

## **Meeting Minutes**

### **Plan & Zoning Commission Meeting**

Tuesday, March 19, 2019

Ankeny City Hall – City Council Chambers

410 W. First Street, Ankeny, Iowa

#### **CALL TO ORDER**

Chair L. West called the March 19, 2019 meeting of the Plan & Zoning Commission to order at 7:04 p.m.

#### **ROLL CALL**

Members present: C. Ender, T. Flack, G. Hunter, T. Ripper and L. West. Absent: A. Renaud, L. Anderson. Staff present: E. Jensen, E. Carstens, K. Gorman, B. Fuglsang

#### **AMENDMENTS TO THE AGENDA**

Motion by G. Hunter to accept the agenda as submitted with a change in the order of the agenda by moving Business Items #5, #6 and #7 before Public Hearings Item #4. Second by T. Flack to accept the agenda as revised. All voted aye. Motion carried 5 – 0.

#### **COMMUNICATIONS**

Motion by C. Ender to receive and file correspondence dated March 14, 2019 from Cory Schoening, 1404 NW 26<sup>th</sup> Street and correspondence dated March 9, 2019 from Tracy Gugger, 1610 NW 31<sup>st</sup> Street, Minh and Trinh Huynh, 1312 NW 26<sup>th</sup> Street, Kevin and Annette Bailey, 2910 NW Northpark Street, Michael and Ashley Behm, 3008 NW Northpark Street, Heather and Daniel Stoll, 3012 NW Northpark Street, Chad and Angela Armour, 1019 NW 32<sup>nd</sup> Street, John and Nicole Meyer, 1020 NW 32<sup>nd</sup> Street. Second by T. Flack. All voted aye. Motion carried 5 – 0.

#### **CITIZEN'S REQUEST**

There were no requests.

#### **CONSENT AGENDA ITEMS**

##### **Item #1. Minutes**

Motion to approve and accept the March 5, 2019 minutes of the Plan and Zoning Commission meeting.

##### **Item #2. 117 SE Lorenz Drive – Campus Business Park Plat 1, Lot 4 Site Plan**

Motion to approve the site plan for 117 SE Lorenz Drive – Campus Business Park Plat 1, Lot 4 Site Plan.

##### **Item #3. Ironman Preliminary Plat (County)**

Motion to recommend City Council approval of the Ironman Preliminary Plat, subject to applicable Polk County Subdivision Requirements in lieu of the City of Ankeny Subdivision Regulations.

Motion by T. Flack to approve the recommendations for Consent Agenda Item(s) #1 - #3. Second by T. Ripper. All voted aye. Motion carried 5 – 0.

#### **BUSINESS ITEMS**

##### **Item #5. 225 NW Autumn Crest Drive – Green Acres Storage – Sign**

K. Gorman reported CR Signs requests that a 281 square foot sign be approved for placement on the north side of Green Acres Storage, located at 225 NW Autumn Crest Drive. K. Gorman presented a site plan to the Commission showing the location of the proposed sign. He then presented a color elevation of the proposed illuminated sign. He stated the site plan for Lot 1, Autumn Crest Plat 7 and the building elevations were approved by the Plan and Zoning Commission on June 6, 2017. The subject site is located along NW Autumn Crest Drive, near the intersection of NW Autumn Crest Drive and N Ankeny Boulevard. K. Gorman explained that the development consists of one three-story, 126,000 square-foot self-storage building with parking, landscaping, and associated site improvements. In addition to the sign in question, the business is proposing five more signs on the south and east building elevations, which are allowed by code. He explained that the site is zoned C-2, General Retail and Highway Oriented Commercial District and the properties to the north of NW Autumn Crest Drive are bi-attached single-family homes zoned as R-3, Multiple-Family Residence District. K. Gorman shared that the proposed sign is located approximately 200 feet south of these townhomes. He stated that if the Commission believes the sign is appropriately located, and far enough from the adjacent residential properties to allow it to be lit, staff recommends

that the hours of illumination be limited from 8:00 a.m. to 10:00 p.m. Staff recommendation is that the Plan and Zoning Commission deny the request to allow a lighted sign proposed for the north side of Green Acres Storage located at 225 NW Autumn Crest Drive.

