



*Plan and Zoning Commission
Staff Report*

Meeting Date: March 19, 2019

Agenda Item: Action: Aspen Ridge Estates Rezoning Area A-1, Area A-2, and Area B

Report Date: March 11, 2019

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Planner I

ESC

Recommendation:

That the Plan and Zoning Commission recommend City Council approval of the request by Rose Marie Reinhart and Diamond Development LLC to rezone property from R-1, One-Family Residence District to R-3, Multiple-Family Residence District with restrictions.

Discussion:

Rose Marie Reinhart and Diamond Development LLC are requesting to rezone property from R-1, One-Family Residence District to R-3, Multiple-Family Residence District with restrictions. The subject property is located east of NW State Street and south of NW 36th Street, and was at first, divided into two separate rezoning areas. The applicant has agreed to split the largest rezoning area (Rezoning Area A) into two parts, and add additional restrictions.

Rezoning Area A which was once comprised of 27.20 acres, has now been split into Rezoning Area A-1 and Rezoning Area A-2. The rezoning area is bordered by NW State Street to the west, Ashland Meadows Planned Unit Development to the south, and R-2 One-Family and Two-Family Residence District (restricted to single family) and R-3 Multiple-Family Residence District (restricted to single family) to the east.

Rezoning Area A-1 contains 17.82 acres, and is proposed to be rezoned to R-3, Multiple-Family Residence District, restricted to one-family residential dwellings, a change in the conditions from the rezoning proposed during the public hearing on March 5th. Rezoning Area A-2, located just north of Rezoning Area A-1, contains 9.43 acres, and is proposed to be rezoned to R-3, Multiple-Family Residence District, restricted to one-family and two-family residential dwellings.

North of Rezoning Area A-2 lies Rezoning Area B. Rezoning Area B contains the same area as it did when presented at the public hearing on March 5th, approximately 18.42 acres, but has a change in conditions. Rezoning Area B is now proposed to be rezoned to R-3, Multiple-Family Residence District, restricted to ten units an acre, and no apartment buildings.

The proposed zoning change would not change the minimum lot area, front yard, side yard, or rear yard setbacks that are required in the R-3, Multiple-Family Residence District, and is

consistent with the Ankeny 2040 Plan's Land Use Plan, which shows Low Density Residential in the general location of Rezoning Area A-1 and Rezoning Area A-2, and Medium Density Residential in the general location of Rezoning Area B.

During the public hearing that took place on March 5th, there were concerns raised by some of the neighbors, and a few questions from the commissioners, which included drainage, traffic, and property values, as they relate to the proposed rezoning. Those concerns are discussed below:

The concept presented at the public hearing is consistent with the preliminary plat that is being reviewed by staff, and will be brought to the Plan and Zoning Commission for approval at a later date. The concept consists of 134 one-family or two-family residential lots, several street lots, and seven outlots for various purposes. There is a proposed sidewalk connection to existing trails in the Ashland Meadows Planned Unit Development, which will eventually connect with the three acres of parkland identified in the concept. The developer hopes to accommodate commercial spaces along NW 36th Street, contingent on an unrelated rezoning that may be forthcoming.

Aspen Ridge Estates is part of the Rock Creek watershed and generally drains to the south and west. The applicant's engineer has provided some general mapping that shows how the site currently drains. The site in question currently stands as vacant agricultural land, which can contribute to high rates of storm water runoff. With development, storm water mitigation will be carefully considered, reviewed, and implemented by qualified engineers and contractors, eventually improving overall storm water management in the area.

The concept identifies areas that may contain storm water detention areas, which are essential components of storm water control in any residential, commercial, or industrial project and are required by code. As the concept currently stands, water is transported to these detention areas via differently sized storm sewer piping located alongside all public streets. Oversized storm sewer piping would be provided north of NW 31st Street to move storm water runoff from the area north of Rezoning Area B southwest to the detention ponds along NW State Street.

The detention ponds proposed throughout the development will be carefully engineered to help relieve the effects of heavy weather events. The flooding that occurred in June, 2018 was the result of extreme rainfall that dropped approximately 10" of rain on the City in a matter of a few hours. Weather events such as these are incredible and unfortunate occurrences. It would be impossible and financially impractical to design and construct storm water conveyance systems that would handle such a rain event. Flooding occurred in many parts of the City, and was not localized to the areas near existing storm water detention areas. The City of Ankeny saw flooding in places that have not historically had storm water issues before.

