

REGULAR NORWALK PLANNING AND ZONING MEETING 8-8-2016

Call to order

The Regular Meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, August 8, 2016. The meeting was called to order at 5:45 p.m. by acting Chairperson Judy McConnell. Those present at roll call were, Judy McConnell, John Fraser, Elizabeth Thompson, Brandon Foldes, Donna Grant and Jim Huse. Absent: Chad Ross.

Present was City Council liaison Stephanie Riva.

Staff present included: Luke Parris, City Planner and Shelley Stravers, Development Services Assistant.

Approval of Agenda – 16-44

Motion by Thompson and seconded by Foldes to approve the agenda as presented. Approved 6-0.

Approval of Minutes – 16-45

Motion by Fraser and seconded by Huse to approve the minutes from the July 11, 2016 meeting. Approved 6-0.

Welcome of Guests

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

New Business

Request from Diligent Orchard Hills, LLC to approve the Preliminary Plat of the Orchard Trail Plat 5 – 16-46

Parris explained this request would create 33 lots along the continuation of the Rellim Drive stub off of West Pine Ave. The properties surrounding the area are single family homes. The plat includes standard 5' sidewalks, and a 6' trail is included on the south side of Sycamore Drive. This area is zoned Orchard Hills PUD. The majority of the surrounding ground is R-1 Single Family with the exception of the R-3 parcel of the Orchard View PUD to the southwest and the existing R-3 townhome project to the northwest.

Drainage for the residential lots is overland and to the storm sewer system on the streets. The storm sewer eventually connects to the detention basin in Orchard Trail Plat 4, which is sized accordingly to handle storm water from this site.

Parkland requirements for this development are 0.59 acres, or the equivalent per Subdivision Regulations. No park is shown on site. Parkland dedication requirements will be finalized during final platting.

Paul Clausen, CEC reiterated that there would be a 6' trail on the south side of Sycamore and offered to answer any questions.

Commission spoke about parkland and their concerns about not having parks planned for the new developments we are approving. Thompson asked if the 6' trail on Sycamore would be considered as park of the parkland requirements, or would they need more than that? Parris said they were required to put 5' sidewalks everywhere, City just requested they put the 6' trail in on the one side of Sycamore.

McConnell commented that we want walkable communities but we are not providing parks in the neighborhoods for people to walk to. She expressed her appreciation for the developments, but feels the Commission as a whole is concerned about not having regional parks. Parris responded that we need to include park planning when we look at PUD's. This certain PUD was approved in 2005 and we are locked into that Master Plan for this specific development. Parris would like to engage the Park Department in the planning process.

Motion by Huse and seconded by Foldes to approve the Preliminary Plat of the Orchard Trail Plat 5 with staff recommendations:

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

Approved 6-0.

Request from Bruce Gerleman to reconsider the conditions of approval of the Twin Lakes Plat 4 – 16-47

Parris reported that on May 19, 2016, Norwalk City Council approved the Twin Lakes Plat 4 Preliminary Plat with the following conditions:

- Applicant agrees to provide a bridge over the creek wide enough to accommodate a 26' wide road.
- Applicant agrees that the street in Plat 4 be graded to allow for a 26' rural top section with the initial paving being 18' wide with the potential to add 4' of widening to each side.
- Applicant agrees to modify the steep area of Boston Circle located in Plat 3 to widen street pavement to 24' and to steepen the slope of the street to a maximum of 14%.

Bob Veenstra, Veenstra & Kimm, wrote a letter on behalf of Mr. Gerleman, who is the developer.

Gerleman is requesting reconsideration of the approval conditions with the following modifications:

- Boston Circle on the east side of the bridge would be graded to accommodate a future 26' wide pavement and would be initially paved with 18' wide asphalt to meet the other streets in Twin Lakes.
- The bridge would be constructed to accommodate an 18' wide street pavement with the bridge being designed to facilitate widening to accommodate a 26' wide pavement in the future.
- On the east side of the bridge, Gerleman requests no change and agrees to grade the road to accommodate the future 26' wide pavement and pave the road to 18' wide.

Bob Veenstra, Veenstra & Kimm, spoke on behalf of Gerleman. He showed a map explaining the paving and offered to answer any questions the Commission had. Veenstra informed Commission that Gerleman always had the option to go back to his original plan that included less lots. The plan for more lots was to make the development more economical.

