

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON OCTOBER 13, 2014

The meeting was called to order by Vice Chairman Sandy Ziebold at 7:00 PM

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

Vice Chairman Ziebold asked if there were any additions or corrections to the revised minutes of the August 11, 2014 meeting. The Zoning Administrator mentioned that he met with Mechelle Childers on October 13, 2014 and reviewed the originally submitted August 11, 2014 minutes. Some minor corrections were made and those corrections are indicated in “red” lettering on the revised minutes that were distributed this evening. The Zoning Administrator also stated that the minutes that are being approved are different from those listed on the City of Waterloo’s website. A motion was made by Darter and seconded by Buettner to approve the revised minutes of the August 11, 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. The Zoning Administrator mentioned that the agenda for this evening was amended and under “Old Business” Petition Z-14-08-02 was added.

OLD BUSINESS:

Z-14-08-02 Update report on R-6 Condominium Zoned Districts.

In August the City of Waterloo brought forth to the Planning Committee a petition to revise Ordinance 1622 which created the R-6 Condominium Zoned Districts. During the discussion of this petition a modification was asked to be made to the petition. The Planning Commission motioned to table Petition Z-14-08-02 until it heard back from the Planning Committee. The Planning Committee met and changed the ordinance and acted upon it. Therefore, Petition Z-14-08-02 will not be coming back to the Planning Commission or the Board of Appeals.

PETITIONS:

Z-14-10-01 Review and Comment on Proposed Area Bulk Variances from Section 40-3-2(A)(1) regarding aggregate total of Accessory Buildings and the Side Yard Setback Requirements of Section 40-2-3(A) for Property Located 501 North Moore Street.

Mr. Dylan Smith was present to speak on behalf of this petition. Mr. Smith would like to add a 20’x20’ carport to his existing garage. Currently the detached garage is being use as a recreational area. The carport addition will allow him to keep his vehicle out of the elements and also serve as a patio area. The rock driveway will be concreted this week. The carport itself will be located on East Grand; Mr. Smith’s physical address is on Moore Street. Mr. Smith noted that there are only two properties that have access to East Grand, himself and his neighbor. Mr. Darter commented that the variance request would place the carport ten feet off the street as

opposed to the required twenty-five feet and this petition was therefore requesting more than a 50% set back variance from ordinance.

Motion was made by Buettner and seconded by Ziebold to recommend approval on Proposed Area Bulk Variances from Section 40-3-2(A)(1) regarding aggregate total of Accessory Buildings and the Side Yard Setback Requirements of Section 40-2-3(A) for Property Located 501 North Moore Street.

Members voted as follows: YES – Buettner and Ziebold.

No – Darter and Childers.

Petition Z-14-10-01 will be forwarded to the Board of Appeals with a neutral recommendation from this commission.

Z-14-10-02 Review and Comment on Proposed Zoning Text Amendment to Section 40-1-15 Definitions and Section 40-2-3(B) R-4 Two Family Residences – Special Use Permits Required, by the removal of *Nursing Home* and the addition of *Skilled Nursing Facility*.

The Zoning Administrator stated that this petition is by the City of Waterloo. The City would like to replace any reference to the term *Nursing Home* in the Zoning Code with the term *Skilled Nursing Facility*. The term *Nursing Home* would be removed from ‘definitions’, the general zoning district regulations as a Special Use under R-4, and from Section 40-6-14, Scheduled Parking Requirements, and the term *Skilled Nursing Facility* will be added. A Skilled Nursing Facility will be defined as an inpatient health care facility with the staff and equipment to provide skilled care, rehabilitation and other related health services to patients who need nursing care but do not require hospitalization. The term *Skilled Nursing Facility* will also added as a Special Use under R-4 and Parking requirements. The Parking Requirements, for a *Skilled Nursing Facility*, will be one parking space for every two beds, plus one parking space per employee on maximum shift, plus one parking space for every twenty beds for visitors.

Motion was made by Darter and seconded by Buettner recommend approval on the Proposed Zoning Text Amendment to Section 40-1-15 Definitions and Section 40-2-3(B) R-4 Two Family Residences – Special Use Permits Required, by the removal of *Nursing Home* and the addition of *Skilled Nursing Facility*.

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

Motion carried.

Z-14-10-03 Review and Comment on Proposed Special Use Permit for a Skilled Nursing Facility in a R-5 Multi-Family Residential District as permitted by Section 40-2-3(B) for property located at Lot 6A on Legacy Drive.

Mr. Dave Kunkel, one of the owners of Legacy Assisted Living Center, was present to speak on behalf of this petition. They would like to build a thirty (30) bed memory care facility on the property adjacent to the Legacy Assisted Living Center. A memory care facility would be classified as a Skilled Nursing Facility. The building would be approximately 22,250 square feet and the architecture would have the same look as the Legacy Assisted Living Center. Gregg Sutterfield, from Hurford Architects, was also present to speak on this petition. The facility will have a higher level of care versus the Assisted Living Center; the staff to resident ratio will be greater, a nurse will be on hand and the building will have a wander guard system installed.

Motion was made by Darter and seconded by Childers recommend approval on the Proposed Special Use Permit for a Skilled Nursing Facility in a R-5 Multi-Family Residential District as permitted by Section 40-2-3(B) for property located at Lot 6A on Legacy Driver.

**Members voted as follows: YES – Darter, Buettner, Childers and Ziebold.
Motion carried.**

Z-14-10-04 Review and Comment on Proposed Area Bulk Variance from the Rear Yard Setback Requirements of Section 40-2-3(A) for property located at 716 Mahala Drive.

Mr. David Shanks, owner of the duplex at 716 Mahala Drive, was present to speak on behalf of this petition. Mr. Shanks would like to construct an 18'x18' addition to the rear wall on 716 Mahala. The addition would extend approximately three (3) feet into the rear yard setback. The room will be constructed as the same elevation and with the same type of exterior materials, to match the original structure.

Motion was made by Buettner and seconded by Darter recommend approval on the Proposed Area Bulk Variance from the Rear Yard Setback Requirements of Section 40-2-3(A) for property located at 716 Mahala Drive.

**Members voted as follows: YES – Darter, Buettner, Childers and Ziebold.
Motion carried.**

NEW BUSINESS:

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

**Motion to adjourn the meeting at 7:48 PM was made by Darter and seconded by Buettner.
Motion carried.**

Minutes respectfully submitted by Mechelle Childers.