

## REGULAR NORWALK PLANNING AND ZONING MEETING 10-24-2016

### 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 24, 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, and Judy McConnell. Absent: Jim Huse and Donna Grant.

Present was City Council liaison Stephanie Riva.

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

### Approval of Agenda – 16-68

*Motion by Thompson and seconded by Foldes to approve the agenda as presented. Approved 4-0.*

### Approval of Minutes – 16-69

*Motion by Fraser and seconded by Thompson to approve the minutes from the October 10, 2016 meeting. Approved 4-0.*

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

### New Business

#### **Request from Diligent Warrior Run, LLC to approve the Preliminary Plat of the Warrior Run Estates Plat 2 – 16-70**

Parris presented the Preliminary Plat which consists of 32 residential lots, all R-1(70) zoning. The plat consists of 24.57 acres of land south. The streets shown on the Preliminary Plat would be dedicated to the City for street use upon approval of the Final Plat. The designated street right-of-way is 60' with a 28' wide road on Warrior Run Drive and East 29<sup>th</sup>.

Drainage for these lots run overland and to the storm sewer system on the streets. The storm sewer system outlets to an offsite detention basin to the south of the golf course.

The subdivision requires 783 square feet of parkland per single family dwelling unit, so totaling 0.58 acres of parkland, or the equivalent per Subdivision Regulations, to the City. No park is shown on site. Staff is currently working with the developer to discuss options for fulfilling the City's parkland dedication requirement.

Thompson asked what was done for the parkland dedication in Plat 1? Parris responded that they gave the cash equivalent and did not provide the land for the park.

McConnell expressed concern with our current parkland dedication requirements. Parris explained that the City Council is also concerned and they have been having discussions about this. This will be discussed on a later topic on the agenda this evening also.

Thompson asked if all surrounding landowners have been notified. Parris explained that it is not a requirement for Preliminary Plat process, but during the zoning change process they were notified.

Riva reiterated that the drainage ultimately goes to an offsite detention pond. She is concerned that someday the golf course or land where the detention pond is located could change

ownership. Do we need to secure anything for the future to make sure we have an easement to get access to the pond? Others agreed this would help from getting into a bad situation again.

Staff recommend approve with following conditions:

- 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.

*Motion by Thompson and seconded by Foldes to approve the Preliminary Plat of the Warrior Run Estates Plat 2 with staff recommended conditions. Approved 4-0.*

### **Request from Hubbell Properties to approve the Site Plan for Edencrest at The Legacy – 16-71**

The request is for the development of a 60 unit assisted living facility. The site is zoned as part of The Legacy Planned Unit Development. An amendment to the PUD zoned this specific parcel as R-4 specifically for an assisted living facility.

A 5' sidewalk is provided along Cedar Street. A sidewalk is also required along Beardsley Street. The developer has requested not to build this sidewalk with the project due to potential expansion of Beardsley in the future. The Public Works department has concurred with the developer that the expansion of Beardsley could impact any sidewalk installed at the time. The developer has consented to signing a Petition and Waiver regarding the sidewalk. This will allow the City to build the sidewalk in the future and assess the owner of its site for the cost.

The City's architectural standards require that buildings in the R-4 district be composed of 40" class 1 or class 2 materials; no more than 60% class 3 and class 4 materials, with any class 4 materials being no more than 10%.

The site plan includes building elevations that identify materials to be used on the building façade.

- The east elevation includes 47% class 1 and 2 materials and exceeds the code requirement.
- The west elevation includes 39% class 1 and 2 materials is slightly below the code requirement.
- The north and south elevations include 29% class 1 and 2 materials and is below the code requirement.

Parris explained that when the PUD master plan amendment was submitted the developer included building elevations that they wanted adopted with the master plan amendment as a formal piece of the Legacy PUD. Staff review of the PUD amendment ordinance is inconclusive as to whether the building elevations were adopted as part of the PUD or not.

It is staff's opinion that the intent of the City's architectural standards is to ensure long lasting quality buildings are built in the City. It is the staff's opinion that the proposed design meets that intent.

Chris Sadoris, Hubbell Realty Company, 6900 Westown Parkway, West Des Moines, spoke to the Commission regarding this project. Hubbell did hold neighborhood meetings regarding this project. This building will be 150 feet off of Beardsley. This is Hubbell's fifth project similar to this. Sadoris showed pictures of their other projects. She also mentioned that there is no vinyl on the project, as they removed all of that from the plans and used cement. The purpose of their exterior design was to try and make the building feel more residential and not large and cumbersome.

Commission discussed that if they did approve this, that they would not be setting a precedent for future projects. In general, Commission was good with the look of the project and glad that Hubbell exceeded requirements on the front facing portion of the building.

