

REGULAR NORWALK PLANNING AND ZONING MEETING 9-14-15

Call to order

The Regular Meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, September 14, 2015. The meeting was called to order at 5:45 P.M. by Chairperson Stephanie Riva. Those present at roll call were John Fraser, Judy McConnell, Chad Ross, Stephanie Riva. Absent: Jim Huse, Dan Schulz and Robin Wagner.

Staff present included: Luke Parris, City Planner; Wade Wagoner, Planning and Economic Development Director; Shelley Stravers, Development Services Assistant.

Approval of Agenda – 15-60

Motion by Ross and seconded by McConnell to approve the agenda as presented. Approved 4-0.

Approval of Minutes – 15-61

Motion by Fraser and seconded by McConnell to approve the minutes from the August 24, 2015 meeting. Approved 4-0.

Welcome of Guests

Chairperson Riva welcomed guests present. With no guests wishing to speak, the business portion of the meeting was opened.

New Business

Public Hearing and consideration of a request from Diligent Warrior Run, LLC to rezone 14.74 acres of land on the Warren Run Golf Course that encompass The Grille at Warrior Run – 15-62

The public hearing was opened at 5:47 p.m.

Mr. Parris reported the area to be rezoned is 14.74 acres surrounding The Grille at Warrior Run, just east of the intersection of North Avenue and East 27th Street. The Grill is currently allowed to operate in the R-1(70) zoning district because it is considered part of the golf course, which is allowed in an R-1 District. The request is to rezone to C-2, Community Commercial. This is generally compatible with the Future Land Use plan, though a portion of the request does fall into the High Density Residential category.

The Grille at Warrior Run is both a permitted use in the R-1 and the C-2 district. However, if the surrounding golf course land was to be developed into single family homes, The Grille at Warrior Run would become a legal con-conforming use. Changing the zone for the area from R-1(70) to C-2 at this time would give any future buyers in the surrounding R-1 district a clear understanding of the type of land use that would be possible near them.

The area adjacent to this is also C-2, so a continuation of that zoning type would not be considered a spot zoning.

The public hearing was closed at 6:02 p.m.

Motion by Ross and seconded by McConnell to approve request to rezone 14.74 acres of land on the Warrior Run Golf Course that encompass The Grille at Warrior Run. Approved 4-0.

Request from Diligent Orchard Hills, LLC to approve the Final Plat of Orchard Trail Plat 4 – 15-63

Mr. Parris reported this request would create 32 single family lots in the Orchard Hills PUD. This plat is part of the Orchard Hills PUD and requires 30' setbacks for lots fronting Sycamore Drive and allowing 25' setbacks for lots fronting Braeburn. The PUD also set the side yard setback at 5' minimum and 10' total. There is an additional requirement that there shall not be allowed any cantilever or other structure attached to the principal structure over the prescribed setback of more than twelve (12) inches. This includes any and all chimneys, air conditioning units, roof overhangs, cornices, decks and porches.

Storm water detention for the development is provided on Outlot Z of the plat, which is to be dedicated to the City as parkland. The parkland dedication required is 0.58 acres of parkland to the City. Previous phases of Orchard Trail required .72 acres of parkland. Outlot Z is 2.35 acres and will meet the parkland dedication for Orchard Trail.

Streets shown as Lots A through D will be dedicated to the City for street use upon approval of the Final Plat. The designated street right-of-way is 60 feet.

Motion by Fraser and seconded by McConnell to approve Final Plat of Orchard Trail Plat 4. Approved 4-0.

Request from Hubbell Realty Company to approve the Final Plat of the Brownstones at The Legacy Plat 8 – 15-64

Mr. Parris reported the request would create 40 townhome lots in the Brownstones at The Legacy development, part of The Legacy PUD. The site is zoned Parcel 12 for the PUD, which allowed for R-4 uses. An amendment to The Legacy PUD in Ordinance 06-05 described more specific requirements for Parcel 12. Specifically relating to Plat 8, the north setback is to be 45 feet. Surrounding areas are R-4, a public park, and R-1(60) Single Family.

The Legacy PUD required that extensive landscaping greater than the requirements of the provisions of the ordinance shall be incorporated into the buffering of the site. This was reviewed and approved during the site plan phase.

Storm water for the development is collected into a storm sewer system that connects into the overall Brownstones at The Legacy storm sewer system. The overall Brownstones storm sewer system outlets to a detention area that is offsite to the southeast.

The Future Land Use Map designates the area as High Density Residential, which would be in compliance with such designation.

Motion by Fraser and seconded by McConnell to approve Final Plat of the Brownstones at The Legacy Plat 8. Approved 4-0.

