

REGULAR NORWALK PLANNING AND ZONING MEETING 10-10-2016

Call to order

The Regular Meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, October 10, 2016. The meeting was called to order at 5:45 p.m. by Chairperson Judy McConnell. Those present at roll call were, John Fraser, Elizabeth Thompson, Brandon Foldes, Jim Huse and Judy McConnell. Absent: Grant.

Present was City Council liaison Stephanie Riva.

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

Approval of Agenda – 16-60

Motion by Foldes and seconded by Fraser to approve the agenda as presented. Approved 5-0.

Approval of Minutes – 16-61

Motion by Thompson and seconded by Foldes to approve the minutes from the September 12, 2016 meeting. Approved 5-0.

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

New Business

Public Hearing and consideration of an amendment to the City's Comprehensive Plan for the update to the Land Use Chapter – 16-62

Parris report in 2015 the City received numerous rezoning requests. The staff reviews of those rezoning requests included confirming conformance with the City's Future Land Use Plan, which is a chapter of the City's Comprehensive Plan. At the time, staff found that the requests were in conformance with the Future Land Use Plans, though questions were raised whether the plan accurately reflected the goals of the City.

Those concerns lead the City to contract with Confluence and Chris Shires to update the Land Use chapter of the Comprehensive Plan focused primarily on the Future Land Use component. Work began on the update in January of 2016 and over ten months several public meetings were held and a final draft was developed.

The update revises several of the City's land use categories to provide clarification on the differences between the different densities of residential uses. The update also looks at the City's subareas, which are special development districts. A new subarea was added along the 50th Avenue corridor as a second potential entry into the community with the City of West Des Moines' Veteran's Parkway project proceeding. The update provides several new policies to guide the development of the community, which includes a focus on new urbanism concepts.

Mr. Shires explained the notable changes are:

- Increased amount of low density residential
- New very low density residential category
- Decrease in high density residential and medium density residential
- New agricultural reserve category
- Sub Areas 2 and 3 as residential commercial flex
- Sub Area 2 shifted west

The public hearing was opened at 5:56 p.m.

Scott McMurray, United Properties, 4521 Fleur Drive, Des Moines asked the Commission if this is just going to be a guide, or will this be zoning that is set in stone? He would like to think that the owner of the land would be able to come and request a land use change on a parcel. Parris responded that this will be a guide for the City to use for the rezoning requests. The City needs some type of a legal plan guiding growth. If a request is made for rezoning, City officials have two options, to say no if it doesn't match the Future Land Use Plan, or the plan can be revised which would include a comp plan amendment and then a rezoning.

McMurray understands that all cities have a Future Land Use Plan, but most take into consideration good projects brought forth. He just wants the Commission to understand there are a lot of large land owners in the City limits and they may not understand the City telling them how they can or can't use their land. McMurray would like to see the City stay flexible. He doesn't see much on the plan for high density where a good apartment project could be considered.

Foldes expressed his concern for the reduction in medium and high density. He is concerned that Norwalk will become a single family suburban community and miss out on some of the other projects that can be quality projects even though they are a higher density.

Shires explained that there is flexibility and that this document will be changed over and over again. It might be reviewed on an annual basis to evaluate goals and make sure they are still being met with this document. This is a tool that the City can use to help plan for future infrastructure. Land use, sewer use and road use are all very important factors and this helps to try and look into the future for planning.

Shires noted that the elected officials were concerned about the amount of high density areas and voiced their concerns, which resulted in a reduction of those areas. Shires explained that more high density from a financial standpoint is healthy. Cities are going to need space for the millennials and retired folks to live.

McConnell and Foldes both noted that without apartments, the City will lose some of its vibrancy. If we conform to all single family, we are only focusing on the biggest population core right now and not planning for millennials and seniors for future housing.

The public hearing was closed at 6:10 p.m.

Motion by Huse and seconded by Thompson to approve the amendment to the City's Comprehensive Plan for the update to the Land Use Chapter. Approved 5-0.

