PLANNING AND ZONING COMMISSION MINUTES
October 4, 2007
7:00 p.m.

A. Call to Order:

1. Members Present: Lake Lambert, Chairperson
   Edith Waldstein, Vice-Chairperson
   Hank Bagelmann
   Karen Dickman
   David Huser
   Ryan Keller
   Bill Wilson

   Members Absent: None

   City Officials Present: Jason Passmore, Secretary
   Mike Cherry, Public Works Director
   Tab Ray, Leisure Services Director
   Brian Sullivan, Public Services Superintendent
   Richard Crayne, City Administrator

2. Approval of Agenda:

   Motion By: Ryan Keller Seconded By: Edith Waldstein

   Move that the agenda be approved as printed.

   Yes: 7 No: 0 Absent: 0

3. Approval of Previous Minutes:

   Motion By: Edith Waldstein Seconded By: Hank Bagelmann

   Move that the minutes of the September 6, 2007, Planning and Zoning Commission meeting be approved.

   Yes: 7 No: 0 Absent: 0

4. Communications:

   Board of Adjustment Meeting – October 8, 2007 – Cancelled
   Information Exchange from John Monaghan

B. Public Hearings:

1. Public Hearing on the Special Provisional Use Request for the Vineyard Community Church.

   Vineyard Community Church has requested the special provisional use for the expansion of their current facility at 319 West Bremer Avenue. The zoning of the property is C-3 (Commercial Central Business District) and the Comprehensive Land Use Map designates this area as Commercial. The Church is proposing to expand to the east and co-occupy the current Waverly Newspapers building at 311 West Bremer Avenue. Approval of the current location was granted by the City in December of 2004.

   Chairperson Lambert stated that Vineyard Community Church has chosen to withdraw their request but entertained any comments since the public hearing was already notified. There being no comments, the public hearing was closed and the item was allowed to cease.

2. Public Hearing on the Special Provisional Use Request for the Waverly Dog Park.

   The Waverly Dog Park Committee, in conjunction with the Leisure Services Department, has requested the special provisional use of the proposed Waverly Dog Park. This public facility would be located along 8th Street SE in front of the Waste Water Treatment Facility, near the Soccer Complex. The zoning of the property is A-1 (Agricultural District) and the Comprehensive Land Use Map designates this area as Public, Government, Church and Recreational. Preliminary approvals for the dog park have been obtained through both the City Council and the Leisure Services Commission, and fundraising is currently underway.

   Chairperson Lambert opened the public hearing. Waverly resident and Dog Park Committee member Stephanie Schwinn spoke in favor of the request and stated that currently she has to go to the Cedar Falls Dog Park to enable her dogs to get the proper exercise and socialization that they need. Shell Rock resident Rosemary Wilson spoke in favor of the request and stated the benefits of such a park would be large and potentially bring more people from the surrounding areas into Waverly. There being no further comments, Mr. Lambert closed the public hearing.

   Commissioner Keller asked if the plan for this location was being approved as submitted. Secretary Passmore stated that for special provisional uses the Commission can specify their recommendation the way they desire, but that in most cases the plan that is presented goes with the request. Mr. Keller questioned why a separate driveway off 8th Street SE is shown versus just using the Waste Water Treatment Plant driveway. Leisure Services Director Ray stated that this item was discussed with City staff and the desire was to not have a joint driveway to eliminate any potential congestion with the various uses. Mr. Keller confirmed with Mr. Ray that other dog parks also use chain link fence.

Motion By: Hank Bagelmann Seconded By: Edith Waldstein

Move that the Planning and Zoning Commission recommend to the City Council the special provisional use request for the Waverly Dog Park.

Yes: 7 No: 0 Absent: 0

C. Regular Business:

1. Review and Set Public Hearing on the Special Provisional Use Request for the Waverly Public Works Facility.

   The City of Waverly, in conjunction with the Public Works Department, has requested the special provisional use of the proposed Waverly Public Works Facility. This public facility would be located along the north side of 5th Avenue NW / Business Hwy. 218 and along the west side of the North Waverly Industrial Park. The zoning of the property is A-1 (Agricultural District) and the Comprehensive Land Use Map designates this area as Commercial/Industrial.

