

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON MARCH 10, 2014

The meeting was called to order by Vice Chairman Sandy Ziebold at 7:35 PM.

Roll call was taken: **Present: Gardner, Darter, Hicks, Ziebold and Childers.**
Absent: Baker and Buettner

Vice Chairman Ziebold asked if there were any additions or corrections to the minutes of the February 20, 2014 meeting. A motion was made by Gardner and seconded by Darter to approve the minutes of the February 20, 2014 meeting as presented. Motion carried.

The Vice Chairman asked if there were any citizens to address the Planning Commission. There were none.

The Vice Chairman also asked if there were any corrections or deletions to the agenda. There were none.

PETITIONS:

Z-14-03-01 Review and Comment on Proposed Zoning Map Amendment to Rezone a Downtown Portion of B-3, Central Business District, to R-3, Single Family Residential and a Portion of B-3, Central Business District, to I-1, Light Industrial District.

The Zoning Administrator explained that every year the City of Waterloo approves a Zoning Map, and prior to that approval the City performs a basic overview of the current zoning map to make sure areas are zoned correctly and that the areas reflects the current use. During the review process it was determine that a portion of the downtown area that is currently zoned B-3, Central Business District is primarily residential with either single family or multi-family homes. To better protect the single family home owners, the City of Waterloo, proposed to rezone the area R-3, Single Family. If the rezoning is approved, the existing uses would be considered as “conforming uses”. The City Attorney explained the definition of “conforming use” and gave examples. It was also explained that the “conforming use” goes with the address, not with the owner of the property. Ms. Cynthia Notter questioned why the downtown portion could not be zoned R-3, Single Family and R-5, Multi-Family. The Zoning Administrator explained that per the City Zoning Code, the minimum district size for an R-3 and an R-5 is five (5) acres each. Therefore, the downtown portion in question would need to be at least 10 acres in size to even consider dual zoning. Mr. Arthur Ahne expressed concerned that if his property was zoned R-3, he would lose the capability of renting out the upper floor or converting his home into a business. The Zoning Administrator stated that every property owner, in the proposed rezone downtown portion, would receive a mailing requesting the address and current use of their property which would then be included in the ordinance as a conforming use. Mr. Ahne then asked since the current zoning of his property is commercial, B-3, could he keep commerce zoning as a conforming use. Mr. Ahne was informed that the conforming use would be base on the current use of the property. Since the property currently is not being use as a business, he could not use B-3 as his conforming use. Mr. Bob Gonzales question if he could rebuild on the

existing footprint, and Mr. Mike Schneider questioned if the set back requirement would remain the same on “conforming use” properties. The Zoning Administrator stated that the set back requirement would be based on R-3 zoning and that rebuilding on the same footprint would be allowed. It was also mentioned that a “conforming use” business in this proposed rezoned area, would need to maintain the same intensity, i.e. average customer flow as the original business. It will be approximately six (6) weeks before this proposed zoning changed will be brought before the City Council. Residents are encouraged to watch the City web site for the meeting postings.

Motion was made by Hicks and seconded by Darter to recommend approval on a Proposed Zoning Map Amendment to Rezone a Downtown Portion of B-3, Central Business District, to R-3, Single Family Residential and a Portion of B-3, Central Business District, to I-1, Light Industrial District.

Members voted as follows: YES – Gardner, Darter, Hicks, Childers and Ziebold.

Motion carried.

OLD/NEW BUSINESS:

The Vice Chairman asked if there was any additional old or new business. There was none.

**Motion to adjourn the meeting at 8:05 PM was made by Gardner and seconded by Darter.
Motion carried.**

NEXT MEETING DATE: APRIL 14, 2014 at 7:30 PM

Minutes respectfully submitted by Mechelle Childers.