

Wartburg College, in coordination with VJ Engineering, Inc., has requested the rezoning of their property in their northwest campus area. The property is located along the west side of 12th Street NW, north of the railroad and south of Jadestone Subdivision. The property is currently zoned A-1 (Agricultural District) while the proposed zoning is R-3 (Multiple Family Residential District). Surrounding adjacent areas that are also zoned A-1 are included in the request. The rezoning request will match the rest of the Wartburg campus and allow for future development of the area. The Comprehensive Future Land Use Map designates this area as Semi-Public/Institutional and Residential.

Vice-Chairperson Lambert opened the public hearing. Gary Grace, Vice-President of Administration for Wartburg College, reviewed the request. Mr. Grace stated that rezoning the property will allow the college to consider a wide array of potential uses, but that no one particular plan for the area has been produced. Mr. Grace mentioned that most of the potential college uses for the area would need to appear back in front of the Commission at some point, either in the form of a plat or a special provisional use. There being no public comments, Mr. Lambert closed the public hearing. The Commission asked about the minor grading work on the property and concrete pipe near the railroad crossing. Mr. Grace explained that a cross-county path was being rough graded to travel around the perimeter of the property and that some pipe work on the storm sewer will be done to create an at-grade railroad crossing for the path.

Mr. Lambert confirmed from the legal description that the Klunder property to the north of the Wartburg property, located at 1001 12th Street NW, was included in the request. Secretary Passmore confirmed this and mentioned that it was included so that a small piece of property was not left agricultural while being surrounded by residential. Mr. Lambert and Commissioner Bagelmann questioned if this property should be rezoned to R-3. Commissioner Keller mentioned that it might be more appropriate for this property to be rezoned to R-1. Commissioner Huser mentioned that the Klunder property should either be included in the request or removed, but to change it to a different classification would require a different public hearing. Commissioners Wilson and Bagelmann commented that it would be better to address this parcel separately. Neighboring property owner, Mark Sand, stated that he would object to the Klunder property being rezoned to R-3 and feared a potential apartment building. Secretary Passmore confirmed with the applicant, Wartburg College, that a motion that excluded the Klunder property would be acceptable.

Motion By: Ann Bell

Seconded By: David Huser

Move that the Planning and Zoning Commission recommend to the City Council the approval of the rezoning request for the Wartburg College property in Northwest Waverly, excluding the Klunder property at 1001 12th St. NW.

Yes: 6

No: 0

Absent: 0

Chairperson Waldstein reinstated herself as Chairperson at this time.

C. Regular Business:

1. Review and Recommendation of the Minor Plat for Lois Hurley along 12th Street NW.

Lois Hurley, in conjunction with Terry Van Laningham, P.L.S. Inc., has produced a minor plat for three new lots along the east side of 12th Street NW. The Hurley residence currently exists at 2000 12th Street NW and would be contained within Lot One. Setbacks will be achieved for the existing residence and accessory buildings. The front (west) portion of the lots are currently zoned R-1 (Single Family Residential District) while the back of the lots along the river are zoned U-1 (Environmentally Sensitive Protected District) and the Comprehensive Future Land Use Map designates this area as Residential. The floodplain boundary is located approximately in the same location as the zoning boundary and shows the front portion outside of the floodplain. Water and sewer utilities are available along 12th Street NW and proper easements have been provided.

Mrs. Hurley reviewed the request and explained that the accessory buildings would go with the existing house property. Commissioner Bagelmann confirmed that the jog in the property line behind the existing house near the river was to accommodate these buildings. Commissioner Bell asked about access to the two new lots. Secretary Passmore stated that City staff and the applicant are still discussing the potential of a shared common access point and determining if it would make sense for the lots along with access onto 12th Street NW.

Motion By: Bill Wilson

Seconded By: Lake Lambert

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Plat for Lois Hurley along 12th Street NW.

Yes: 7

No: 0

Absent: 0

2. Review and Recommendation of the Minor Plat for Joel Lindaman, adjacent to Highpoint First Addition.

Joel Lindaman, in conjunction with VJ Engineering, has produced a minor plat for the remainder of his ground east of Highpoint First Addition. This area was previously planned as phase 3 of the Highpoint Additions but was never given a separate parcel description, even though it was effectively divided from its adjoining parcel. The proper description of this parcel (Parcel "Q") will allow the owner the option to transfer the property. The Comprehensive Future Land Use Map designates this area as Residential.

Secretary Passmore reviewed the request and mentioned that this request is more clerical than anything and that during the platting of Highpoint Addition, this area should have been given a separate parcel letter.

