

PLANNING AND ZONING COMMISSION MINUTES
City of Waverly, Iowa
City Council Chambers
January 4, 2018

A. Call to Order: 7:00 PM

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

Members Absent: Richard Dane; Mary French; Lance Gritters; Council Liaison Edith Waldstein

Staff: Ben Kohout, Zoning Specialist/Secretary; Bill Werger, Community Development Director (arrived at C.3.)

2. Approval of Agenda:

Motion By: Olson

Seconded By: Huser

Move that the agenda be approved as printed.

Yes: 6

No: 0

Absent: 3

3. Approval of Previous Minutes:

Motion By: Solheim

Seconded By: Huser

Move that the minutes of the December 7, 2017 Planning and Zoning Commission meeting be approved.

Yes: 6

No: 0

Absent: 3

4. Communications:

B. Public Hearings:

1. Public Hearing on Re Zoning Request from M-1, Light Industrial District, to C-2, Commercial District, and to amend the Future Land Use Plan from Public/Government to Commercial for 0.32 Acres of former City right-of-way on the SW corner of 4th St. SW and Technology Place.

Chairperson Bagelmann stated Bill Bradford, applicant, and City of Waverly, owner, are requesting a zoning change for property currently in the City ROW from M-1, Light Industrial, to C-2, General Commercial. The property is located on the SW corner of the intersection of 4th Street SW and Technology Place.

The proposed rezoning will match the C-2 permitted land uses South of the intersection. The area in question is currently City Right of Way that is no longer needed. The City was approached to sell and dedicate a portion of the Right of Way for future commercial development expansion. The Future Land Use Plan calls this area out for public/governmental usage, reflecting the current drainage way use. Plans call for a future parcel to have a drainage easement established and potential parking lot expansion and landscaping the area immediately adjacent to Technology Place. Public notice was given to those within 250 feet of the subject property and publicly advertised in the local Waverly newspaper.

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

Mr. Kohout reviewed the proposed rezoning with the Commission and presented a plat of survey, aerial map and zoning map. Mr. Kohout stated the plans call for this right of way to be recorded with the supplied legal description. The proposal will match existing C-2 zoning to the South.

Mr. Bagelmann confirmed with Mr. Kohout the request reflects a past roadway re-alignment which left excessive roadway and the City plans to sell the portion of land under re-zoning to the adjacent property owner as the City has no need for the property. Mr. Huser and Ms. Payne confirmed with Mr. Kohout the existing “Waverly Business Park” sign will remain in the current position and will remain within the City right of way. Mr. Kohout stated there are no plans to move the sign.

Motion By: Huser

Seconded By: Solheim

Move that the Planning and Zoning Commission recommend approval of the rezoning request from M-1 to C-2 and to amend the FLUP from Public/Governmental to Commercial for property on the SW corner of 4th St. SW and Technology Place, as described in the supplied legal description to the City Council.

Yes: 6

No: 0

Absent: 3

2. Public Hearing on Amendment to the Centennial Oaks Subdivision Planned Development density of housing, providing for one additional detached single family home located on the north side of 29th Ave. SW, approximately 800 ft. west of 11th St. SE, and to amend the Future Land Use Plan from Semi-Public to Residential.

Mr. Bagelmann stated Prairie Links Real Estate LLC is requesting to amend the recorded Centennial Oaks Subdivision Planned Development by providing for one single family detached home lot. The lot is sought to be created and labeled as Parcel “QQ” and consists of approximately 1.35 acres on the North side of 29th Ave. SW. The lot would be sought to be accessed directly off of 29th Ave. SW. Tract “B” is sought to be created to dedicate to the City for future and current infrastructure considerations. The Future Land Use Map calls this area out to be for Semi-Public use and would need to be amended.

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

Mr. Kohout reviewed documents with the Planning and Zoning Commission which showed a single family home, a circular driveway access onto 29th Ave. SE, existing topography. Mr. Kohout stated additional right of way, shown as “Tract B” is expected to be dedicated to the City. Mr. Kohout stated water service would be supplied by Central Iowa Water, which services this section of 29th Ave. SE as the City does not have intentions to run water service lines to service this single residence. Mr. Kohout stated sanitary sewer service is available as there is a main service line proceeding through the property, parallel to 29th Ave. SE.

