

**WAVERLY PLANNING & ZONING COMMISSION**  
**THURSDAY, January 3, 2019**  
**WAVERLY CITY HALL**  
**7:00 p.m.**

**A. ROLL CALL**

Members Present: Bagelmann, Dane, French, Gritters, Huser, Olson, Payne, Solheim

Members Absent: None.

Staff Present: Edith Waldstein, City Council Liaison  
Rachel Leitz, Zoning Administrator

**B. APPROVAL OF AGENDA**

Motion By: Huser                      Seconded By: Olson

Move that the agenda be approved as printed.

Yes: 8                      No: 0                      Absent: 0

**C. APPROVAL OF MINUTES**

Motion By: Solheim                      Seconded By: French

Move that the minutes of the December 6, 2018 Planning and Zoning Commission meeting be approved, as presented.

Yes: 8                      No: 0                      Absent: 0

**D. PUBLIC HEARING**

**E. NEW BUSINESS**

**1. Jim Tiedt – Minor Subdivision Request for 1415 Horton Road, creating Parcel L.**

Leitz gave a brief summary on the applicant’s previous request and the reasoning it was denied by Council. She stated that the applicant is now requesting approval of a minor subdivision to parcel off the homestead, which is proposed to consist of 3.03 acres. Leitz stated that the City’s Agricultural Zoning District minimum lot size is 3 acres so the applicant proposed to keep the zoning designation the same.

Olson asked if there were any issues with the applicant’s private well situated close to the property line.

Leitz stated that it is not an ideal situation, however, that is all a privately owned area, and there is an easement protecting access to the well.

**If you need accommodations for the Planning & Zoning Commission meeting please contact Rachel Leitz at (319) 352-9208 or [rachell@ci.waverly.ia.us](mailto:rachell@ci.waverly.ia.us), thank you.**

It was asked if all the buildings on the property were proposed to be contained within the proposed Parcel L.

Leitz stated that was accurate and that the buildings meet current setback requirements.

Olson asked what the process will be to study this area since the City Council had denied the previous request.

Leitz stated that it will probably come with the City's Comprehensive Plan update, which will start in about a year. She stated that we need to understand what the Agricultural/Open Space designation means within the Comprehensive Plan and if future land use needs to be changed based on the flood plain.

Olson asked what the applicant is losing by not being able to re-zone the property.

Leitz stated that rezoning the property allowed the property owner to parcel off a piece that was smaller than 3 acres. She stated that the applicant's proposal has been based on estate planning. The applicant has stated that if someone passes away, the homestead would be too much to manage for a single person. He stated that the subdivision process would make it easy to be able to sell the homestead, but keep the agricultural land and continue to have some income coming in from farming or renting the ground out. Leitz stated that subdividing the homestead on a smaller property would just allow for more land to make a greater income in the future.

Motion By: French                      Seconded By: Payne

Move that the Planning and Zoning Commission recommend approval of the minor subdivision request for 1415 Horton Road, creating Parcel L.

Yes: 8              No: 0              Absent: 0

**2. Carolyn Huber – Wilmour's Woodland Estates Final Plat and Development Agreement**

Leitz gave a brief summary on the applicant's request. She stated that the applicant is requesting approval of a final plat for Wilmour's Woodland Estates. Leitz stated that a development agreement is attached to the final plat, which states that if someone wants to develop one of the outlots, they have to abide by the preliminary plat. She stated that if a developer would want to change the plans, they would apply for a preliminary plat amendment and present their new plan to the Planning Commission and City Council.

It was asked what is normally required in the final plat process.

Leitz stated that normally final specs (utility connections, grading plan, etc.) are required to be completed in conjunction with a final plat. Because this is not a developer and a family are going through these steps purely with the intent to settle an estate and divide a property amongst the three heirs, the City has not required them to do final specs. The City has instead put the requirement within the development agreement that prior to any

building permits, final specs must be completed and reviewed and approved by the City.

Olson asked staff why the term “outlot” is used instead of “parcel,” “lot” or other term.

Leitz stated that it was in her opinion that “outlot” within final plats is an area that may be developed further, while “lot” or “parcel” is a term that describes a piece of land that has been configured to meet lot size standards within zoning district requirements and isn’t planned to be subdivided further.

It was asked how it would work if the property owner for the western outlot would want to develop.

Leitz stated that it would be much easier if the eastern outlot was developed first, especially because that is where road access is. However, they could develop if construction of the road happens from Adams Pkwy. Staff does not see that happening because that is a long stretch of road to construct just for access when you’re not able to put houses along it.

Huser asked if the western outlot could get access through the Waverly Veteran’s Post.

Leitz stated that staff would not approve this.

It was asked how binding the preliminary plat layout is.

Leitz stated that if someone were to come in and develop an outlot, they would be required to abide by the preliminary plat. However, if a developer has something else in mind, they may request such and would have to go through a preliminary plat amendment with review of their new plan by Planning Commission and City Council.

Motion By: Huser

Seconded By: Olson

Move that the Planning and Zoning Commission recommend approval of the final plat and development agreement for Wilmour’s Woodland Estates, subject to the conditions listed in the resolution.

Yes: 7

No: 0

Absent:0

Dane abstained from the vote.

## **F. OLD BUSINESS**

None

## **G. ADJOURNMENT**

The Planning and Zoning Commission meeting was adjourned at 7:20 pm.