

## REGULAR NORWALK PLANNING AND ZONING MEETING 5-23-2016

### Call to order

The Regular Meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, May 23, 2016. The meeting was called to order at 5:45 p.m. by Chairperson Chad Ross. Those present at roll call were, Judy McConnell, Jim Huse, John Fraser, Elizabeth Thompson, Brandon Foldes, and Chad Ross. Absent: Donna Grant.

Present was City Council liaison Stephanie Riva.

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

### Approval of Agenda – 16-29

*Motion by Huse and seconded by McConnell to approve the agenda as presented. Approved 6-0.*

### Approval of Minutes – 16-30

*Motion by McConnell and seconded by Huse to approve the minutes from the March 28, 2016 meeting. Approved 6-0.*

### Approval of Minutes – 16-31

*Motion by McConnell and seconded by Thompson to approve the minutes from the May 9, 2016 meeting. Approved 6-0.*

### Welcome of Guests

Chairperson Ross welcomed guests present and welcomed anyone to come to the podium to speak on a topic not on the agenda.

Richard Glade, 612 Sawgrass, spoke on behalf of the Board of The Legacy Villas Homeowners Association. Mr. Glade purchased his home seven years ago and during the final walk through just prior to the closing of his home, he found out that Sawgrass was a private street that would not be maintained by the City. Mr. Glade is against any further approval of private streets. The people on these streets pay the same in taxes and do not get the same services from the City as people who live on public streets. Glade said there are many cars, delivery trucks and concrete trucks that drive on their streets daily and there are no traffic controls of any kind on this street.

Glade said he spoke with Tim Hoskins, Public Works Director; Marketa, old City Manager; Mark Miller, previous City Administrator; and Jaki Livingston, councilmember who all have agreed with him that allowing these private streets is a mistake and should not be allowed in Norwalk. Glade spoke with Wade Wagoner, Planning & Economic Development Director, who was unaware of the problem.

Glade would like the City to right their previous wrong by other councils and commissioner, and ban any further private streets in Norwalk.

Ross thanked Glade and said the Commission would take this under advisement.

### New Business

#### **Request from Cort Landing, LLC to approve the Preliminary Plat of the Cort Landing Plat 1 – 16-32**

Parris presented the request that would create 38 lots along Iowa Highway 28 that are proposed to be zoned R-1 as part of the Dobson PUD. The City approved a past preliminary plat for the area on November 5, 2015. This replat includes single family lots where a C02 lot was previously platted.

The plat shows construction of two new streets, Pine Ave and Cortland Drive. Pine Ave is a 28' wide north/south road that intersection with Elm Ave on the north side, intersects with Cortland Drive

going south and narrows into a 26' wide street turning into a cul-de-sac on its southern end. Cortland Drive is a 28' wide east/west road that narrows west into a 26' wide cul-de-sac.

Drainage for the residential lots is identified in two detention areas located east of lots 32-36 and west of lot 22. Drainage is collected in a storm sewer system and discharged via a pipeline to the detention area east of lots 32-36 and overland to the detention area west of lot 22. A drainage pipe will be installed to help relieve a resident's lot who has seen persistent wet conditions and has come to numerous Council meetings to address the issue to Council.

The subdivision ordinance requires the development to provide 0.68 acres of parkland, or the equivalent per Subdivision Regulations, to the City. No park is shown on site. Parkland dedication requirements will be finalized during final platting.

Commission members asked if there is anything planned for the trail system along Highway 28 through the DOT? Parris said there is not anything that we currently know of. Parris explained that we need to work on planning our parks and trails so that when these plats come up, and the trails are already planned for areas not on current ROW, the developers will be responsible for those projects within their developments.

Commission members also asked if it would make sense to put easements on the east side of these lots to allow for a future bike trail if the City would decide to do that? Parris answered that there is plenty of space in the ROW for that type of project, we wouldn't need to put easements in the actual development.

