

**Meeting Minutes**  
**Plan & Zoning Commission Meeting**  
Tuesday, April 19, 2022  
Ankeny City Council Chambers, Second Floor  
1250 SW District Drive, Ankeny, Iowa

**CALL TO ORDER**

Chair G.Hunter called the April 19, 2022 meeting of the Plan & Zoning Commission to order at 6:30 p.m.

**ROLL CALL**

Members present: Trina Flack, Glenn Hunter, Ted Rapp, Todd Ripper, Annette Renaud, Randy Weisheit and Lisa West. Staff present: E.Jensen, E.Carstens, D.Silverthorn, J.Heil, B.Morrissey, L.Hutzell, B.Fuglsang

**AMENDMENTS TO THE AGENDA**

Motion by T.Flack to approve the April 19, 2022 agenda without amendments. Second by L.West. All voted aye. Motion carried 7 – 0.

**COMMUNICATIONS**

There were no communications.

**CITIZEN'S REQUEST**

There were no requests.

**CONSENT AGENDA ITEMS**

**Item #1. Minutes**

Motion to approve and accept the April 5, 2022 minutes of the Plan and Zoning Commission meeting.

**Item #2. The Reserve at the Grove Plat 1 Final Plat**

Motion to recommend City Council approval of The Reserve at the Grove Plat 1 Final Plat; and recommend City Council authorization of cost-participation for 8-foot sidewalk and removal and replacement of ramps in the amount estimated to be at \$9,713.50.

**Item #3. 320 NW College Avenue - Faith Baptist Storage Building Site Plan**

Motion to approve the site plan for 320 NW College Avenue, Faith Baptist Storage Building.

**Item #4. 1020 E 1st Street - 7 Brew Drive-Thru Coffee Site Plan**

Motion to approve the site plan for 1020 E 1st Street, 7 Brew Drive-Thru Coffee.

**Item #5. 5000 NE Bellagio Drive - Bellagio Park Improvements Site Plan**

Motion to approve the site plan for 5000 NE Bellagio Drive, Bellagio Park Improvements.

Motion by T.Flack to approve the recommendations for Consent Agenda Items #1 - #5. Second by T.Rapp. All voted aye. Motion carried 7 – 0.

**PUBLIC HEARINGS**

**Item #6. ATI Ankeny Industrial LLC request for voluntary annexation into the City of Ankeny**

D.Silverthorn reported ATI Ankeny Industrial LLC and three other property owners are requesting annexation into the City of Ankeny. He presented an exhibit showing the annexation area. He said the land totals approximately 159 acres, and is generally located west of NE Berwick Drive, east of SE Four Mile Drive and the Ankeny Regional Airport. He noted that the property is identified on the Future Land Use Map as Airport Business Park, Open Space or Low Density. He stated that upon annexation, the area will be initially zoned R-1, One-Family Residence District, consistent with all property newly annexed into the City of Ankeny. D.Silverthorn said that based on the most recent FEMA Flood Insurance Rate Maps, floodway exists within a portion of the proposed annexation area adjacent to Four Mile Creek. Staff will present a complete staff report at the next Plan and Zoning Commission meeting on May 3, 2022.

G.Hunter asked if there is a set timeframe for providing utilities on a voluntary annexation. E.Jensen said that there is no requirement with a 100% voluntary annexation. He commented that there are existing utilities in the area and staff will provide the information in their report at the next meeting.

Eric Bohnenkamp, 1615 SW Main Street, Ankeny on behalf of ATI Group, said he would answer any questions the Commission may have. There were no questions from the Commission.

Robert Stephenson, 7393 NE Berwick Drive, said he lives across the street from the proposed annexation area, specifically area 7 and 8 as shown on the exhibit. His concern is with the housing that currently exists across from his property. He stated if the plan is to clean up that particular area and place better housing on the property, it would be a win for the City of Ankeny and the residents who live along NE Berwick Drive.

Andy Swanson, 7516 NE Berwick Drive, said that they own about six acres of land that backs up to Four Mile Creek and asked if there are more details on the Airport Business Park and how it will affect property values in the area.

G.Hunter explained that at the next meeting on May 3, 2022, Staff will come back with a staff report to address the questions raised at this meeting.

E.Carstens said that this request is only for the annexation of the property. If the property is annexed into the City, there will be multiple steps before the land is developed, such as rezoning of the property, since it would come in zoned as R-1, not Business Park. During the rezoning process, the developer may present a conceptual plan but that is not something that is available at the annexation phase.

