

The remaining area of the 11 acre property to the south is sought to remain as R-2 zoning and be available for potential future housing plans and road connectivity with Monaghan Drive. Mr. Wells outlined he wants to allow the existing trail system proposed on the comprehensive land use plan to be retained and he shows plantings of evergreens along the borders of this three acre rezoning proposal on his site plan to allow for buffering between the buildings and adjacent property owners. Mr. Wells confirmed for Commissioner Waldstein the entrance will be off of Highway 3, in line with Elm Street on the north side. Mr. Wells stated the Iowa Department of Transportation (IDOT) can allow predetermined access points at existing street intersections for four-way intersections with their approval. Mr. Wells stated the IDOT has reviewed his driveway access proposal and can approve his proposal.

Secretary Kohout confirmed for Commissioner Dickman there have been no comments of concern received from notified property owners. Vice-Chairperson Lambert expressed his concern as the proposal will no longer allow for road connectivity from Monaghan Drive through this property. Mr. Wells stated his plan is not calling for a roadway extension of Monaghan Drive through this property to the north to intersect with Highway 3 but can allow for a westerly connection at a future time. Commissioner Huser stated he thinks there are other options for connectivity straight west from Monaghan Drive or to the south.

There being no further public comment, Mr. Bagelmann closed the public hearing. Mr. Bagelmann suggested to the commission the addition of language on this action item that the rezoning is to "C-2" and that "commercial designation" be added for clarification.

Motion By: Waldstein

Seconded By:

Move that the Planning and Zoning Commission recommend approval of the rezoning to C-2, and the comprehensive plan amendment to commercial designation for Wells Hollow, LLC, in Southeast Waverly to the City Council.

Yes: 6

No: 0

Absent: 1

C. Regular Business:

None

D. Old 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.

This item has been placed on a "moratorium" by the Commission indefinitely and any updates to this proposal will be discussed.

There was no discussion on this matter by the Commission. Secretary Kohout forwarded an email attachment on wind turbines in Minnesota.

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2. Ms. Waldstein confirmed with Mr. Kohout code enforcement of signage is nuisance and complaint driven. Ms. Waldstein thinks there should be a better way to enforce sign code requirements other than nuisance complaints. Mr. Huser thinks discussing code enforcement action in future comprehensive planning processes should be one of the topics of discussion with the future comprehensive plan amendments.

E. New Business:

1. Mr. Kohout confirmed for Mr. Huser he is not aware of recent court decisions that affect the validity of comprehensive plans regarding land use changes.

F. Adjournment:

Motion By: Dickman

Seconded By: Waldstein

Move that the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 1