Parris explained that once we get the trails map completed for the Comp Plan, we will have a better way of knowing where the trails should go in or around these developments as they come forth for platting.

Kelly Cortum, 150 West Wright Road, informed the Commission that even if there were trails that went all the way to Wright Road, there aren't any sidewalks or trails on Wright Road to take you the rest of the way to the sports complex.

Paul Clausen, CEC, noted that along Highway 28 there is a large ditch and a large sump for the storm water, so it might not be a great site for a trail.

Stephanie Riva, City Council, asked what part of each lot is the buildable area because there is a large area that is easement for detention pond. Riva did not want people to be misled that they are going to have big backyards, when during the wetter months, a portion of their yards could be very wet. Parris explained the shaded part is the buildable area.

Riva asked if it will be denoted somehow to potential buyers that there is such a large easement for the detention pond in the yards. Parris said it will be denoted on the final plat and possibly in the covenants.

Richard Glade, 612 Sawgrass, noted there is a drainage area off of Lexington in The Legacy and it goes to the golf course. Glade said this has a terrible stench and is a mosquito pit. Why is the City allowing this?

Mark Gillem, 622 Sawgrass, asked who is responsible to disclose easements for detention ponds to future homeowners.

A discussion was held as to how this information actually gets to the buyer of the lot/home. It was finally decided that the developer needs to be diligent about passing this information on to whomever markets the lots/homes in the development, and ultimately the buyer and their agent should also be diligent about obtaining this information. This information is also recorded in the abstract for the property.

Paul Clausen, CEC said that every pond is designed for proper drainage, but the maintenance of them is what is so important. Some of the big issues with the detention ponds is that they were put in and no one did any maintenance on them. When this happens they become more of a wet area. Making sure they are maintained is key to proper function.

Wagoner noted that as with any private contract or covenant, the City plays no role in drafting or enforcing it. The City does not keep records of covenants. Parris added that the County Recorder obtains these records.

*Motion by Huse and seconded by McConnell to approve the preliminary plat with the following conditions:*

- *Applicant provides all supporting documentation required within the Norwalk Subdivision Regulations.*
- *Any significant modifications to the final plat be reviewed and approved by the Planning & Zoning Commission and City Council.*

*Approved 5-1, with Ross voting nay.*

### **Discussion on Subdivision Regulations update focusing on street design**

Wagoner presented "Building a more walkable, livable suburbia". During the presentation Wagoner passed out a book (The Rise of Sprawl Suburban and the Decline of Nation) to each of the Commission members. He asked that they each take time to read these books to understand the concept that is being introduced in our planning for the future.

Staff has been charged with the revision of the Subdivision Ordinance. Staff would like to involve the Commission in this process.

Wagoner gave a presentation to the Commission on street design and its role in establishing the public realm. He provided information on the historic development of communities and how the purpose and design of streets has changed over time. The current standards for street design were discussed, including the benefits and limitations of such standards. The case was made that narrower streets can result in a safer travel way for motorists and pedestrians. The narrower corridors can also be augmented with design elements that increase the sense of place of the public realm, such as street trees, on-street parking, or buildings fronted to the right-of-way. Commission discussed this and that they would like to have discussions periodically on this concept and the book that was passed out. It was decided they would all read Chapter 1 prior to the next P & Z meeting on June 13 and it will be discussed at that time.

### **Staff Development Update**

No update was given.

### **Future Business Items**

Parris handed out maps to Commission members that had a map of Existing and Future Trails Plan and Existing and Future Trails Plan – Responsible Entities. Parris explained that Commission and staff

need to decide if the lines are right, are they feasible, do we have a connection planned to the areas we need to? As we work on this map, it should be an essential tool in helping us make decisions on upcoming plats as to whether they have the proper trails in the plan and who is paying for it.

**Adjournment – 16-33**

*Motion by Foldes and seconded by Fraser to adjourn the meeting at 7:23 P.M. Approved 6-0.*

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Chad A. Ross, Chairperson

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Luke Parris, City Planner