



*Plan and Zoning Commission  
Staff Report*

*Meeting Date: April 19, 2022*

**Agenda Item:** Harmon Property Land Use Amendment and Rezoning – Action  
**Report Date:** April 19, 2022  
**Prepared By:** Laura Hutzell  
Planner I

ESC

**Staff Recommendation**

That the Plan and Zoning Commission recommend City Council approval of the request by Hardship Land LLC to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, reclassifying property owned by Hardship Land LLC from Low Density Residential to Medium Density Residential.

That the Plan and Zoning Commission recommend City Council approval of the request by Hardship Land LLC, to rezone Area A from R-1, One-Family Residence District to R-3 Multiple-Family Residence District, restricted to 10 units per acre.

That the Plan and Zoning Commission recommend City Council approval of the request by Hardship Land LLC, to rezone Area B from R-1, One-Family Residence District to R-3 Multiple-Family Residence District, restricted to single family residential.

**Project Report**

Hardship Land LLC is requesting an amendment to the Ankeny Plan 2040 Comprehensive Plan *Figure 12.10, Future Land Use Map*. The property subject to the proposed map amendment consists of one parcel that is approximately 17.6 acres (Area A); and is located south of NW 36<sup>th</sup> Street, east of NW Weigel Drive.

The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, currently classifies the subject area as Low Density Residential (LDR). The applicant is now proposing to reclassify the future land use of a portion of the property to Medium Density Residential (MDR). The Future Land Use Map indicates surrounding properties to the amendment area as High Density Residential and Medium Residential to the east; Mixed use to the west, and Low Density to the north and south.

<b>Existing:</b> Low Density Residential (LDR)
This land use category is dominated by single-family detached dwellings with a typical density of 1 to 5 dwelling units per acre and may include the continuation of existing agricultural operations. Typical lot sizes will range from 7,500 to 15,000 sq. ft. Lots should include public or private street frontage and driveway access and may also be served by an alleyway. Development in this area may include residential clustered developments, religious, educational, and institutional uses and structures; and public and private parks and recreational areas and structures.

<b>Proposed: Medium Density Residential (MDR)</b>
---

This land use category is designed for single family dwelling units that are detached or attached horizontally to one or more units, typically referred to as cottage homes, townhomes, and rowhouses. Densities range from 5 to 12 dwelling units per acre. Land uses may also include single-family detached dwellings, 'Tiny home' developments (planned communities with single-family detached homes that are generally less than 500 square feet in total floor area); residential clustered developments; religious, educational, and institutional uses and structures; and private parks and recreation areas and structures. This land use category can serve as a transition between low density and high-density land uses.
---

In addition to the Land Use Amendment request, the applicant is also requesting to rezone 80.8 acres in total. The applicant is requesting to rezone 17.6 acres (Area A) from R-1 One-Family Residential District to R-3 Multiple-Family Residence District restricted to 10 units per acre. The applicant is requesting the remaining 63.2 acres (Area B) be rezoned from R-1 One Family Residential District to R-3 Multiple-Family Residence District restricted to single family residential.

The area subject to the proposed rezonings includes two parcels totaling approximately 80.8 acres (+/-), and is generally located south of NW 36<sup>th</sup> Street and east of NW Weigel Drive. The properties are currently zoned R-1, One-Family Residence District; and properties to the west and south are similarly zoned. Properties to the east and south east are zoned R-3, Multiple-Family Residence District, and R-3, Multiple-Family Residence District restricted to single family residential.

The developer has submitted the required rezoning petitions consisting of signatures of more than 50% of the land area subject to both rezonings, providing 62.6% for Area A, and 68.4% for Area B of the property owners within 250 feet of the rezoning area.

Notifications of the public hearing were sent to the surrounding property owners within 350' of the property on March 23, 2022; and a legal notice of the proposed rezoning was published on March 25, 2022. The Zoning Ordinance also requires that the applicant of a proposed rezoning post public notification signage. The applicant posted the signage by Friday, March 25, 2022, providing the required seven days of notification for the proposed rezoning before the public hearing.

