

Meeting Minutes

Plan & Zoning Commission Meeting

Tuesday, August 6, 2024

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

CALL TO ORDER

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

ROLL CALL

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

AMENDMENTS TO THE AGENDA

Motion by G.Hunter to approve and accept the August 6, 2024 agenda without amendments. Second by T.Flack. All voted aye. Motion carried 6 – 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 July 16, 2024 minutes of the Plan and Zoning Commission meeting.

Motion by L.West to approve the recommendations for Consent Agenda Item #1. Second by R.Weisheit. All voted aye. Motion carried 6 – 0.

PUBLIC HEARINGS

Item #2. Request to amend The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for property owned by DRA Properties, LC from Office/Business Park to Low Density Residential use classification (LUPA Area A)

Item #3. Request to amend The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for property owned by DRA Properties, LC and The Ankeny Community School District from Medium Density to Low Density Residential use classification (LUPA Area B)

Item #4. Request to amend The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for property owned by DRA Properties, LC from Low Density to Medium Density Residential use classification (LUPA Area C)

Item #5. DRA Properties, LC request to rezone property from R-1, One-Family Residence District to PUD, Planned Unit Development

Staff Report: L.Hutzell reported that DRA Properties, LC is requesting three amendments to the Ankeny Plan 2040 Comprehensive Plan Figure 12.10, Future Land Use Map. These amendments are accompanied by one rezoning. The properties subject to the proposed map amendments and rezoning consist of two parcels that total approximately 124.4 acres and are located north of NE 18th Street, east of Interstate 35 and west of NE 29th Street/Four Mile Drive.

L.Hutzell stated that Land Use Plan Map Amendment A is approximately 53.68 acres and is located north of NE 18th Street, east of Interstate 35, and west of NE 29th Street. The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, currently classifies the subject area as Office/Business Park and the applicant is now proposing to reclassify the future land use to Low Density Residential. She said that the Future Land Use Map identifies surrounding properties to the amendment area as Highway Commercial to the north, Medium Density to the east, Low Density to the south, and Civic use to the west.

Land Use Plan Amendment Area B is approximately 26.35 acres and is located in the NE quadrant of the subject area, located north of NE 18th Street, east of Interstate 35, and west of NE 29th Street. The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, currently classifies the subject area as Medium Density Residential and is proposing to reclassify the future land use to Low Density Residential. She said that the Future Land Use Map identifies surrounding properties to the amendment area as Mixed Use to the north, office business park to the west, Medium Density to the east, and some Low Density to the south.

Land Use Plan Amendment Area C is approximately 15.8 acres and is located in the southeast quadrant of the subject area, located north of NE 18th Street, east of Interstate 35 and west of NE 29th Street. The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, currently classifies the subject area as Low Density Residential and the applicant is now proposing to reclassify the future land use to Medium Density Residential. She said that the Future Land Use Map identifies surrounding properties to the amendment area as Medium Density to the north, and Low Density to the east, south and west.

L.Hutzell reported that the applicant, DRA Properties, LC is also requesting to rezone 124.4 acres from R-1 One Family Residential District to PUD, Planned Unit Development. She stated that the purpose of a PUD is to promote development by providing a greater level of flexibility than normally allowed. The proposed uses within the PUD are single family residential with minimum lot widths ranging from 65-100+ feet, biattached, multi-family residential, educational use, and parkland. She presented the concept/master plan, which showed the general plan for development with tentative lot lines, public streets, utilities, parkland, and storm water detention. She further stated that the PUD book outlines bulk regulations, landscape requirements, which includes street trees on single family lots, and buffering around the multifamily areas. L.Hutzell noted that the developer has submitted the required rezoning petitions and has met all legal notifications. Staff will present a complete staff report at the next Plan and Zoning Commission meeting.

Adam Schoeppner, Nilles Associates, 1933 SW Magazine Road, Ankeny on behalf of DRA Properties, LC said the second phase of Pine Lake Estates has growing momentum from what DRA has had with pre-lot sales with the Pine Lake Estates Plat 1. He stated the PUD allows for different lot sizes where the Pine Lake Estates Plat 1 is zoned R-1, with 80-foot minimum lots. The proposed PUD allows for minimum lots widths of 65-feet up to 100-feet. He shared that the utilities to the south are currently being installed and noted that they will also serve this development. He said he would answer any questions the Commission may have.