   Commissioner Bagelmann stated that this proposal appears to meet all the criteria and is consistent with the usage of the area. Public Works Director Mike Cherry reviewed the request and the proposed location along with the phases that the project will need to go through. He reviewed the current facilities and stated that the recycling center has many safety concerns, the yard waste site is in non-conformance with DNR regulations relating to the flow-way, and that the public services facility is not able to meet the size demands of the current operations. He stated that the proposed location has good access and enough area to accommodate combining these facilities into one 25-27 acre site. The first phase, per Mr. Cherry, would involve the yard waste site and the recycling center and could occur within the next year or two. The second phase would involve the construction of a new public services building encompassing most all the services except for the waste water treatment facility.

   Commissioner Wilson asked if the existing farmstead would be removed during the first phase of the project. Mr. Cherry stated that is the most likely scenario and also mentioned that the retention facility would be part of the initial phase. Mr. Cherry reviewed the site selection process over the past years and stated that a purchase agreement is in place with the property owner. City Administrator Crayne mentioned that the purchase agreement is contingent upon the special provisional use approval. Chairperson Lambert confirmed that the request is for the entire development and not just for the first phase and asked if rezoning of the area should be requested at this point. Mr. Cherry stated that regardless of the zoning district, a special provisional use request is required as a public facility. Secretary Passmore mentioned that if the Commission desired the area could be rezoned to match the neighboring M-1 district if this site is reviewed and approved as an acceptable location.

Commissioner Huser clarified that the project has a planning outlook of about fifty years and wanted to be sure there was ample room to grow. Mr. Cherry stated that if the facilities were designed only for today's needs, the site could be around 15 acres, but because they are planning for the future the request is for approximately 27 acres. Mr. Cherry also noted the proposed potential expansions of the buildings and yard waste area that are shown on the plan. Mr. Bagelmann questioned if the existing frontage road would be continued through the entire property. Mr. Cherry stated that it would be continued to the proposed recycling center and yard waste area, but that a connection of the frontage road to the proposed public services building is not desired. The separation of public traffic from the public services traffic would create a safer environment and not recreate the conditions that exist today at the present site. Mr. Wilson confirmed that a substantial buffer will surround the entire property with some fencing in certain locations. Commissioner Dickman asked if there are any plans for the existing facility locations if the request is approved. Mr. Cherry stated that the existing yard waste site is very limited for development but that some type of a park setting could be established.

Motion By: Ryan Keller Seconded By: Bill Wilson

Move that a public hearing for the special provisional use request for the Waverly Public Works Facility be set for the Planning and Zoning Commission meeting on November 1, 2007.

Yes: 7 No: 0 Absent: 0

2. Review and Set Public Hearing on the Rezoning Request and Comprehensive Land Use Amendment for the City of Waverly Commercial Parking Lot Project Along 1st Avenue NW.

The City of Waverly has requested the rezoning of their land in Northwest Waverly along the south side of 1st Avenue NW and the west side of 1st Street NW. The proposed zoning is C-3 (Commercial - Central Business - District) while the north half of the property is currently zoned R-4 (Multiple Family Residential - Transitional District). The south half of the property was rezoned to C-3 in 2001 for the existing commercial uses. The Comprehensive Land Use Map designates this entire area as Residential and is being requested to be amended to Commercial. The City of Waverly intends to clear the approximate quarter block and create a downtown parking lot for the nearby businesses.

Commissioner Wilson confirmed that all the properties have been secured and that there exist two homes and one large block building on the site. Secretary Passmore mentioned that the lots containing the two homes are what is being requested to be rezoned. Mr. Wilson inquired about the number of vehicles that could be accommodated for in the parking lot. Mr. Passmore stated that final design of the parking lot is not complete yet but that there will be around 30 to 40 stalls created, with more opportunities for greater on-street parking.

Mr. Passmore mentioned that the parking lot construction would likely involve the reconstruction of the neighboring alley. Public Works Director Cherry stated that tentative completion of the project would be summer of 2008. Commissioner Huser asked about construction on the FEMA property. Mr. Passmore stated that current designs will not encroach on that property and that it would be used as green space. Vice-Chairperson Waldstein confirmed that the neighboring property to the west is an apartment complex.

Motion By: David Huser Seconded By: Karen Dickman

Move that a public hearing for the rezoning request and comprehensive land use amendment for the City of Waverly Commercial Parking Lot Project Along 1st Avenue NW be set for the Planning and Zoning Commission meeting on November 1, 2007.

Yes: 7 No: 0 Absent: 0

D. Old Business: None

E. New Business: None

F. Adjournment:

Motion By: Hank Bagelmann Seconded By: Bill Wilson

That the Planning and Zoning Commission meeting be adjourned.

Yes: 7 No: 0 Absent: 0

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