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**Agenda Item:** Harmon Property Rezoning – Action  
**Report Date:** August 14, 2019  
**Prepared By:** Ruth Hulstrom *RHS*  
Planner I

**Staff Recommendation:**

That the Plan and Zoning Commission recommend City Council approval of the request by D.R. Horton – Iowa LLC to rezone property from R-1, One-Family Residence District to R-2, One-Family and Two-Family Residence District.

**Project Report:**

D.R. Horton – Iowa LLC is requesting to rezone property from R-1, One-Family Residence District, to R-2, One-Family and Two-Family Residence District.

The subject property is approximately 10 acres, located east of NW Abilene Road and approximately a third of a mile north of NW 36<sup>th</sup> Street. The properties to the north, south and east of the proposed rezoning area are zoned R-1, One-Family Residence District. The property to the west is zoned R-2, One-Family and Two-Family Residence District.

The comprehensive plan, The Ankeny Plan 2040, indicates the subject area as Low-Density Residential; therefore the proposed rezoning is consistent with the Future Land Use Map.

The City Council chose to initiate the rezoning for the subject property on June 17, 2019.

Prior to the public hearing, City staff received three correspondences from surrounding property owners who were opposed to the rezoning. These were made available to the Commission at the August 6, 2019 meeting. No additional correspondence has been received since that time.

**Public Hearing:**

The Plan and Zoning Commission held a public hearing on the proposed rezoning on August 6, 2019. There were a number of questions and concerns raised by the public and Commission members during the hearing.

Commission member T.Flack asked staff for clarification of the current zoning of property located southwest of the proposed rezoning area that was shown as R-3, Multiple-Family Residence District with an overlay. This area is part of the Rock Creek North development and the overlay for this particular area is R-3, restricted to single family.

Generally speaking, the issues raised by the three members of the public that spoke – storm water management, traffic and water pressure – are generally issues that are addressed through the platting and site planning (if required) of the property. Staff has generally addressed these concerns as appropriate.

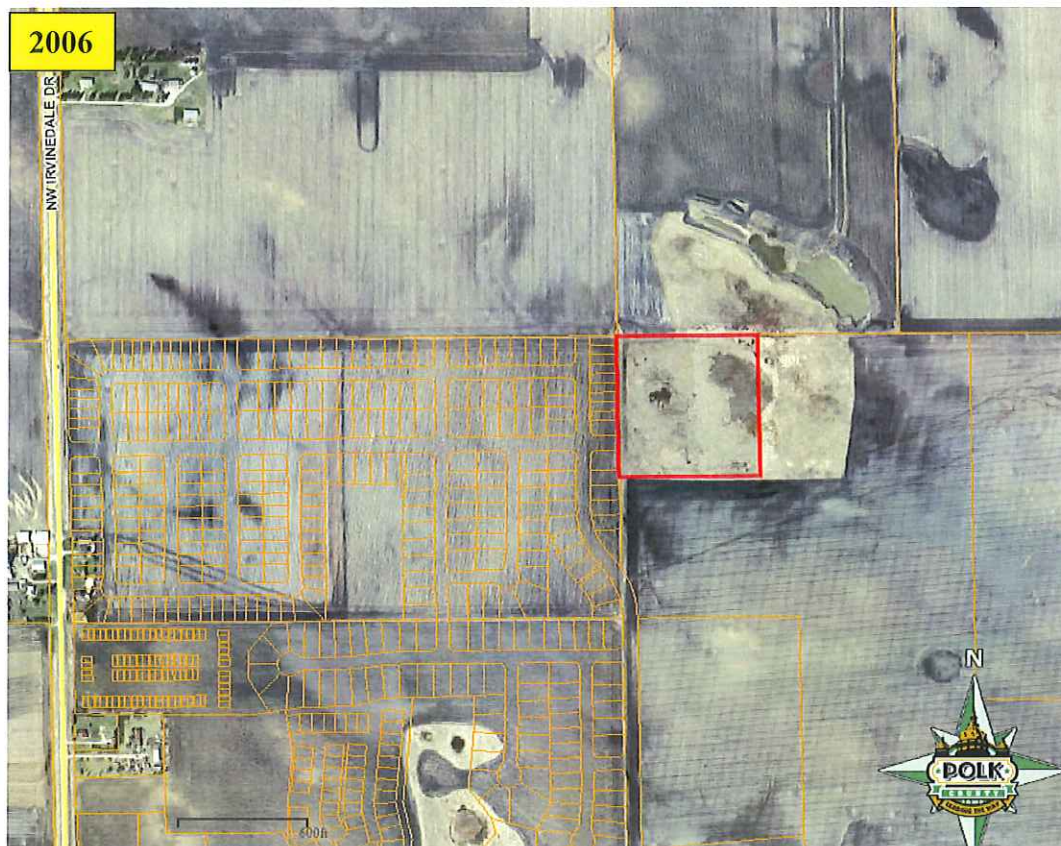
A property owner, Robert Terrell, located north of the proposed rezoning area highlighted concerns regarding access to sanitary sewer and street alignment. Mr. Terrell had no issues with the rezoning but

