



The Waverly Fire Department and the City of Waverly, in conjunction with their architect, Gardner Architecture, have requested the rezoning and Special Provisional Use approval for their new fire station. The new fire station is proposed to be located directly south of the existing fire station along the east side of 1<sup>st</sup> Street SW. The proposed zoning is C-3 (Commercial – Central Business - District) while the current zoning is U-1 (Environmentally Sensitive Protected District). The request incorporates the relocation of the fire museum and extends into the current north end of South Riverside Park. Location of any new government facility in any zoning district requires Special Provisional Use approval and the Comprehensive Land Use Map conforms to this use as the area is labeled as Public, Government, Church and Recreational (Green).

Chairperson Hartman referenced the Parks and Recreation Commission minutes that show approval to use parkland for part of the fire station project. Mr. Brian Stark of Gardner Architecture represented the request and mentioned that continuing discussion is taking place with the City on the best alignment of the bike trail. Mrs. Hartman opened the public hearing. Secretary Passmore noted that he received two calls from surrounding neighbors that were more to clarify the request than to give any opinion. One concern brought up by one neighbor was the desire to see off-street parking accommodated for appropriately. There being no further comments, Mrs. Hartman closed the public hearing.

Commissioner Lambert asked whether the other uses of the fire station will continue into the future. Fireman Jeff Soash stated that the new fire station will still accommodate voting, restrooms, pancake breakfasts and other similar City functions. Commissioner Waldstein questioned the access to fire station. Mr. Stark reviewed the intended truck access locations as well as the general public access locations. Mrs. Hartman confirmed that the trail will be hard surfaced and the same width as the existing trail. Mr. Stark stated that how the trail will connect to West Bremer Avenue is still being reviewed. Commissioner Soash confirmed that the driveway on the north end of the project is a private drive. Commissioner Bell expressed concern over the proposed location and believed other locations would have been better suited to accommodate a new fire station. Mr. Jeff Soash reviewed their selection process and criteria and stated that the existing site was the best site that was available.

Motion By: David Huser

Seconded By: Dean Soash

Move that the Planning and Zoning Commission recommend to the City Council the approval of the rezoning and Special Provisional Use request for the Waverly Fire Station Project.

Yes: 6

No: 1

Absent: 0

Commissioner Bell cast the “No” vote.

2. Public Hearing on the Rezoning Request and Comprehensive Land Use Amendment for the Edgar & Soash Property along 6<sup>th</sup> Avenue SE and River Park Drive.

Jeff Soash and Lance Edgar (E&S Properties) have requested the rezoning of their property along the south side of 6<sup>th</sup> Avenue SE and the east side of River Park Drive. The proposed zoning is C-2A (Commercial District) while the current zoning is R-3 (Multiple-Family Residential District) and U-1 (Environmentally Sensitive Protected District). The owners intend to construct rentable garages and storage buildings for their adjacent apartment complex or general public usage. The Comprehensive Land Use Map designates this area as Public, Government, Church and Recreational (Green) and would need to be amended to Commercial (Red).

Chairperson Hartman opened the public hearing. Secretary Passmore stated that he received one call from the neighbor most affected to the north of the property and that he did not have any concerns with the request. There being no further comments, Mrs. Hartman closed the public hearing. Vice-Chairperson Huser confirmed with Mr. Jeff Soash that any proposed buildings would be located one foot above the 100-year floodplain elevation. Commissioner Bell expressed concern over rezoning U-1 districts. Commissioner Waldstein stated reservations over having a spot of commercial property isolated in this location. Mrs. Hartman stated that parking for the apartments would be acceptable, but that the introduction of commercial into the area did not seem to be a good fit. Mr. Soash stated that the access into the area is not good and that after these structures were built, they would not be attractive to any other type of commercial business.

Vice-Chairperson Huser asked about other ways restrictions upon this particular use could be incorporated that might allow this request. Mr. Passmore mentioned his concern over creating any zoning agreements that would attach to this property to allow this particular use. The Commission discussed various options to accommodate the request and Mr. Soash mentioned that no other surrounding owners desire the property. Mr. Soash asked if this type of a use could be looked at as a special provisional use within the R-3 District. The Commission was receptive to this idea and desired to look at this potential ordinance amendment along with rezoning the entire area to the R-3 District.

Motion By: Edith Waldstein

Seconded By: Hank Bagelmann

Move that a public hearing for the revised rezoning request and Comprehensive Land Use amendment for the Edgar & Soash Property along 6<sup>th</sup> Avenue SE and River Park Drive be set for the Commission Meeting on May 5, 2005.

Yes: 6

No: 0

Absent: 0

Commissioner Soash removed himself from the Commission before the issue was entertained due to a conflict of interest.

3. Public Hearing on the Rezoning Request for the J.D. Francis Property at 1607 5<sup>th</sup> Avenue NW.

J.D. Francis has requested the rezoning of his property at 1607 5<sup>th</sup> Avenue NW across from Bartels and west of the railroad crossing. The proposed zoning is R-2 (One & Two-Family Residential District) while the current zoning is R-1 (Single-Family Residential District), with the owner's intentions to construct a duplex. The Comprehensive Land Use Map designates this area as Residential (Yellow).

Mr. Francis reviewed the request and the adjacent parcels and stated that the surrounding properties create a good buffer area. He also stated that he has invested in the lot by bringing in the current fill material. Chairperson Hartman opened the public hearing. Secretary Passmore stated that the supplied letter in opposition was the only official comment submitted. There being no further comments, Mrs. Hartman closed the public hearing. Commissioner Bagelmann asked about the requirements that were placed on the adjacent Reiger Subdivision to the south of the proposed lot. Mr. Passmore reviewed the flood elevation requirement that was placed on the subdivision even though the area is not considered within the 100-year floodplain. Mrs. Hartman asked if Mr. Francis had considered rezoning to R-3. Mr. Francis responded that he considered this option to join with the R-3 zoning of Bartels across the street, but believed a duplex was the appropriate structure to go onto the lot and that rezoning to R-2 seemed to transition well. Mrs. Hartman added that this could very well be looked at as spot zoning. Vice-Chairperson Huser stated that he viewed the R-2 rezoning as an acceptable transition. Commissioner Waldstein stated that a rezoning request to R-3 would be more troublesome. Commissioner Soash mentioned that the significant R-1 surrounding properties were a concern to him for this request. The Commission discussed the individual surrounding properties in further detail. Commissioner Lambert also viewed this as spot zoning and was concerned about further requests of this nature.

Motion By: Dean Soash

Seconded By: David Huser

Move that the Planning and Zoning Commission recommend to the City Council the approval of the rezoning request for the J.D. Francis property at 1607 5<sup>th</sup> Avenue NW.

Yes: 1

No: 6

Absent: 0

Vice-Chairperson Huser cast the "Yes" vote.

C. Regular Business:

1. Review and Recommendation of the Ordinance Amendment Relating to Multiple Zoning Requirements.



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