

PLANNING AND ZONING COMMISSION MINUTES
January 8, 2002
7:00 p.m.

A. Call to Order:

1. Members Present: David Huser, Chairperson
 Dean Soash, Vice-Chairperson
 James Brandau
 Elizabeth Hartman
 Bob Juhl
 Peggy Rathe

Members Absent: Edith Waldstein

City Officials Present: Jason Passmore, Secretary
 Gary Grace, Council Liaison
 Ivan Ackerman, Mayor

2. Approval of Agenda:

Motion By: James Brandau Seconded By: Peggy Rathe

Move that the agenda be hereby approved as printed.

Yes: 5 No: 0 Absent: 1

3. Approval of Previous Minutes:

Motion By: Dean Soash Seconded By: James Brandau

Move that the minutes of the December 6, 2001, Planning and Zoning Commission meeting be approved.

Yes: 5 No: 0 Absent: 1

4. Communications:

The Board of Adjustment Meeting for January 14, 2002 has been cancelled.
2002 Planning and Zoning Commission Member List.

B. Public Hearings:

1. Public Hearing on the Rezoning Request for the Robertson/Brye property along the north side of 10th Avenue SW.

Robert Robertson and Jean Robertson Brye along with their Engineer Butch Kehe of Cedar Valley Engineering have requested the rezoning of portions of their property along the north side of 10th Avenue SW and bordering both 16th and 20th Streets SW. The current zoning of the area is A-1 (Agricultural District) and the proposed zoning is C-2 (Commercial District). The applicants have expressed their desire to target commercial businesses aimed at providing service to the surrounding residential neighborhood.

Mr. Kehe began the discussion by reviewing the rezoning request and handing out a potential layout for the proposed bank. Mr. Kehe spoke of the gradual subdivision of the Leitha farm and the effects from the newly reconstructed 10th Avenue SW. He described the difficulty in developing residential lots along 10th Avenue SW with the access limitations, which has led to the commercial rezoning request. Mr. Kehe further detailed why the proposal of a 300-foot commercial corridor along 10th Avenue and 16th Street is desirable.

Chairperson Huser opened the public hearing and asked the Secretary for any received or staff comments. Secretary Passmore stated that during the platting process many issues will need to be resolved but they do not affect the current rezoning request. Mr. John Campbell addressed the Commission and asked about the potential driveways for the bank and the remaining property. Mr. Kehe described the potential plans but reiterated that the platting process has yet to begin and that would fully address all these questions. The use of the land was the current topic at hand. Mr. Campbell then asked what businesses are allowed in the C-2 district. Commissioner Juhl and Mr. Passmore explained that C-2 is the largest encompassing commercial district allowing most businesses. Mr. Kehe stated the developers intent for the particular businesses they desire in the area to be good neighbors to residential homes. Mr. Campbell desired a special zoning district be established that would limit types of businesses. Vice-Chairperson Soash responded that typically these types of requirements are established in the restrictive covenants.

Secretary Passmore stated that he did receive a call from John Reiger, Jr. not in support of the rezoning near his apartments. Mr. Kehe detailed some of the reasons why a C-2 district is favorable, such as parking requirements and setbacks. Mr. Huser asked about the timing of the platting process. Mr. Kehe stated that the geometry has become challenging and that they are not ready to do an entire plat yet for the area. There being no further comments, Mr. Huser closed the public hearing.

Mr. Juhl asked about the possibility of the C-1 district. Mr. Passmore stated that banks were not a permitted use in the C-1 district, while financial institutions are spelled out to be in a C-2 or C-3 district. The Commission discussed the C-1 district in general and how it could better fit potential commercial development. Mr. Soash stated his concern of the proposed bank layout and the driveways shown.

Mr. Huser asked about the possibility of just rezoning the potential bank property. Mr. Kehe stated that this would be acceptable, but that they desired to address everything at once so that all parties understand the potential of the area. Mr. Soash also expressed his concern to rezone both sides of 16th Street and thought a better proposal would be to limit the rezoning to the east side of 16th Street only. The Commission discussed this option and Mr. Kehe agreed with this type of a compromise.

Motion By: Dean Soash

Seconded By: Peggy Rathe

Move that the Planning and Zoning Commission recommend to the City Council the rezoning of the Robertson/Brye property along the north side of 10th Avenue SW and on the east side of 16th Street SW from A-1 to C-2.

Yes: 5

No: 0

Absent: 1

C. Regular Business:

1. Review and Set Public Hearing on the Rezoning Request for the Proposed Development in Southeast Waverly between 30th Street SE and 39th Street SE.

Mr. John Monaghan in conjunction with Schenk Engineering has produced a conceptual layout of a new subdivision to be located off East Bremer Avenue (Hwy. 3) between 30th Street SE and 39th Street SE. The area was previously rezoned for a potential subdivision years ago, which incorporated many zoning districts. Due to the new layout, the entire area is proposed to be rezoned with zoning districts such as C-2, R-4, R-2 and R-1 as shown on the accompanying drawings. The developer intends to bring preliminary plats to the next meeting and has identified what is to be considered phase 1.

Fred Debe with Schenk Engineering began the discussion by reviewing the conceptual design and proposed phasing of the development. Mr. Debe explained the difference between the proposed R-1 and R-2 districts and the respective houses that would be built in each. Vice-Chairperson Soash clarified with Mr. Debe that the entire property is being requested for rezoning. The drainage way through the property was also addressed and Mr. Debe explained how the development intends to deal with these issues. Commissioner Hartman asked about the requested R-4 district. Mr. Debe explained this would be intended for higher density housing such as row housing. The abutting M-2 district was discussed and the developer explained how the property is intended to have a buffer area established between the manufacturing and housing districts.

Public input was expressed concerning the drainage retention for the entire area. Secretary Passmore stated for clarity that the City requirements only make the developer address, for the purposes of storm-water detention, the area that is intended to be developed.

Motion By: Dean Soash

Seconded By: Elizabeth Hartman

Move that a public hearing for the rezoning request for the proposed development in Southeast Waverly between 30th Street SE and 39th Street SE and south of Hwy. 3 be set for the Planning and Zoning Commission meeting on February 7, 2002.

Yes: 5

No: 0

Absent: 1

2. Discussion on July Commission meeting.

The July Planning and Zoning Commission meeting happens to fall on the 4th of July. Due to the holiday, the Commission will need to decide upon an alternate date for the month of July's meeting.

The Commission decided to move the July meeting back one week to Thursday, July 11, 2002.

D. Old Business: None

E. New Business:

Commissioner Juhl suggested looking further into the possibility of revamping some of the commercial zoning districts. Vice-Chairperson Soash agreed that a general review is probably warranted for the various zoning districts.

F. Adjournment:

Motion By: Peggy Rathe

Seconded By: Bob Juhl

That the Planning and Zoning Commission meeting be adjourned.

Yes: 5

No: 0

Absent: 1

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