

URBANDALE PLANNING AND ZONING COMMISSION MINUTES

December 11, 2006

The Urbandale Planning and Zoning Commission met in regular session on Monday, December 11, 2006, at the Urbandale Administrative Offices Building, 3600 86th Street. Vice-Chairperson Bill Kusy called the meeting to order at 6:00 p.m.

Commissioners present were Kevin Gass, Scott Weiser, Liz Hodgson, Judy Ralston-Hansen, Wayne Van Heuvelen, and Bill Kusy. Staff members present were Steve Franklin, Community Development Manager/Chief Planner, and Cheryl Vander Linden, Department Secretary.

The first item on the agenda was approval of the minutes from November 27, 2006. Mr. Weiser moved, and it was seconded by Ralston-Hansen, to approve the November 27, 2006 meeting minutes. On roll call; Ayes: Weiser, Ralston-Hansen, Gass, Hodgson, Van Heuvelen, Kusy; Passes: none; Nays: none. Motion carried.

The next item on the agenda was the public hearing on the "Walker Residence" Rezoning from "A-2" Estate Residential District to "R-1S" Suburban Density Single-Family District, 7601 Meredith Drive, case no. 010-2006-01.05. Mr. Kusy said if there were no objections, he would dispense with reading the following official publication:

Case No. 010-2006-01.05

OFFICIAL PUBLICATION

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Urbandale Planning & Zoning Commission will hold a public hearing in the Urbandale Administrative Offices Building, 3600-86th Street, Urbandale, Iowa at 6:00 p.m. on Monday, December 11, 2006, to consider a petition from James M. Walker and Phyllis Walker, owners, to rezone the following legally described property from "A-2" Estate Residential District to "R-1S" Suburban Density Single Family District:

The West 100 feet of the South 233 feet of the East 10 acres of the Southwest Quarter of the Southeast Quarter of Section 24, Township 79 North, Range 25 West of the 5th P.M., all now included in and forming a part of the City of Urbandale, Polk County, Iowa.

This property is locally known as 7601 Meredith Drive. The rezoning has been requested to make the existing property legally conforming with respect to the minimum lot area and width. More information on this proposed rezoning from "A-2" Estate Residential District to "R-1S" Suburban Density Single Family District can be obtained at the Department of Community Development, 3600-86th Street, Urbandale, Iowa

between the hours of 7:30 a.m. and 5:00 p.m., Monday through Friday. All interested parties either for or against this proposed rezoning will be heard at the time and place set forth above.

There were no objections to the official notice, as published.

Mr. Franklin said this request pertains to a residential estate located north of Meredith Drive. It has 100.0 feet of frontage on Meredith Drive and has a total area of 20,000 square feet (0.459 acre). There is a single-family residence and a detached three-car garage on the property.

The rezoning has been requested to make the property legally conforming in size, width, and setback, and to allow construction of a residential addition. The "A-2" District is a zoning district that is intended to be a "holding zone" similar to the "A-1" Agricultural Reserve District, to limit development prior to the availability of public infrastructure and facilitate redevelopment of any parcels that are created under the "A-2" District once public infrastructure does become available. Accordingly, the "A-2" District requires a 300-foot minimum lot width; 10-acre minimum lot area; 110-foot minimum front setback as measured from the centerline of the street in the case of an arterial street; 35-foot rear setback; and side yard setbacks of 205 and 30 feet, to "push" any residence to the side of any new parcels so a street could be developed through the center at some future date while retaining such residence. This parcel and residence existed prior to the creation of the "A-2" District and comprehensive rezoning of the City in 1973. The residence is approximately centered in the property with respect to side yard setbacks and therefore does not comply with the side yard setback requirements of the "A-2" District, nor with the minimum area and width requirements. At one time all of the surrounding properties were undeveloped and also zoned "A-2", but at this time all have been rezoned as public infrastructure became available and developed into single-family neighborhoods.

The proposed rezoning conforms to the Comprehensive Plan.

There is a 12" water main along Meredith Drive Street that provides service to this property. The property currently has a private septic sewer system, but public sanitary sewer service is available from a sewer that terminates near the northeast corner of the property.

Meredith Drive is classified as an arterial street and has a four-lane cross-section along the frontage of this property, with no further improvements programmed at this time.

Mr. Franklin said the single-family residences to the north and east are zoned "R-1S" Suburban Density Single Family District. The single family residences to the west are zoned "R-1I" Intermediate Density Single Family District, and the single family residences to the south of Meredith Drive are zoned "P.U.D." and are regulated by the

“Alpine Village” Planned Unit Development Master Plan (lot width and setback requirements follow the “R-1I” criteria).

