



Meeting Minutes

Plan & Zoning Commission Meeting

Tuesday, March 19, 2024

Ankeny City Council Chambers, Second Floor
1250 SW District Drive, Ankeny, Iowa

CALL TO ORDER

Chair Ted Rapp called the March 19, 2024 meeting of the Plan & Zoning Commission to order at 6:30 p.m.

ROLL CALL

Members present: Ted Rapp, Annette Renaud, Todd Ripper, Lisa West, and Randy Weisheit. Absent: Glenn Hunter and Trina Flack. Staff present: Eric Jensen, Eric Carstens, Deb Gervais, Jake Heil, Bryan Morrissey, Laura Hutzell, Ryan Kirschman and Brenda Fuglsang.

AMENDMENTS TO THE AGENDA

Motion by L.West to approve and accept the March 19, 2024 agenda without amendments. Second by A.Renaud. All voted aye. Motion carried 5 – 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 March 5, 2024 minutes of the Plan and Zoning Commission meeting.

Item #2. Trestle Ridge Estates Plat 7 Final Plat

Motion to recommend City Council approval of Trestle Ridge Estates Plat 7 Final Plat; and recommend City Council authorization of 100% reimbursement in the amount of \$47,430 for 24-inch trunk sewer and City cost-participation in the amount of \$9,555 for 8' sidewalk along NW Reinhart Drive.

Item #3. 1101 S Ankeny Boulevard - Hyper Energy Bar Site Plan

Motion to approve the site plan for 1101 S Ankeny Boulevard, Hyper Energy Bar Site Plan; subject to City Council approval of the stormwater management facility maintenance covenant and permanent easement agreement.

Motion by L.West to approve the recommendations for Consent Agenda Item #1 - #3. Second by R.Weisheit. All voted aye. Motion carried 5 – 0.

PUBLIC HEARINGS

Item #4. Request to amend a portion of the I-80 Commerce Center PUD, Planned Unit Development, for property owned by Commerce Center, LLC

R.Kirschman reported Commerce Center, LLC is proposing an amendment to a portion of the I-80 Commerce Center PUD. The request is for 35.66 acres within the development to be amended, adding an alternate land use for a data center and an electric substation. The property is located south of SE 90th Street, west of NE 29th Street/SE Four Mile Drive, and north of Interstate 80. He noted the zoning for the surrounding properties. R.Kirschman shared that the PUD Master Plan outlines the general plan for development of the site with tentative building footprints, access to public streets, parking areas, and storm water detention areas; however, final designs will be determined and approved with subsequent final platting and site planning. He further said that the amendment adds the Data Center Use with additional language, allowing an alternate architectural style to have Cerulean blue as a main accent color and also provides additional landscaping language for a Type C screen, which will be a combination of earth berms, trees and shrubs that screen for an electrical substation. He said the proposed amendment remains consistent with the Future Land Use Map. The applicant has submitted the required rezoning petitions and all legal notifications for the rezoning have been met. A complete staff report will be presented at the next Plan and Zoning Commission meeting on April 2, 2024.

Brent Culp, Snyder & Associates, 2727 SW Snyder Boulevard, Ankeny first noted that the owner of the property, Andy Hodges, was in attendance. Brent Culp said the property consists of 35.66 acres and briefly explained the location of the I-80 Commerce PUD. He said the initial proposal that was intended for this PUD in 2019, was

unfulfilled. He said that they now have an opportunity to add a couple of uses to this PUD, which would be to allow a data center and a substation to support a data center. He explained the services for the site, which included sanitary sewer, water main and on-site water detention. He presented a schematic of the area and color elevations. Brent Culp commented that this amendment is based off of the original PUD and provides for the addition of a data center and substation.

T.Rapp asked if they see Lot 3, as being something similar to a data center. Brent Culp responded, not at this time. A.Renaud asked what the water usage would be for the data center.

Kye Nielsen, 1780 West 700 North, The Will Group, Lindon, Utah said they would be developing a data center on-site. He stated that the only water usage for this data center would be for domestic use only, as the data center is run 100% off of air. All the cooling for the critical servers will be through their air flow chillers. A.Renaud asked the size of the substation? Kye Nielsen responded the plan is 16 megawatts.

There was no one in the audience to speak for or against the request.

Motion by T.Ripper to close the public hearing, and receive and file documents. Second by A.Renaud. All voted aye. Motion carried 5 – 0.

E.Jensen informed the audience that the rezoning will come back before the Commission on Tuesday, April 2, 2024 at 6:30 p.m. to consider their recommendation to City Council.