Ms. Solheim stated a future request to identify the PD amendment in context with the whole PD district so as to better identify how the proposal would fit in with the whole development.

Motion By: Huser

Seconded By: Payne

Mr. Kohout discussed Tract B and stated the owner has requested the language of “to be dedicated to the City of Waverly” be removed from consideration of the plat. Move that the Planning and Zoning Commission recommend approval of the Planned Development District for Centennial Oaks to include for a 1.35 acre property to be utilized for one detached single family home, with Tract B and to amend the FLUP from Semi-Public to Residential, per the supplied site plan and legal description to the City Council.

Yes: 6

No: 0

Absent: 3

3. Public Hearing on Special Provisional Use request for ground solar panel array at 901 16th Ave. SW, located on Lot 1-A in the Waverly Industrial Plaza Replat of Lots 9 and 10.

Mr. Bagelmann stated Waverly Utilities is requesting to install a solar panel array on a 3.27 acre property owned by the City of Waverly in SW Waverly. The area is generally described as property on the south side of 16th Ave. SW, located approximately 300 feet west of 8th St. SW. The request entails the erection of a solar panel array, with approximately 1,700 fixed tilt array solar panels. The Waverly City Code Section 100.28 requires ground solar panels to be reviewed and recommended on by the Planning Commission prior to being considered for approval by the City Council.

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

Mr. Kohout reviewed the location of the property with aerial map of the area and also reviewed an existing platted railway easement along the western portion of the lot. Mr. Kohout stated this will be vacated as the Railroad Company has agreed to vacate, prior to construction of solar panels.

Motion By: Solheim

Seconded By: Olson

Move that the Planning and Zoning Commission recommend approval of the special provisional use request for the erection of solar panels, as shown on the provided site plan to the Planning Commission, to the City Council.

Yes: 6

No: 0

Absent: 3

C. Regular Business:

1. Review and Recommend on Minor Subdivision Plat for Parcel "A-A", located on the SW corner of 4th St. SW and Technology Place in SW Waverly.

Mr. Bagelmann stated Bill Bradford, applicant, and the City of Waverly, owner, are requesting the approval of requested Plat for Parcel "A-A", which is an adjustment and replat of the City right-of-way of Technology Place. This is the companion request to the Rezoning request to provide for additional commercial development. Plans call for a future parcel to have a drainage easement established and potential parking lot expansion and landscaping the area immediately adjacent to Technology Place. The proposed plat includes provisions for a 20 foot wide drainage easement.

Mr. Kohout presented a plat of survey of the proposed land to be dedicated from the City of Waverly to Mr. Bradford for the purposes of expanding existing commercial usage and parking surface area.

Ms. Olson confirmed with Mr. Kohout the shown 20 foot drainage easement will be sufficient to accommodate the development and existing drainage patterns.

Motion By: Olson

Seconded By: Payne

Move that the Planning and Zoning Commission recommend approval of the minor plat, providing for Parcel A-A and proposed drainage easement, as shown on the provided plat of survey, dated November 27, 2017.

Yes: 6

No: 0

Absent: 3

2. Review and Recommend on Minor Subdivision Plat for Parcel "QQ", and Tract "B", located on the North side of 29th Ave. SW, approximately 800 feet west of 11th St. SE.

Mr. Bagelmann stated Prairie Links Real Estate LLC is requesting a minor subdivision plat to create a 1.35 acre single family residential lot on the North side of 29th Ave. SW. This is the companion request to the Planned Development Amendment to provide for one additional home adjacent to the Prairie Links golf course development. The lot would be sought to be accessed directly off of 29th Ave. SW. A resulting Tract "B" will be created with this minor plat and will be dedicated to the City of Waverly, so as to provide for additional right of way to encompass existing and future public infrastructure.

Water service can be provided by Central Iowa Water company and sanitary sewer service can be provided by the City of Waverly.

Mr. Kohout stated the wording of “dedicated to the City of Waverly” was desired by the applicant to not be included when referring to Tract B.