Request from Hubbell Realty Company to approve the Final Plat of The Legacy Commercial Plat 7 – 15-65

Mr. Parris reported this request would create one 4.38 acre commercial lot, part of The Legacy PUD, at the SW corner of Beardsley and Cedar Street. The site is zoned Parcel 10 of the Legacy PUD, which is identified as Flex Space per Ordinance 13-12. In the original

Legacy PUD, potential zoning is identified as R-3, R-4, C-2, PC, or IC, with uses limited in the PUD.

The original PUD further states the prior to development in the parcel, the developer shall submit to the City of Norwalk, as an amendment to this Ordinance and the Master Plan, which shall designate the permitted land uses and rules, regulations and guidelines for development of Parcel 10.

In Ordinance 14-11, the City prohibited R-3 and R-4 uses in any area identified as Flex Space, with the exception of allowing Assisted Living Residential Facilities, Nursing Homes, or Convalescent Homes, and mixed-use buildings that contain a mix of commercial, office, and residential use.

Buffers will be reviewed and approved during the site plan phase along with storm water. This area lies outside the proposed regional detention basin in the Holland PUD. When the site develops, the applicants will be required to do on site storm water re-detention or paying a fee to drain into a regional facility if the City were to identify another regional facility.

The Future Lane Use Map designates the area as Commercial and High Density Residential. This request would be in compliance with such designation.

Motion by McConnell and seconded by Ross to approve Final Plat of The Legacy Commercial Plat 7. Approved 4-0.

Comprehensive Plan & Zoning Ordinance Discussion

Mr. Parris informed Commission that at the joint meeting between the City Council and the Planning & Zoning Commission held on September 3, 2015 Zach Young from Des Moines Area MPO gave a presentation on an analysis completed by Smart Growth American on development patterns in the City of West Des Moines in May 2015. The analysis is part of an overall study to develop a fiscal impact methodology that not only accounts for the increased cost efficiencies associated with denser development patterns, but can also be easily adapted and used by local practitioners across the country. The MPO staff will provide an overview of the findings.

Mr. Wagoner spoke at the joint meeting regarding the Economic Development Considerations. Economic Development, planning and zoning are all closely related topics. How the City grows and the type of development occurring has a direct impact on the City's ability to grow its commercial base. The City's Comprehensive Plan and Zoning Ordinance are the tools that guide the development of the community. A variety of development patterns and densities can create the diversity that many commercial businesses need when locating into a new community. This not only provides a population base to support the business, but it also provides the workforce needed to support service sector industries.

Also at the joint meeting, Mr. Shires did a presentation on the Comprehensive Plan and its relationship to Zoning. He discussed the purpose of the Comprehensive Plan is to guide the future actions of the City. The Iowa Supreme Court stated the legal purpose of the comp plan is to direct use and development of property by dividing it into districts according to present and potential uses. Comp plans also serve to present a vision for

the future with long-range goals, objectives and potential policies for all activities that affect local government. This includes a variety of topics from land use, to transportation, to public facilities. Comp plans are typically designed to provide guidance for 20+ years. However, review and potential update of plans is typically done every five years.

Mr. Shires discussed the function of the Comp Plan and the Zoning Ordinance and then what the relationship between the two of them is.

Mr. Parris continued that our current Comprehensive Plan was adopted in 2013 after a two-year planning period that started in the spring of 2011. As the City has grown the past two years, we've seen increasing requests for rezonings of various properties. As staff is charged with making recommendations on rezoning requests and it's compatibility with the Comp Plan, it's important to remember that the Comp Plan was developed through a public process. However, public input is very difficult to achieve on such long-term plans. Therefore, City leaders are often left to interpret the Comp Plan and make decisions that impact the development of the community.

The Comp Plan is such an important document in influencing and legitimatizing the decisions of the city leaders that it is important to ensure that the policies and development spelled out in the Comp Plan reflect the desired future development of the community. Since there are significant concerns with rezoning requests and the land use decisions shown in the current Comp Plan, the City Council asked staff to move forward to develop an RFP for the Comprehensive Plan update.

Staff Development Update

Mr. Wagoner presented the update. First he announced that City Council has promoted Tony Stravers to Chief Building Official and have opened a new building inspector position that we are currently in the process of posting for internally.

Mr. Wagoner went over the August 2015 Monthly Report for the Community Development Department that was presented to Council.

Future Business Items

There were no questions on future business items, so staff did not go through items.

Adjournment – 15-66

Motion by Fraser and seconded by Ross to adjourn the meeting at 7:24 P.M. Approved 4-0.

Stephanie Riva, Chairperson

Luke Parris, City Planner