

## PLANNING AND ZONING COMMISSION MINUTES

City of Waverly, Iowa  
City Council Chambers  
December 1, 2016

### A. Call to Order: 7:05pm

1. Members Present: Hank Bagelmann, Chairperson; Richard Dane, Vice-Chairperson; Mary French; Adam Hagensick; David Huser; Kate Payne; Heidi Solheim (arrived at B.1.).

Members Absent: Kathy Olson; Bill Wilson

City Staff Present: Ben Kohout, Secretary; Edith Waldstein, City Council Liaison.

### 2. Approval of Agenda:

Secretary Kohout stated the City received a minor subdivision in the County and within two miles of the City Limits that was desired to be added. This is a late request that did not meet the original deadline for inclusion on the agenda. The City is requesting this be added for comment under regular business as C.1. and reflect current C.1. as item 2 by the Commission prior to the County taking action on the request.

Motion By: French

Seconded By: Dane

Move that the agenda be approved as amended.

Yes: 6

No: 0

Absent: 3

### 3. Approval of Previous Minutes:

Motion By: Payne

Seconded By: Huser

Move that the minutes of the November 3, 2016 Planning and Zoning Commission meeting be approved.

Yes: 6

No: 0

Absent: 3

### 4. Communications:

- a) Board of Adjustment Meeting – October 27, 2016 Minutes were provided for review.

### B. Public Hearings:

1. Special Provisional Use for C-3 zoned property to allow for residential usage on first floor and lowest level at 201 1<sup>st</sup> Ave. SE (former CUNA building).

Chair Bagelmann stated Brian Sweeney, project manager for Cohen-Esrey Affordable Partners, LLC, and the owners of the property, Norma Wiener Living Trust, have submitted an application requesting conversion of an existing commercial building for residential usage. The proposal of residential on the first floor and lower floors in C-3 zoning is required to be brought before the

Planning Commission and Council for review and approval prior to submitting building permits. The adjacent zoning is C-3 to the north, east and west. The south zoning is R-4, Multiple Family Residential – Transitional District. There is ample parking as the units would require 64 spaces, all of which can be off-street parking. The Comprehensive Land Use Plan (2011) supports the adaptive reuse for residential uses near the downtown area, as this location is. The future land use map calls this out for Commercial. This is the time and place for public hearing, following advertisement in paper and sending out notices two weeks in advance to those within 250 feet of the property.

Mr. Bagelmann opened the public hearing.

Mr. Kohout reviewed the submitted plans and request by Cohen Esrey. Mr. Kohout stated the former CUNA building was designed for office usage and the special provisional request is in place to promote commercial uses on the main levels. Mr. Kohout stated the request is in line with the City process and the staff finds the proposed residential usage parking can be accommodated with current on site parking and City infrastructure to the building can be provided to service the dwelling usage out of the property.

Mr. Dane clarified with Mr. Kohout the request is for all four floors of the structure to be residential. There would be no plans for any commercial usage with the residential plans submitted by the applicant.

Ms. French stated support of the request. Ms. French stated the vacant building being occupied would be an asset to the neighborhood and finds the request acceptable.

Ms. Solheim stated her support of the request for dwellings out of the structure.

Mr. Bagelmann confirmed with Mr. Kohout the water supply to the structure may need to be upgraded to provide for proper fire code sprinkling requirements. Mr. Kohout stated there may be plans coinciding with the Bremer Avenue reconstruction project scheduled for 2017 and 2018 which can address any deficiencies to bring all infrastructure up to code to service this structure.

Ms. Payne confirmed with Mr. Kohout the request for residential on lowest two floors follow the Code regulations in C-3 zoned district and that the entire structure is proposed to have apartments.

Vice Chair Dane stated concern of window egress availability for lowest proposed apartments. Mr. Kohout stated the windows may be partially above grade and that all building code fire access regulations would need to be followed with any building permit remodel plans. Ms. French stated she thinks the proposed plans may suffice for meeting minimum standards.

Mr. Dane confirmed with Mr. Kohout the future townhome also showed on the plans on the south adjacent lot is not a part of this request.

Motion By: Huser

Seconded By: Solheim

Move that the Planning and Zoning Commission recommend approval of the special provisional use request to allow for residential usage on the lowest floor and the first floor on the existing property for the existing structure at 201 1<sup>st</sup> Ave. SE.

Yes: 7

No: 0

Absent: 2

C. Regular Business:

1. Review and Comments on minor subdivision request for property located outside of Waverly City Limits and within two miles NE of the City limits.

Per State Code, requests for land subdivision in the County within two miles of the City limits shall be brought forward to the City Planning and Zoning Commission for review and comments prior to the County taking action.

The request is to create three parcels located on the south side of 212<sup>th</sup> Street, approximately 1,300 feet west of Hawthorne Avenue. Three properties will share a common access easement and each lot will be 1.73 acres, 1.75 acres and 1.90 acres, respectively. The area is not a part of the indicated roadway or land use areas of the Waverly Future Land Use Map.

Comments:

Mr. Kohout presented the plat for review by the Commission.

The Commission reviewed the plat and recommended the surveyor re check the lot sizes as the northernmost lot fronts onto 212<sup>th</sup> Street and there may be a lot size discrepancy with the dimensions shown on the plat.

Ms. Solheim confirmed with Mr. Kohout the proposed lots would be serviced by private wells and private individual septic systems.

There were no concerns with the proposed location of the lots as shown on the plat of survey.

2. Review and approve meeting schedule for 2017.

Staff has prepared a meeting schedule for 2017 and the Commission is asked to review the proposed meeting dates and times and to approve the proposed schedule.

The Commission reviewed the staff provided schedule and noted the July meeting should be adjusted as shown to accommodate potential travel plans around the July 4 holiday in 2017.

Motion By: Solheim

Seconded By: Payne

Move that the Planning and Zoning Commission approve the meeting schedule for 2017 as submitted by Staff.

Yes: 7

No: 0

Absent: 2

D. Old Business:

1. Update on abstention guidelines with additional literature on the subject.

Mr. Kohout provided an ISU Extension document and reviewed the contents with the Commission. Mr. Kohout provided a checklist to utilize voluntarily so as to have an item to compare with concerns about having a conflict of interest.

E. New Business:

None

F. Adjournment:

Motion By: Solheim

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 7:40pm

Respectfully submitted,  
Ben Kohout, Secretary