

WAVERLY PLANNING & ZONING COMMISSION MINUTES
THURSDAY, SEPTEMBER 5, 2019
WAVERLY CITY HALL
7:00 p.m.

A. ROLL CALL

Members Present: Bagelmann, Payne, Garner, Gritters, Huser (Arrived at C), Solheim

Members Absent: Dane, French, Olson

Staff Present: Isaac Pezley, Zoning Administrator, Bill Werger, Community Development Director

B. APPROVAL OF AGENDA

Motion By: Solheim Seconded By: Garner

Move that the agenda be approved as printed.

Yes: 5 No: 0 Absent: 4

C. APPROVAL OF MINUTES

Solheim made corrections regarding seven additions to the Waverly Health Center. There will actually be 5 additions to the Health Center. Solheim also points out what appears to be an incomplete sentence. Solheim suggests finishing the sentence or striking it from minutes.

Motion By: Huser Seconded By: Solheim

Move that the amended minutes of the August 1, 2019 Planning and Zoning Commission meeting be approved, as presented.

Yes: 6 No: 0 Absent: 3

D. PUBLIC HEARING

E. REGULAR BUSINESS

1. Review and Recommend Approval of Preliminary and Final Plat of Nutrien Subdivision Including Lots 1, 2 and 3.

Pezley states the proposed three lots are currently split in two separate lots owned by Nutrien Ag. The applicant, Nutrien Ag, is submitting a preliminary and final plat to have the two lots split into three lots. The proposed Lot 1 will be owned and operated on by Standard Milling. Lots 2 and 3 will be owned by Nutrien Ag. Lots 1 and 2 currently have buildings on them, which is why the western property line of Lot 2 is curved. The proposed property line is splitting where the current buildings are. Lot 3 currently has no development plans, however,

If you need accommodations for the Planning & Zoning Commission meeting please contact Isaac Pezley at (319) 352-9208 or ipezlev@ci.waverly.ia.us, thank you.

Nutrien Ag may develop upon the site in the future. Nutrien Ag has also included 200' setbacks on Lot 3 when they are only required to have 75' setbacks. Staff recommendation is to approve the preliminary and final plats for Nutrien Subdivision.

Werger states that Lot 3 will be accessed from 39th St. Lots 1 and 2 currently have access from E. Bremer Avenue.

Bagelmann asks staff if all six residential lots, on the eastern property line of the proposed Lot 3, are currently occupied. Werger states that he believes there are four homes, and two homes are built upon two lots. Solheim asks staff if the implement dealership is across 39th St. NE from the proposed lots. Staff confirms that is correct.

Werger states the sewer project will extend up 39th St. NE to the proposed access point for Lot 3. Lot 3 will be able to access sewer from 39th St. NE or from the far Northeast corner of the property where existing sewer lines are located.

Huser asks staff about chemicals or other uses of that nature that are required to be setback from residential properties. Werger states that he does not know if there are such requirements. Huser asks if the proposed 200' setbacks on Lot 3 are for that reason. Staff is not sure if that is the reason. Huser wants to make sure that the Planning and Zoning Commission will not have to review the plats again if they want to change the 200' setbacks to the required 75'. Werger states staff will enforce the required setbacks.

Motion By: Huser

Seconded By: Payne

Move that the Planning and Zoning Commission recommend approval of the Preliminary and Final Plat of Nutrien Subdivision to the City Council subject to review by staff of the 200' setback instead of the required 75' setback.

Yes: 6

No: 0

Absent: 3

2. Review and Recommend on Ordinance Amendment to the Zoning Chapter (100) Sections 100.13 (C-2) and 100.15 (M-1)

Pezley states staff is recommending to allow storage uses in Industrial Zones and not C-2 Commercial zones. Pezley states that staff believes storage units do not meet the intent of the C-2 Commercial zones. C-2 Commercial zones are typically higher traffic density zones and zones that see more traffic on a regular business. Staff has included a memo from West Des Moines that states much of the same feelings. Staff's recommendation is to recommend approval of the ordinance amendment to the Zoning Chapter (100), Sections 100.13 (C-2) and 100.15 (M-1) to the City Council.

Bagelmann states that this is a situation that this use may fit some properties better than others. Bagelmann asks staff how would we handle that situation, and if that would be a case of a Special Use Permit. Werger states that there might be a situation where we might want to allow a mini storage use as a special use permit. There might be situations where there are

properties that are a little more difficult to access and might be a good fit for a mini storage use. That would require a rezoning, which could lead to a spot-zoning type of situation. In an instance like that a special use permit might be appropriate.

Solheim states that she questions why we are striking all the uses in Section 100.13.02.6 are very similar to the uses allowed in Section 100.13.02.3. They are properties that have warehouse type elements to the use but they fit the C-2 zoning. Werger says that he is mostly focused on the mini storage units and not storage that is incidental to C-2 uses. Pezley clarifies that staff feels that mini-storage is an industrial use and that staff would allow C-2 businesses to have storage that is incidental to their business. Solheim believes that staff went too far striking out the entire section 6 of Section 100.13.02. Werger suggests leaving the first part of Section 100.13.02.6 and only strike out storage warehouse.

Huser states that this may create problems for the Commission in the future choosing which special use permits should be allowed and which should not be allowed. Payne asks staff what brought up this issue and that she does not necessarily see a problem with mini storage. Werger says that it is about how the City's commercial corridors look and how the Commission wants the City's commercial corridors to look.

Commission members ask if this change needs to happen now or if the Commission and staff should explore looking at the entire Zoning Code. Staff says that if the Commission decides to leave mini storage use in C-2 zones, to leave it C-2 by Special Use Permit.

Huser motions to table this item to next scheduled Planning and Zoning Meeting, seconded by Garner.

F. NEW BUSINESS

Staff will be bringing more code changes to the Commission this winter. Most of the changes will be clarifications and re-writings of existing codes that are difficult to interpret.

G. OLD BUSINESS

None

H. ADJOURNMENT

The Planning and Zoning Commission meeting was adjourned at 8:07 pm.