

PLANNING AND ZONING COMMISSION MINUTES
March 1, 2001
7:00 p.m.

A. Call to Order:

1. Members Present: Dean Soash, Vice-Chairperson
James Brandau
DyAnn Longseth
Edith Waldstein

Members Absent: David Huser, Chairperson
Bob Juhl
Peggy Rathe

City Officials Present: Jason Passmore, Secretary
Mike Cherry, City Engineer

2. Approval of Agenda:

Motion By: DyAnn Longseth Seconded By: James Brandau

Move that the agenda be hereby approved as printed.

Yes: 4 No: 0 Absent: 3

3. Approval of Previous Minutes:

Motion By: Edith Waldstein Seconded By: James Brandau

Move that the minutes of the February 1, 2001, Planning and Zoning Commission meeting be approved.

Yes: 4 No: 0 Absent: 3

4. Communications:

The Board of Adjustment Meeting for March was cancelled.

B. Public Hearings:

1. Public Hearing on the Rezoning Request for the Griggs property in SE Waverly.

Timothy and Jodi Griggs, owners of property in southeast Waverly along the Waverly Rail-Trail and the Cedar River, are requesting to rezone a part of their property from M-2 (Manufacturing) to A-1 (Agricultural).

Vice-Chairperson Soash opened the public hearing and asked the secretary for any written or oral comments. Secretary Passmore reported that one written comment was submitted and that an information exchange took place with representatives of GMT. The written comment was from Kris Brunkhorst who was concerned over the driveway crossing on the Rail-Trial. Mr. Fox was present in the audience to express his favor towards the rezoning. Mr. Griggs pointed out his tentative house location on the new map, and that the proposed site will not be in conflict with the quarter-mile setback requirement. Vice-Chairperson Soash closed the public hearing.

Motion By: DyAnn Longseth

Seconded By: Edith Waldstein

Move that the Timothy and Jodi Griggs property in southeast Waverly between the Waverly Rail-Trail and the Cedar River be rezoned from M-2 to A-1.

Yes: 4

No: 0

Absent: 3

C. Regular Business:

1. Set Public Hearing on the Rezoning Request for the Areas in Southeast Waverly around 12th Street SE.

The City of Waverly is requesting to rezone multiple properties in the 12th Street SE area from A-1 (Agricultural District) to R-1 (Single-Family Residential District) and two areas from U-1 (Environmentally Sensitive Protected District) to R-1 (Single-Family Residential District).

Secretary Passmore began by reviewing the process that has led to this point. The purpose was to turn multiple non-conforming residences into conformance through the R-1 rezoning. A tentative timeline and descriptions of the area were referenced along with the property/surrounding property owner's list. The individual areas, as broken down by their descriptions, were reviewed.

Commissioner Waldstein asked about the U-1 district and why typically areas are zoned as such. Secretary Passmore responded that generally for the City of Waverly the U-1 district mirrors the Cedar River. The intent of the district is to restrict most building construction because of its similarity to the floodway designation. Vice-Chairperson Soash mentioned some recent areas that have been rezoned out of the U-1 district.

Vice-Chairperson Soash asked about the two cemeteries in the area to confirm that they are not desired to be included in the rezoning request. He also inquired about the availability of City water and sewer to the areas around 8th Avenue SE. City Staff responded that water is available and that sewer is available for most of the area.

Motion By: James Brandau

Seconded By: DyAnn Longseth

Move that a Public Hearing to rezone multiple areas in southeast Waverly around 12th Street SE to R-1, be set for the Planning and Zoning Commission meeting on April 5, 2001.

Yes: 4

No: 0

Absent: 3

2. Staff Review of the Comprehensive Plan Revision.

The City of Waverly's Comprehensive Plan is about four years old and is being budgeted for a revision. Secretary Passmore began by requesting for approximately three volunteers to serve on a committee to assist in the revision process. This committee will serve to help outline any updates, changes or enhancements that are desired from the comprehensive plan as it now exists. Once the scope of services is established, they will be sent out for request for proposals to prospective firms. Public input will also be gathered at specific meetings.

Vice-Chairperson Soash emphasized the importance of the comprehensive plan as its guide for the growth of Waverly. City Engineer Cherry reviewed various specific issues that the comprehensive plan might want to address and that will be brought up to the committee.

Commissioner Longseth along with Vice-Chairperson Soash volunteered to be a part of the committee.

3. Proposed Ordinance Amendment to Properly Address Childcare Facilities.

Secretary Passmore began discussion by stating that the Commission could take this issue as far as they desire considering the three missing members. He stated that the current City of Waverly Ordinances do not properly address the placement of childcare facilities. The R-3 and R-4 zoning districts allow for childcare facilities to be a provisional use to the same extent that they are allowed in an R-1 or R-2 district. This restricts the use to be within a residence or a religious institution.

Commercial districts do not address childcare facilities at all. The exceptions and modifications section states that a special permit is required for day nurseries where permitted in the zoning chapter. This leaves a large hole as to where placement of a separate building for the purpose of childcare may be located. The Secretary reviewed existing and potential scenarios that would not fit under the current code as written.

Following this explanation, a proposal was outlined that would allow separate childcare facilities to be a special provisional use in an R-3 and R-4 district and an approved use in the C-1 district. C-2, C-2A and C-3 districts permit any permitted use in the C-1 district. The affected ordinances would be amended as follows:

- R-3 Delete section 100.8.02.2.c(2) Childcare Facilities
Add section 100.8.02.3.i Childcare Facilities
- R-4 Delete section 100.9.02.2.b(2) Childcare Facilities
Add section 100.9.02.3.i Childcare Facilities
- C-1 Add section 100.12.02.1.g Childcare Facilities
- Exceptions and Modifications Delete the term **day nurseries** from
section 100.21.09.1.b

Vice-Chairperson Soash agreed with the presented problem and also sees that a commercial district should allow childcare facilities because of the increased traffic flow. Due to the lengthy situation and the missing members, he would like to bring this item back at the next meeting. The Commission discussed the format of the proposed amendment and whether to place childcare facilities individually in each commercial district or let it fall back to the C-1 district.

The Planning and Zoning Commission agreed to table the referenced ordinance amendments to allow Childcare Facilities to be properly placed within the specified zoning districts to the next Planning and Zoning Commission meeting on April 5.

D. Old Business:

E. New Business:

Secretary Passmore updated the Commission on an easement vacation that is proposed for the Stone Haven Subdivision. The item will come before the City Council and is just an information exchange for the Commission. The Commission discussed what vacations should be brought before them. The location of the new easement was also discussed.

F. Adjournment:

Motion By:

Seconded By:

The Planning and Zoning Commission meeting adjourned.

Yes:

No:

Absent:

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