

PLANNING AND ZONING COMMISSION MINUTES
April 3, 2008
7:00 p.m.

A. Call to Order:

1. Members Present: Lake Lambert, Chairperson
 Edith Waldstein, Vice-Chairperson
 Hank Bagelmann
 Karen Dickman, arrived at A.3
 Ryan Keller
 Bill Wilson
- Members Absent: David Huser
- City Officials Present: Jason Passmore, Economic Development Director
 Gary Grace, Council Liaison

2. Approval of Agenda:

Motion By: Edith Waldstein Seconded By: Ryan Keller
Move that the agenda be approved as printed.
Yes: 5 No: 0 Absent: 2

3. Approval of Previous Minutes:

Motion By: Hank Bagelmann Seconded By: Ryan Keller
Move that the minutes of the March 6, 2008, Planning and Zoning Commission meeting be approved.
Yes: 6 No: 0 Absent: 1

4. Communications:

Board of Adjustment Meeting – April 14, 2008 – Cancelled

B. Public Hearings: None

C. Regular Business:

1. Review and Recommendation of the Minor Plat for Parcel “V” within the Security State Bank Subdivision along 10th Avenue SW.

Security State Bank, in conjunction with Helland Engineering & Surveying, has produced a plat of survey to create Parcel "V" within the existing Security State Bank property. The property is zoned C-2 (Commercial District) and the Comprehensive Land Use Map designates this area as Commercial. The property lies along the north side of 10th Avenue SW and is south of the Rolling Meadow Subdivision. The new parcel would accommodate a new commercial development that would build a left-hand turning lane within the existing median on 10th Avenue SW. Sanitary sewer is available to the west and an easement document is being created to identify its best alignment. Water and other utilities are available in front of the property.

Secretary Passmore stated that the sanitary sewer easement will be to the west along the north property line of the remaining parcel and that the surveyor is incorporating that into the plat. Mr. Passmore also mentioned that the left-hand turning lane within 10th Avenue SW has been located and agreed upon by all parties but official signed documents have not been finalized at this time. He stated that the Commission may want to recommend the plat contingent upon the construction of this turning lane because without a full left-hand turning lane there would be traffic safety concerns. Commissioner Bagelmann confirmed that the turning lane would accommodate the remainder of the property along 10th Avenue SW. Mr. Passmore stated that this turning lane would service the new proposed parcel and all the land to the bank and including the bank. He mentioned that the current turning lane further east will serve the existing three lots that go up to the power station.

Mr. Butch Kehe spoke in opposition to the proposed plat and desired that all of the turning lane documents and cross access easements be established before the plat is recommended. He stated that he wanted to see how the remainder of the property would be used and that too many questions remain. Mr. Passmore stated that access to the remainder of the bank property has always been discussed and planned for and that an easement along the frontage of the new parcel could be added to insure this item. The Commission discussed the access locations along 10th Avenue SW as the City manages the number of drives allowed from the north side of the roadway. Mr. Kehe mentioned that accommodating for the cross access easement could allow connectivity in the future to the land to the east, although that will not occur at the present time.

Motion By: Edith Waldstein

Seconded By: Hank Bagelmann

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Plat for Parcel "V" within the Security State Bank Subdivision along 10th Avenue SW contingent upon the construction of a left-hand turning lane and a fifty-foot access easement across the frontage of the parcel.

Yes: 6

No: 0

Absent: 1

2. Review and Recommendation of the Minor Plat within the Rolling Meadow Subdivision Phase 2a, along 10th Avenue SW.

Rolling Meadow Limited Partnership, in coordination with their agent Butch Kehe, has requested the approval to split Lot B within the existing Phase 2a plat. The property is zoned C-2 (Commercial District) and the Comprehensive Land Use Map designates this area as Commercial. The property lies along the north side of 10th Avenue SW and would split the lot into two equal parcels. The new parcels would accommodate a new commercial development that will utilize the newly built left-hand turning lane on 10th Avenue SW. All utilities are available in front of the property and a plat of survey is forthcoming.