Seth Green, Green Acres Storage, 5315 J Street SW, Cedar Rapids, Iowa and Darin Grice, CR Signs, 4701 First Avenue, SE, Suite 11, Cedar Rapids, Iowa stated they are requesting an illumination of a sign on the north side of their building. Seth Green stated the sign would sit behind the bump out on the building and would somewhat be shielded from the residential neighborhood. He stated it is very visible for people who are coming into town from the north and realizes that there is residential right across the street. He presented the site plan, which showed a strip mall to the west that has two illuminated signs. Seth Green further stated that there are multiple parking lot lights and streetlights already shining on their property. C.Ender asked what would be the height of the sign. Seth Green stated the top of the sign would be approximately 30-foot high. C.Ender then asked the height of the residential dwellings across the street. Seth Green stated they are single story. C.Ender commented that he is not sure that the residents would really see the illuminated sign if the sign will be two stories above them. C.Ender then asked what the design standards are for the brightness of the sign. Darin Grice commented that it is a standard illumination. The design of the sign is not to be overly bright; it is not flashing and has a cool white illumination LED in it. Seth Green shared that all of their facilities run on astronomical clocks. He shared that they normally light up around 4:00 a.m. and they turn off about one-half hour after sunrise and they would then light up around sunset and would turn off around 10 or 11 p.m. The lighting would not be on all night. T.Ripper commented that the townhome directly across from this sign would see it until 10 p.m. Seth Green shared that they did try to reach out to the owners of the townhome but they are for sale and no one is currently living there. Seth Green shared that one challenge that they have to the east is the rooflines of two other buildings block the view of their signs. T.Flack confirmed that the staff recommendation is not denying the sign; it is only denying the illumination of the sign. Seth Green stated yes. T.Flack stated she is not comfortable placing an illuminated sign that close to residential.

There was no further discussion by the Commission.

Motion by G.Hunter to deny the request to allow a lighted sign proposed for the north side of Green Acres Storage located at 225 NW Autumn Crest Drive. Second by T.Flack. All voted aye. Motion carried 5 – 0.

**Item #6. JDEV, LLC requests to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with restrictions.**

E.Jensen reported that the subject property is approximately 43.11 acres, located east of N Ankeny Boulevard and approximately a quarter-mile north of the intersection at NE 54<sup>th</sup> Street. He shared that JDEV, LLC is requesting to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with restrictions. He stated the area was annexed in 2017 and is currently agricultural land, zoned R-1. The property to south is also currently agricultural land zoned R-1 and the property to the east is R-2, restricted to single-family and R-3, restricted to single-family. He stated the The Ankeny Plan 2040 identifies this property as Low Density Residential with some Medium Density Residential in the northwest corner. E.Jensen stated the request includes a 32-acre (+/-) portion of land covering the southern and eastern majority of the property to be rezoned to R-3, Multiple-Family Residence District, restricted to single-family; and an 11-acre (+/-) portion of land in the northwestern part of the rezoning area along Highway 69 to be rezoned to R-3, Multiple-Family Residence District, restricted to 10 units per acre. He shared that the Plan and Zoning Commission held a public hearing for the proposed rezoning on March 5, 2019 and there were no questions or comments from the public. Staffs recommendation is for City Council approval of the request by JDEV, LLC to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with restrictions.

The representative for JDEV, LLC had no further comments.

The Commission had no further questions.

Motion by G.Hunter to recommend City Council approval of the request by JDEV, LLC, to rezone property from R-1, One-Family Residence District, to R-3, Multiple-Family Residence District, with 32-acres (+/-) restricted to single-family and 11-acres (+/-) restricted to 10 units per acre. Second by T.Ripper. All voted aye. Motion carried 5 – 0.

**Item #7. 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.**

K.Gorman reported 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. He shared 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. He stated that following the public hearing, which was on March 5, 2019, the applicant agreed to split the largest rezoning area, rezoning Area A, into two parts, and add additional restrictions.