raised concerns about the fact that he believed that the sewer had been moved from where he previously believed it was supposed to have been located. He stated that he needed sewer to be extended to his property and the streets to align with the proposed street on his property. He also had a concern about water that he believes is currently draining into his pond from the developer's property.

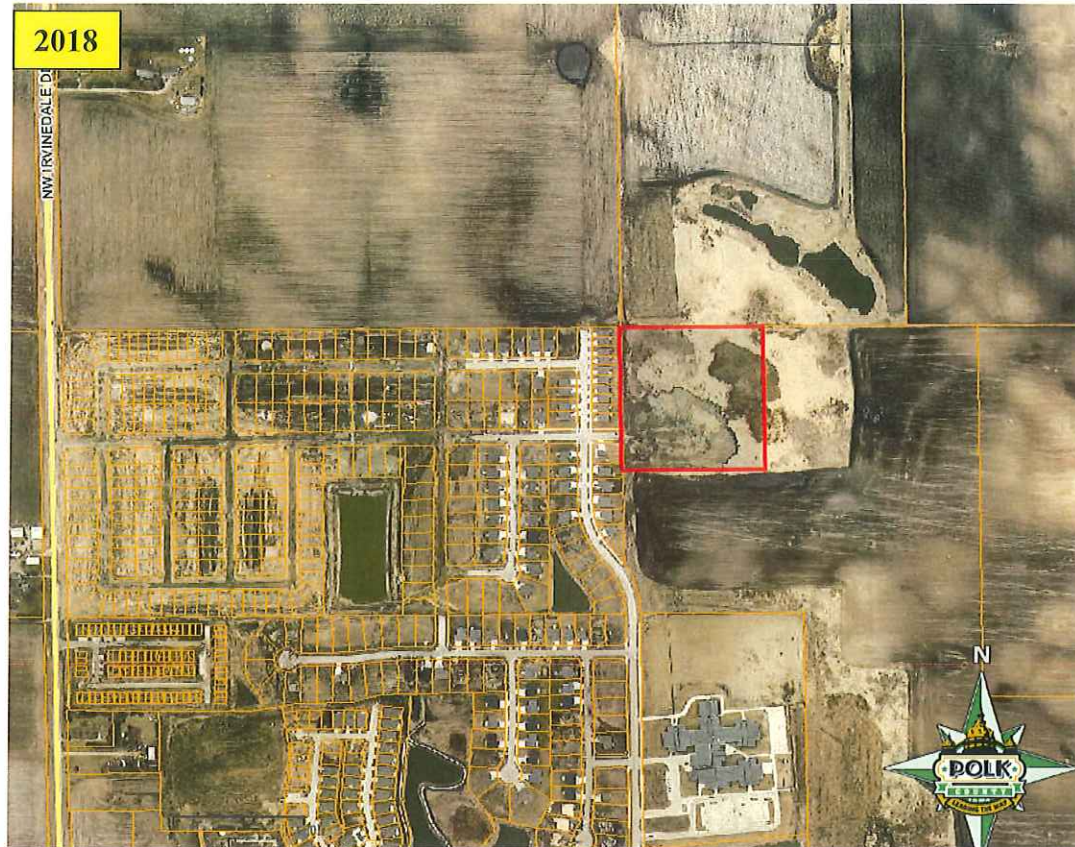
As Erin Ollendike from Civil Design Advantage shared during the public hearing, the proposed conceptual plan includes public streets, public utilities, and detentions areas to manage storm water. Furthermore, the Harmon property once developed will be required to extend an adequately sized sanitary sewer to their north property line to ultimately serve Mr. Terrell's property. City staff is not aware of any change in the location of the sanitary sewer from what was approved by the City on April 11, 2016.

