

PLANNING AND ZONING COMMISSION MINUTES
February 7, 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 (arrived at B.1)
 Edith Waldstein

Members Absent: None

- City Officials Present: Jason Passmore, Secretary
 Mike Cherry, City Engineer
 Richard Crayne, City Administrator
 Gary Grace, Council Liaison

2. Approval of Agenda:

Motion By: Elizabeth Hartman Seconded By: Bob Juhl

Move that the agenda be hereby approved as printed.

Yes: 5 No: 0 Absent: 1

3. Approval of Previous Minutes:

Motion By: James Brandau Seconded By: Dean Soash

Move that the minutes of the January 8, 2002, Planning and Zoning Commission meeting be approved.

Yes: 5 No: 0 Absent: 1

4. Communications:

The Board of Adjustment Meeting for February 11, 2002 has been cancelled.

B. Public Hearings:

1. 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 have 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 different zoning districts. Due to the new subdivision 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 map. The developer has a purchase option on the property that is contingent upon the rezoning approval.

Mr. Fred Debe of Schenk Engineering began the discussion by briefly describing the potential development and entertained any questions. Commissioner Hartman asked about the land locked portion of property in the R-2 District. Mr. Debe explained that this area is planned as a private park for the surrounding lots. Chairperson Huser opened the public hearing. Commissioner Juhl asked about the trail access in the southwest corner of the development and Mr. Debe responded that this access has not been established as of yet.

Secretary Passmore informed the Commission that no written communication was received but that multiple surrounding property owners had made contact so that they could better understand the development, and they did not express any concerns with the potential layout. Mr. Huser asked for any common questions that were raised and Mr. Passmore responded that the questions were more platting orientated, centered around the drainage way and detention requirements. Mrs. Carol Jahnke, representing the Waverly Area Development Group spoke in favor of the subdivision, listing various positives including the development of affordable housing options for the community.

Mr. Gary Schneider, of Schneider's Milling Inc., expressed his concern regarding the development occupying land next to the neighboring M-2 District. He owns one of the parcels in the neighboring M-2 District and would like to see development pushed as far from the Industrial District as possible. Secretary Passmore reviewed the setback requirements for this area. Currently the M-2 District has a 40-foot rear-yard setback but that a 50-foot building code setback exists due to the nature of material being stored. The tanks and facilities currently meet the 50-foot setback requirement. Furthermore, a rear-yard setback for the proposed R-4 District would be 35 feet, creating a minimum total separation of approximately 85 feet. Mr. Debe expressed the developers intent to create a buffer area along this property line by doing some plantings and Mr. Monaghan mentioned that they do not intend to place units too far back on the property. Mr. Passmore added that during the platting procedure, if the developer desires, a greater rear-yard setback could be established on the plat.

Mr. Huser closed the public hearing. Commissioners Brandau and Hartman wanted to revisit the proper distance that development should be from the M-2 District and the tanks that exist. Mr. Passmore restated the building and zoning code separation requirements. Mr. Randy Dillavou of Dillavou Oil and Mr. Tom

Michel representing Ag Vantage FS, both expressed interest in having the separation as large as possible. Mr. Debe mentioned that the developer would do his part to buffer as much as possible, which would come about in the platting procedure. Mr. Huser asked that notices to surrounding property owners be sent for the preliminary plat review. Vice-Chairperson Soash commented on the drainage concerns and expressed desire to see some resolution to the various problems be initiated.

Motion By: Dean Soash

Seconded By: Edith Waldstein

Move that the Planning and Zoning Commission recommend to the City Council the rezoning of the proposed development in Southeast Waverly between 30th Street SE and 39th Street SE as shown on the accompanying map.

Yes: 6

No: 0

Absent: 0

C. Regular Business:

1. Review and Recommendation of the Minor Subdivision Plat for the Reiger Duplexes along East Bremer Avenue.

John Reiger, represented by his son John Reiger, Jr., desires to split his property for the duplexes located at 2803 and 2809 East Bremer Avenue. Surveyor Steve Busse has produced a plat of survey detailing the two new parcels, descriptions and needed easements. Due to the previous parcel split for the home directly north at 2805 East Bremer Avenue, approval of a minor subdivision is required.

Chairperson Huser described the supplied updated plat and additional easement that is now incorporated. John Reiger, Jr. began the discussion by explaining that they would like to sell the duplexes off individually instead of as a pair. Vice-Chairperson Soash asked about the driveway easement. Secretary Passmore mentioned that the easement exists along the centerline of the drive and not necessarily down the middle of the proposed property line.

Motion By: Elizabeth Hartman

Seconded By: Peggy Rathe

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Subdivision Plat for the Reiger Duplexes located at 2803 and 2809 East Bremer Avenue.

Yes: 6

No: 0

Absent: 0

2. Bremer County Rezoning Request for the Donald Carlson property.

Bremer County has requested any comments that might be warranted from the City in regards to a rezoning request proposed by Donald Carlson that will enable him to divide his property for rural residential development. The property lies within area 1 on the map of areas, in the City and County's two-mile area

agreement. Mr. Carlson's request is that of rezoning and not a major subdivision, therefore even though the proposed area lies within area 1, comments are only requested.

The Commission discussed the location of the property and the potential of City utilities to reach this area. The area is located in the southeast corner of the newly designated area 1. Mr. Roger Hesse, representing Mr. Carlson clarified the current structures on the property. The Commission discussed the difficulty in getting City utilities to the area and expressed no comments.

3. Review and Recommendation of the Minor Subdivision Plat for the Red Fox .

Meier – Hanson Properties desire to split their property for the area containing the Red Fox Inn located at 1900 Heritage Way. Terry Van Laningham, PLS, has produced a plat of survey detailing the two new parcels, descriptions and needed easements. Due to the previous parcel split of the Red Fox Inn and the establishment of a third distinct parcel, approval of a minor subdivision is required.

Glen Meier began the discussion by explaining the request for the Red Fox to split their property to have the hotel and the tennis courts on one separate parcel. Commissioner Hartman asked how the new parcels would be used. Mr. Meier explained that the hotel property is listed with a realtor and they are looking at potential development on the parcel to the south.

Motion By: Bob Juhl

Seconded By: Edith Waldstein

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Subdivision Plat for the Red Fox Inn located at 1900 Heritage Way.

Yes: 6

No: 0

Absent: 0

D. Old Business: None

E. New Business: None

F. Adjournment:

Motion By: Bob Juhl

Seconded By: Peggy Rathe

That the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 0

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