

SPENCER PLANNING AND ZONING COMMISSION

July 8, 2020

SPENCER, IA

The Spencer Planning and Zoning Commission of the City of Spencer, Iowa, met on the 8th day of July 2020, at 8:00 o'clock A.M. in the Council Chambers, pursuant to law, to adjournment and to the rules of said Commission. This was an electronic meeting, due to regulations, due to COVID 19. Public access was made available through a conference telephone call and internet video service.

The meeting was called to order by Commission Chair Craig Wampler and the roll being called, there were present:

PRESENT: Wampler, Davilla, Bare, Kruse, McCaulley, Elbert

ABSENT: Dykstra

It was moved by Commission Member Elbert, seconded by Commission Member Davilla to elect Commission Member Wampler for Chairperson and Commission Member McCaulley for Vice Chair for Fiscal Year 2020-21. The motion was declared carried when all Commission Members present voted aye on voice call vote.

Charman Wampler announced that this was the time and place set for public hearing on Proposed rezoning of property located at 1018 Grand Avenue, Spencer, Iowa and legally described as the West 100' Lot 5 2 Albee Claypool Messenger Resurvey & Subdivision of Blk 2 1st Railway Addition to the City of Spencer, Clay County, Iowa, from its present zoning classification of "A" Residential to "C-1" General Commercial District zoning (Zylstra).

Chairman Wampler declared the Public Hearing Open;

Written Comments in Favor of:

Dr. Dennis J. Zylstra, 1018 Grand Avenue, Spencer, Iowa. (See on file)

Lee Youde, 1003 Grand Avenue, Spencer, Iowa. (See on file)

Oral Comments in Favor of:

Dr. Dennis Zylstra, 1018 Grand Avenue, Spencer, Iowa. Purpose of request is to get Fair Market Value of property he wishes to rezone. The appraisal is far less than it would be if rezoned. He's been in contact with the hospital to sell for 6 years. In 1970 it was zoned C-1 and was told he is Grandfathered in. May sell on contract to another Chiropractor if it does not sell to the Hospital.

Written Comments Against:

Letter & Petition from Grand Avenue Improvement Corporation and Petition from Grand Avenue Neighborhood Homeowners (22 Signatures). (See on file)

Letter from Bill Bumgarner, Spencer Hospital, 1200 1st Avenue East (addressed to Dick Montgomery) (See on file)

Oral Comments Against:

Mary Jean Montgomery, 1105 Grand Avenue, Spencer, Iowa. Has lived here for 45 years, loves Grand Avenue & Spencer. Mr. Bjornstad built their home, and it's the only remaining home of his in Spencer. Worked for CHI, affordable housing builder in Iowa. Served as Grant Writer and Chair of Board. Travelled around the state and found out what had happened to many cities, loss of affordable housing, due to spot zoning. We are fortunate to have Spencer's beautiful entrance, residential and downtown. Encourage the Board to re-affirm that. Rezoning opens a big door to C-1 commercial; you have the control to keep residential. Quoted Bill Bumgarner's letter comments. Happy to serve as partners for mindful future planning.

Dick Montgomery, 1105 Grand Avenue, Spencer, Iowa. Discussed new investment in homes on Grand Avenue and upgrading Grand Avenue Homes. Discouraged spot zoning and commercial to be allowed on Grand Avenue. Important for long term planning of Grand Avenue. Keep the zoning as is for future improvements. Comments regarding importance of zoning. Dr. Schlichtemeier home example and Depaw home example, on Grand Avenue. If you rezone: 1) Hurts North Grand Avenue District 2) Hurts Historic District. Need to have good zoning to keep North Grand as wonderful and keep commercial in downtown.

Sheriffa Jones, Historic Preservation Commission, Spencer, Iowa. As a Historic Preservation Consultant, she wrote the National Register Nomination for the North Grand Avenue Historic Residential District and it is listed on the National Register of Historic Places as a Residential Historic District in Spencer (explained the details of National Register Nomination). Her comments are also representative of the Spencer Historic Preservation Commission. A Historic District can be unlisted if uses change. It is a huge economic development tool to be listed on the National Register of Historic Places. Need to maintain integrity of Historic District.

Chairman Wampler declared the Public Hearing Closed.

It was moved by Commission Member Elbert, seconded by Commission Member Davilla to **deny** the request to rezone the property located at 1018 Grand Avenue, Spencer, Iowa and legally described as the West 100' Lot 5 2 Albee Claypool Messenger Resurvey & Subdivision of Blk 2 1st Railway Addition to the City of Spencer, Clay County, Iowa, from its present zoning classification of "A" Residential to "C-1" General Commercial District zoning. The Chairman put the questions upon the motion, and the roll being called, the following named Planning & Zoning Members voted:

AYES: Wampler, Davilla, Bare, Kruse, McCaulley, Elbert
NAYS: None

Whereupon, the Chairman declared the motion carried to deny the request.

Items for Future Agendas:

- Approve Minutes of May 13, 2020.

It was moved by Commission Member Bare, seconded by Commission Member Wampler to adjourn the meeting of the Spencer Planning and Zoning Commission at 8:32 A.M. o'clock A.M. The motion was declared carried when all Commission Members present voted aye on voice call vote.

Chairperson, Craig Wampler

ATTEST:

Theresa Reardon, City Clerk
Secretary