Mr. Weiser asked what was zoned “R-1I”?

Mr. Franklin said “R-1I” is all of this area here to the west. These lots are just slightly bigger, with slightly bigger setbacks. This west property line is the dividing line here between the “R-1I” to the west and the “R-1S” that’s to the north and east.

The property is located in the Johnston School District. The property drains to the Meredith Drive storm sewer system.

Mr. Franklin said Staff recommends approval of the rezoning from “A-2” to “R-1S” subject to the following conditions:

1. Dedication of an additional 7 feet right-of-way for Meredith Drive, or alternatively easements over said property for sidewalk, roadway, storm sewer, and public utility purposes.
2. No additional access shall be allowed to Meredith Drive, and the location of the single existing access shall not be modified without the express written permission of the City Engineer.

Mr. Franklin said we think that we do already have the 7-foot easement. I talked with Dave McKay about it. We are looking into finding an actual signed copy so we need to verify that. However, if we don’t have easement, I have spoken to Mr. Walker and he is agreeable to grant that to us. I’d be happy to answer any questions you might have, and Mr. Walker is here tonight, as well, if you have any questions of him.

Ms. Ralston-Hansen asked what was the catalyst for starting this? I’m sorry, I missed that part.

Mr. Franklin said the Walkers had submitted a building permit to do an addition on the house, and because of the zoning designation, he didn’t have the sideyard setback that he would need. Whereas, with the R-1S zoning, he would have several feet left over and could easily do the addition.

Mr. Kusy said, as this is a public hearing, the Commission will take comments from both proponents and opponents of this proposed rezoning. He asked if anyone wished to speak in favor? Seeing no one, he asked if anyone wished to speak against it? No one stepped forward to speak in opposition.

Mr. Van Heuvelen moved, and it was seconded by Weiser, to close the public hearing. On roll call; Ayes: Heuvelen, Weiser, Gass, Ralston-Hansen, Hodgson, Kusy; Nays: none. Passes: none. Motion carried.

Mr. Kusy asked if any of the Commissioners had any comments or questions.

Mr. Weiser said it sounds like it was done right.

Mr. Van Heuvelen said it seems like the right thing to do.

Mr. Gass moved, and it was seconded by Van Heuvelen, to approve the "Walker Residence" Rezoning from "A-2" to "R-1S", subject to staff recommendations. On roll call; Ayes: Gass, Van Heuvelen, Weiser, Ralston-Hansen, Hodgson, Kusy; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the public hearing on the "Northpark Business Centre, Lots 2 and 5" Amendment to the Comprehensive Plan and Amendment to the "Northpark Business Centre" Planned Unit Development Master Plan, 8901-9099 Northpark Drive and 8900-9098 Northpark Drive. He said this item has been requested to be deferred indefinitely by the appellant.

Mr. Van Heuvelen said by deferring it, if we open the public hearing, does that mean that the City has to give notice again? Or what exactly is the proper procedure on this?

Mr. Franklin said I discussed this with Mr. Dekker earlier and we will renotify, regardless. We're deferring this, they don't know when they would like to come through, so at whatever point they decide they would like to bring it back again, we will provide notice again.

Mr. Weiser asked are there any particular issues there?

Mr. Gass asked did they get a staff recommendation that they didn't like, or what?

Mr. Franklin said yes, I think, essentially. I think they'd just like to revisit the request and discuss it internally and decide if it's something that they want to go forward with, at this point.

Mr. Van Heuvelen said so, by deferring it, we're just postponing it indefinitely and notice is going to have to be given again?

Mr. Franklin said that's correct. We're just putting it on the "pending list" to let them discuss it and decide how and when they would like to proceed. And at whatever point they would like to do that, we will send notice of it again.

Ms. Ralston-Hansen moved, and it was seconded by Hodgson, to defer the public hearing on the "Northpark Business Centre, Lots 2 and 5" Amendment to the Comprehensive Plan and Amendment to the "Northpark Business Centre" Planned Unit

Development Master Plan. On roll call; Ayes: Ralston-Hansen, Hodgson, Gass, Weiser, Van Heuvelen, Kusy; Nays: none. Passes: none. Motion carried.

The next items on the agenda were "The Square at Day's Run" preliminary plat, 128th Street and Meredith Drive, and "The Square at Day's Run" Site Plan no. 012-2006-16.00. Mr. Kusy announced that both of these items have been requested to be deferred until the Commission's next regular meeting to be held on January 8, 2007.