Another adjacent property owner, Edward Ferrier who was representing the Helen Moeckly Trust, raised concerns about the drainage of water near the proposed rezoning. He stated that since the Brinmore development to the south of his property or just west of the proposed rezoning area was developed, water seems to stay in the fields for a longer portion of time instead of draining south.

City staff reviewed historic aerials of the Helen Moeckly Trust property, two of which are included below. As can be seen from historical images, there are a number of historical drainage ways located along the property line adjacent to the Brinmore subdivision prior to the subdivision being developed. So naturally these areas experience standing water. City engineering staff were not aware of any drainage issues prior to Mr. Ferrier's mentioning the issue at the public hearing. Furthermore, the water should ultimately still drain south from the property owned by the Helen Moeckly Trust. Overall, development typically tends to improve drainage issues. As Erin Ollendike mentioned during the public hearing, the conceptual plan shows storm water detention areas.







A third property owner near the proposed rezoning, Ray Micheel, also had concerns regarding drainage. His property is located just west of the proposed rezoning area. He stated that as dirt has been piled on the proposed rezoning area, he has noticed increased drainage issues near his property. Again, typically land development improves overall drainage as storm water management infrastructure is put in place. Mr. Micheel also had concerns over increased traffic and water pressure.

In regards to traffic, NW 43<sup>rd</sup> Street and NW Abilene Road are both Collector Streets and are designed to handle the existing and future traffic. The City has identified a preferred alignment for the future northern extension of NW State Street, which is north of the subject site. The final location and design will be determined with future development or through a CIP project. The project is currently identified in the CIP for design in 2026 with construction planned for 2027 and 2028.

With regard to water pressure in the area, this issue is already being addressed with the NW Booster Station project. This booster station has recently been constructed at the northeast corner of NW 18<sup>th</sup> Street and NW Irvinedale Drive and is now online. This will improve water pressure in the area in the near term. In the long term, the new NW Water Tower is proposed for construction at the northeast corner of NW 36<sup>th</sup> Street and NW Irvinedale Drive – directly north of the Casey's General Store currently under construction. This project is in the City's CIP for 2022 and 2023 and will further improve water pressure in the northwestern portion of the community.

Finally, Commission member C.Ender inquired as to whether staff knew what the plans were for the City owned property located east and south of the proposed rezoning area. The Future Land Use Map of The Ankeny Plan 2040 identifies the City owned property adjacent to the subject site for Low Density Residential, Office/Business Park and Neighborhood Commercial land uses. Ultimately, what the City does

with this property is a City Council decision and at this time, the City Council has not made a final decision on this property.

A complete recap of the public hearing can be found in the minutes from the meeting.

**Summary:**

Staff recommends that the Plan and Zoning Commission recommend City Council approval of the request by D.R. Horton – Iowa LLC to rezone property from R-1, One-Family Residence District to R-2, One-Family and Two-Family Residence District.