Motion By: Hank Bagelmann

Seconded By: Ryan Keller

Move that the Planning and Zoning Commission recommend to the City Council the approval of the minor plat within the Rolling Meadow Subdivision Phase 2a, along 10th Avenue SW.

Yes: 6

No: 0

Absent: 1

3. Review of Potential Ordinance Amendment to address individual Wind Generators.

Michael Miller of Natural Solutions L.L.C. has requested a review of how residential wind generators are allowed under the current standards. The review procedure at the present time would only allow these towers to be placed in the A-1 (Agricultural District) and require special provisional use approval. The potential to construct these towers in any zoning district with any appropriate restrictions is being considered.

Mr. Miller reviewed the individual wind generators with his supplied information. He believes this to be a growing industry and would like the ability to market these generators to home owners or businesses as they would cut down on individual utility costs. Mr. Miller stated that he would assist in any way possible to look into a potential ordinance to address these units uniformly. Parameters on the wind generators that he suggested would be a maximum tower height of 80 feet and a maximum noise level of 65 dBA.

The Commission discussed many items related to wind generators that will require further research and more discussion. City staff will investigate existing ordinances that are available and research what other communities are doing to regulate these units. Items discussed that would have parameters placed upon them included potential setbacks from property lines and structures, size of property that these units would be allowed on, noise levels, and maximum heights. Mr. Miller noted that in considering the height, the wind turbine needs to be above the surrounding trees and buildings in order for it to function properly. He mentioned in some areas of town a 50 to 60 foot height may be sufficient, but in other areas an 80 foot height might be needed.

Concerns were raised regarding the aesthetics of these tall towers in residential neighborhoods and whether an ordinance would allow for units to be placed on top of existing structures. Mr. Miller recommended that an ordinance allow for only the stand alone units and not consider attachments to structure. He stated that his particular units have all the required engineering completed for a stand alone structure and that most other units would be very similar. Commissioner Bagelmann mentioned that proper consideration will need to be given to address required airport zones and any potential communication interruption with airplanes that could be created. The Commission also advised that contact be made with Waverly Light & Power about these units to assess any concerns or assistance they might have. Further research will continue and the issue will be reviewed again at a future Commission meeting. Council Liaison Grace mentioned that a public forum may be appropriate when a final draft ordinance is established.

4. Review and Set Public Hearing on the Rezoning Request for the Lots Along 5th Street NW in Green Acres Addition.

The City of Waverly, in coordination with the affected property owners, has requested the rezoning of four lots in Northwest Waverly along 5th Street NW. The requested lots would be on both the east and west side of the road and conform the existing uses. The proposed zoning is R-3 (Multiple Family Residential District) while the property is currently zoned R-1 (Single Family Residential District). The Comprehensive Land Use Map designates the area as Residential and the rezoning would match the adjacent property to the south.

Secretary Passmore reviewed the request and mentioned that due to the different property owners involved, the City has initiated the request. Lot numbers 9, 10, 14 and 15 of Green Acres Addition are the specific lots requested for rezoning and consist of an existing multiple family dwelling, a garage used as part of an existing multiple family dwelling, a single family dwelling and another single family dwelling being used as rental property. Mr. Passmore stated that single family dwellings are conforming uses in either the R-1 or R-3 zoning districts. Chairperson Lambert confirmed that off-street parking requirements would be adhered to for the rental house if the property was included in the request. Vice-Chairperson Waldstein expressed some reservations about increasing the R-3 district.

Motion By: Hank Bagelmann

Seconded By: Karen Dickman

Move that a public hearing for the rezoning request for the Lots Along 5th Street NW in Green Acres Addition be set for the Planning and Zoning Commission meeting on May 1, 2008.

Yes: 6

No: 0

Absent: 1

D. Old Business: None

E. New Business:

Commissioner Baglemann gave a review of the recent planning, zoning and airport seminars that he attended. Other commissioners will be attending the same seminar within the next month and Mr. Bagelmann stated that the seminars were very good and also worthwhile for airport commissioners to attend.

F. Adjournment:

Motion By: Ryan Keller

That the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 1