

PLANNING AND ZONING COMMISSION MONTHLY MEETING

Council Chambers

8/27/13 6:30 P.M.

Present: Nick Colbert, Larry Wright, Joel Amandus (arrived at 6:32P.M.), Lyle Brown, Ed Delaney, Brenda Parker, Council liaison Kevin Rink
Absent: Ron Welder
Staff: Doug Krogmeier
Visitors: Becky Anderson, Kate Coffey, Karen Faul, Herb Faul, Floyd Stout, Steve Anderson, Frank Pieper, Cynthia Arnaman, Todd Schneider, Michael Mohrfeld.

Chairman Nick Colbert called the meeting to order at 6:30 P.M. with six members present.

ACTION ON MINUTES

The minutes from June 25, 2013 were approved as amended on a **motion by Delaney, seconded by Wright.**

Motion passed yes-6, 0-no.

NON AGENDA ITEMS

None

13-08: Commission review/consideration of Final Plat for Innsbrook Subdivision Part IV, a 7 lot subdivision, located at 3100-3300 blocks of Ave A-E.

Staff reviewed case report.

Cynthia Arnaman asked what type of units would be placed on her side of the lot (east side) as she has concerns that if this is approved he could later build multi-family or low-rent or something else. Mike Mohrfeld explained that his lot is currently zoned for single family and he has no intentions to rezone it. He also has not yet and has no plans to apply for any grants relating to HUD or any kind of housing incentives. He believes if he can keep is costs reasonable he should be able to sell these completed homes for around \$140,000 and due to low utility cost from energy efficiency, they feel most people would be able to qualify for this type of loan. Regardless, even if he did decide to change plans and build something multi-family, we would perform the entire process again and neighbors would again get to voice their opinion. After, further question and answer between other visitors, Mohrfeld, the commission, and staff Colbert asked for a motion.

Parker made a motion seconded by Delaney to recommend approval of the Final Plat. Motion passed 6-yes, 0-no.

13-12: Commission review/discussion of a Variance to exceed lot coverage for Ramiro Hernandez at 11 Tammy Lane.

Staff reviewed case report.

Colbert opened the public hearing at 6:34 P.M.

Hearing no comments,

Colbert closed the public hearing at 6:35 P.M.

Larry Wright voiced concerns regarding the condition of the tree as not being a sufficient condition to warrant a variance. He spoke that in the past variances are approved because of unique lot conditions such as too narrow etc. causing setback or lot coverage issues, but not because a tree is a problem. Parker concurred with Wright and wondered if this is sufficient reason to grant a variance. Wright also voiced concerns that this could set precedence that everyone with a neighboring tree could request a similar variance just to get to do something not otherwise allowed by code. Colbert explained that as a commission they should treat each case individually. Krogmeier explained that several variances have been approved in this neighborhood for various things like lot coverage and setbacks. Brown concurred that this neighborhood was of unusual design and therefore has been allowed variances several times. Delaney noted that in consideration of this lot, this request does not conflict with other codes like setbacks, the neighbors do not seem to have a problem with it and he didn't see it causing concern so he didn't feel denying a request for 50 sf was warranted and therefore he would vote in favor. Amandus agreed with Delaney.

Colbert asked for a motion. **Brown made a motion seconded by Delaney to recommend approval of the variance. Motion passed 4-yes, 2-no (Wright, Parker)**

13-11A: Request to rezone property from R-4 single family dwelling district to R-6 multi-family dwelling district for Todd Schneider at 18th Street and Avenues F-G.

Krogmeier reviewed the staff report. He explained that while each of the following items will be voted on independently, public comment will likely run concurrently and thus he explained all 3 requests.

Colbert opened the public hearing at 7:02 P.M.

Schneider gave an overview of the project. He was asked if this will be "Low income rentals" which he stated that while there are some restrictions on what he can charge for rent, half of the building will be high end rentals and the other half will be marketed at 80% of market rate. Brown asked what the rates would be which Schneider stated the units will range from \$550 to \$950. He further explained that much like his last project, he prefers to create nice higher end units, because tenants that rent them take good care of them. Krogmeier explained that based on the grant Schneider received, 51% of the units must be filled by tenants earning 80% or less average wage for the area which is high for Fort Madison. A single tenant could make \$33,000 and qualify for this low income. A couple could make \$40,000 and still qualify. Krogmeier noted that rental inspections were recently completed on Schneider's previous project and after five years these were in very good condition still and well maintained. Kate Coffee questioned where Todd would find this many new tenants to fill this building noting that as a neighbor she had concerns of a large number of people moving in from out of town. Schneider stated that he owns several properties and has never had a problem finding local residents to fill his units. Brown asked if the State had any historic review over this project which Schneider explained that that review is being completed now. Parker asked if the State could impose other requirements based on this review which Schneider explained that while there would be the potential for other conditions being imposed by the state, he feels that as the project will be designed he did not foresee any monumental changes required. He also noted that the property is not yet on the historic registrar so mandating significant historic guidelines should not be needed. Plus changes have been made such as replacing all the windows so this likely has already limited the historic aspect of the building (something the state would look closely at).

Colbert closed the public hearing at 7:12 P.M.

Hearing no further discussion from the commission Parker made a motion to recommend council approval of the rezoning, seconded by Wright. Motion passed 6-yes, 0-no.

13-11B: Special Use Permit request to remodel middle school for apartments over 12 units per structure (41 units planned).

Krogmeier again explained that all proposed structures housing more than 12 apartments must also be approved of a special use permit for such development to allow neighbors a chance to voice their opinion and concerns.

Colbert opened the public hearing at 7:14 P.M.

Hearing no comments, **Colbert closed the public hearing at 7:15 P.M.**

Amandus made a motion, seconded by Brown to recommend BOAA approve the SUP for 41 apartments. Motion was approved 6-yes, 0-no.

13-11C: Variance request to reduce required off street parking facilities (62 spaces required on the lot, 26 planned on the lot with 36 on the street as existing angle parking).

Krogmeier explained the parking lot scenario as well as the fact that as part of this project Schneider plans to install a very large solar array which will consume much of the rear yard available. For this reason, he would like to use the existing parking along the street. He has also requested the City remove the no parking on the restriction on the south side of the block.

Colbert opened the public hearing at 7:17 P.M.

Hearing no comments, **Colbert closed the public hearing at 7:18 P.M.**

Parker made a motion, seconded by Amandus, to recommend BOAA approve the variance to reduce required off street parking. Motion was approved 6-yes, 0-no.

OLD BUSINESS

Amandus asked if staff still plans to make the discussed changes to the code to remove variances and SUP approval from the commission. Krogmeier stated that those plans have not changed, however, as this building season is in full swing, that project will likely wait till winter.

OTHER/NEW BUSINESS

None

With no further business brought before the Commission

Motion was made by Welder to adjourn and was seconded by Wright.

Motion was passed unanimously. The meeting was adjourned at 7:23 P.M.

Nick Colbert, Chairman of Planning and Zoning Commission