Bruce Gerleman, 303 Locust, Des Moines, provided a handout to the Commissioners showing the bridge design he is proposing. He reminded Commissioners that this plat is not currently in the city limits. The current streets in Plat 1 and 2 are 18' wide with two 4' shoulders and there are no sewers, with all utilities being underground. Gerleman said the people who currently live in this development do not want to be annexed into the City of Norwalk, and he does not look for that to happen in the future.

Foldes told Commission that this developer has a good plan continuing what was already started in the prior plats in Twin Lakes, but helping to make the roads so they could expand sometime in the future.

Parris reported there were no fire safety concerns with the bridge access.

Motion by Foldes and seconded by Grant to approve the reconsideration request for Twin Lakes Plat 4. Approved 6-0.

Request from Norwalk Land Co to approve the Preliminary Plat and Site Plan of the Norwalk Orchard View Townhomes – 16-48

Parris informed Commission that this request would create 74 townhome lots and site plan out the location of buildings and provide roadways on Parcel 3 of the Orchard View PUD. The proposal is developed with the requests submitted in a separate PUD amendment.

The surrounding area is currently undeveloped with the exception of nearby two-family homes along Wright Road to the southeast. The surrounding area is all planned as single family residential as a part of various PUD's. There are 5' sidewalks planned along Orchard Hills Drive.

Parris noted that City Council is currently considering a way to instill ownership requirements for the units on the site. The development would require a buffer next to any adjacent single-family districts. Single family districts are located on the east, west, and north. The developer has shown a 15' wide buffer easement that is in addition to the required 30' setback.

The development includes a storm sewer system that connects with the City system along Orchard Hills Drive. The western portion of the development drains to the southwest into a detention pond that releases at the south property line.

Parkland dedication was identified in the PUD as a park in the northern area of the Orchard View development. The open space requirements were exceeded. Streets shown will be private and maintained by the owner's association.

The zoning ordinance requires 2.5 parking spaces per dwelling unit, with one garage space being counted towards the requirement, as well as a driveway space. The parking requirements were exceeded with 8 additional visitor parking spaces provided. There is space to put more visitor parking spaces if required in the future.

Architectural Standards require that multi-family townhomes incorporate three different materials from the City's list of classified materials, windows counting as one of those.

Private storm sewer is provided throughout the site. A portion of the storm sewer connects into existing City storm sewer, the remaining sewer drains into a private detention basin in the southwest of the development.

Jim Campney, Clive, spoke to the Commission explaining that the City Council had concerns with the townhomes and possibly becoming rentals. It was decided that the place to govern any rental activity is the townhome association, so the language will be put into the covenants and the Commission will review that at Final Plat stage.

Jake Happe, 2575 N. Ankeny Blvd, Ste 311, Ankeny, spoke to the Commission regarding the architectural products and showed the Commission a design board with different materials displayed on it. Happe said these townhomes will have character and curb appeal to them. This product will have his last name tied to it, and he does not want the current residents that are his single family customers to be upset with him for putting a bad product in the neighborhood. The townhomes will sell in the area of \$165-180k and will have two and three bedrooms. These townhomes will be an affordable option for young families.

Motion by Thompson and seconded by Huse to approve Preliminary Plat and Site Plan of the Norwalk Orchard View Townhomes with staff recommendations:

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

Approved 6-0.

Request from Diligent Development to approve a replat of the Preliminary Plat for Blooming Heights – 16-49

Parris explained that the original preliminary plat was approved in 2014 and included 35 single family lots that met the R-1(100) zoning of the land. Many of these lots far exceeded the 100' minimum width. This replat of the development is to reduce the size of the lots and add six additional lots within the same street layout as originally approved.

There is not park is shown on the site, but there could be some opportunity during the final platting stage. 0.74 acres of parkland is required or the equivalent per Subdivision Regulations.

Commission asked if this would have any negative impact on the detention pond in Timberview and Parris answered that it would not. Drainage is overland and to the storm sewer system on the streets. Detention is handed through the adjacent pond to the west.

Brad Cooper, Cooper Crawford, spoke regarding the drainage and the four acre park plan in Timberview, which would benefit people living in Blooming Heights. He thought it might be a possibility that Blooming Heights contribute their parkland dedication monies to make improvements to the Timberview Park for the benefit of the whole area.