William Rieck, 2734 NE 102nd Avenue, said that he is in opposition of the Land Use Plan Map Amendment, Area C as he does not want the property to go from R-1 to PUD. He commented that when the land was annexed into the city, it was approved with the R-1 zoning and would like it to stay R-1.

Ray Ahlers, 1630 NE Hillside Court, Ankeny, said when he moved to Ankeny in 2020 he specifically looked for a home that did not have townhomes across the street. He stated that he currently lives three houses south of the proposed Land Use Plan Amendment Area C where the plan is to build townhomes. He shared that every city he has lived in always had a buffer zone when developing. The developments went from single family residential to duplexes and then townhomes. Ray Ahlers commented that it is not fair to everyone in Deer Creek who bought their homes with the understanding that the zoning across the street was R-1. He suggested that Area C be single family and then townhomes, as anyone who would be purchasing the homes would be aware of where the townhomes were to be built. Ray Ahlers is also concerned about their property values going down.

Motion (Item #2, Item #3, Item #4) by T.Flack to close the public hearings, and receive and file documents for Pine Lake Estates Land Use Plan Amendment Area A, Area B and Area C. Second by G.Hunter. Motion carried 5 – 0 – 1 (Abstain: T.Rapp).

Motion (Item #5) by T.Flack to close public hearing, and receive and file documents for the request by DRA Properties, LC to rezone property from R-1 to PUD. Second by L.West. Motion carried 5 – 0 – 1 (Abstain: T.Rapp).

Chair Rapp addressed the audience informing them that at the August 20, 2024 Plan and Zoning Commission meeting staff will present a full Staff Report that will provide information regarding the questions and comments that have been raised during the public hearing.

BUSINESS ITEMS

Item #6. Request to amend The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map for property owned by Moeckly Family Farm, LLC from Medium Density Residential to Neighborhood Commercial land use classification

Item #7. Slusky CRE, LLC request to rezone property from PUD, Planned Unit Development to PUD, Planned Unit Development

Staff Report: B.Morrissey reported Slusky CRE, LLC is requesting an amendment to The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map. He noted that the Future Land Use Map is a guiding document that helps direct and inform City Staff, the Commission, and the Council when making decisions regarding development. He stated that the property subject to the proposed map amendment consists of approximately 8 acres of land located at the northeast corner of the intersection at NW 18th Street and NW Weigel Drive. He presented the current Land Use Map and said the applicant is proposing to amend the subject area from Medium Density Residential to Neighborhood Commercial. B.Morrissey provided detailed information on the typical uses that you would see in Medium Density Residential and Neighborhood Commercial land uses.

B.Morrissey reported that the applicant, Slusky CRE, LLC, is requesting to rezone property from the current Brandywine PUD, Planned Unit Development, to The Sterling at Rock Creek PUD, Planned Unit Development. He said the area subject to the proposed rezoning consists of approximately 34.51 acres of land located at the northeast corner of the intersection of NW 18th Street and NW Weigel Drive. He noted the current zoning that surrounds the subject property. B.Morrissey presented the PUD masterplan and shared that a PUD book had been included with the rezoning request to provide greater detail for the potential development. He shared that the masterplan provides enough detail to forgo the need for a preliminary plat in the future. B.Morrissey explained that it includes approximately 8 acres at the southwest corner of the property designated for neighborhood commercial, approximately 26 acres designated for attached townhomes, a common area with amenities for residents, private streets within the residential area, multiple stormwater detention basins, and a type "B" screen along NW 18th Street and NW Weigel Drive. B.Morrissey said that at the public hearing, questions were posed to staff about multiple street projects that are not directly related to the proposed rezoning and land use plan amendment; however, many of the projects are located within the general vicinity of proposals and may be impacted by the proposed development. He provided details from the city's Capital Improvement Program (CIP) regarding the projects. B.Morrissey said a question was asked about what is planned for the commercial area. He shared that the actual use is not known at this time. He then provided typical uses for neighborhood commercial zoning but said that the PUD book does provide a list of prohibited uses specifically for this parcel. He further shared that a question was raised regarding bulk regulations, specifically plans for three-story buildings. B.Morrissey shared that the bulk regulations do not allow three-story structures. He commented that a draft impact traffic study has been submitted to City staff and is currently being reviewed. The traffic recommendations will be provided when finalizing the final plat for this project. B.Morrissey stated the conditions outlined influence City staff in determining that the proposed change in land use from Medium Density Residential to Neighborhood Commercial and that the proposed rezoning from PUD, Planned Unit Development to PUD, Planned Unit Development is appropriate. Staff recommends that the Plan and Zoning Commission recommend City Council approval of the request by Slusky CRE, LLC to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, reclassifying property owned by Moeckly Family Farm, LLC from Medium Density Residential to Neighborhood Commercial and recommend City Council approval of the request by Slusky, CRE, LLC to rezone property from PUD, Planned Unit Development to PUD, Planned Unit Development.

