

PLANNING AND ZONING COMMISSION MINUTES

City of Waverly, Iowa

City Council Chambers

January 5, 2017

A. Call to Order: 7:00pm

1. Members Present: Hank Bagelmann, Chairperson; Richard Dane, Vice-Chairperson; Mary French; Adam Hagensick; David Huser; Kathy Olson; Kate Payne; Heidi Solheim.

Members Absent: OPEN SEAT

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

2. Approval of Agenda:

Motion By: Huser

Seconded By: Olson

Move that the agenda be approved as printed.

Yes: 8

No: 0

Absent: 0

3. Approval of Previous Minutes:

Motion By: Solheim

Seconded By: French

Move that the minutes of the January 5, 2016 Planning and Zoning Commission meeting be approved.

Yes: 8

No: 0

Absent: 0

4. Communications: Secretary Kohout updated the Commission that there were no Meetings in December or January. Additionally, Mr. Kohout stated Commissioner Wilson has resigned his position with the Planning Commission and it is up to the Mayor to reappoint an additional member to fill the open seat.

B. Public Hearings:

None

C. Regular Business:

1. Review and Recommendation on Minor Subdivision Plat on 5th St. NW.

Mr. Troy Toma, in conjunction with the City of Waverly, is interested in creating Parcel "T", a 24,720 square foot parcel located north of 5th St. NW and fronting onto the Cedar River. The resulting parcel is a part of the Ridgewood Park, a City maintained park, which the City desires to transfer to Mr. Toma for private maintenance and use. The City, following review and recommendation of the Leisure Services Commission on August 18, 2016, is recommending the plat

to Planning and Zoning Commission for review and recommendation to City Council. The land will be private property, following Council approval of the sale and this minor plat request.

Mr. Kohout reviewed the staff summary submitted to the Leisure Services Commission, which outlined the additional time required to maintain this property is deemed as more consuming in light of maintaining additional Federal buy out lots resulting from the 2008 historic flood event. In addition, Mr. Kohout stated the area of the park in question is continually wet. Mr. Kohout stated what is asked of the Planning Commission is to evaluate the proposed transaction and to determine any land use effects to the surrounding properties and neighborhood.

Ms. Solheim confirmed with Mr. Kohout the parcel in question is straight north of property currently owned by Mr. and Mrs. Toma.

Ms. French stated she is concerned the sale of public parkland to adjacent property owners may be setting a bad precedence. Mr. Kohout stated there is an existing parcel of land allocated in 2012 from this park to an adjoining east property owner and the request at hand is similar. Ms. French stated she finds the area in question might make a suitable boat inlet area.

Ms. Olson confirmed with Mr. Kohout the land in question is not maintained and does not have any land use improvements such as benches or playground equipment on the property.

The Commission discussed other boat inlet areas and identified the inlet area alongside the Horton Road Bridge (1st St. NW).

Mr. Huser stated there are still areas left for boat inlets from this park into the Cedar River north of the proposed parcel in question.

Mr. Dane confirmed with Mr. Kohout the proposed parcel boundary is set alongside the bank of the Cedar River. There was discussion about other adjacent properties which end in the middle of the Cedar River and Mr. Kohout stated he is unfamiliar with surveying standards and why the bank is proposed as the property boundary instead of similar adjacent properties ending in the middle of the river.

Mr. Bagelmann confirmed the entrance into Ridgewood park is from Greenfield Avenue and there will remain public access should the request be granted.

Mr. Kohout confirmed for the Commission the remaining Cedar River frontage of Ridgewood park would be approximately 600 feet and the subject property would be approximately 175 feet of river frontage.

The Commission discussed the existing property ownership lines and reviewed the provided parcel map. The Commission noted the property ownership line of the Ridgewood Park and City of Waverly is approximately 20 feet from the existing bank. Mr. Kohout confirmed with the Commission the Iowa Department of Natural Resources regulates the waterways and will require a permit for any docks, and improvements within the river or along the bank.

Ms. Olson stated should the parkland in question have viable uses, that should be pursued instead of transferring to adjacent private property owner.