The concept plan that has accompanied the rezonings identify several road improvements, all of which are necessary to facilitate the development. Public streets that extend west to east from

NW State Street through the development include NW 27th Street, NW Reinhart Drive, and NW 31st Street. NW 29th Street follows a partial north to south layout, and NW 34th Street extends south from NW 36th Street, forming a curve that runs west and terminates at NW State Street.

NW State Street and NW 36th Street are identified as Major Arterial Roadways, and NW Reinhart Drive is identified as a Collector Street. These road classifications are identified in the City's comprehensive plan, and are used to categorize the amount of traffic the roads are designed to accommodate. Arterial roads and collector streets are essential for the overall traffic circulation of neighborhoods within each square mile of the City. Pre-determined access points with appropriate spacing and turn lanes have already been added to NW State Street. Any commercial development that occurs in the areas identified along NW 36th Street will be required to submit a Traffic Impact Study, which will then be reviewed by staff.

The City Council approves a Capital Improvement Program, or CIP, each year that identifies needs and establishes priorities for public infrastructure within the City. Currently, there are two projects proposed to improve present day traffic concerns in the area near the development in question. There are temporary improvements proposed for NW Ash Drive and NW State Street currently slated for 2023 that would include installation of left turn lanes and a traffic signal at the intersection. Additionally, the CIP proposes widening of NW 36th Street from NW Ash Drive to North Ankeny Boulevard in 2025-2026. These projects will help to improve the overall traffic flow in this area of the City. CIP projects are reviewed and prioritized annually.

Other questions at the Public Hearing on March 5th included density, types of housing, and property values. When land is annexed in to City, it is automatically zoned R-1, One-Family Residential District, as this is the City's most restrictive zoning classification. A majority of the time, properties are ultimately rezoned prior to development, and that zoning would need to conform to the Comprehensive Plan's future land use map.

In this case, the rezoning areas are identified as Low Density Residential and Medium Density Residential in the Ankeny 2040 Comprehensive Plan. These areas have been generally identified this way since the 2010 Comprehensive Plan was adopted. It's common for the future land use map to identify more intense uses, such as commercial areas and higher-density housing, along arterial roadways and at major intersections. It is also common that the land uses transition into less intense uses as you move towards the center of the neighborhood.

Although the applicant is requesting that the area be rezoned to R-3, Multiple Family Residence District, the restrictions that accompany the proposed rezoning would not allow large multi-family dwellings, such as apartments. That being said, the conditional zoning proposed by these rezoning areas is in line with the City's comprehensive land use plan.

As stated earlier, the developer has modified the conditions that were originally proposed. Rezoning Area A-1 is now restricted to One-Family Residences only, Rezoning Area A-2 is restricted to One-Family and Two-Family Residences, and Rezoning Area B is restricted to ten units an acre, and no apartments. The proposed rezoning for Area A-1 mimics the zoning found in Centennial Pointe Plats 1, 2, and 3 to the west, and the zoning for Ashland Ridge to the east. It is also consistent with the Ashland Meadows Planned Unit Development to the south.

There were some concerns raised that by allowing bi-attached units and townhomes adjacent to existing single-family residences, the property values of the existing homes would decrease. Staff is unaware of any research that validates these concerns. In fact, any research that staff is aware of regarding this topic suggests that higher density residential uses do not have a negative impact on the property values of nearby single-family homes.

City code requires that developments provide sufficient screening so that neighboring properties have some degree of separation and privacy from one use to another. In this case, a broken screen (Type A) would be required between the townhome development and single family dwellings. A broken screen contains intermittent visual obstructions from the ground to a height of at least 20 feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Staff will review the necessity of these buffers and require them accordingly as the development progresses through the approval process.

The developer has submitted the required rezoning petitions consisting of the signatures of more than 50% of the land area subject to the rezoning. In both rezoning cases, the developer has provided the signatures of 61% of the property owners within 250 feet of the subject properties, which is more than the 60% required for a rezoning. Although a majority of the signatures provided for the rezoning are in the interest of the applicant, the rezoning is legitimate.

Staff recommendation:

Staff position in that the Plan and Zoning Commission recommend City Council approval of the request by Rose Marie Reinhart and Diamond Development LLC to rezone property from R-1, One-Family Residence District to R-3, Multiple-Family Residence District with restrictions.