T.Flack commented that she has concerns regarding the Neighborhood Commercial in the proposed PUD. She said the residents south of NW 18th Street and east of NW Weigel Drive purchased their homes with the expectation that the property to the north was either R-1 or Medium Density Residential, not Commercial. B.Morrissey shared that the current future land use map shows the area as Medium Density Residential and the property is currently zoned PUD. T.Flack asked whether the current PUD has Neighborhood Commercial. B.Morrissey responded, no.

There were no comments from the applicant/representative.

Motion (Item #6) by G.Hunter to recommend City Council approval of the request by Slusky CRE, LLC to amend the Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, reclassifying property owned by Moeckly Family Farm, LLC from Medium Density Residential to Neighborhood Commercial. Second by T.Ripper. Motion carried 5 – 0 – 1 (Abstain: T.Rapp).

Motion (Item #7) by T.Rapp to recommend City Council approval of the request by Slusky, CRE, LLC to rezone property from PUD, Planned Unit Development to PUD, Planned Unit Development. Second by R.Weisheit. All voted aye. Motion carried 6 – 0.

Item #8. Request by Hope K. Farms, LLC for 80/20 voluntary urbanized annexation of property into the City of Ankeny

Staff Report: B.Morrissey reported that the City has received a request from Hope K Farms, LLC for annexation of certain territory adjacent to the City's northwestern boundary, generally located at the intersection of NW 54th Street/NW 118th Avenue and NW Ash Drive/NE 6th Street. The annexation area is located within two miles of the City of Alleman and encompasses approximately 370.13 acres, 356.66 acres of which are owned by property owners who have signed a petition consenting to the annexation, while 6.21 acres are owned by property owners who have not signed a petition consenting to the annexation. He stated that approximately 7.26 acres of public road right-of-way are included in the annexation as well, as the City is required to incorporate any and all County road right-of-way to the centerline of the adjacent road. B.Morrissey stated that at this time, eight of the ten properties included in the proposed annexation have provided petitions consenting to the request. If petitions are not received for all ten properties, this proposal will move forward as an Urbanized 80/20 Annexation. The Code of Iowa allows cities to annex up to 20% of the total land area to be annexed from non-consenting owners to avoid the creation of islands and to create uniform boundaries. He said that the annexation area is identified in The Ankeny Plan 2040 Comprehensive Plan as being suitable for Low-Density Residential (LDR). If the annexation request is approved by the City Development Board, it will initially be zoned R-1, One-Family Residence District, consistent with all newly incorporated properties in the City of Ankeny. He explained that if there are any future rezoning requests, the rezoning would need to align with the Future Land Use Map. B.Morrissey noted that the City of Ankeny does not provide service to the annexation area outside of Fire and EMS; however, City of Ankeny does have the immediate fiscal and physical capability to extend municipal services to the area. He noted that a Consultation meeting is scheduled for August 7, 2024. Staff recommendation is that the Plan and Zoning Commission recommend City Council approval of the Hope Crest 80/20 Voluntary Urbanized Annexation.

L.West inquired whether the annexation would cause a peninsula to the east of this annexation area. E.Jensen responded that he feels okay with the request since the land is bounded by public streets and is not just one single lot.

Motion by L.West to recommend City Council approval of the Hope Crest 80/20 Voluntary Urbanized Annexation. Second by R.Weisheit. All voted aye. Motion carried 6 – 0.

REPORTS

City Council Meeting

E.Jensen reported on the August 5, 2024 City Council meeting and the City Council work session.

Director's Report

E.Jensen presented the tentative agenda items for the Tuesday, August 20, 2024 Plan and Zoning Commission meeting and the July 2024 Building Permit Report.

Commissioner's Reports

There were no reports.

MISCELLANEOUS ITEMS

August 19, 2024 – 5:30 p.m. City Council Meeting Representative: Staff

ADJOURNMENT

There being no further business, Chair Rapp adjourned the meeting. Meeting adjourned at 7:10 p.m.



Submitted by Brenda Fuglsang, Secretary
Plan & Zoning Commission