

Mr. Bagelmann opened the public hearing. Ken Kammeyer, Bremer County Board of Supervisor for District No. 1, outlined the proposal and clarified for the Commission the request is to allow the building to be remodeled to accommodate the Community Based Services and Home Care offices. No additions are being proposed.

Sandra Koenig, property owner of 407 3rd St. SE, confirmed with Mr. Kammeyer there was an agreed upon easement for access that was established with the previous owner, St. Mary Church, that she would seek to have the discussions of easement for access and maintenance continued. Mr. Leon Deutsch, realtor representing St. Mary Church, outlined there is a sign posted stating this drive is private and there was an easement recorded that refers to the agreements. Ms. Koenig spoke of concern over the cut-through nature of the drive, between 3rd St. SE to the eastern limits of the Drexler center property, along the south side of the property.

Mr. Bagelmann outlined a letter received from David and Mary Schildroth, nearby residents, and clarified the special provisional use sections in the City Code. Mr. Bagelmann and Commissioner Dickman outlined the letter contained concern over parking along 3rd St. SE in conjunction with this proposed office use and concern for a higher traffic volume in conjunction with the proposed office use. Commissioner Keller confirmed with Mr. Mike Issacson, of Community Based Services the facility be used for office space only and not housing of individuals.

There being no further public comments, Mr. Bagelmann closed the public hearing.

Motion By: Huser

Seconded By: Wilson

Move that the Planning and Zoning Commission recommend to the City Council the approval of the special provisional use request for Bremer County office use at 403 3rd St. SE.

Yes: 6

No: 0

Absent: 1

2. Public Hearing for a Special Provisional Use request for a New Veterans Post Club Building in Northwest Waverly.

The veterans groups of Waverly are proposing a new veterans post building and parking area at the site of the current Veterans of Foreign Wars post building located at 1300 4th St. NW. The property is zoned R-2 (One and Two Family Residential District) and the Comprehensive Land Use Map designates the area as residential. Per the City Code, a club use is a special provisional use in the R-2 district and is subject to recommendation by the Planning and Zoning Commission and approval by the City Council.

Mr. Bagelmann clarified he is a U.S. Army Veteran and is a member of Waverly American Legion Post 176 and serves in an advisory capacity and receives no compensation, has no vote with the American Legion and after checking with legal counsel and City policy, has determined he has no conflict of interest in voting on this proposal. Mr. Bagelmann opened the public hearing.

Jim Beam, Chairman of the Waverly Area Veterans Post Board of Directors, outlined the proposal and the reasons why they wanted to build this facility.

The reasons included it is not economically feasible to operate four separate facilities as there currently are, this will be unique when compared to other facilities in the State, they want this building to be there for future veterans, and they would not be changing the existing uses already occurring on the premises, only expanding them.

Mr. Beam continued the proposed use of the building would include being about 2.5 times larger than existing facility, would occupy approximately 1.6 acres of the 4 acre site with parking and building area, the building would not increase the size for commercial usage but to accommodate group needs, anticipates on hosting 4 to 6 events per month on weekends. He continued they have looked at other sites and due to the sites not being available or affordable in October of 2009, they looked closer at this subject site due to the current use of the property and readily available access to property. They anticipate on hiring one full time property manager with a total temporary staff of approximately 10 to accommodate events and will plan to have security present when alcohol would be served. Mr. Beam outlined they have met with Carey Elementary school officials and will coordinate events around peak traffic times with the school and has had discussions about school teachers and parents utilizing their proposed parking area for parking and improving the children drop-off and pick-up activity, which is occurring today.

Mike Broshar, of Invision Architecture, outlined the proposal for the Commission at this meeting has been refined and slightly altered to take into considerations brought up at the December 3, 2010, Planning and Zoning Commission meeting. Mr. Broshar specified the building would be about 8,000 square feet with dimensions of 115 feet long by 75 feet wide and would be built into the hill, with the lower level exposed to the north. He anticipates the capacity would be a maximum of 100 persons in the dining room, 50 persons in the lounge, with a banquet facility able to accommodate up to 350 persons. Mr. Broshar outlined they would maintain a 45 foot buffer between the west property limits and the parking area, with Norway spruces planted in a manner to shield light which may go off-site from traffic and parking area lights. The properties to the west are at a higher elevation and berming may not be appropriate to continue to allow their storm water to flow across the subject property to the river. The existing mature trees would be maintained. In terms of lighting the parking lot area, the lights are proposed to be at the current existing height of 24 feet and would meet code by being shielded and directed down. The traffic pattern was considered at the entrance and screening is anticipated in addition to the curvature of the drive to minimize off-site traffic lights to the west and to the south. Mr. Broshar stated the parking configuration and the number of spaces has changed from the December proposal to include 134 parking spaces and the floor plan was previously 20,000 square feet and this proposal represents 16,000 square feet.

Commissioner Waldstein stated the alterations made were in response to feedback from the first meeting and thinks significant changes and improvements have been made with this proposal.

Alice Barkhusen, 126 9th Ave. NW, confirmed with Mr. Broshar the proposal will include curbing along the eastern parking area and drainage would not be directed onto her property.