Cooper noted that the extremely large lots were not selling, which is why the request for the replat to make the lots a bit smaller, but still large lots, and would also allow six additional lots with the same street layout.

Cooper added that there will be a 2 ½ acre pond in this development, but will only be available to the residents that back up to it.

Motion by Grant and seconded by Fraser to approve replat of the Preliminary Plat for Blooming Heights with the staff recommendations:

- *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 6-0.

Request for variance of sign ordinance requirements – Dollar Tree

Parris reported that Dollar Tree is going in at 1120 Sunset Drive, on the other side of Ace Hardware. Eagle Signs, on behalf of Dollar Tree is requesting a variance regarding the size of a sign located on the façade of the building. The variance would allow the building sign to be larger than the sign currently allowed per code. They are requesting The Board of Adjustment makes the final determination on approval/denial of this request, but Commission is welcome to review and make a recommendation to the Board of Adjustment.

Parris noted that the property at 1120 Sunset contains space for two businesses. The front façade of each business is used to calculate the allowed sign size which is 5% of the faced area. Ace Hardware installed a sign that met the City requirement, which made the sign 83.67 square feet. The maximum sign allowed for Dollar Tree would be 75.16 square feet. The businesses located at this address are proposing a shared monument sign near the street for additional signage.

After reviewing the request, staff does not think the distance from the street constitutes an unnecessary hardship and does not recommend approval of variance. Commission agrees with staff and would like Parris to include that in his report to the Board of Adjustment.

Request for variance of setback requirements – Silverado JV15 LLC

Parris informed Commission that an application was received for a variance regarding property located in the Silverado Ranch Estates Plat 2. The request was submitted by the owner of three lots, Ryan Wiederstein. The lots include 14, 18 and 19. The lots are zoned as RE-1 (Rural Estates Single Family Residential). The variance request is to reduce the front setbacks to 50' for the construction of a single family home on each lot. During the platting process, several lots were identified as not meeting the minimum width requirement of 125' for the RE-1 district. The developer proposed increasing the setback on these lots to a point that would meet the minimum width. Setbacks on the final plat are Lot 14 – 110' front setback; Lot 18 – 79' front setback; Lot 19 – 88' front setback.

Parris stated that a 50' front setback would match other setbacks in the development and that ultimately adjusting the front setback is unlikely to cause the lots to be developed in a manner that is inconsistent with the general purpose of the RE-1 district. It is not likely to change the character of the neighborhood. If the setback was not changed, all three of these properties would require fill material to allow for the construction of houses on the lots.

Ryan Wiederstein, West Des Moines, informed the Commission that if these lots would have sold, he would not be requesting the variance. But with the setback requirements that are currently on those three lots, he would be required to put a lot of fill dirt in there in order to build on them. This would be a hardship on him and anyone buying the lots, due to the unbuildable nature they are currently in.

Brad Kuehl, Civil Design Management, spoke for Silverado JV15 LLC. He said the west side of Silverado Drive falls off hard and makes it difficult to build with 110' setbacks on these lots. A 50' front setback would match the rest of the development.

Commission asked Parris to recommend to Board of Adjustment that this variance be approved.

Discussion on Chapters 5-6 of Suburban Nation

Commission asked to review this at the next meeting, along with Chapter 7. Parris said he would have a more detailed summary of the chapters for the next meeting.

Staff Development Update

Parris reported that the monthly report is complete and will be in the Commission's next packets. Staff is currently working on regional detention pond and wrapping that up the last part of that with a temporary easement to the east side of the pond. Group is waiting to see retaining wall designs.

Future Business Items

Parris provided an update on the following future business items:

Trail Plat Update and SubArea 1 Master Plan & Future Land Use Plan – will start holding public meetings in September.

Legacy Plat 20 – continuing work, this will be the last piece of Legacy single family development.

F-F District Rezoning – after staff gets through the previous items, work will begin on this rezoning of the Founder's District.

Foldes left the meeting at 7:16 p.m.

Next meeting Date – August 22, 2016.

Adjournment – 16-50

Motion by Huse and seconded by Grant to adjourn the meeting at 7:21 P.M. Approved 5-0.

Judy McConnell, Vice Chairperson

Luke Parris, City Planner