*Motion by Foldes and seconded by Fraser to approve the Site Plan for Edencrest at The Legacy. Approved 4-0.*

### **Discussion on potential amendments to the parkland dedication section of the City's Subdivision Ordinance.**

Parris reported that parkland dedication has been a hot topic at many Planning & Zoning Commission meetings as well as City Council meetings. A master park plan has been discussed.

Current concerns with the current process we are using and the lack of a defined master park plan, along with the lack of guidance on determining the fair market value of the parkland dedication requirement. The City's Comprehensive Plan does include a section on the parks system, but it only talks about future parks needs as the community grows and does not identify the location of the parks. Past practice when determining the "fair market value" for the parkland dedication has been to take the purchase price the developer paid for the property and use it to determine a per acre fee. Recently, questions have been raised to if this cost is sufficient to develop our park system. Parris used the recent Timber View subdivision as an example of how the current calculation works. Parris noted that Timber View actually dedicated parkland space within the development.

The purchase price of Timber View was \$15,024 per acre. There were 144 single family lots. The parkland space required would be 144 lots x 783 sf = 112,752 sf or 2.59 acres. Fair market value of parkland is 2.59 acres x \$15,024 per acre or \$38,888.57.

City Council has directed staff to research the potential cost of a comprehensive park plan and begin work on a draft RFP for the project. Council also asked staff to research other city codes to understand how different communities handle dedication requirements and to consider any minor modifications to the parkland dedication requirements that would address the concerns while comprehensive park plan is developed.

Staff researched and summarized five municipalities for the Commission in their report.

As the prices for park equipment and land have risen over the years, it doesn't appear that our parkland dedication prices have increased to stay in line with that. Therefore, our community is lacking in parks and park equipment. The only way to sustain this program is to change how we are currently handling parkland dedication. Parris explained that due to the many plats we have coming through, and that the actual RFP process to develop a master park plan will take time, we may need to look at changing our current requirements until that process is complete.

Commission agreed that they liked how Urbandale's requirements were set up. If land is not provided for a park, they determine their fee by multiplying the total purchase price of all the land in the development by 10%. Parris noted that there is a tipping point that makes it a better decision for the developer to provide the land than to donate the money. We don't want to make that number too low so that everyone decides to give money.

Riva commented that in the subdivision regulations under the private park section, developers are allowed to do something different for those and can then donate for a public park. She would like the percentage we are requesting from developers to be the same across the board, including those with private parks. The private parks are no good the community as a whole, only to those who are allowed to use it. Those developers should have to donate to the public park system also.

The Commission agreed that 10% seemed like a good amount to go with for now but would like staff to do more research prior to putting a plan in place. Riva also mentioned that developers should be required to show where their parkland will be located when they present their first concept for the development. Then they should have to hold true to that plan the entire way through the process.

### **Discussion and recommendation on amendment to the City's Urban Renewal Plan- 16-72**

Parris reported that the City Council has set a hearing date of November 17 to hold a public hearing on proposed amendments to the City of Norwalk's Urban Renewal Plan. The Urban Renewal Plan identifies areas in the community that are eligible to have TIF funds spent on projects within the boundary of the plan. Prior to the City Council public hearing, the Planning & Zoning Commission must review the requested proposal for conformance with the City's plans.

The proposed amendments are to add the commercial ground in the north Shore PUD, commercial ground to the east of Highway 28 near the North Shore, and the Turnberry project at Hughes Farm area of SubArea 1.

*Motion by Thompson and seconded by Fraser to approve the amendment to the City's Urban Renewal Plan. Approved 4-0.*

### **Staff Development Update**

Parris reported that staff is very busy and we are very short staffed right now. Parris has been named as Interim for Community Development Director to work on projects that previous director was handling. They are looking at adding an Economic Development Director in addition to a Community Development Director. There are two City Council members along with the mayor that are serving on a subcommittee along with City Manager to write the job description for the Economic Development Director.

### **Future Business Items**

**Sign Ordinance Review** – Parris explained this is something we probably want to take a look at amending. With all the development and commercial development on the horizon, we need to make sure we have this the way we want it before all those signs are approved. Pole signs are definitely a concern and right now are only allowed in C3 district, but might want to change that.

Riva commented it was mentioned previously that staff would research other communities and see what their sign ordinances looked like.

Digitized signs were discussed and what is actually allowed and what is not. McConnell noted that the Iowa DOT has a great resource of standards that they had to follow when getting their digitized sign on Highway 28 for the Lakewood Village Association.

**Next meeting Date – November 14, 2016.**

**Adjournment – 16-73**

*Motion by Fraser and seconded by Thompson to adjourn the meeting at 7:16 p.m. Approved 4-0.*

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Judy McConnell, Vice Chairperson

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Luke Parris, City Planner