Public Hearing and consideration of an amendment to the City's Comprehensive Plan to adopt the SubArea 1 Master Plan – 16-63

The City's 2013 Comprehensive Plan identifies several subareas throughout the community that required additional planning and thought as to their future development. The first subarea, SubArea 1, is located in the center of the City on 600 acres of ground to the east of Highway 28. The Comprehensive Plan called for this area to include a newer, more welcoming downtown center with surrounding development that utilized new urbanism concepts to create a pedestrian friendly environment. In the fall of 2013, the City received a grant from the Des Moines Area MPO to develop a master plan for SubArea 1.

The grant money allowed the City to hire Chris Shires of Confluence to assist in the development of the SubArea 1 Master Plan. City staff teamed with Confluence on the project to provide additional resources while writing the plan. Confluence consultant team held individual meetings with each of the landowners within SubArea 1 to understand their desires and concerns for the development of their property. Public meetings were held in conjunction with the Land Use Plan to gather public input and final draft plan was developed.

The Master Plan includes a review of existing conditions, a land use plan for the 600 acres, a master plan of the site, vehicular and pedestrian circulation plans, design guidelines for buildings in the plan area, and a review of the public utilities needed to serve the site.

Primary focuses of the Master Plan was to create the newer downtown district while still preserving space for traditional commercial development along Highway 28. Additionally, the plan looked to provide ways to transition from existing industrial uses along Colonial Parkway to existing residential development to the north of Beardsley Street in the Echo Valley Development.

One item that Shires pointed out is at the last minute, a school was added to the plan. This school is shown located across from an industrial area. Huse doesn't feel that is an ideal location. He is glad to see there is community involvement and the desire to plan for more schools. At the rate Norwalk is growing, there is definitely going to be a need for more schools. Shires explained that the area planned for a school could also be used for single or multifamily if a school was not put there.

Thompson expressed her concerns with medium density residential going up next to single family. She said that area would back up to her fence in her back yard and she does not want to see horizontal townhomes in her backyard. She feels this would hurt the resale values of the homes in that area. Shires explained that there was a lot of thought put into this. They needed a transition from the single family homes to the mixed use buildings that could possibly be three stories tall in the urban center. Townhome buffer between single family and mixed use is very common. The townhomes would not share a street, just serve as a transitioning tool.

Bob Olson, Olson & Associates, spoke regarding this transition. He said there would be a 30 foot buffer there and that it has proven when a quality product is put in for this transition that land values actually go up. He also informed Commission that when the project for the townhomes comes in front of the group, they would then have the opportunity to say yes or no.

Parris noted that these townhomes might have a lesser front setback, so that would put them even farther away from the fence line. The guidelines in this chapter are a lot higher standard than a townhome anywhere else in the City.

Thompson also questioned the two roundabouts on Highway 28 and how they are to help slow traffic down. Shires explained the physics of a roundabout and there is only so fast someone can go through a roundabout so it is evident that traffic will slow down. He noted that roundabouts are expensive on the front side, but they do end up saving money in the long run. A roundabout encourages walkability and would allow for a couple of places to cross Highway 28 safely.

Shires noted that the Commission is only voting on the land use part of the concept tonight.

Foldes asked where the park land is in the concept and would the school be considered park land? He feels the City needs to identify park land sooner rather than later on these concepts or it ends up going on the wayside.

Foldes also commented that too many people care more about zoning and should care more about the architectural standards of the area. People associate cheap apartments with high density and that doesn't have to be the case at all if we pay attention to the architectural standards and have high quality products.

The public hearing was opened at 6:43 p.m.

Scott McMurray, United Properties, 4521 Fleur Drive, Des Moines, spoke to the Commission informing them that he sat through these meetings with Shires and Olson. He feels they've done a great job involving people in this process. As a developer, he wants the Commission to remember than plans change and he would like to caution them on that. He would like to see as much flexibility as possible so that as the market drives development, developers can fit plans with the demand.

Olson agreed with McMurray and said that the SubArea 1 Master Plan is a living document and the market will dictate how it develops. But this document gives Norwalk some framework to start with. Flexibility is important.

Riva asked about the landscape guidelines. She said it wasn't ever determined what the caliper of trees and the critical types that are required. Shires asked if this was something that would be just in SubArea 1 or city wide. Huse expressed concern with preserving current trees in the City and how we would go about doing that. Shires assured there are ways to do that.

