

St. Mary Catholic Church has requested a special provisional use for the construction of a new parish center located in Northwest Waverly. The property was donated by John and Lelah Anhalt and is located west of the Hickory Heights subdivision and east of 20th Street NW. The current zoning of the property is A-1 (Agricultural District) which requires a public hearing be held for the special provisional use. The parish center location has changed from the original request that was unanimously approved by the Commission at a public hearing in October of 2002. The City Council then reviewed the original request in October, 2002 and June, 2003, but ultimately denied the request on November 3, 2003. This new request incorporates the extension of County Meadows Drive west to 20th Street NW in an effort to ease the concern over the traffic volume to be produced on 20th Street NW.

Chairperson Huser introduced the issue and opened the public hearing. Chris Foy represented the Church and briefly reviewed the request. He stated that the project has not really changed from the original request but that the building location has changed in an effort to appease the City Council's concerns. Country Meadows Drive would now be extended along with all the utilities over to 20th Street NW. Mr. Foy reviewed the two phases of the project and the parking and green spaces that are being planned. He also referenced the traffic study which indicated that the traffic on Country Meadows Drive would not be a problem and that roadways are not built based on weekend spikes of traffic unless there are safety concerns. Mr. Foy added that he did not see noise as a concern and that the Church would accommodate for storm water runoff. He mentioned that St. Mary is a regional church as it is today and that the new facility will allow for growth but accommodate the existing congregation better.

Mr. Gaylord Hinderaker, resident of the area, handed out petitions from neighboring residents against the proposal (approximately 58 signatures and 7 written comments) and also a letter detailing their concerns. Mr. Hinderaker stated that they do not object to the proposed project for St. Mary but do not approve of the location. He stated that the increase in traffic is a main concern for Country Meadows Drive and 12th Street NW and did not agree with the criteria used for the traffic study. He also mentioned that the residents along Country Meadows Drive would have to put up with the construction traffic and that there are concerns over the lift station being able to handle any further increase in quantity. Mr. Hinderaker stated that if the Anhalt land was developed into purely residential lots there would be no objection. He further stated his concern over the safety of the children in the neighborhood with regard to the increase in traffic and viewed this as a major disruption to the area.

Mr. Larry Van Daalen, resident of the area, expressed his displeasure with the size of the proposed church and stated that this is a regional church, not a small neighborhood church. Further concerns he expressed related to the large parking lot and its storm water runoff and lighting. He also believed that noise

and the length of construction would be very disruptive to the area. Mr. Van Daalen mentioned his concern over the unknown effect on their property values. Mr. Bob Mundell, resident of the area, stated that he is not in favor of the proposed location but does not object to the project in general. He stated that traffic safety is the major issue and did not believe that residents along Country Meadows would be able to back out of their driveway when church services are in session. He further mentioned that he has had sewer back up numerous times and questioned the ability of the sewer system to handle further expansion.

Mr. Mike Stevens, resident of the area, expressed his concern over the increase in traffic along Country Meadows Drive and the back up of cars that would occur trying to get to 12th Street NW after church lets out. Mr. Brian Graettinger, resident of the area, stated his concern over the safety of children and pedestrians with the increase in traffic. Mr. Morris Tilson expressed his confusion regarding the church desiring this particular location versus a more visible site with better access. Mrs. Judy Strotman, resident of the area, objected to the proposed location due to the increase in traffic not only along Country Meadows Drive but also for 20th Street NW and 5th Avenue NW. Mr. Jim Strotman, resident of the area, stated his displeasure with the request due to the existing landscape and water runoff.

Mr. Foy responded to the various concerns and again reviewed why the church is requesting to build a new structure. He reviewed the number of parishioners and the number of services and functions the church will have during a week. Mr. Foy stated that the Commission requested during the previous church request to have a traffic study completed for the area. This request was met using a third party traffic engineer to conduct the study whose summaries somewhat support the church location. He mentioned that the church wants to be good neighbors and believed that the concerns of the residents are more related to the fear of the unknown versus what the church actually will build. Mr. Foy stated that the church is providing for a large buffer area adjacent to the neighbors in excess of what the City code would require. Chairperson Huser asked what the response is to the idea that 20th Street NW would need to be rebuilt due to the construction of the new church. Mr. Foy stated that per the traffic study, 20th Street NW is in need of repair as it currently exists and that the church is not asking the City to make major improvements to the roadway.

Mr. Tilson confirmed with Mr. Foy that the church investigated numerous other sites within Waverly before choosing the current proposal. Mr. Graettinger stated he did not agree with the traffic engineer's report that a City does not plan for off-peak hours surges in traffic. Mrs. Connie Brown stated that the residents have a right to fear the unknown because a church of this size has not been built before in Waverly. Mr. Foy again explained why the church has chosen this particular and did not believe that the church and the neighbors could agree on the proposed impact the church will have.

Mr. Brian Birgen, parishioner and neighboring resident to the existing church, expressed how much better the proposed new church would be compared to its current location in all aspects being discussed. Mr. Stevens stated that he did not believe the traffic study to be accurate. Commissioner Lambert asked about the potential for a third exit from the parking lot. Mr. Foy stated that they have discussed this idea and that it will likely be determined as the surrounding land develops. Chairperson Huser closed the public hearing.

City Engineer Cherry clarified that the sanitary sewer and lift station were analyzed and that there was sufficient capacity to handle the development. He further explained that the development will accommodate for storm water detention per the City regulations. Mr. Cherry also stated that as opportunities present themselves, 12th Street NW would be widened were needed. Commissioner Soash expressed his concern with the traffic study and the further effects of increased traffic in the general area, including the gravel county roads. He also expressed concern over gaining potential access to the south of the development. The Commission discussed the approval process and the subsequent approvals that would come from a residential subdivision. Commissioner Soash asked how many residents in the area signed the petition against the church. Mr. Van Daalen thought they had about 90% of the signatures for the neighborhood. Commissioner Bell acknowledged the amount of neighborhood concern and expressed her concern over the request.

Mr. Soash stated that another access into the proposed parking lot would be needed for the initial phase to better accommodate traffic flow. Mr. Huser expressed his concern over the general location of the church on the proposed property as the City would continue to develop. Commissioner Bell moved approval of the special provisional use. The motion died due to a lack of a second. The Commission discussed tabling the item until March to allow for more information to be presented. The Commission determined that a proper motion, whether in favor or against, should come to the table for a vote to give direction to the church.

Motion By: Elizabeth Hartman

Seconded By: Lake Lambert

Move that the Planning and Zoning Commission recommend to the City Council the special provisional use request for St. Mary Catholic Church.

Yes: 0

No: 7

Absent: 0

C. Regular Business: None

D. Old Business:

Commissioner Soash informed the Commission regarding the status with the Comprehensive Land Use Plan update and the upcoming task force meetings.

E. New Business: None

F. Adjournment:

Motion By: Dean Soash

Seconded By: Elizabeth Hartman

That the Planning and Zoning Commission meeting be adjourned.

Yes: 7

No: 0

Absent: 0

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