



PLANNING & ZONING MEMORANDUM

TO: Planning & Zoning Commission

FROM: Matt Chesmore

DATE OF MEETING: May 12, 2025

ITEM TITLE: Rezoning Application

BACKGROUND:

An application was received from the Wapsie Valley Creamery regarding a request to rezone property they currently own from C-2, Commercial Zoning District to C-1, Central Commercial Zoning District.

It is important to understand the intent of zoning districts and the restrictions they place on parcels throughout our city and therefore we review the purposes of each district as it pertains to this matter:

Section 12.00. GENERAL DESCRIPTION. The “C-1” Central Commercial District is designed to accommodate the needs of the Central Business District, allowing a wide range of services and goods permitted for consumer daily and occasional shopping and service needs.

Section 13.00. GENERAL DESCRIPTION. The “C-2” Commercial District is intended and designed for business, profession and occupations which are located in areas other than the Central Business District and require off-street parking areas and loading spaces.

While it is important to note the subject parcel is not in the Central Business District, the Principal Use permitted for C-1 districts include Business offices, professional offices and studios as well as laundrettes, and coin operated dry cleaning establishments. The current use is that of a business office and therefore does comply with the C-1 zoning district permitted uses.

It is also worth noting that laundry facilities alone are not mentioned as a principle use in a C-2 district. However, by current zoning regulations they are permitted “by reference”, therefore are permitted in C-2 districts.

C-2 Zoning districts carry with them certain requirements that C-1 districts do not have, specifically front yard setback requirements. The front yard setback requirement for a C-2 district is 25' regardless of where the parcel is located and a side yard setback that must be determined by Council. By current regulations this parcel cannot be afforded the same amenities as their Southern neighboring parcels, which are also zoned C-2 and thus why Wapsie Valley has submitted this application.

Because current zoning regulations place this parcel at a possible disadvantage to others adjacent to it, we feel that a variance to the zoning regulation would not be appropriate at this time and the rezoning of this parcel should be carefully considered.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission recommend the City Council approve the rezoning request and make a motion to set a Public Hearing on May 27, 2025, at 5:00 PM for consideration of a Rezoning Request from C-2, Commercial District to C-1 Central Commercial District within the City of Independence, Buchanan County, Iowa.