

Motion By: Lambert

Seconded By: Keller

Move that the Planning and Zoning Commission recommend to the City Council the approval of the rezoning request for the Larry and Joyce Kurtz property in Northeast Waverly.

Yes: 6

No: 0

Absent: 1

C. Regular Business:

1. In order to promote the safe, effective and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity to residences and businesses in the City of Waverly, City Staff has prepared a model ordinance for review and comments.

The City Code review procedure at the present time will only allow these towers to be placed in the A-1 (Agricultural District) and require special provisional use approval. The potential to construct these towers in any zoning district with appropriate restrictions is being considered.

A power-point presentation of Wind Turbine Information was presented by Wartburg Students. Those presenting were Caitlin Uhlenhopp, Blake Haugen, Mike Hopper and Eric Issacs. Per the request of Chairperson Bagelmann, the presentation is added at the end of the minutes.

2. Review and Set 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.

Jim Beam, Chairman of the Waverly Area Veterans Group Board of Directors, outlined the new building and parking area proposal. Mr. Beam clarified for the Commission the request is for a club facility to be used in conjunction with the Marine Corps League, Amvets, American Legion, and Veterans of Foreign Wars groups. Vice-Chairperson Lambert confirmed with Mr. Beam the current membership total of the veterans groups in Waverly, including auxiliaries, totals approximately 400 members.

Commissioner Waldstein confirmed with Bob Davidson, from the Veterans of Foreign Wars post, the current facility can accommodate 300 persons. Commissioner Dickman confirmed with Mr. Davidson the current hours are 3 – 11pm, Monday through Friday and 2 -11pm on Saturday. Ms. Dickman further confirmed with Mr. Davidson some parents drop off children attending Carey Elementary school on the VFW property and this is expected to continue with the new facility with a verbal agreement between the VFW property owners and the school.

Mike Broshar, project architect of Invision Architecture, outlined the concept site plan, upper level plan and lower level plan for the proposed two-story facility for the Commission.

Mr. Lambert confirmed with Mr. Broshar the proposed building location and orientation will be similar to the current building. This will include a one-story façade on the south side and a two-story façade on the north side to accommodate the existing grade. The proposed height would match the height of the current VFW building. Mr. Broshar further confirmed for Mr. Lambert the expected capacities would include accommodations for 350 persons in the banquet hall area, 100 persons in the meeting hall, and 50 persons in the lounge, depending upon building code regulations. The proposed parking area shows 172 vehicle spaces and 2 loading areas.

Those present to speak in opposition included: Barbara Truesdale, resident at 504 10th Ave. NW, Luke Thomas, resident at 420 10th Ave. NW, Tony Lutz, resident at 1116 5th St. NW, Greg Gasch, resident at 1204 5th St. NW, Rich Wombacher, resident at 506 10th Ave. NW and Don and Sharon Moeller, residents at 1108 5th St. NW.

Secretary Kohout confirmed for the Commission six letters or emails of opposition were received from nearby residents and included:

An informal petition received on October 27, 2009 with 10 signatures of nearby residents, an e-mail from Lew and Barb Thomas dated November 30, 2009, an e-mail from Mike Berstler, resident at 1117 5th St. NW, dated December 1, 2009, an e-mail from Richard and Merriem Wombacher, dated December 2, 2009 in addition to a letter presented at the meeting dated December 3, 2009, and finally an e-mail from Greg Gasch, dated December 2, 2009. Secretary Kohout confirmed with the Commission they had received all of these correspondences. Issues raised by the nearby residents included but were not limited to: increased traffic, noise, proximity to school, aesthetics, sale of alcohol near the school and a potential decrease in property values.

Motion By: Keller

Seconded By: Waldstein

Move that a public hearing for the special provisional use request for a veterans club building at 1300 4th St. NW be set for the Planning and Zoning Commission meeting on January 7, 2010.

Yes: 4

No: 2

Absent: 1

Dickman and Huser cast the "no" votes.

3. Review and Set Public Hearing for a Special Provisional Use request for 403 3rd St. SE for use by Bremer County Offices.

Bremer County, in conjunction with St. Mary Church, is proposing to locate the administrative offices for human service departments including, but not limited to, Community Based Services and Bremer County Home Care in the existing Drexler building located at 403 3rd St. SE. 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 non-profit use falls under the definition of institutional use and 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.