August and Barb Waltman, 421 10th Ave. NW, Don and Sharon Moeller, 1108 5th St. NW, Greg Gasch, 1204 5th St. NW, Lew Thomas, 420 10th Ave. NW, Mike Berstler, 1117 5th St. NW, Barbara Truesdale, 504 10th Ave. NW, Fern Kruger, 303 6th St. NW, spoke in opposition to this proposal. Their concerns include the following: the location of this proposal in close proximity to their residential property, the seemingly commercial nature of the proposal, the availability of other properties for this use, the potential selling of alcohol in the bar to the public, the close proximity to the school, increased noise and activity, privacy in their rear and side yards, potentially lower property values, frequency of events, additional traffic, existing traffic management in the area, pedestrian safety, signage on the property, parking lot lighting, traffic lights shining on their property because of the driveway configuration and lack of screening to the west and south property limits.

Arnie Waldstein, resident of Eisenach Village, Yvonne Beam of 1103 9th St. NW, Roger Metzger, Marines Corps League member, Bob Davidson, VFW member, Duane Liddle, 1406 4th St. SW, Larry Buchholz, VFW member and Engineer, Carl Benning, 1310 Dalton Dr., Frank Martinez, VFW trustee, Darrel Blasberg, 1975 180th St. and VFW member, spoke in favor of this request. Their support includes being based on the need for one facility in lieu of the current four in Waverly, this proposal seems to accommodate the neighborhood requests made at the December 3 Planning and Zoning Commission meeting, the architect has designed the facility to accurately accommodate the number of anticipated people and traffic, this facility will be for veterans first and foremost, the traffic carrying capacity of 9th Ave. NW, 10th Ave. NW, and 5th St. NW appear as collector streets on the DOT classification maps and could carry the anticipated 600 vehicles per day traffic load with this proposal due to the adjacent elementary school exceeding this anticipated traffic load during peak hours.

Mr. Beam noted the recent Wartburg College facility and Waverly Health Center expansion proposals in residentially zoned districts adjacent to residential properties and thinks this proposal is similar to those recent proposals.

There being no further public comments, Mr. Bagelmann closed the public hearing.

Commissioner Wilson confirmed with Mr. Kohout the maximum signage allowable per City code is one square foot for every five feet of frontage for this property. Mr. Kohout confirmed for Mr. Wilson a special provisional use would be required based upon a different applicant. Mr. Wilson stated the schools, commercial, industrial and multifamily development in the northwest Waverly area are currently in place and this may be similar to those uses.

Mr. Bagelmann confirmed with Mr. Kohout the proposed parking exceeds the minimum City code requirement.

Commissioner Waldstein confirmed with Mr. Broshar the building security lights would be on all night and the shielded parking lot light timing would be anticipated on turning on at dusk and would have a timer to adjust the time when they are shut down to accommodate events on the weekends.

Mr. Broshar indicated the intensity of lighting is considered and would be only what is minimum to illuminate the parking area.

Ms. Waldstein confirmed with Mr. Kohout the serving of alcohol to the public could be a condition placed by the Commission and serving of alcohol would be subject to all requirements specified by the State. Ms. Waldstein confirmed with Mr. Beam the lounge area would not be open to the general public. Ms. Waldstein confirmed with Mr. Broshar the south side of the property, entrance alignment and parking lot layout can be further refined to reduce headlight glare onto the south properties. Ms. Waldstein stated this proposed new facility with security, aesthetics, and new venture could improve the reported inappropriate behavior situation noted by neighbors when comparing the current parking layout and state of the current building with this one and confirmed with Mr. Beam the Veterans Group has indicated it would remain a non-profit private club facility and not a commercial venture.

Commissioner Keller noted the Centennial Oaks facility is in proximity to housing that have held their value and sees that facility as a positive thing, but thinks the other stated factors on this proposal may not allow for this use at this location. Mr. Keller noted the proposed 16,000 square foot building may exceed the current square footages of the existing facilities, combined.

Commissioner Huser confirmed with Mr. Beam the liquor that will be served for events will be done in the presence of security on duty.

Motion By: Wilson

Seconded By: Keller

Move that the Planning and Zoning Commission recommend to the City Council the approval of the special provisional use request for a veterans club building at 1300 4th St. NW.

Yes: 3

No: 3

Absent: 1

Those voting "no" were: Dickman, Huser, Keller.

C. Regular Business:

1. Review and Set Public Hearing for the Rezoning Request and Comprehensive Plan Amendment for Wells Hollow Landscaping, LLC, in Southeast Waverly.

Wells Hollow, LLC, in conjunction with Farmers State Bank, is requesting the rezoning of approximately 4 acres on the south side of East Bremer Ave. in southeast Waverly from R-2 (One & Two Family Residential District) to C-2 (Commercial District). The proposal to rezone would match the current C-2 zoning designations to the north and west of the subject property. The Comprehensive Land Use Map designates this area as Residential and is proposed to be amended to Commercial.

Matt Wells, of Wells Hollow LLC, outlined his rezoning proposal for the Commission. Mr. Wells specified the request is for 3 acres of the northern portion of the 11 acre property owned by Farmers State Bank.

Motion By: Keller

Seconded By: Huser