Mr. Gass moved, and it was seconded by Hodgson, to defer action on the "The Square at Day's Run" Preliminary Plat and Site Plan until the January 8, 2007 meeting. On roll call; Ayes: Gass, Hodgson, Weiser, Ralston-Hansen, Van Heuvelen, Kusy; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the "Hummel's Nissan Showroom Expansion" Site Plan No. 021-85-19.04, 4760 Merle Hay Road.

Mr. Franklin said this site plan proposes a 1,906 square foot building expansion to the east end of the existing car dealership facility, and eliminating approximately 4 parking spaces in order to construct two curbed parking islands with walkways into the showroom. The existing building has 20,965 square feet, bringing the total area to 22,871 square feet with the addition. A previous 5,871 square foot expansion to the building was approved April 29, 2003, and a parking addition was approved October 15, 2002. Architecturally, the addition will be primarily glass and metal to match the existing building. The current building and showroom, and the addition will need to be fire-sprinkled.

The property has a total area of 3.44 acres, for a Floor Area Ratio (F.A.R.) of 0.153. The lot has about 520 feet of frontage on Sutton Place and about 290 feet of frontage on the Merle Hay frontage road and is accessed in one location from Sutton Place and in two locations from the Merle Hay frontage road. A total of approximately 181 parking spaces are provided on all sides of the building. A minimum of 58 stalls are required by the Zoning Ordinance, on the basis of 1 space/400 square feet of gross floor area.

Topographically, existing elevations on the site range from 77 feet along the south edge of the site to about 72 feet at the Sutton Place right-of-way line, for an average existing grade on the site is about 1.74%. Proposed grading will be minimal in the new building addition area. The property drains north to the storm sewer in Sutton Place, which drains east to Merle Hay Road and eventually northerly under the Interstate and into Beaver Creek. Storm detention is provided in the northwest corner of the site. The site plan for conversion of the original detention basin to buried detention (storage provided in large pipes) was approved on October 15, 2002 as part of a parking lot addition.

The property is zoned "C-H" Highway Commercial District, as is the existing auto dealership to the south and the existing motels and restaurant to the north and west. The property to the east of Merle Hay Road is located in the City of Des Moines, and

has a zoning that is similar to the "C-H" District. The property is located in the Johnston School District.

Mr. Franklin said Staff recommends approval subject to requiring the developer to:

Add the existing and proposed building square footage to the plan; provide updated drainage calculations or certification that the existing calculations are still correct; provide fire sprinklers for all portions of the existing and proposed building that are currently unsprinkled.

Mr. Franklin said Dennis Hansen, with Environmental Design Group, is here to represent this site plan and answer any questions you may have.

Mr. Kusy said this is unrelated to the expansion request, but when we spoke a couple of months ago about that other property further to the west that was going to be some kind of a parking lot, I know there was discussion about a lot of street parking on Sutton Place. It sounds like, at least if I'm reading this right, that they've got more than adequate parking for this property. Where is all of that coming from?

Mr. Franklin said based upon what the Zoning Ordinance stipulates, they have far in excess of what they're supposed to have. I know our Zoning Enforcement Officer has visited all of those dealerships in that area and has sent letters to try and keep cars parked in the proper areas and off of the street. Cars parked on the street are more of a Police issue. The particular site that you have referenced, we have not received a site plan, so don't know exactly what will happen down that street. But we do have our Zoning Enforcement folks looking at that area occasionally and trying to keep the area clear, and keep cars parked where they're supposed to be parked.

Mr. Gass moved, and it was seconded by Ralston-Hansen, to approve the Hummel's Nissan Showroom Expansion site plan, subject to Staff recommendations. On roll call; Ayes: Gass, Ralston-Hansen, Weiser, Hodgson, Van Heuvelen, Kusy; Nays: none. Passes: none. Motion carried.

Regarding Staff reports, Mr. Franklin said just a couple of things to mention. It looks like for the January 8th meeting, we'll have one public hearing, which is a rezoning of the Belling property on 156th Street. And then we'll have the two items that were deferred tonight for "The Square at Day's Run", which would be the preliminary plat and the site plan. I would just also mention that we will not have a meeting December 26, the next meeting will be on January 8.

Mr. Kusy asked is there any update on Mr. Connolly?

Mr. Franklin said I do not have a recent update, no.

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Mr. Gass said he's out of the hospital.

Mr. Van Heuvelen said he's home?

Mr. Gass said well, I don't know where he is. He was not in where he was, let's just say that.

The meeting adjourned at 6:15 p.m.