission desire to see the development at a scale that would meet the adjacent single family detached homes, the developer can bring forth a site plan sketch to demonstrate the compatibility with setback provisions and scale of development.

There was discussion amongst the Commission about condominium platting requirements. Mr. Werger stated he will recommend the applicant bring forth a conceptual build out showing proposed locations to demonstrate how a duplex style development may work at this location for the Commission to consider with the R-3 zoning request.

Motion By: Huser

Seconded By: Solheim

Move that a public hearing for the rezoning request for the 2.7 acre property located on the northwest corner of 2nd Avenue NE and 10th Street NE from R-1 to R-3 be set for the Planning and Zoning Commission meeting on March 5, 2015.

Yes: 6

No: 0

Absent: 3

D. Old Business:

1. Corridor Planning update from Staff.

Mr. Kohout updated the Commission on establishing guidelines for development along specified corridors that function as gateways into the Community. Mr. Kohout stated Ms. Payne, Mr. Wilson, Ms. Olson and Ms. Franke still have not met as a group. Mr. Kohout stated Ms. Payne and he met to initiate discussion on establishing goals and further discussion will occur prior to the March 5 Commission meeting and updates will be provided at that time.

Ms. Solheim recommended staff contact the Waverly Chamber landscape committee for other individuals to utilize for more information on proposed guidelines to incorporate into a corridor plan.

E. New Business:

None

F. Adjournment:

Motion By: Huser

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 8:39 p.m.

Respectfully Submitted,
Ben Kohout, Secretary.