

**PLANNING AND ZONING COMMISSION MINUTES**  
**City of Waverly, Iowa**  
**City Council Chambers**  
**October 1, 2015**

A. Call to Order:

1. Members Present: Hank Bagelmann, Chairperson; Kathy Olson; Bill Wilson; Kate Payne; Barb Anderson; Richard Dane, Vice-Chairperson; David Huser.

Members Absent: Heidi Solheim; OPEN SEAT

City Staff Present: Ben Kohout, Secretary; Tim Kangas, Council Liaison.

2. Approval of Agenda:

Motion By: Huser

Seconded By: Anderson

Move that the agenda be approved as printed.

Yes: 7

No: 0

Absent: 1

3. Approval of Previous Minutes:

Motion By: Olson

Seconded By: Dane

Move that the minutes of the September 3, 2015 Planning and Zoning Commission meeting be approved.

Yes: 7

No: 0

Absent: 1

4. Communications: Board of Adjustment Minutes – Sept. 14, 2015 were presented.

B. Public Hearings:

1. Public Hearing on rezoning request from A-1 to R-1 for one lot in the 100 block of 12<sup>th</sup> Street NE.

Mr. Bagelmann stated Lance Gritters, applicant, is requesting a zoning change for property located on the east side of 12<sup>th</sup> Street NE, in the 100 block. The request is to change the existing A-1, Agricultural District, zoning to R-1, Single Family Residential District, to reflect intended usage for a residential property. The Comprehensive Land Use Map designates the property as Residential. Following public notice through mailings to those within 250 feet and posting in the local newspaper at least two weeks in advance, the Commission will consider all public comment prior to recommending action to the City Council.

Mr. Bagelmann opened the public hearing.

Mr. Kohout confirmed for the Commission no correspondence was received on this application.

Mr. Kohout presented the maps to the Commission showing the property.

Mr. Lance Gritters, contract purchaser, addressed the Commission. Mr. Gritters stated his future property is accessed with a 30 foot wide easement from the north that has connection through the adjacent north property to 12<sup>th</sup> St. NE. There is land between 12<sup>th</sup> St. NE and his property that is owned by a third party. Mr. Kohout confirmed for the Commission the location of the 30 foot easement. Mr. Gritters confirmed for the Commission the intent is to provide for one residence at this time.

Mr. Dane confirmed with Mr. Kohout the ownership of the land to the west of the subject property is owned by the same property owner to the south of the subject property.

Mr. Jeff Rommel, of 1205 Bridle Spur Ct., confirmed with Mr. Kohout should future land subdivision occur for additional homes, the public would not be notified and City staff would review the request and compare the request with City standards for proper roadway and access requirements. There was discussion about future High Point Addition extended to the east of the current addition.

Mr. Wilson confirmed for the Commission Parcel "V" was reviewed and approved by the City in 2011, located to the west of the subject property.

There being no further discussion, Mr. Bagelmann closed the public hearing.

Motion By: Wilson

Seconded By: Anderson

Move that the Planning and Zoning Commission recommend approval of the zoning change for the property described on the east side of 12<sup>th</sup> Street NE from A-1 to R-1 to the City Council.

Yes: 7

No: 0

Absent: 1

C. Regular Business:

1. Review Final Plat for High Point Second Addition for fifteen residential lots in NE Waverly.

Mr. Bagelmann stated Waverly Real Estate, Inc., applicant, is requesting a final subdivision plat for fifteen residential lots known as High Point Second Addition located west of current High Point First Addition, extended. The Comprehensive Land Use Map shows these properties as Residential. This plat follows the submission and approval of the preliminary plat as approved by the City Council.

Mr. Kohout reviewed the plat with the Commission and noted changes from the preliminary plat when compared with this final plat. The changes included the area dedicated to the City adjacent to the City water tower property, and changes to the restrictive covenants to disallow combining of

lots in order to prevent future cuts into a street to terminate a private service line at the main service line.

Ms. Olson confirmed with Mr. Kohout the water detention area shown as Tract "A" is to be dedicated to the City and utilized for detention for the subdivision proposed and public open space.

Mr. Dane confirmed with Mr. Kohout the Tract "A" was needed to accomplish water detention area requirements for the development proposed and to satisfy park and open space subdivision requirements for the future residents of the subdivision.

Motion By: Huser

Seconded By: Wilson

Move that the Planning and Zoning Commission recommend approval of the final plat creating 15 residential lots in High Point Second Addition to the City Council.

Yes: 7

No: 0

Absent: 1

2. Review Ordinance Amendments governing fuel tank setbacks in M-1 and M-2 zoning districts.

Mr. Bagelmann stated City requirements call for fuel tanks in M-1 to be underground and 200 feet from R district property lines and 200 feet from R district property lines in M-2 zoning. Staff is following through on the recommendation of the Board of Adjustments to compare the City code requirements with the State of Iowa Fire Marshall and International Fire Code and Building Codes standards to see what, if any adjustments may be made to the Code. Following review of the building code requirements and comparing with other communities and their Codes on this matter, staff is recommending the amendments provided by Staff be made to the Code to lessen the setbacks to better match the minimum standards found elsewhere.

Mr. Kohout reviewed the proposal with the Commission.

There was discussion about why the 2,000 gallon tank size was utilized. Mr. Kohout stated this size tank is found in State Fire Marshall guidelines and other ordinances utilized and believes this is a fairly standard practice to state this as a starting point for needing to enforce the proposed setback as presented in the amendment.

Following discussion, the Commission desired Mr. Kohout to further research tank sizes and how it may work with this ordinance revision and the Commission may review a revised proposal at the November Commission meeting.

D. Old Business:

None

E. New Business:

1. Update from Staff on updating the City Ordinances governing Residential Zoning district classifications.

Mr. Kohout stated in response to zero lot line development requests where yards were desired to be given to the owners, the code needs to be revised to allow for this. In addition to this change, Mr. Kohout stated a comprehensive review of the ordinances governing the residential zoning districts are being reviewed by staff to find areas that may be revised to better reflect the housing requests going forward.

Mr. Kohout stated staff is interested in finding commission members to help supplement this endeavor and to add value to the input when generating ordinance provisions. Mr. Kohout stated Mr. Huser and Ms. Solheim have expressed an interest in assisting with this. Mr. Kohout stated involving the Economic Development Commission as well as Council representation and possibly developer representation can also be entertained.

Mr. Kohout stated this endeavor is considered a high priority and is seeking to finalize an ordinance amendment for consideration in the upcoming Council meetings in 2015.

2. Mr. Bagelmann thanked Commissioner Susan Franke for her time on the Commission. Mr. Bagelmann asked other Commission members to send forward nominations of anyone that may be interested to the Mayor for consideration of appointment on the Commission.
3. Mr. Wilson stated he would like to see bicycle lanes on roadways when considering any future roadway improvements and especially with the corridor planning discussion amongst the Commission going forward.
4. Mr. Huser confirmed with Mr. Kangas prior to any changes to Bremer Avenue and lane re-configuration, like from four lane to three lane, there will be public input given prior to the Iowa Department of Transportation proceeding.

F. Adjournment:

Motion By: Anderson

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 7:50 p.m.

Respectfully Submitted,  
Ben Kohout, Secretary