

Meeting Minutes
Waverly Municipal Planning Commission
Regular Meeting
April 11, 2007
Municipal Building



Chairman Corwin brought the meeting to order at 2:05 p.m. Present at the meeting was Chairman Corwin, Commissioner Boyd and Commissioner Demlow. Also present was City Community/Economic Development Director Nathan Davis. Chairman Corwin inquired as to the recent resignation of Commissioner Allen. Mr. Davis stated that Commissioner Allen had moved from a residency in Ward 3 to a residency in Ward 2 which made him ineligible to serve on the Planning Commission according to the Commission’s By-Laws. Mr. Davis stated that Commissioner Allen had submitted a letter of resignation and that a citizen from Ward 3 would need to be appointed by the Mayor and City Council to the Commission. Chairman Corwin referred to the last meeting minutes and asked if everyone had reviewed them. After taking a few moments to review the minutes a motion was made by **Commissioner Boyd to approve the March, 2007 meeting minutes. The motion was seconded by Commissioner Demlow, Roll Call: All Aye.** The meeting minutes from March 2007 were approved.

Moving to the Old Business section of the Agenda, Chairman Corwin referred to the proposed B-1 and B-2 Zoning District Codes which were reviewed at the last meeting. Chairman Corwin opened the floor for further discussion or input as to the final drafting of the proposed zoning district codes. It was decided in the discussion to add an allowed use to the business district codes entitled: “Professional Health Services”, which would be intended to incorporate doctors, dentists, massage therapist, chiropractors and physical therapist. The discussion also included the addition of a statement to the “Conditions of Use” section of the B-1 and B-2 District Codes that would prohibit any use locating to the areas that incorporated age discrimination as a requirement of entry to their business establishment. After no further discussion **a motion was made by Commissioner Demlow to approve the B-1 and B-2 Zoning District Codes as drafted with the revisions identified in the present meeting. The motion was seconded by Commissioner Boyd, Roll Call: All Aye.** The B-1 and B-2 Zoning District Codes were approved in the following format.

CHAPTER 1139
B-1 Downtown Business District

- 1139.01 Permitted uses.
- 1139.02 Conditions of use.

CROSS REFERENCES

- Accessory building and use defined – see P. & Z. 1107.03
- Curb level defined – see P. & Z. 1107.18

1139.01 PERMITTED USES.

The following uses are permitted in the B-1 District provided all components, merchandise, raw materials, equipment and machinery associated with the business are contained within the walls of an

enclosed building. Such building shall not be an encroachment upon a City or State roadway, street or right of way:

Apartments and/or Condominiums, restricted to the second floor level of a building imploring a first floor use listed in Section 1139.01 of this Zoning Code;
Accounting, Billing or Administrative Office for a corporation, firm, not-for-profit agency, partnership, small business, private or public utility company;
Accounting Service;
Auctioneer Setup (See 1139.02(c) CONDITIONS OF USE);
Animal Feed and/or Agriculture Seed Sales Store;
Antique Store;
Art Gallery;
Attorney's Offices;
Athletic or Fitness Centers;
Auditorium (off-street parking required, see chapter 1155);
Auto Parts Sales;
Bakery;
Banks; Cash Services (off-street parking required, see chapter 1155);
Barber Shop;
Bar, Tavern or Pub;
Beauty Salon;
Bed and Breakfast;
Book Store;
Building Supply Store (off-street parking required, see chapter 1155)
Candy Store;
Churches, Rectories or places of worship (off-street parking required, see chapter 1155);
Clock Sales and or Service;
Coffee Shop;
Computer Sales and or Service Store;
Convenience Store; not to include the sale of gasoline or other petroleum's;
Convenience Store to include the sale of packaged alcoholic beverages;
Dance Hall or Billiard Tables;
Emergency Services;
Engineering or Surveying Services;
Financial Investment, Financial Services;
Flower Shop;
Funeral Homes, Funeral Services (off-street parking required, see chapter 1155);
Furniture Store;
Gift Shop;
Glass Shop;
Goodwill Sales or Used items sales (off-street parking required, see chapter 1155);
Government Services (off-street parking required, see chapter 1155);
Gunsmith and/or Firearms sales;
Gymnasiums (off-street parking required, see chapter 1155);
Hardware Store;
Home Appliance Sales or Service Store;
Home Entertainment Products Retail Sales and/or Service;