Shires informed Commission that they would be voting on the design guidelines booklet and the SubArea 1 Master Plan. He feels this is an appropriate mix of land uses and when considering any planning in the future the City would use this as a guideline as to what is allowable there.

McMurray asked Parris if Southern Crossing would now not be allowable if this was accepted. Parris said that is already zoned for that, but if there was a request to change zoning, this document would be looked at for a guide. This plan is the legal framework to help the City with rezonings and is a necessary document for the City.

Shires noted that developers have the exact same condition today. If the zoning doesn't match what they are wanting, they would need to request a rezoning of the area. This document gives you a starting point from which to judge a rezoning request.

McMurray stated he understands the City needing to have a land use plan, but now getting down to design standards is pretty nitty gritty. That's more than just framework. The entire city has design standards, but this area has to specifically follow these design standards. He does not feel that leaves flexibility at all. He said everyone sitting in the seats say they will be flexible, but these seats will change and the City will lose development because the new people won't understand that.

Shires changed wording on page 11 under Future Land Use Plans. The last sentence now reads, "Flexibility should be permitted to adjust and shift land uses to reflect refined development plans and engineered roadway plans." He also offered for the Commission to change the southernmost Industrial Flex area to Office/Business Park. Commission discussed the changes as being positive changes.

The public hearing was closed at 7:18 p.m.

Motion by Huse and seconded by Foldes to approve the amendment to the City's Comprehensive Plan to adopt the SubArea 1 Master Plan with amendments to flexibility statement on page 11 and changing the southernmost industrial flex designation to office/business park. Approved 4-1, Thompson voting nay.

Public Hearing and consideration of an amendment to the City's Comprehensive Plan for an update to Trails Section – 16-64

Parris explain in 2014 the City received a grant from Prairie Meadows to review the trails component of the 2013 Comprehensive Plan with a specific focus on determining a preferred alternative to connect the community to the Great Western Trail. RDG Planning & Design was hired to review the location of trails in the City and development alternatives to connecting with the Great Western Trail. Ultimately, a draft trail plan was developed with a preferred connection along Beardsley and 50th Avenue to the Great Western Trail. The trail plan was reviewed by the Planning & Zoning Commission and the City Council, both of which had concerns over the location of a trail along Highway 28 and the plan for implementing the trail system.

Staff took the draft trail plan from RDG and modified it to remove trails that were seen as not feasible. Additionally, staff classified trails into those that currently exist, those identified in current city plans, and those proposed for future development. To assist with implementation, staff developed a second map that identified which entities would be responsible for the construction of the various trails. This primarily fell to City responsible trails along major corridors and developer responsible trails in undeveloped land throughout the City. Parris explained that developers would not have to necessarily place trails where we have them mapped out, but would have to somehow make the connections that are required in that development.

The public hearing was opened at 7:35 p.m.

The public hearing was closed at 7:35 p.m.

Motion by Thompson and seconded by Fraser to approve the amendment to the City's Comprehensive Plan for an update to Trails Section. Approved 5-0.

Request from United Properties to approve the Site Plan for Lot 3 of the Marketplace at Echo Valley – 16-65

Parris explained this request is for the development of two multi-tenant buildings, each with space for four units. The site is zoned C-2 as part of the Echo Valley Community PUD. The development is on Lot 3 of the Marketplace at Echo Valley. The site would be developed in phases, with the southern building and parking lot being phase 1 and the northern building being phase 2. This is the first site plan in the Marketplace at Echo Valley.

Overall the site plan meets or exceeds the City's requirements for development of a C-2 parcel. The applicant has requested a waiver of the requirement that a drive-thru queue line cannot block a designated parking space. It is staff opinion that this waiver should be granted as part of the site plan approval. The site is only required to provide 70 parking spaces, so staff is not concerned about creating spaces that are not usable. Additionally, any spaces blocked by the queue line would be at the end of the queue line, resulting in rare instances when a full queue line would block a space, which would be cleared rather quickly.

