

PLANNING AND ZONING COMMISSION MINUTES
July 6, 2006
7:00 p.m.

A. Call to Order:

1. Members Present: Edith Waldstein, Chairperson
 Hank Bagelmann
 Ann Bell
 David Huser
 Ryan Keller
 Bill Wilson

Members Absent: Lake Lambert, Vice-Chairperson

City Officials Present: Jason Passmore, Secretary
 Gary Grace, Council Liaison

2. Approval of Agenda:

Motion By: Hank Bagelmann Seconded By: Ryan Keller

Move that the agenda be approved as printed.

Yes: 6 No: 0 Absent: 1

3. Approval of Previous Minutes:

Motion By: Ryan Keller Seconded By: Bill Wilson

Move that the minutes of the June 1, 2006, Planning and Zoning Commission meeting be approved.

Yes: 6 No: 0 Absent: 1

4. Communications:

Board of Adjustment Minutes – May 8, 2006
Board of Adjustment Minutes – June 12, 2006
Board of Adjustment Agenda – July 10, 2006

B. Public Hearings: None

C. Regular Business:

1. Review and Set Public Hearing on the Rezoning Request for the Area Along 1st Street SE.

The City of Waverly, in coordination with the affected property owners, has requested the rezoning of the area along the west side of 1st Street SE near 1st Avenue SE. The proposed zoning is C-3 (Commercial - Central Business - District) and R-4 (Multiple Family Residential - Transitional District) while the current zoning is U-1 (Environmentally Sensitive Protected District). The Comprehensive Land Use Map designates this area as Commercial and Residential respectively. The properties are not within the 100-year floodplain district and consist of a bank, a parking lot and a residential home.

Secretary Passmore reviewed the request and mentioned that through discussion with the State Bank of Waverly, this issue was raised and that it appears this U-1 zoning was established long ago. Commissioner Wilson confirmed that this zoning change would be necessary for the bank to make any major improvements. Mr. Passmore stated that he was able to speak to Mrs. Sabey regarding their residential home and that no concerns were raised. CUNA owns the parking lot and Mr. Passmore stated contact has been made with them, although they will not likely have a concern regardless of the zoning. Commissioner Bagelmann confirmed that the rezoning request to the C-3 district would include the abandoned alley within the parking lot. Chairperson Waldstein asked why not rezone the residence to R-2 that is adjoining to the south. Mr. Passmore stated that the Commission could do that if desired, but that by continuing the R-4 district as shown, it creates the intended buffer zone all the way to the river.

Motion By: Hank Bagelmann

Seconded By: Ryan Keller

Move that a public hearing for the rezoning request for the area along 1st Street SE be set for the Planning and Zoning Commission meeting on August 3, 2006.

Yes: 6

No: 0

Absent: 1

2. Review of a Bremer County Rezoning Request within the Two-Mile Area.

Edna Anhalt and J.D. Francis are requesting County rezoning from A-1 & A-2 to R-1 for their proposed new residential subdivision along the north side of county highway C-33, north of Waverly. The proposed subdivision is within the City's two-mile boundary and is classified as an area 3 per the policy's map of areas. Zoning requests within an area 3 are brought before the City for comments while approval is by the County. The Bremer County Planning and Zoning Commission recently did not recommend approval of this request and the request will now go to the Board of Supervisors.

J.D. Francis reviewed his subdivision plans and the rezoning request. Secretary Passmore mentioned that the City of Waverly has only the power to comment on the rezoning as it is completely a Bremer County decision. Mr. Francis detailed some of the complaints of the surrounding property owners, but stated that his request would conform to the Bremer County Comprehensive Land Use Plan.

The Commission confirmed the surrounding residential homes and the extent of the Anhalt property to the north. Mr. Passmore reviewed the upcoming process and confirmed that these comments would be given to the Board of Supervisors. Mr. Francis detailed how he would set up the well and septic systems for the homes within the subdivision and stated that natural gas is already in the area. Commissioner Bagelmann commented on the importance of the Comprehensive Plan and the effort that goes into creating such a document, and was interested in why the Bremer County Planning Commission would not follow it in this particular case. Commissioner Bell confirmed with Mr. Francis that there was no unusual topography on the proposed subdivision land.

Motion By: David Huser

Seconded By: Bill Wilson

Move that the City of Waverly Planning and Zoning Commission recommend with no concerns the proposed rezoning as it meets with the Bremer County Comprehensive Land Use Plan.

Yes: 6

No: 0

Absent: 1

3. Review and Set Public Hearing on the Rezoning Request for the J.D. Francis Property at 1607 5th Avenue NW.

J.D. Francis has requested the rezoning of his property at 1607 5th Avenue NW across from Bartels and west of the railroad crossing. The proposed zoning is R-3 (Multiple Family Residential District) while the current zoning is R-1 (Single Family Residential District), with the owner's intentions to construct a duplex on the empty lot. The Comprehensive Land Use Map designates this area as Residential. Mr. Francis pursued this request approximately one year ago, but pulled the request before moving on to City Council following the non-recommendation by the Commission.

J.D. Francis reviewed his proposed request and the surrounding property. Mr. Francis stated that the lot naturally lends itself to a duplex and that placing a single-family house upon the lot is not desirable. He further stated that quality rental property within Waverly is not plentiful and this type of structure would fit that need. Mr. Francis also explained that he and his attorney do not see this request as spot zoning, as was contested a year ago. He reviewed the potential layout of the duplex and the off-street parking that will be created and further mentioned that he owns many rental properties that he maintains quite well.

Commissioner Bagelmann confirmed that the City currently owns the parcel of land to the east of the proposed rezoning for the future extension of 17th Street NW and inquired about rezoning all this land to the railroad tracks. Secretary Passmore stated that the City would not be interested in releasing any of this ground to the east because a significant width will be needed if the street extension is ever considered due to the difference in grades of the existing two roadways, and therefore the zoning of future right-of-way would be irrelevant.

Mr. Francis mentioned that his parcel is not in the 100-year floodplain and not a part of the Rieger Subdivision. Chairperson Waldstein asked about the significant difference between building a single-family home versus a duplex. Mr. Francis responded that a single-family home would be very difficult to sell in this location because of the large number of available lots within new subdivisions that are not bordered by what surrounds this property. He further stated that any new construction on this property will likely be more expensive than the surrounding neighborhood, which lends itself better to the idea of a duplex. Commissioner Huser mentioned that a new single-family home on this lot would not necessarily conform to the surrounding neighborhood. Mrs. Waldstein stated that a common concern in Waverly is that there are not a lot of moderately priced homes and could this property fit that need versus being a duplex. Commissioner Bell confirmed with Mr. Passmore that an applicant must wait one year before bringing back the same rezoning request that did not gain approval.

Motion By: Bill Wilson

Seconded By: Hank Bagelmann

Move that a public hearing for the rezoning request for the J.D. Francis property at 1607 5th Avenue NW be set for the Planning and Zoning Commission meeting on August 3, 2006.

Yes: 6

No: 0

Absent: 1

D. Old Business: None

E. New Business: None

F. Adjournment:

Motion By: Bill Wilson

Seconded By: Hank Bagelmann

That the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 1

This document was created with Win2PDF available at <http://www.win2pdf.com>.
The unregistered version of Win2PDF is for evaluation or non-commercial use only.
This page will not be added after purchasing Win2PDF.