Motion By: Hank Bagelmann

Seconded By: Ann Bell

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Plat for Joel Lindaman, adjacent to Highpoint First Addition.

Yes: 7

No: 0

Absent: 0

3. Review and Set Public Hearing on the Special Provisional Use Request for the Waverly Health Center Tendrils Rooftop Garden Project.

Waverly Health Center, in coordination with InVision Architecture, has requested the special provisional use approval of their proposed Tendrils Rooftop Garden Project. This proposed addition to the Centennial Pavilion was granted a variance at the November Board of Adjustment meeting due to the height and story requirements. The Centennial Pavilion was approved as a special provisional use in 2003. The property is located along the west side of 8th Street SW and the south side of 2nd Avenue SW. The property is currently zoned R-3 (Multiple Family Residential District) and the Comprehensive Future Land Use Map designates this area as Public, Government, Church and Recreational.

Mike Trachta, CEO of the Waverly Health Center, reviewed the request and stated that even though this project has been discussed over the past few years it was being brought forward at this time because the fund raising campaign was recently completed and the variance granted from the Board of Adjustment. Commissioner Bagelmann mentioned that the Waverly Health Center should be complemented for creating this type of asset to the community.

Motion By: Ryan Keller

Seconded By: Lake Lambert

Move that a public hearing for the special provisional use request for the Waverly Health Center Tendrils Rooftop Garden Project be set for the Planning and Zoning Commission meeting on January 4, 2007.

Yes: 7

No: 0

Absent: 0

4. Review of a Bremer County Rezoning Request for Earl Burkle Southeast of Waverly.

Earl Burkle is requesting Bremer County rezoning from A-1 (Agricultural District) to A-2 (Modified Agricultural District) for a proposed new horse training stable just outside the City limits of Waverly at the northeast corner of the intersection of 29th Avenue SE and 11th Street SE. The proposed rezoning is within the City's two-mile boundary and is classified as an area 1 per the policy's map of areas. Zoning requests are brought before the City for comments while approval is by the County.

Commissioners Bell and Lambert mentioned that this seemed like an appropriate use and similar to its use in the past.

Comments: The Commission expressed general support for the Earl Burkle rezoning request.

5. Review of a Bremer County Rezoning Request for Joel Lindaman Northwest of Waverly.

Joel Lindaman is requesting Bremer County rezoning from A-1 (Agricultural District) to M (Industrial District) for a proposed new auto body and detail business Northwest of Waverly near the interchange of Hwy. 218 and Business Hwy 218. The proposed rezoning is within the City's two-mile boundary and is classified as an area 3 per the policy's map of areas. Zoning requests are brought before the City for comments while approval is by the County.

Commissioner Bell expressed concern over this property potentially becoming a junk yard that would be visible from the road. Commissioner Huser agreed with Mrs. Bell's concern. Secretary Passmore mentioned that the County does have codes that could address these concerns if they became real. Commissioner Bagelmann stated that this entrance into Waverly will ultimately be the north gateway into the community and will grow as such over the next years. Commissioner Wilson stated that the rezoning request would compliment the area and was a reasonable request when reviewing the Waverly future land use map around the airport that is designated as commercial/industrial.

Comments: The Commission did not have an issue with the rezoning but did express concern with regard to this location being the northwest gateway into the community and did not want to see this business appear as a junk-yard.

6. Review and Recommendation of the Final Plat for Copper Ridge Third Addition.

B.N.K.D., Inc., along with their attorney Keith Collins, is requesting the final plat approval for their new proposed single-family residential subdivision, Copper Ridge Third Addition. The subdivision was previously approved by both the Commission and City Council in April of this year, but was not recorded within the six month time allotment. Per Section 103.3.04.4 of the City Code, if a final plat is not recorded within the six months after Council approval it becomes null and void. The subdivision is located in northeast Waverly along Bremer Road and is the third phase of a proposed four phase development. The zoning of the property is R-1 (Single-Family Residential District) and the Comprehensive Land Use Map labels this area as Residential. The infrastructure was completed by the developer and the City accepted the improvements in August of this year.

Motion By: Hank Bagelmann

Seconded By: Ryan Keller

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Final Plat for Copper Ridge Third Addition.

Yes: 7

No: 0

Absent: 0

D. Old Business: None

E. New Business:

- Commissioner Wilson asked about any recent development with the railroad through Waverly and the possibility of any expanded use. City Engineer Cherry addressed the question and mentioned he also had heard the rumors of additional trains using the Waverly line. Mr. Cherry mentioned that he has not heard of a formal decision being reached and that there were also legal issues under consideration.

F. Adjournment:

Motion By: David Huser

That the Planning and Zoning Commission meeting be adjourned.

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