Item #5. Berwick Holdings, LLC request to rezone property from R-1, One-Family Residence District to PUD, Planned Unit Development

R.Kirschman reported Berwick Holdings, LLC, is requesting to rezone 103.98 acres from R-1, One-family Residence District to PUD, Planned Unit Development. The parcel is located east of Northeast Berwick Drive, south of Southeast Oralabor Road and north of Northeast 70th Avenue. He noted that the property to the west of the subject property is also zoned R-1, One-Family Residence District and the property to the north, south, and east is not currently in the city. R.Kirschman explained the PUD bulk regulations for Parcel A, B, and C. He stated the PUD Master Plan outlines the general plan for development with tentative lot lines, public streets, utilities, parkland area, and storm water detention area; however, final designs will be determined and approved with final platting. R.Kirschman stated that the Ankeny City Council initiated the rezoning on Monday, February 19, 2024 and all legal notifications for the rezoning have been met. A complete staff report will be presented at the next Plan and Zoning Commission meeting on April 2, 2024.

Jake Becker, McClure Engineering Company, 1360 NW 121st Street, Clive, Iowa representing the developer, stated that the development is a pretty traditional single-family residential subdivision with low density. He stated that a unique part of this property is that they plan to maintain the existing tree line and the existing farm pond will be dredged and improved for the residents who will live around it. Jake Becker explained that the sewer extension project has begun, so there will be a few trees removed within these easements. He asked the Commission if they had any questions.

Robyn Biehl, 7514 NE Berwick Drive, Ankeny said they have lived in their house 25 years and understood at some point there may be a housing development on the farm land. She stated that they understand that they live outside a very rapidly growing metropolitan area, which is appreciated. Robyn Biehl said what they did not anticipate was the possibility of a housing development with multi-family dwellings and houses being built on less than one acre. She noted that they anticipated executive homes with a large amount of land around them. She shared that they had noticed already that with the construction that has begun, their quality of life has changed. Their quiet neighborhood has been very busy, it's been hard to get out of their driveways, and it's unsafe when trying to walk their dogs. She understands change happens. As a new resident of Ankeny, she asked for there to be respect given to their quality of life and safety and keep the zoning as R-1. Robyn Biehl commented that their neighborhood was never meant to have this much density. She thanked the Commission for their time.

Lee Harms, 6913 NE Berwick Drive, Ankeny thanked the Commission for allowing input on the zoning request. He said their neighborhood is a quiet neighborhood and the vast majority of the properties are multi-acre single family homes. He commented that many of the people who live on Berwick drive have lived there for decades. Lee Harms

explained that there are no sidewalks, so people walk down the roadway since the current traffic is moderate. He also noted that bicycle clubs ride NE Berwick Drive in the summer. He wanted to make note that there is a lot of wildlife in their neighborhood due to the Four Mile Creek Greenbelt. They have seen an increase in herds of deer in residential areas since the developments on NE 29th Street. He feels rezoning to PUD is inconsistent with the current neighborhood.

Dennis Prather, 7190 NE Berwick Drive, Ankeny presented the conceptual plan that was in the agenda packet. He said he lives directly across from Phase 4. He does not want to see multiple townhomes or another rezoning request to allow apartments. He is concerned about safety of NE Berwick Drive. Dennis Prather said his main concern is about safety on NE Berwick Drive. He thanked the Commission.

Kirby Putzier, 7770 NE Berwick Drive, Ankeny said he lives on the corner of NE Berwick Drive and SE Oralabor Road. He has seen multiple accidents on this corner. His main concern is that he has a disabled son who has a power chair that walks by himself up and down NE Berwick Drive. He noted that his son has safety equipment, so he is visible to vehicles. Kirby Putzier commented that there are no sidewalks and no shoulders and if there are too many homes in the area, who is going to control the road to keep it safe for people who have lived there for many years? He thanked the Commission.

Sue Davidson, 6785 NE Berwick Drive, Ankeny said NE Berwick Drive is a country estate of homes. The road is not built for this amount of traffic. Sue Davison stated the road has steep ditches and asked if the developer will be widening the road, adding shoulders and sidewalks. She commented that this development should be built in the city, not the country. They would prefer the lots to be 2-3-acre estate lots. She questioned whether there would be stoplights on NE Berwick Drive. Sue Davidson would like more information about what is planned for this development. Her request would be for single family one-acre lots, which may be more acceptable to the existing neighborhood.

John Schoolen, 6717 NE Berwick Drive, Ankeny said he agrees with all the other neighbors. He said the ingress/egress onto NE Berwick Drive in Phase 1 is a blind drop in the roadway. He does not feel that it will work very well. He asked whether a traffic study had been done, and if so, what the results are. John Schoolen also commented that he does not see any green space planned for Phase 4 and the exits in this phase seem to be too close to each other. He also would like to know what type of houses there will be along NE Berwick Drive and who will be keeping the road clean during construction.

