

PLANNING AND ZONING COMMISSION MINUTES
City of Waverly, Iowa
City Council Chambers
March 2, 2017

A. Call to Order: 7:00 pm.

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

Members Absent: Kathy Olson; Kate Payne; OPEN SEAT.

City Staff Present: Ben Kohout, Secretary (Arrived at B.1.); Bill Werger, Community Development Director; Edith Waldstein, City Council Liaison.

2. Approval of Agenda:

Motion By: Huser

Seconded By: Solheim

Move that the agenda be approved as printed.

Yes: 6

No: 0

Absent: 2

3. Approval of Previous Minutes:

Motion By: Solheim

Seconded By: French

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

Yes: 6

No: 0

Absent: 2

4. Communications:

a) Board of Adjustments – March 13, 2017 Agenda

b) ISU Extension Local Officials Workshop handout for April 18, 2017 in Waterloo, Iowa.

B. Public Hearings:

1. Public Hearing on Special Provisional Use for Solar Array at 1011 Copper Terrace in NE Waverly.

Mr. Jeff Soash, property owner at 1011 Copper Terrace in NE Waverly, is proposing to locate a ground solar array on his property for the production of his residential electricity generation only. The proposed solar panels are sought be placed along the north side of the owners' property and will consist of three solar panels together, at a size of approximately 30 feet long, by 17 feet wide, by 12 feet tall. The City Code requires ground residential solar panels to be reviewed and recommended on by the Commission prior to going on to Council for review and to be screened from the street side of the property. Public notice was given to

those within 250 feet of the subject property and was publicly advertised in the local Waverly newspaper.

Mr. Kohout reviewed the City Code requirements with the Commission and presented a site plan and street photos of the property from 2013 to show the approximate location of the proposed solar panels.

Mr. Bagelmann opened the public hearing.

Mr. Jeff Soash addressed the Commission. Mr. Soash stated the actual dimensions are 32 feet wide panels, with overall height is 8 feet, and include 30 solar panels with this overall dimension information.

Ms. French questioned how the proposed panels would be screened from the street to the East.

Mr. Jeff Soash stated there are existing deciduous trees between the proposed location and the street. Mr. Soash stated the proposed location of the panels and the elevation is lower than the street and one would not be able to view the solar panels from the street with the current tree locations.

There being no one else present desiring to speak, Mr. Bagelmann closed the public hearing.

Mr. Huser questioned the screening from the North, should a new development of housing occur to the north of Mr. Soash's property.

Mr. Soash stated he finds there to be existing trees that would be sufficient to screen on the north side of his property.

Mr. Dane questioned the private homeowners' covenants and if these would be permitted.

Mr. Soash stated he has checked and they are permitted to construct the proposed solar panels as submitted.

The Commission discussed a previous roof top solar panel request for the property at 70th Avenue NW, the Nestle Beverage Company property, which was approved following special provisional use review.

Mr. Kohout confirmed for the Commission the screening component specified for ground solar panels in a residential setting will be reviewed and approved by Staff prior to permit issuance.

Ms. French stated her support of the request except for a desire to see screening accomplished to match City Code requirements.

Mr. Soash confirmed he would work with Staff to finalize screening plans prior to permit issuance.

Mr. Werger stated the Code does not specify screening provisions from side property owners, as in this case. Mr. Werger stated this could be an area of the Code to review with the Commission for future cases.

Mr. Soash stated there are other roof top solar systems in Waverly he has observed.

Motion By: Huser

Seconded By: Solheim

Move that the Planning and Zoning Commission recommend approval of the special provisional use request for ground solar panels along the northern property line at the size and with screening material outlined by the applicant.

Ms. Solheim stated she desires City Staff to review the screening requirement of the Code with the applicant so as to complete the requirements.

Yes: 6

No: 0

Absent: 2

C. Regular Business:

1. Review and Recommendation on Plat of Survey with additional right of way to be dedicated to the City along 20th St. NW.

Mr. Steve Troskey, of Clappsdale-Garber Associates, Inc., acting on behalf of Echo Development Group, LLC, owners, is proposing the creation of Parcels "J" and "K" along the east side of 20th St. NW. Parcel "J" is 23.95 acres, excluding 17 feet along the current right of way of 20th St. NW, which will be dedicated to the City of Waverly for future roadway and infrastructure improvements. Parcel "K" is 31.04 acres, also excluding 17 feet along the current right of way of 20th St. NW, is located to the south of Parcel "J". This plat of survey follows the legal boundaries for the rezoning request heard at the February 2, 2017 Commission meeting, also requested by Echo Development, LLC. Plat of survey review is brought forth for the Commission to review in times where future right of way is proposed and these plats show additional right of way to be dedicated to the City.

Mr. Kohout stated this request came to Staff and it was initially reviewed as minor subdivision plat and requiring to come forward to the Commission for review, in accordance with the Subdivision Code section of the City Code. After careful review of the language and what is shown on the plat of survey, it is now determined by Staff this review by Commission and Council is not necessary. Mr. Kohout stated the result of the proposed plat of survey is to combine three existing parcels of land into two proposed parcels, while specifying right of way to be dedicated to the City of Waverly. Mr. Kohout recommended the Commission review the plat of survey and offer comments only and not require this to come to the Council for review.

Mr. Bagelmann stated support of the Staff recommended action.

Mr. Dane stated support of the Staff recommended action. Mr. Dane questioned if this was rejected by Council, referring to a past rezoning application before the Commission on February 2, 2017.

Mr. Werger stated the rezoning request was withdrawn prior to Council action on the rezoning item.

Ms. Waldstein stated the Council tabled the item as the applicant was seeing questions being raised during the Council presentation and needed time to respond to the questions raised during the meeting.

Mr. Kohout stated the past requested rezoning boundaries are reflected in this plat of survey request.