K.Gorman stated that 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. He explained that rezoning Area A-1 contains 17.82 acres, and 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. He stated 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. K.Gorman stated that Rezoning Area B contains the same area as it did when presented at the public hearing, 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. K.Gorman presented the rezoning exhibits showing Area A-1, A-2 and Area B. He also presented the concept plan that 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. K.Gorman stated the concept plan consists of 134 one-family or two-family residential lots, several street lots, and seven outlots for various purposes. He explained that 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 plan. K.Gorman explained in detail information regarding the Rock Creek watershed and shared that the concept plan identifies areas that may contain storm water detention, which are required by code and essential components of storm water control in any residential, commercial, or industrial project. K.Gorman explained that the concept plan that has accompanied the rezoning areas identify several road improvements, all of which are necessary to facilitate the proposed development. He shared that NW State Street and NW 36th Street are identified as major arterial roadways, and NW Reinhart Drive is identified as a collector street. He further explained that there are two proposed CIP projects to improve present day traffic concerns in this area. K.Gorman then shared as it relates to density, types of housing, and property values that when land is annexed into the City, it is automatically zoned R-1, One-Family Residential District and a majority of the time, properties are ultimately rezoned prior to development. He explained that in this case, the rezoning areas are identified as Low Density Residential and Medium Density Residential in The Ankeny 2040 Comprehensive Plan and are in line with the City's comprehensive land use plan map. K.Gorman stated 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. He stated it is also consistent with the Ashland Meadows Planned Unit Development to the south. He then explained the City code requirements for buffering between the new development and the existing neighboring properties. Staff position 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.

T.Ripper asked for clarification as to the zoning for the property to the east and west of this property. K.Gorman responded that they are both zoned R-3, with restrictions. T.Ripper further confirmed the zoning of the property to the north and south.

Erin Ollendike, Civil Design Advantage, LLC, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa on behalf of the developer, Diamond Development, LLC. She shared that after the public hearing they went back and did a full grading design on the property. She then presented a proposed drawing to the Commission and explained the location of the detention basins along with how they will push as much drainage as they can to the west. Erin Ollendike stated the drainage would not be going south or north; almost all of it will be designed to go west. She then showed two exhibits, one that showed how the existing drainage acts today and one that showed their proposed grading, which would take most of the drainage to the west. She also explained how the detention ponds would work during a rain event. L.West asked if she could explain where they think the screening may be on the proposed concept plan. Erin Ollendike presented the concept plan and shared that the screening would most likely occur along the eastern edge of the proposed townhome area. She explained that the proposed screening will be part of the site plan process and it would come back before the Commission. T.Flack asked if Area B is all townhomes. Erin Ollendike stated yes.

Lisa Schoening, from the audience, commented that she does not understand why the rezoning process has not stopped. All but one of the neighboring property owners rescinded their signing of the petition. E.Jensen stated that he consulted the City Attorney and shared that the petitions are only to initiate the process; once the process is initiated, the process continues to move forward. Lisa Schoening commented that it does not correspond with the information that was provided to them by an attorney. E.Jensen shared with Ms. Schoening that there is an element in the ordinance that allows property owners to petition the City Council requiring a four-fifths majority to approve the rezoning.

T.Flack reaffirmed that Area A-1 rezoning to R-3, restricted to single-family residential is the same as the existing surrounding properties and the same goes for Area A-2, one-family and two-family residential. She also wanted to reiterate that she is looking at the proposed rezoning request as a rezoning not a site plan. T.Ripper and L.West said the rezoning does look compatible to The Ankeny Plan 2040. T.Flack shared that it is compatible to the surrounding neighborhood in terms of zoning. C.Ender commented that the developer did split Area A into two restricted areas that helps provide certainty on how it can be developed as suggested at the public hearing. T.Ripper said he feels for the residents who came to the meeting and appreciates all the communication and letters. He further stated that there was a lot of work done on The Ankeny Plan 2040 and if this request were anywhere else in Ankeny the Commission would be presented with a similar situation. He shared that the developer's concept plan ties well into the comprehensive plan. T.Flack stated that after the public hearing she had concerns about the amount of multi-family, specifically the number of units per acre. She asked staff to provide other developments in Ankeny that would be compatible to 10 units per acre. The examples that staff provided to her was The Gardens at Greenview Crossing, which are 10 units per acre, the Creekside Brownstones are 11 units per acre and in her opinion, they are not overwhelming. G.Hunter asked staff what the The Pines on NW 18<sup>th</sup> Street would be per acre. E.Carstens stated they would be denser. G.Hunter shared that they are in his backyard and has had no issues. T.Flack also shared that Georgetown Townhomes are 12 units per acre, which is denser than this proposed rezoning. T.Flack stated she is okay with this proposal from a zoning perspective. She further stated a note for the future as they plan for this development is that she would really like to see the existing single-family have single-family behind them because of the longevity of the residents.

There was no further discussion by the Commission.