Staff also raised concerns over the temporary detention basin on Outlot Y. The developer proposed the following measures that addressed the concerns:

- Use the existing temporary basins as-is to meet the detention requirements for Lots 3 & 4.
- Calculations show the volume and detention required is equivalent to the volume provided in the temporary basins even though there is not a direct relationship of the drainage areas from the lots to each of the basins (volume is provided regardless of where the storm water is derived). No additional calculations are required as long as the following is done:
 1. United Properties will maintain these basins until other arrangements are made, i.e. development of Outlot Y.
 2. If Outlot Y is not developed within 10 years – United Properties shall convert these temporary basins into permanent detention basins.
 3. If Lots 1, 2 or 5 are developed before Outlot Y, they would need to prepare additional detention calculations and increase the temporary basin volumes or add additional temporary basins or convert to permanent basins.
 4. All temporary basins shall be converted to permanent detention basins that meet City requirements no later than October 2026.

Thompson expressed concern with the drive-thru queue and possibly getting backed up if it was a coffee shop.

Dean Rogair of CDA spoke to this matter. He said there are approximately six spots in the the drive-thru lane before it would get into the parking area. And the parking area that would be affected is the employee parking in the back of the building. There is also two ways to exit.

Scott McMurray, United Properties, 4521 Fleur Drive, Des Moines also commented that there will be connectivity between all the parking lots, so if you can't get into one entrance due to a queue line, then you can just go to the next entrance.

Motion by Huse and seconded by Fraser to approve the Site Plan for Lot 3 of the Marketplace at Echo Valley with staff recommendations:

- *That the parking requirement for drive-thru lanes blocking parking spaces is waived.*
- *That the final plat approval includes the necessary agreements to implement the developer solution to the temporary drainage basins.*
- *That the site development and building construction follow all City code regulations.*
- *That any significant modifications to the site plan be reviewed and approved by the Planning & Zoning Commission and City Council.*

Approved 5-0.

Request from United Properties to approve the Site Plan for Mercy Clinic for Lot 4 of the Marketplace at Echo Valley – 16-66

Parris presented the request for the development of professional office buildings, which will be space for a Mercy Clinic. The site is zoned C-2 as part of the Echo Valley Community PUD. The development is Lot 4 of the Marketplace at Echo Valley. Overall the site plan meets or exceeds the City's requirements for development of a C-2 Parcel. The staff raised concern again over the temporary detention basin on Outlot Y. The developer proposed the following measures that addressed the concerns:

- Use the existing temporary basins as-is to meet the detention requirements for Lots 3 & 4.
- Calculations show the volume and detention required is equivalent to the volume provided in the temporary basins even though there is not a direct relationship of the drainage areas

from the lots to each of the basins (volume is provided regardless of where the storm water is derived). No additional calculations are required as long as the following is done:

5. United Properties will maintain these basins until other arrangements are made, i.e. development of Outlot Y.
6. If Outlot Y is not developed within 10 years – United Properties shall convert these temporary basins into permanent detention basins.
7. If Lots 1, 2 or 5 are developed before Outlot Y, they would need to prepare additional detention calculations and increase the temporary basin volumes or add additional temporary basins or convert to permanent basins.
8. All temporary basins shall be converted to permanent detention basins that meet City requirements no later than October 2026.

Scott McMurray, United Properties, 4521 Fleur Drive, Des Moines noted this would be a four sided building that all sides look the same. The main entrance would be on the east side of the building to try and avoid ice and snow issues for patients. There will also be an entrance on the west side of the building.

Motion by Foldes and seconded by Huse to approve the Site Plan for Mercy Clinic for Lot 4 of the Marketplace at Echo Valley with staff recommendations:

- *That the final plat approval includes the necessary agreements to implement the developer solution to the temporary drainage basins.*
- *That the site development and building construction follow all City code regulations.*
- *That any significant modifications to the site plan be reviewed and approved by the Planning & Zoning Commission and City Council.*

Approved 5-0.

Discussion on parkland dedication requirements

The Commission decided to wait to discuss this topic at the next meeting.

Staff Development Update

Parris informed Commission that the September report for the Development Services Department is out. He also reported that he and Luke Nelson will be taking over the Planning & Economic Development Director duties until it is decided how to configure the department.

Future Business Items

None were discussed.

Next meeting Date – October 24, 2016.

Adjournment – 16-67

Motion by Huse and seconded by Foldes to adjourn the meeting at 8:01 p.m. Approved 5-0.

Judy McConnell, Vice Chairperson

Luke Parris, City Planner