Mr. Kohout stated the past rezoning request is not relevant to this plat of survey as the owner is requesting a plat of survey to be recorded to combine three parcels into two parcels and to clarify the right of way along 20th Street NW. Mr. Kohout stated this request is similar to past plat of survey requests which serve to clarify property boundaries and are not tied to providing for additional streets and parcels of land for sale, akin to a true residential subdivision.

Mr. Werger stated he understands the rezoning request was withdrawn at the Council meeting in February 2017, following a motion to be tabled by the Council. Mr. Werger stated the City Staff reviews plats of survey requests and compares to the City Code to determine if a minor subdivision is being requested or if it may be recorded without review of the Commission or Council. Mr. Werger stated staff has reviewed this request and determined the proposal is a reconfiguration of the existing lots which do not warrant a formal review by the Commission or Council. Mr. Werger stated the rezoning could not be brought forward for discussion as the applicant formally stated during the February 2017 Council meeting the request be withdrawn.

Ms. French stated she supports the plat of survey request and is not in favor of a formal recommendation to the Council on this plat of survey request.

The Commission discussed the Council discussion and actions regarding the rezoning request which occurred during the February 2017 Council meeting.

The Commission did not take formal action on the plat of survey.

2. Review of Comprehensive Land Use Plan and Future Land Use Map amendments and set public hearing for formal recommendation.

Following previous meetings held on October 25, 2016, November 15, 2016, December 20, 2016, and February 9, 2017, the City Planning Commission and Iowa Northland Regional Council of Governments (INRCOG) reviewed the accomplished goals of the Comprehensive Land Use Plan (CLUP) for Waverly (2011) and the Future Land Use Plan map (LUPM). Following these meetings, INRCOG is presenting the proposed amendments to each document. The Commission will review the proposed changes and a public hearing shall be set and at that time, the documents shall then be recommended for Council approval.

Mr. Kohout presented the proposed language changes to the CLUP. The Commission did not offer any changes to the proposal.

Mr. Kohout presented the proposed LUPM. Mr. Kohout stated a modification to the City Boundary along 20th St. NW is requested by Staff to match existing City boundary. Mr. Kohout also identified an interchange along US 218, southwest of the current City limits, to account for any potential roadway corridors and to better direct development in the future.

Mr. Dane confirmed with Staff the proposed interchange shown along US 218 meets IDOT standards.

Ms. Solheim stated support of leaving the proposed interchange and roadway corridor as presented on the map reviewed by the Commission.

Mr. Werger stated the proposed interchange and roadway corridor may provide for a second route for vehicles, should it be needed with any conditions on US 218.

Mr. Bagelmann requested the City Staff share the proposed LUPM with entities within two miles of the Waverly City boundary.

The Commission reviewed the map and did not offer any additional changes to the map proposal.

INRCOG has advised to adopt the map “as amended” following public review. Mr. Kohout stated the process of adopting the map requires a public hearing and therefore staff is requesting the April Commission meeting as the date and time for the public to review the proposed changes prior to being presented to the Council for formal resolution approval.

Motion By: French

Seconded By: Solheim

Move that the Planning and Zoning Commission recommend setting a public hearing for deciding upon the Comprehensive Land Use Plan 2011 amendments and the Waverly Future Land Use Plan map changes for April 6, 2017.

Yes: 6

No: 0

Absent: 2

3. Review and Recommendation on Ordinance Amendments to R-3 and R-4 Zoning Districts.

City Staff from the Community Development department has reviewed the R-3 and R-4 ordinance provisions for conformance with the goals set forth in the last Comprehensive Land Use Plan. The goals were listed in the Housing section and the proposed ordinance amendments to the R-3 and R-4 districts aim to provide for revisions that will achieve a medium to high density of housing options, while reflecting some common elements from other Iowa communities. This draft follows the adoption of the R-1, R-1A and R-2 residential districts approved by the City in 2016. Staff presented a draft at the February 2, 2017 Commission meeting and is now presenting a draft reflective of comments received.

Mr. Kohout presented the draft for the Commission to review. Mr. Kohout stated at this point, staff is recommending the Commission review the proposal and to not recommend at this time as there are refinements to the language and more input desired from the Commission.

Mr. Werger stated the draft represents a desire for the R-3 district to accommodate only two-, three-, and four-family structures. Should someone desire more than four attached, the builder would have to seek an R-4 designation.

Mr. Huser stated a concern over spot zoning with allowing for multiple housing styles in close proximity.

Mr. Werger stated the intent of the respective districts is to propose campus style developments that are a medium to high density housing areas that may be desirable to certain demographics. Mr. Kohout stated the provisions provided call out a need to set a minimum standard for green space and to promote connection to City trails and parks so that the residents may be able to enjoy what has been provided.

The Commission stated support of reviewing the language and presenting again in a workshop outside of the regular meeting date for the Commission so as to better discuss the provisions prior to formal recommendation at the April 6, 2017 meeting.

Mr. Huser stated support of the staff considering planned developments and considering a district established that may provide for Commission and Council review when someone desires to establish a mixture of residential and commercial uses.

Mr. Werger confirmed for Ms. Solheim the provisions may include provisions for requiring a site plan to be presented at the time a large tract of land is being reviewed for a residential zoning classification to ensure road connectivity and other compatibility with adjoining tracts of land and land uses.

The Commission discussed a recent rezoning request along 20th St. NW as an example of a large tract of land seeking an R-3 zoning classification and justification of requiring a build out plan at the time of rezoning.

D. Old Business:

None

E. New Business:

None

F. Adjournment:

Motion By: Huser

Move that the Planning and Zoning Commission meeting be adjourned.

Meeting adjourned at 8:20 pm.

Respectfully Submitted,

Ben Kohout, Secretary