Home Occupations;
Ice Cream Shop;
Insurance Sales;
Jewelry Sales and/or Jewelry Repair and Service;
Liquor Store;
Magazine Sales;
Mortgage Company;
Movie and/or Video Game Rental Store;
Museum;
Nail Salon;
Newspaper Production, Public or Private;
Office Supply Store;
Parking Garage or Lot, Publicly or Privately Owned;
Pawn Shop;
Pet Sales and/or Pet Grooming Services;
Pharmacy;
Printing and Copying Service Store;
Private Club;
Professional Health Services
Public Parks (See 1139.02(c) CONDITIONS OF USE);
Post Office (off-street parking required, see chapter 1155);
Real Estate Appraisal Office;
Realty Office;
Restaurant;
Service Club;
Single Family Home (See 1139.02(b) CONDITIONS OF USE);
Sporting Goods Sales;
Tanning Salon;
Taxidermy;
Tax Services;
Travel Agency;
Toy Store;

1139.02 CONDITIONS OF USE.

All uses permitted in the B-1 District shall be subject to the following conditions:

- (a) There shall be no manufacture, processing or treatment of products that in the opinion of both the City Fire Chief and the Chief of Police cause: objectionable odor, dust, smoke, noise, vibration or other health and safety issues.
- (b) Single Family Homes constructed in the B-1 District and any lot created for the purpose of a Single Family Home in the B-1 District after the acceptance of this Zoning Code; and any addition to a single family home previously existing in the B-1 District prior to the acceptance of this Zoning Code, shall be subject to the Lot Size, Yards and Lot Coverage requirements required in the R- 3 District.
- (c) Auctioneer set up and Public Parks are not required to be contained within the walls of an enclosed building.
- (d) No business shall be allowed in the B-1 District which incorporates an age requirement as a basis of entry to any section, part or department of such business.

- (e) All signs erected in the B-1 District shall be subject to the requirements prescribed in Chapter 1145 of this Zoning Code. (Ord. 00-00, Passed: 00-00)

CHAPTER 1141
B-2 General Business District

1141.01 Permitted uses.

1141.02 Conditions of use.

CROSS REFERENCES

B-1 District regulations – see P. & Z. Chapter 1139

Off Street parking required – see P. & Z. Chapter 1155.15

1141.01 PERMITTED USES.

In a B-2 District the following uses are permitted:

All uses allowed in the B-1 District with the exception of Single Family Homes;
ATV Sales and/or Service;
Auto Rental;
Auto Sales and Service;
Apartment and/or Condominium Complex;
Bowling Alley;
Carwash;
Department Stores;
Equipment Rental Store;
Flea Market;
Gas Station;
Grocery Store;
Hospital;
Hotel;
Medical Equipment Sales and/or Service;
Motel;
Motor Cycle Shop;
Movie Theater;
Private Storage Unit Complex;
Tire Sales;
Truck Stop;
Veterinarian Clinic or Animal Hospital;
(Ord. 00-00. Passed 00-00.)

1141.02 CONDITIONS OF USE.

All uses permitted in the B-2 District shall be subject to the following conditions:

- (f) There shall be no manufacture, processing or treatment of products that in the opinion of both the City Fire Chief and the Chief of Police cause: objectionable odor, dust, smoke, noise, vibration or other health and safety issues.
- (g) Apartments or Condominiums constructed in the B-2 District and any lot created for the purpose of an Apartment or Condominium in the B-2 District after the acceptance of this

Zoning Code; and any addition to an Apartment or Condominium previously existing in the B-2 District prior to the acceptance of this Zoning Code, shall be subject to the Lot Area Per Dwelling, Yards and Lot Coverage requirements required in the R-4 District.

- (h) No business shall be allowed in the B-1 District which incorporates an age requirement as a basis of entry to any section, part or department of such business.
- (i) All uses permitted in the B-2 District shall be required to provide off-street parking as prescribed in chapter 1155 of this zoning code. (Ord. 00-00, Passed: 00-00)

After the approval of the B-1 and B-2 Zoning District Codes, Chairman Corwin referred to item B of the Old Business on the Agenda which stated "Solid Rock Developers". Mr. Davis stated he had heard nothing from Solid Rock and believed that the issue was dead.

At this time Chairman Corwin referred to the New Business section of the Agenda which was entitled "Quarterly Report to City Council." Chairman Corwin stated that he had given a quarterly report from the Commission to City Council on the evening of March 20, 2007 and that there had been no questions from Council to the Commission at this time.

At this time Chairman Corwin asked if there was any audience participation. Seeing none, Chairman Corwin asked for a motion to adjourn. Commissioner Boyd made a motion to adjourn. The motion was seconded by Commissioner Demlow, Roll Call: All Aye. The meeting was adjourned at 3:15p.m.

These minutes were prepared using an audio recording.