Motion by C.Ender to recommend City Council approval of the request by Rose Marie Reinhart and Diamond Development LLC to rezone Aspen Ridge Estates Rezoning Area A-1 to R-3, Multiple-Family Residence District, restricted to One-Family Dwellings. Second by G.Hunter. All voted aye. Motion carried 5 – 0.

Motion by C.Ender to recommend City Council approval of the request by Rose Marie Reinhart and Diamond Development LLC to rezone Aspen Ridge Estates Rezoning Area A-2 to R-3, Multiple-Family Residence District, restricted to One-Family and Two-Family Dwellings. Second by T.Ripper. All voted aye. Motion carried 5 – 0.

Motion by C.Ender to recommend City Council approval of the request by Rose Marie Reinhart and Diamond Development LLC to rezone Aspen Ridge Estates Rezoning Area B to R-3, Multiple-Family Residence District, restricted to ten units an acre and no apartments. Second by G.Hunter. All voted aye. Motion carried 5 – 0.

L.West provided to everyone in the Council Chambers the general process for the rezoning request after this meeting. An audience member asked if the residents would get notice when the Commission reviews the plat map for this property. E.Jensen stated that if the City Council approves the rezoning and this development moves forward, the developer's next step would be for them to do a preliminary plat and those are not public hearing meetings so notices are not sent out. He did share that if they would like to be notified when those meetings are taking place, to provide Kellen Gorman their name, address and/or email and he will let them know when it is going before the Commission. E.Jensen also commented that they are welcome to provide any comments in writing to the Commission.

## **PUBLIC HEARINGS**

### **Item #4. Rose Marie Reinhart requests to amend The Ankeny Plan 2040 (Figure 12.10) Future Land Use Map from High Density Residential to Neighborhood Commercial**

Chair L.West opened the public hearing.

K.Gorman reported that Rose Marie Reinhart is requesting an amendment to The Ankeny Plan 2040, Figure 12.10 Future Land Use Map. He stated the area of the proposed map amendment consists of approximately 10 acres of land, located 400 feet east of the intersection of NW State Street and NW 36th Street, south of Heartland Church and west of Prairie Ridge Church. He shared that The Ankeny Plan 2040 identifies this area as High-Density Residential, and the applicant is proposing to reclassify the area to Neighborhood Commercial. K.Gorman stated that the future land use classification for the area south and east of the proposed map amendment is Medium-Density Residential, the area north identified as Low-Density Residential, and the area directly west of the proposed change is Neighborhood Commercial. He stated changing the subject area to the Neighborhood Commercial land use classification would allow for retail buildings that are typically one-story tall and less than 35,000 sq. ft. for single-tenant buildings and less than 50,000 sq. ft. for multi-tenant buildings. He explained that Neighborhood Commercial areas accommodate retail and office uses located close to residential areas that are intended to serve the daily retail needs for the residents who live nearby. Staff will provide a full report and recommendation at the next Plan and Zoning Commission meeting to be held on April 2, 2019.

Erin Ollendike, Civil Design Advantage, LLC, 3405 SE Crossroads Drive, Suite G, Grimes, Iowa on behalf of the developer, Diamond Development. She further stated that the developer has had some interest in commercial development in this area and felt that with all the multi-family along the corridor there would be a greater need for more commercial. She asked the Commission if they had any questions.

Todd Wehr, 1024 NW 33<sup>rd</sup> Street, stated he is applauding the developer in that he has recognized that there is too many apartment buildings in this area and shared that he supports this request for residential commercial. He stated he feels it is a better application for this area. He would like to see some restrictions for the residential commercial to make sure there is a buffer between the property and the existing property to the south and east. He would also like a restriction, if possible, not to allow a bar in the area. Todd Wehr commented that he is in support of this and feels this is a better fit than the high density residential. He thanked the Commission.

Josh Taylor, 1023 NW 33<sup>rd</sup> Street, thanked staff for breaking down the different areas related to the rezoning. He then proceeded to ask questions about the widening of NW Ash Street and NW 36<sup>th</sup> Street, or at least allowing for turn lanes and wanted to know the timeline. K.Gorman stated that as he shared during the Business Item on the agenda for the Rose Marie Reinhart and Diamond Development LLC request to rezone, there is a project for the widening of NW 36<sup>th</sup> Street from NW Ash to N Ankeny Boulevard slated in the next 10 years. Josh Taylor stated that many of the concerns that the neighborhood has is about the north and west streets turning into thoroughfares. He stated that NW 36<sup>th</sup> Street is unusable, as it funnels in a lot of traffic from Polk City since it has a direct route to the interstate. He commented that he agrees with Todd Wehr regarding the commercial rezoning.

