

PLANNING AND ZONING COMMISSION MINUTES
City of Waverly, Iowa
City Council Chambers
December 7, 2017

A. Call to Order: 7:00PM

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

Members Absent: Lance Gritters

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

2. Approval of Agenda:

Motion By: Solheim

Seconded By: Huser

Move that the agenda be approved as printed.

Yes: 8

No: 0

Absent: 1

3. Approval of Previous Minutes:

Motion By: Huser

Seconded By: French

Move that the minutes of the November 2, 2017 Planning and Zoning Commission meeting be approved.

Yes: 8

No: 0

Absent: 1

4. Communications:

- a) Upcoming Schedule for Planning Commission Meetings in 2018

B. Public Hearings:

None

C. Regular Business:

1. Review and Approve Zoning Ordinance Amendment to C-1, Zoning District, Amending District language.

Mr. Bagelmann stated City Staff is requesting the Commission to review and recommend action to the Council on the request to amend the City Code Section 100.12, C-1, Neighborhood Commercial District, to better reflect the location of service oriented businesses to be located within this area, in addition to schools, childcare centers and churches, with special provisional use considerations. This follows input gained from the

Commission at the November 2, Planning and Zoning Commission meeting, during which this item was tabled for further review by Staff.

Mr. Kohout presented a draft of changes for the Commission to review. Mr. Kohout stated the changes reflect changes in society and subsequent land uses, which are no longer in existence in the context of the Code language. Mr. Kohout stated the intent is to transfer office type businesses from one section of the City Code to this C-1 district. Mr. Kohout stated the intent is to provide for low traffic volume type businesses and to exclude such uses as retail, restaurant uses and generally businesses which have deliveries made by large semi-tractor trailers and other land uses which have night time hours.

Ms. Solheim confirmed with Mr. Kohout in-home businesses have their own standards and are not affected with this ordinance section.

Ms. Olson confirmed with Mr. Kohout the north side of 10th Ave. SW currently has businesses which would meet the specifications outlined with the draft ordinance proposal. Mr. Kohout confirmed with the Commission the warehouse portion of the carpet retail business would not be permitted in the proposed C-1 district due to the large semi deliveries made to the property and the retail component.

Mr. Dane suggested removing the term “CPA” from the proposed language and to insert “Accountant” to be more general with the terminology.

Ms. Solheim discussed the inclusion of banks within the C-1 district. She stated a potential concern with after-hours banking with an ATM machine, which can be open at all hours of the day.

Ms. Olson stated the language does not seem to describe excluding the existing carpet retail business on 10th Ave. SW, with the existing language, and additional language should be considered if this is to be excluded use in the future.

Mr. Kohout stated language is provided with this draft to provide the Planning Commission and staff better guidance on what can be considered and basic standards by which to compare a proposal with the ordinance.

Ms. Payne confirmed with Mr. Kohout that should a commercial strip mall center be proposed, a restaurant use within the strip mall, zoned as C-1, would require being re-zoned to a C-2 district to permit the restaurant use.

Mr. Huser confirmed with Mr. Kohout that should someone come forth with a zoning proposal to rezone property to a C-2, and the Staff envisions the existing surrounding development and proximity to residential as conducive to C-1 allowable uses, the City should use judgment and the Comprehensive Land Use Plan map for guidance. Mr. Kohout stated future amendments to the Future Land Use Plan map could provide for areas for light office use and more general commercial areas, as an example to consider. Mr. Kohout stated indicating on the Future Land Use Map where less intense commercial development, such as the ones in C-1 proposed, would be the preferred route to take.

Mr. Dane stated the original C-1 ordinance is best to describe a two story, two-thousand square foot structure, instead of the proposed C-1 ordinance language, where it provides for three stories and no limit on building coverage. Mr. Dane stated he thinks the proposed C-1 language may be too subjective for staff to interpret, including the language dealing with deliveries made by large semi-trailers. Mr. Dane confirmed with Mr. Kohout he is

supportive of limiting building footprint size to two-thousand square feet, in an attempt to better differentiate from C-2 permitted uses. Mr. Dane stated smaller lot sizes are more conducive to C-1 uses, and C-2 uses can be on undeveloped and larger lots. Mr. Dane stated he thinks the height should not be limited in C-1 or other commercial zoning districts.

Mr. Huser confirmed with Mr. Kohout that should someone desire C-1 uses which may be assembled with other C-2 uses on a Planned Development site plan, they could provide the necessary site plan for the Staff, Planning and Zoning Commission and Council to review prior to approval of a PD designation.

Mr. Huser stated support of showing C-1 permitted uses on the City's Future Land Use plan, while being aware of potential minor changes, where warranted.

Ms. French stated she supports the C-1 proposed language and identified the lone retail use, which sells carpet and has large semi deliveries made, on 10th Ave. SW, as an example of what not to permit in the future areas where C-1 is envisioned.

Ms. Solheim stated she does not support limited lot size in C-1 to 2,000 square feet, as she thinks larger medical clinics may exceed this limit, and meet the C-1 allowable uses.

Ms. Payne stated she thinks the allowable uses require significant parking demand, with today's business development styles and demands. She is not supportive of the limited lot size to 2,000 square feet because of this. She also stated she thinks the maximum lot size should be identified in the language as smaller than what is typical in C-2, for better clarity. She is supportive of smaller uses such as delicatessen and small bank branches to occupy C-1, which is envisioned adjacent and complementary to residential areas. Ms. Payne stated she is concerned with the proposed rear yard setback of 10 feet, as this may violate fire code standards. Mr. Kohout stated he can review this with the building inspection staff prior to including a setback in the Code amendment.

Mr. Kohout confirmed for the Commission the uses existing along 10th Ave. SW, are typically larger than 10,000 square feet in size.

Mr. Bagelmann confirmed with the Commission the proposed language should be further reviewed and amended as necessary to address comments received and be tabled until the next Commission meeting.

D. Old Business:

None

E. New Business:

None

F. Adjournment:

Motion By: Olson

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 7:42PM.

Respectfully Submitted,

Ben Kohout, Secretary