

The property is located on the north side of 18th Ave. SE, approximately one-quarter of a mile east of the intersection with 11th St. SE. The minor plat will create a 1.0 acre lot split out of the original 2.53 acre tract.

The northern property would be accessed by means of a 40 foot wide strip of land on the east side of the original property. The property is zoned as R-1 (Single Family Residential District) and the Comprehensive Land Use Map designates this area as residential.

Chairperson Bagelmann opened the topic for discussion. Hearing no comments, the discussion was closed.

Motion By: Huser

Seconded By: Keller

Move that the Planning and Zoning Commission recommend to the City Council the approval of the Tony Noel Minor Subdivision Plat on the north side of 18th Ave. SE.

Yes: 6

No: 0

Absent: 1

2. Review of a Bremer County rezoning request for Ken Leisinger north of the Waverly City limits.

Ken Leisinger is requesting approval of a rezoning request from A1 (Agricultural District) to A2 (Modified Agricultural District). The rezoning request is located on the east side of Euclid Ave. (a continuation of Horton Rd.), approximately one-third (0.3) of a mile north of the intersection of Summit Dr. and Horton Rd. This request follows a request made in June, 2009 to Bremer County for a 13.5 acre property rezoning request from A1 to A2, located west of this property.

The property is located within the City's 2-mile boundary and is classified within "Area 1" per the City's map of areas. The County provides the City with the opportunity to comment on all rezoning requests for conformance with the policies established while final approval is by the County.

Chairperson Bagelmann opened the proposal for comments. Commissioner Huser commented his concern is similar to that of Murphy addition property that was annexed in the City Limits in the 1970s after the owners had placed septic systems and wells then were required to hook into City Services as a condition of being annexed. Ken Leisinger addressed Commissioners' concerns over how many homes may end up on the property and confirmed the 40 acre tract would be split one time and is not considered a subdivision as it does not meet the County subdivision definitions. Secretary Kohout confirmed for the Commission further splitting of these lots will require annexation and hooking up to City Services.

3. Review and set public hearing for a special provisional use submitted by the Larrabee Center for a proposed new training and educational facility in Northwest Waverly.

The Larrabee Center has requested the special provisional use for a new training and educational facility on their current property. The property is located on the southwest corner of 1st Ave. NW and 11th St. NW.

The zoning of the property is R-3 (Multiple Family Residential District) and C-2A (Commercial District). The Comprehensive Land Use Map designates this area as Semi-Public/Institutional.

Mr. Bagelmann opened the discussion to the public. No one from the audience offered comments. Mr. Kohout outlined the proposal, the setbacks, and referenced the submitted site plan that depicts a fourth building on the property owned by the Larrabee Center. Mr. Kohout confirmed for Vice-Chairperson Lambert the parking would be meeting the Code requirements for the training and educational uses and also confirmed for Commissioner Keller the two lots are viewed as one, as staff will require execution of a multiple lot deed agreement that will tie these lots together.

Motion By: Lambert

Seconded By: Huser

Move that a public hearing be set for the September 3, 2009 Planning and Zoning Commission meeting, for the Special Provisional Use request for a new training and educational facility for the Larrabee Center on the southwest corner of 1st Ave. NW and 11th St. NW.

Yes: 6

No: 0

Absent: 1

4. Review and set public hearing for a Rezoning Request for the Larrabee Center Properties in Northwest Waverly from R-3 and C-2A to R-3.

The City of Waverly, in conjunction with the Larrabee Center, is requesting the rezoning of two properties located on the southwest corner of 1st Ave. NW and 11th St. NW. The properties are currently zoned as R-3 (Multiple Family Residential District) on the north end and C-2A (Commercial District) on the south end. The proposal to rezone the properties to R-3 (Multiple Family Residential District) will allow the properties to have one zoning district instead of two. The Comprehensive Land Use Map designates the area as Semi-Public/Institutional and the rezoning would match the adjacent properties to the north.

Motion By: Huser

Seconded By: Dickman

Move that a public hearing be set for the September 3, 2009 Planning and Zoning Commission meeting, for the rezoning request for the Larrabee Center Properties in Northwest Waverly from R-3 and C-2A to R-3.

Yes: 6

No: 0

Absent: 1

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 would 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 sample ordinance proposal has been prepared for review taking into consideration comments from the July 2 meeting and staff is seeking comments on the proposal.

Mr. Bagelmann outlined the sources of information which included newspaper articles on wind turbines, emails to staff regarding wind turbine lot sizes starting at 0.3 acres and expressed a desire for the Commission to receive all of the ordinances the staff has on file.

Mr. Bagelmann outlined some other communities have placed a moratorium on allowing wind turbines until after public forums and suggested segregating residential and commercial uses as separate categories and addressing them that way.

Commissioner Dickman indicated Waukee and Urbandale have put these discussions on hold. Ms. Dickman expressed an interest in researching the electromagnetic fields associated with wind turbines and would like to see a list of wind turbines in operation to visit.

Mr. Huser confirmed with Mr. Kohout WLP has a contract in place and they are available to discuss rates with potential wind turbine owners. Mr. Huser further commented on a need to enforce the requirements of maintaining a wind turbine once it is erected and expressed a concern over City Staff not having enough resources to enforce maintenance requirements.

Mr. Lambert expressed an interest in following an incremental approach and reviewing these on a case-by-case basis, such as a special provisional use on a larger lot size, in order to review them and hold a hearing on each individual application in order to gain a better understanding of wind turbines and what the concerns are.

Mr. Keller had Mr. Kohout confirm the ½ acre size as proposed follows the current burn ordinance regulations. Mr. Keller also confirmed with Mr. Kohout the setbacks, regardless of lot size, may restrict tower height. Mr. Keller further confirmed with other Commission members transmission lines and insurance on transmission lines would be a matter between the homeowner and Waverly Light and Power.

Mr. Wilson outlined Bremer County is reviewing 17 requests for wind turbines for various residential and non-residential applications and sees a need to review some ordinance provisions.

Mr. Kohout outlined staff has done research and provided an ordinance for review and would like to see the discussion on the topics presented in the proposal before the Commission and the overall process for wind turbine review. Mr. Kohout further outlined there have been requests to the City on the possibility to locate wind turbines in the City, and that currently staff can only allow the turbines in A-1 zoning as a special provisional use under “tower”, with no requirements outlined in the current City Code.

E. New Business:

None.

F. Adjournment:

Motion By: Huser

Seconded By: Keller

Move that the Planning and Zoning Commission meeting be adjourned.

Yes: 6

No: 0

Absent: 1