**Public Hearing**

The Plan and Zoning Commission held a public hearing for the proposed land use amendment and rezoning on April 5, 2022. During the public hearing there was discussion regarding the projects from City Staff, the applicant's representative, and multiple members of the public. A complete recap of the discussions and questions can be found in the minutes from the meeting. Additionally, members of the public who spoke at the meeting raised the following questions and concerns:

**Why was this 75-acre property designated Low Density?**

Information was requested at the hearing regarding the current Land Use category for the 75-acre property currently designated as "Low Density". The parcels to the east of Area A were rezoned to high and medium density in 2016. Staff does not recall any specific conversations based on this area in particular during the comprehensive plan discussion in 2018. It is staff's opinion that the proposed change in land use is appropriate as the land use plan calls for a mix of residential uses within the 36<sup>th</sup> street roadway corridor. Medium density development is often used as a transition between the surrounding low density and high-density areas.

**Potential Uses in the R-3 Multiple Family Residence District restricted to 10 units per acre:**

One member of the public who spoke at the hearing requested information on what the R-3, Multiple Family Residence District Restricted to 10 units per acre could potentially consist of should it be approved. Generally speaking, by proposing to amend the land use plan from Low Density to Medium

Density in Area A, this would then allow for R-3 Zoning restricted to 10 units per acre. As stated in the Ankeny Plan 2040 Comprehensive Plan, the Medium Density land use category is “designed for single family dwelling units that are detached or attached horizontally to one or more units, typically referred to as cottage homes, townhomes, and rowhouses. Densities range from 5 to 12 dwelling units per acre”.

**Drainage Issues:**

The public also requested specific information on drainage in the area and how development of this 80.8-acre site will impact adjacent farmland. As with any development, storm water facilities will be required to be implemented to detain storm run-off on site. The developer is already working with Ankeny city engineers on tile lines and are aware they exist. The developer is currently working to get depth and location information to help determine where water will enter into a detention pond on site. In terms of a site concept and providing specific details on the future project, that information has not been provided by the applicant at this time as it is not a requirement during the amendment and rezoning process. Details concerning stormwater will be reviewed by staff during the platting process. The City’s engineering department will review the applicant’s stormwater analysis to check for negative impacts to the upstream properties.

**Transportation and Traffic Flow Impacts:**

Another concern raised by the public at the hearing had to do with the potential impacts the future development may have on traffic in the area. Typically, City staff will review the anticipated traffic associated with a development via a traffic study that is provided by the applicant. A traffic study is not required as a part of this request, but rather is required later in the development process when platting or a site plan is submitted. Before any development in the area occurs, final plats will be reviewed by staff and approved by the Commission and Council. Since the site borders NW 36<sup>th</sup> Street (an arterial street), and NW Weigel Drive (a collector street), traffic will need to be controlled and limited. As part of the development review, a traffic memo or study will be required to determine any impacts the development’s associated traffic may have on the area. Should staff deem the proposed uses to have a significant enough impact, public improvements may be required.

**Future Development of the Trestle Ridge Estates Area (park and street development):**

One member of the public asked about the future expansion of parkland and roadway access in and around area B. A site concept and specific details have not been provided by the applicant to the City as that information is not something required during the rezoning and amendment process. Typically, details concerning open space, dedicated parkland, access drives, and street development are provided by the applicant and reviewed by staff during the platting process, which will not take place until the rezoning is complete. However, NW Reinhart Drive will eventually connect to NW Weigel Drive north of the High Trestle Trail. Parks site dedication will be required as part of the development and will need to be located appropriately, most likely adjacent to the existing park ground dedicated with the Trestle Ridge Estates development.

**Summary:**

The conditions outlined above influence City staff in determining that the proposed change in land use from Low Density to Medium Density is appropriate. In addition, City staff also determines the proposed rezoning for Area A and Area B are also appropriate.

Therefore, staff recommends that the Plan and Zoning Commission recommend City Council approval of the request by Hardship Land LLC to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, reclassifying a portion of the property from Low Density Residential to Medium Density Residential, and that the Plan and Zoning Commission recommend City Council approval to rezone property from R-1, One-Family Residence District to R-3 Multiple Family Residence District with restrictions.