Paul Moyer, 6681 NE Berwick Drive, Ankeny has lived in his home a little over a decade. When he built his home, he was required to have a minimum of a 3-acre lot and would like to see that with this development. He commented that it will affect current property values if these homes are built in their neighborhood and would be equivalent to low-rent housing in their neighborhood. He thanked the Commission.

A.Renaud said the Future Land Use Map shows a significant amount of open space versus what is shown in the PUD plan. She asked staff if they could provide the differential percentage between the open space in the Future Land Use Map versus what is shown in the PUD plan.

Motion by A.Renaud to close public hearing, and receive and file documents. Second by R.Weisheit. All voted aye. Motion carried 5 – 0.

Chair T.Rapp informed the audience that the rezoning will come back before the Commission on Tuesday, April 2, 2024 at 6:30 p.m. to consider their recommendation to City Council.

BUSINESS ITEMS

Item #6: Vintage Business Park Neighborhood Plan 6th Amendment

D.Gervais reported Vintage Business Park at Prairie Trail Neighborhood consists of 95 acres originally owned and developed by DRA Properties. She said the site is generally located north of SW Vintage Parkway and south of John Deere between SW State Street and SW Irvinedale Drive and is zoned Prairie Trail PUD in the Business Park Precinct. This is the 6th amendment to the neighborhood plan. She stated that DRA Properties and Caliber Iowa are now proposing a minor amendment to the plan relating to the use of the 2.62-acre Lot 5, which on the previous approved plan showed one building with a large parking area. She explained that the proposed amendment shows Lot 5 as a

multi-family residential area subdivided into 2 lots with 2 three-story apartment buildings and a parking area to accommodate the use. She noted that the site will share existing access onto SW Magazine Road with Wags Pet Resort & Luxury Hotel, as well as utilize existing access onto SW State Street through an ingress/egress and right-of-way easement. There is a traffic impact study in progress. A note has been added to the neighborhood plan stating that the developer of the lot is responsible for any improvements resulting from an approved traffic impact study. Staff recommends approval of the 6th Amended Vintage Business Park at Prairie Trail Neighborhood Plan and rescind the previous plan approved March 7, 2022.

L.West asked if they are studying traffic both north and south? D.Gervais responded that the study is for SW Magazine, and she is pretty sure it includes the SW State Street access. L.West asked if the traffic study does not come back as expected, and if the Commission approves this amendment, would there be changes. D.Gervais responded, yes. There would need to be a decision on whether they want to proceed with the recommended improvements.

Adam Schoeppner, Nilles Associates, Inc., 1933 SW Magazine Road, Ankeny on behalf of the developer Caliber Iowa and current property owner DRA Properties. He stated that the developer plans to put two 42-unit apartment buildings on this lot with similar architecture and materials as the Vintage Loft buildings that are located across the street. He shared that they have completed traffic studies for the overall Vintage Business Park neighborhood over the past several years as each section to the west has been developed. He said that there was a previous commercial office use for this lot, so there have already been some traffic projections, so they are changing that to incorporate residential uses. The only difference with this traffic study from the previous study is the access onto SW State Street. They will look to see if it warrants any changes to SW State Street.

Motion by R.Weisheit recommend City Council approval of the 6th Amended Vintage Business Park at Prairie Trail Neighborhood Plan and rescind the previous plan approved March 7, 2022. Second by T.Ripper.
Motion carried 4 – 0 – 1. (Abstain: T.Rapp).

REPORTS

City Council Meeting

E.Jensen reported on the March 18, 2024 City Council meeting.

Director's Report

E.Jensen presented the tentative agenda items for the Tuesday, April 2, 2024 Plan and Zoning Commission meeting.

Commissioner's Reports

T.Rapp confirmed that a traffic impact study is required for the Berwick rezoning. Staff responded yes.

R.Weisheit followed up asking for information on how the city handles the deep ditches and no sidewalks for the existing current property owners. Staff responded that the NE Berwick will remain the same until the street is reconstructed as an urban street, but as the developer plats this project, there will be sidewalks placed on their frontage.

MISCELLANEOUS ITEMS

April 1, 2024 – 5:30 p.m. City Council Meeting Representative: Staff

ADJOURNMENT

There being no further business, T.Rapp motioned to adjourn the meeting. Second by A.Renaud. Meeting adjourned at 7:15 p.m.



Submitted by Brenda Fuglsang, Secretary
Plan & Zoning Commission