Mr. Kohout reviewed the plat with the Commission and explained the roadway would be described from the edge of proposed right of way, in lieu of a roadway easement, as the County typically describes roadways.

Ms. Olson confirmed with Mr. Kohout the proposed Tract B is intended to be right of way and the applicant and the City of Waverly were not yet in agreement in how to settle the matter of the roadway right of way dedication to the City.

Motion By: Huser

Seconded By: Payne

Move that the Planning and Zoning Commission recommend approval of the minor subdivision plat, providing for Parcel “QQ”, AND Tract “B” as shown on the provided minor subdivision plat, dated January 4, 2018, to the City Council.

Yes: 6

No: 0

Absent: 3

3. Review and Recommend on Minor Subdivision Plat for Parcel “AA” and Parcel “Z”, located on the SE corner of 1st St. SE and 1st Ave. SE in SE Waverly.

Mr. Bagelmann stated Waverly Historic Lofts, LLC, applicant, and Herold-Reicks Surveying, are proposing to adjust the lot lines between common property lines and an alley in between them in the 100 block of 1st St. SE. This is being done as part of the Waverly Historic Lofts project, where the former “CUNA” commercial building will be converted into apartments.

Mr. Kohout reviewed the proposed plat of survey with the Commission.

Mr. Werger stated the proposal reflects a desire of the owner to do a building renovation project, which has funding requirements the whole property include contiguous property. Mr. Werger stated following discussions, the west half of the alley would be utilized as future parking and they would maintain the alley as an ingress/egress. Mr. Werger stated the adjacent funeral home would take the southern half and eastern side of the existing alley right of way. Mr. Werger stated the City plans to vacate the alley to these owners with an agreement so both visitors to properties may have access across properties.

Motion By: Hagensick

Seconded By: Huser

Move that the Planning and Zoning Commission recommend approval of the minor plat, providing for Parcel AA and Parcel Z, as shown on the provided plat of survey, dated December 28, 2017.

Yes: 6

No: 0

Absent: 3

4. Review and Recommend on 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 and churches, with special provisional use consideration.

Mr. Kohout reviewed the proposed document language with the Commission. Mr. Kohout stated the previous comments from the previous sessions with the Commission were incorporated into this draft. Mr. Kohout stated high traffic volume businesses such as retail and restaurant use were omitted from this language. The proposed language will provide more clarity to the intent of the district. Mr. Kohout stated the previous language of excluding structures larger than 2,000 square feet doesn't meet today's building styles of desired businesses in the C-1 district. Mr. Kohout stated the building code does not contradict the proposed setbacks from property lines.

Mr. Werger reviewed the language chosen to best show the intent. Mr. Werger stated this draft incorporates the term "generally operates between the hours of 10pm and 6am" to better clarify the district expectations. Mr. Werger further addressed deliveries of product being made by means of semi-trailers which causes traffic issues.

Mr. Bagelmann stated the language inclusion of special provisional uses and accompanying clarifying language will better allow the Commission and Council to make better informed future decisions.

Mr. Huser stated support of the language.

Ms. Olson reviewed the future land use plans with the Cedar River Parkway expansion and confirmed there are areas shown as Mixed Use, which may permit some C-1 future land uses.

Mr. Werger stated future developers may choose to utilize C-1 district to better align similar businesses in areas in the future.

Mr. Kohout stated this ordinance proposal can better be utilized by the Commission and Council to better address land use suitability. Mr. Kohout stated when considering a typical C-2 zoning request, this can be another option and reason for the Commission or Council to recommend denial of a C-2 request.

There was discussion amongst the Commission regarding future land use map designations identifying land uses within the C-1 district can be utilized and can lead to better outcomes.

Motion By: Olson

Seconded By: Payne

Move that the Commission recommend approval of the ordinance amendments to Section 100.2, the C-1, Neighborhood Commercial District, and adding the term “generally” to the language when describing hours to the City Council.

Yes: 6

No: 0

Absent: 3

D. Old Business:

None

E. New Business:

None

F. Adjournment:

Motion By: Payne

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 7:47 PM.

Respectfully Submitted,
Ben Kohout, Secretary