Andy Swanson inquired whether the Airport Business Park land use designation is located behind his property. D.Silverthorn responded sharing that the future land use designation directly behind Mr. Swanson's property is Open Space, which is to protect the Four Mile Creek. To the west of the Open Space it is designated as Airport Business Park land use and is generally no different than Office Business Park. The only real limitation is height due to the proximity of the airport. Andy Swanson said his only other objection to the annexation is that there is a lot of wildlife in the area and informed the Commission that his property around Four Mile Creek is all considered forest preserve.

The Commission had no further questions.

Motion by T.Rapp to close the public hearing, and receive and file documents. Second by A.Renaud. All voted aye. Motion carried 7 – 0.

## **BUSINESS ITEMS**

**Item #7. Request to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for property owned by Hardship Land LLC from Low Density Residential to Medium Density Residential use classification**

**Item #8. Request to rezone property owned by Hardship Land LLC from R-1, One-Family Residence District, to R-3 Multiple Family Residence District**

L.Hutzell reported the request by Hardship Land, LLC is for a Land Use Plan Amendment and to rezone property from R-1, One-Family Residence District, to R-3 Multiple-Family Residence District with restrictions. She stated the 80.8-acre parcel of land is generally located South of NW 36<sup>th</sup> Street and east of NW Weigel Drive.

L.Hutzell said the applicant is proposing a Land Use Plan Map amendment that consists of 17.6 acres on the northern portion of the property. She said that the current future land use designation for this area is Low Density and the property owner is proposing to modify this to Medium Density Residential. The properties surrounding the amendment area are designated as High Density and Medium Density Residential to the east; Mixed Use to the west, and Low Density to the north and south.

L.Hutzell further reported that the applicant, Hardship Land, LLC, is requesting to rezone a total of 80.8 acres comprised of Area A and Area B, which are both currently zoned R-1. She said that neighboring properties to the west and south are zoned R-1, properties to the east are zoned R-3, Multiple Family Residence District and R-3, Multiple Family Residence District, restricted to single family residential. L.Hutzell stated that Area A consists of 17.6 acres and is proposed to be rezoned from R-1 One Family Residential District to R-3 Multiple-Family

Residence District, restricted to 10 units per acre. The proposed rezoning for Area A does not currently align with the Ankeny Plan 2040 Future Land Use Map as this area is currently identified as Low Density Residential and is the reason the applicant has proposed a Land Use Map Amendment. L.Hutzell further stated that the applicant is requesting the remaining 63.2 acres, Area B, which consists of two parcels be rezoned from R-1 One Family Residential District to R-3 Multiple Family Residence District, restricted to single family residential. She stated the proposed rezoning for Area B aligns with the Ankeny Plan 2040 Future Land Use Map. L.Hutzell proceeded to provide information to the Commission answering the questions that were raised from the Commission, and the public, during the public hearing on April 5, 2022. Information was presented on the 75-acre designation of Low Density, potential uses in the R-3 zoning restricted to 10 units per acre, drainage issues, traffic flow impacts and future development of the Trestle Ridge Estates park and streets. 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 property owned by Hardship Land LLC from Low Density to Medium Density Residential; to rezone Area A from R-1, One Family Residence District to R-3, Multiple Family Residence District, restricted to 10 units per acre; and to rezone Area B from R-1, One Family Residential District to R-3, Multiple Family Residence District, restricted to single family.

The applicant had nothing further to report.

Motion by L.West to 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. Second by T.Ripper. All voted aye. Motion carried 7 – 0.

Motion by A.Renaud to recommend City Council approval of the request by Hardship Land LLC to rezone Area A from R-1, One Family Residential District to R-3 Multiple-Family Residence District, restricted to 10 units per acre. Second by T.Rapp. All voted aye. Motion carried 7 – 0.

Motion by T.Flack to recommend City Council approval of the request by Hardship Land LLC to rezone Area B from R-1, One Family Residential District to R-3 Multiple Family Residence District, restricted to single family. Second by L.West. All voted aye. Motion carried 7 – 0.

## **REPORTS**

### **City Council Meeting**

E.Jensen reported on his attendance at the April 18, 2022 City Council meeting.

### **Director's Report**

E.Jensen presented the tentative agenda items for the May 3, 2022 Plan and Zoning Commission meeting.

### **Commissioner's Reports**

There were no reports.

## **MISCELLANEOUS ITEMS**

May 2, 2022 – 5:30 p.m. City Council Meeting Representative: Staff

## **ADJOURNMENT**

There being no further business, motion by T.Rapp to adjourn the meeting. Second by T.Flack. Meeting adjourned at 7:00 p.m.



Submitted by Brenda Fuglsang, Secretary  
Plan & Zoning Commission