Ken Kammeyer, Bremer County Board Supervisor, confirmed for the Commission that County functions such as the Bremer County Health Board and Community Based Services were looking to relocate their current offices to the 3rd St. SE location.

Mr. Kammeyer further confirmed for the Commission that the hours of operation are expected to be from 8am-4:30pm, Monday through Friday. Secretary Kohout confirmed for the Commission parking will be expected to meet the current Ordinance regulations for office use. Jim O'Donnell from St. Mary Church was also present to address questions.

Motion By: Waldstein

Seconded By: Dickman

Move that a public hearing for the special provisional use request for the non-profit office use at 403 3rd St. SE be set for the Planning and Zoning Commission meeting on January 7, 2010.

Yes: 6

No: 0

Absent: 1

4. Review and Recommendation of a Minor Subdivision Plat for Waverly-Shell Rock School District for the New 5-8 Middle School Property in SW Waverly.

Waverly-Shell Rock School District and Robert Robertson, along with their surveyor, VJ Engineering, have requested the splitting of a property south of their middle school property, located in southwest Waverly. The property is zoned as C-2 (General Commercial District) and the Comprehensive Land Use Map designates this property as Commercial. The minor plat will create one additional 2.3 acre lot known as Parcel "Y" that will serve to provide a water retention area for the middle school property and residential properties along 16th St. SW. A multiple-lot deed agreement will be secured with the School District to tie the properties together.

Butch Kehe, representing the Robertson-Brye property, clarified for the Commission the request is to parcel off land area that is currently an area where water flows. Mr. Kehe further clarified there are no plans to retain or detain water, but merely to continue to allow the proposed parcel "Y" area to be a drainage area for the nearby properties.

Motion By: Huser

Seconded By: Lambert

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Minor Subdivision Plat for the creation of Parcel "Y" for the Waverly-Shell Rock School District Middle School Property in SW Waverly.

Yes: 6

No: 0

Absent: 1

5. General Urban Renewal District Plan Amendment for the South Side of the 2000 Block of E. Bremer Ave in SE Waverly.

The City of Waverly is seeking to amend the boundary of the General Urban Renewal District Plan to include the area east of 2112 E. Bremer Ave. (GMT). The amendment would adjoin to the current district and continue to include the right-of-way of E. Bremer Ave. This proposed amendment would allow property within the existing Monaghan Business Park along E. Bremer Ave. to be included in the district to accommodate a potential start-up business. The amendment would also incorporate the potential intersection location of the proposed 10th Ave. (Cedar Valley Parkway) corridor to aid in the development of such a roadway.

Jason Passmore outlined the proposal and clarified the boundaries for the Commission.

Motion By: Huser

Seconded By: Lambert

Move that the Planning and Zoning Commission recommend to the City Council the approval of the General Urban Renewal District Plan Amendment to include areas along the south side of the 2000 Block of E. Bremer Ave in SE Waverly, including property within the existing Monaghan Business Park.

Yes: 5

No: 1

Absent: 1

Mr. Lambert cast the "no" vote.

6. Review of a Bremer County Subdivision Request for Dodd, Rosteck, Stauffer Addition property southwest of the Waverly City Limits.

The Dodd, Rosteck and Stauffer property is requesting Bremer County approval for their subdivision request. The property is zoned A-1 (Agricultural District). These proposed lots are located southwest of the Waverly City limits, on the west side of Cottage Avenue. The proposed subdivision is within the City's 2-mile boundary and is classified as in "Area 3" per the City's map of the 2-mile agreement area. In this area, the County Board of Supervisors will approve or deny any subdivision request and will give the City a chance to comment on said subdivision or waive its ability to review of said subdivision.

Michael Rosteck, applicant, was present to address any questions. Secretary Kohout confirmed for the Commission this request was brought before the Commission in February 2009 for a rezoning request from A-2 to A-1 that was denied by the County. This request is to file a subdivision plat for review and in accordance with Iowa State Code, is brought before the Commission for review and comment. The Commission reviewed the plat and offered no comments.

D. Old Business:

1. Comprehensive Land Use Plan Update. Secretary Kohout updated the Commission on the status of revising the Comprehensive Plan for 2010-2011 and presented a timeline for their review.

E. New Business:

None

F. Adjournment:

Motion By: Lambert

Seconded By: Keller

Move that the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 1