Josh Taylor asked if there has been a traffic study done. E.Jensen stated that they would complete a detailed traffic study based on their proposed uses at the time that they develop the land. Josh Taylor asked if that would then dictate how quickly they expand NW 36<sup>th</sup> Street or any of the other streets. E.Jensen stated generally speaking, as Kellen Gorman presented in the staff report, City Council adopts a Capital Improvement Program and they update it annually, and the projects are prioritized based on where the need is as growth occurs.

T.Flack advised the Commission at 8:00 p.m. that she had to excuse herself from the meeting.

L.West informed the public that the Commission no longer has a quorum to conduct official business. Item #4 Rose Marie Reinhart's request to amend The Ankeny Plan 2040 (Figure 12.10) Future Land Use Map from High Density Residential to Neighborhood Commercial public hearing will remain open and will be postponed to the April 2, 2019 Plan and Zoning Commission meeting where they will continue the public hearing and take action on the item.

Amy A'Hearn, 3208 NW Northpark Drive, thanked Commission Member T.Flack for the concerns she provided related to the existing single-family homes abutting the northern section of the proposed multi-family rezoning. She stated she is glad that there will not be apartments in Area B, since there is already a lot of them. She feels having something different besides apartments is a positive. Amy A'Hearn shared that she does have a concern about the watershed with this development. She stated the water does currently flow to the east into the backyards of their homes. She explained that because of the snow melting and the small amount of rain this past week one of the homes had water in their basement and her home along with another one had to pump water out of their

backyards to keep it out of their basements. Amy A'Hearn further asked that when considering this amendment to Neighborhood Commercial that everyone really look into the drainage so that the added concrete does not cause more issues.

Lisa Schoening, 1404 NW 26<sup>th</sup> Street, stated that she wanted to reiterate everything that was shared by her neighbors. She commented that if the developer was considering everyone's concerns about the water, then why are the biggest detention ponds proposed for the southern tip of the property rather than up on the northern section. She stated in her opinion there will be more runoff from the north, especially if they change it to Neighborhood Commercial. E.Jensen shared that each one of the commercial sites will have to have their own detention on their own site when it is developed.

Lisa Schoening continued to state that she also has concerns that they are proposing smaller lots than what the existing neighborhood has and then the lots become smaller as you move north. The detention ponds are also smaller to the north. She understands that no one can predict rain like on June 30, 2018 but those types of rain events have been increasing. She does not feel confident that the drainage exhibit, as presented, will actually control the water.

Dannette Clark, 1316 NW 26<sup>th</sup> Street, stated she lives next door to Lisa Schoening and shared that an area in the cornfield behind their homes becomes a pond anytime there is rain. She commented that when the property is developed she is confident that the water will run south not west.

Emily Forrester, 3204 NW Northpark Drive, stated she also has concerns about traffic on NW 36<sup>th</sup> Street. She understands that it is in a long-term plan to expand NW 36<sup>th</sup> Street but it is very hard to get out of their neighborhood onto NW 36<sup>th</sup> Street. She is concerned that if the City does not accelerate a traffic study, the traffic will go down NW Ash Street, cut through on NW 32<sup>nd</sup> Street and/or NW Reinhart Street to NW State Street and negatively affect their neighborhood.

## **REPORTS**

### **City Council Meeting**

E.Jensen reported on his attendance at the March 18, 2019, City Council meeting.

### **Director's Report**

E.Jensen presented the tentative agenda items for the April 2, 2019 Plan and Zoning Commission meeting and shared that there will be a public hearing to rezone the Loren Steenhoek property from R-1, One-family Residence District to M-1, Light Industrial District, with use restrictions.

E.Jensen shared that the Mayor will be working on Commission replacements for the two vacant positions.

### **Commissioner's Reports**

L.West asked staff to look at the lighting on the new storage units on NW 36<sup>th</sup> Street.

C.Ender shared that Thursday, March 21, 2019 is Tree Day at the Capital.

## **MISCELLANEOUS ITEMS**

April 1, 2019 – 5:30 p.m. City Council Meeting Representative: A.Renaud

## **ADJOURNMENT**

L.West adjourned the meeting at 8:20 p.m.



Submitted by Brenda Fuglsang, Secretary  
Plan & Zoning Commission