

Planning and Zoning Commission Minutes
May 7, 2009

Chairperson Lambert opened the public hearing for comment. There being no public comments, Mr. Lambert closed the public hearing for comment. Mr. Lambert confirmed the previous request from 2004 included the condition of the roadway and the need to improve the roadway with a curve for safer travel.

Motion By: Keller

Seconded By: Waldstein

Move that the Planning and Zoning Commission recommend approval of the special provisional use request for a church on the southwest side of 17th Ave. SE and 11th St. SE to the City Council.

Yes: 5

No: 0

Absent: 2

C. Regular Business:

1. Resolution on the "Mark Halbach" Subdivision located outside of city limits to fulfill 2-mile Intergovernmental Agreement between the City of Waverly and Bremer County.

Mark Halbach is requesting approval of a minor subdivision in the A-2 (Modified Agricultural District) area of the County. The proposed four lots are each more than 1 acre and are located on the northeast corner of C33 and Dakota Road. 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 said subdivision. This request for a formal resolution follows the March 5, 2008 meeting and requires the signature of the Chairperson of the Planning and Zoning Commission and the Secretary to attest and certify the resolution was duly adopted. This resolution will be followed by a resolution to the City Council. No concerns were expressed at the March 5, 2008 Planning and Zoning Commission meeting.

Mark Halbach was present to answer comments. Secretary Kohout confirmed for the Commission the State Code of Iowa allows the City to waive its right to review the subdivision request and confirmed a motion to approve a resolution stating no comments were offered is appropriate. Commissioner Waldstein offered the motion to include amended language in the resolution to state no comments were made in lieu of stating they waive the right to review the plat.

Motion By: Huser

Seconded By: Keller

Move that the Planning and Zoning Commission approve the resolution to the County Board of Supervisors that the Commission has reviewed the plat and offers no comments.

2. Review and Set Public Hearing on the Rezoning Request for the new school property on the east side of Heritage Way in Southwest Waverly for Waverly-Shell Rock School District.

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The City of Waverly, in coordination with the Waverly-Shell Rock School District, has requested the rezoning of one parcel in Southwest Waverly along Heritage Way. The requested 30 acre parcel is on the east side of Heritage Way, approximately one-quarter of a mile south of the intersection of 20th St. SW and Bremer Ave. The proposed zoning is R-3 (Multiple Family Residential District) while the property is currently zoned A-1 (Agricultural District). The Comprehensive Land Use Map designates the area as Semi-Public/Institutional and the rezoning would match the adjacent property to the north and east.

Secretary Kohout addressed the Commission and presented the proposed site plan of the school building. Commissioner Dickman confirmed with Mr. Kohout traffic management planning is currently under consideration between the school district, the Iowa Department of Transportation and the City of Waverly. Ms. Dickman confirmed with Commissioner Huser that traffic management near the intersection of 4th Ave. SW and 16th St. SW is a concern. Commissioner Keller expressed his concern of traffic management through and within the property. Chairperson Lambert confirmed with Mr. Kohout the zoning change will follow suit with adjacent zoning and the special provisional use requested can be sought in the A-1 and R-3 zoning districts. Commissioner Waldstein confirmed with Mr. Kohout traffic management in the form of studies can be a part of the layout considerations for traffic management in this area and that the City will advise the school district the Commission's concern over traffic management. Ms. Waldstein confirmed with Mr. Kohout that if plans for the school change after approving the special provisional use after a public hearing, the Commission is not compelled to review the site plan unless it would be considered a significant alteration to the proposal.

Motion By: Huser

Seconded By: Waldstein

Move that a public hearing for the rezoning request for the parcel on the east side of Heritage Way be set for the Planning and Zoning Commission meeting on June 4, 2009.

Yes: 5

No: 0

Absent: 2

3. Review and set public hearing on the special provisional use for the proposed new school on the east side of Heritage Way in Southwest Waverly for Waverly-Shell Rock School District.

Waverly-Shell Rock Schools have requested the special provisional use for a new 5-8 grade school facility. The property is located on the east side of Heritage Way, approximately one-quarter of a mile south of the intersection of 20th St. SW and Bremer Ave. The zoning of the property is A-1 (Agricultural District) and the Comprehensive Land Use Map designates this area as Semi-Public/Institutional. This special provisional use is not contingent on a rezoning request as a school is a special provisional use in the A-1 zoning district.

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There being discussion on the property and potential school use on the site during the rezoning request for the Waverly-Shell Rock School District prior to this special provisional use request, there was no further discussion.

Motion By: Waldstein

Seconded By: Keller

Move that a Public Hearing be set for the June 4, 2009, Planning and Zoning Commission meeting for the Special Provisional Use request for the School proposal on the east side of Heritage Way in Southwest Waverly.

Yes: 5

No: 0

Absent: 2

4. Election of Officers.

Per Chapter 44 of the Waverly Municipal Code, the first organizational meeting of the Planning and Zoning Commission held in May of each year is the time and place to elect a chairperson and vice-chairperson. The elected officers shall serve concurrent terms of one (1) year.

Motion By: Waldstein

Seconded By: Keller

Move that Hank Bagelmann be elected as Chairperson of the Planning and Zoning Commission for the 2009-2010 term.

Yes: 5

No: 0

Absent: 2

Motion By: Huser

Seconded By: Waldstein

Move that Lake Lambert be elected as Vice-Chairperson of the Planning and Zoning Commission for the 2009-2010 term.

Yes: 5

No: 0

Absent: 2

D. Old Business:

E. New Business:

F. Adjournment:

Motion By: Keller

Seconded By: Dickman

Move that the Planning and Zoning Commission meeting be adjourned.

Yes: 5

No: 0

Absent: 2