Mr. Kohout stated the property owners approached the City to purchase the property. Mr. Kohout stated the property owners are to incur all costs associated with transferring the property, and no cost to be charged to the City.

Ms. Solheim stated she would like to see alternative long term plans from the Leisure Services Commission to better justify relinquishing of parkland in the future and criteria of what properties lend themselves for best usage and amenities around the community.

The Commission discussed the remaining parkland and determined it may be sufficient to service the adjoining neighborhood and provide for boat access.

Mr. Kohout explained to the Commission should the motion be not recommended, it would require a supermajority of the Council to be approved.

Ms. Payne stated she finds the request not substantiated by future park plans and is hesitant to support the request.

Mr. Dane stated support of the request due to the remaining approximate 500 feet of parkland fronting onto the Cedar River. Mr. Dane does not see a shortage of parkland and transferring specific pieces of parkland may make sense for the City maintenance costs. Mr. Dane did state a potential concern of the property owner seeking to have the City buy back property in the future due to potential flooding potential.

Mr. Huser stated because the Iowa DNR already limits what the future property owners may be able to construct on the property, he has no real concern about anything adverse being constructed on the property. Mr. Huser stated this area is in the floodway and generally supports the request.

Mr. Bagelmann stated he finds the proposed plat ending at the current river bank and the adjacent property ownership lines in the middle of the river are leaving an open area owned by the City in the middle of the river. Mr. Bagelmann also expressed concern of the language describing the parcel may not address future river bank meanderings and may need to be altered. Mr. Kohout stated he understands the river is a public access waterway.

Ms. Solheim stated concern with someday the City may desire or be pressured by future owners to purchase the property back due to flooding and does not support the request because of this concern. Mr. Dane stated he supports this concern and finds at this time, without a specific long term plan, it may not be appropriate to allow for this split now.

Motion By: Huser

Seconded By: Solheim

Move that the Planning and Zoning Commission recommend approval of the minor plat creating Parcel "I" as described in the attached plat of survey provided by Hoodjer Land Surveying dated October 1, 2016.

Yes: 1

No: 7

Absent: 0

Huser voted "yes".

2. Review and Comments on minor subdivision request for property located outside of Waverly City Limits and within two miles 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 one Parcel "D", a 1.89 acre parcel located on the west side of U.S. Highway 218, approximately 0.5 miles north of the intersection of Highway 218 and 210th St. NW of the current Waverly City Limits. The property will access Highway 218 by means of a shared 66 foot wide easement.

The area is not a part of the indicated areas of the Waverly Future Land Use Map.

Comments:

Mr. Kohout presented a site plan to the Commission and a County Map to show the location along Highway 218.

Mr. Bagelmann stated there are three structures on the property and confirmed with Mr. Kohout the proposed split may be to place another residence upon the resulting property as the area is zoned appropriately to allow for this.

Mr. Dane stated support of protecting the interchange of Highway 218 and 210th Street as commercial usage in the future for the future development pattern.

D. Old Business:

1. Meeting by the Commission was held on December 20, 2016 to discuss the Future Land Use Map and any modifications to said map.

Mr. Kohout reviewed the process with the Commission which stated a meeting was held which involved one Economic Development Commission member and a few Commission members. The process included reviewing the Future Land Use Map and offering potential changes to the maps in regards to which future areas could be amended to better reflect the recent land use demands from 2011 to the present time. Roadways and future extensions were reviewed and special emphasis was given to roadway corridors and desired land usage for the future prosperity and best planning for Waverly was given consideration.

Mr. Kohout stated the results of auditing the Comprehensive Land Use Plan with INRCOG were positive as a lot of the goals established were accomplished, as changes to the zoning ordinance governing housing styles and responding to what builders are seeing for demand are being better aligned with the resulting ordinance amendment work.

E. New Business: None

F. Adjournment:

Motion By: Payne Move that the Planning and Zoning Commission meeting be adjourned.
Meeting adjourned at 7:50p.m.

Respectfully Submitted,
Ben Kohout, Secretary