

URBANDALE PLANNING AND ZONING COMMISSION MINUTES

December 8, 2008

The Urbandale Planning and Zoning Commission met in regular session on Monday, December 8, 2008, at the Urbandale Administrative Offices Building, 3600 86th Street. Chairperson Paul Pick called the meeting to order at 6:00 p.m.

Commissioners present were David Russell, Bill Kusy, Kevin Gass, Jeff Hatfield, Jill Creveling, Wayne Van Heuvelen and Paul Pick. Staff members present were Steve Franklin, Community Development Manager/Chief Planner and Cheryl Vander Linden, Department Secretary.

The first item on the agenda was to approve the minutes from the October 27, 2008 meeting. Mr. Van Heuvelen moved, and it was seconded by Hatfield, to approve the October 27th meeting minutes. On roll call; Ayes: Van Heuvelen, Hatfield, Russell, Gass, Creveling, Pick; Nays: none. Passes: Kusy; Motion carried.

The next item on the agenda was the "7425 Douglas Avenue Auto Repair" Site Plan No. 012-2008-14.00 (7425 Douglas Avenue).

Mr. Franklin said this site plan proposes a building addition, with 1,082 square feet of floor area to the west side of the existing 1,950 square foot building, along with pavement improvements and landscaping. The facility is being renovated and expanded to perform automotive service and maintenance, which is a conditional use in the "C-N" Neighborhood Convenience District. A Conditional Use Permit to allow automotive service and maintenance use was granted by the Board of Adjustment on November 5, 2008. The existing building is a former automotive service station originally constructed in 1969 (with subsequent minor additions and renovations, most-recently in 1997). The plan includes a proposed enclosed area, screened by a solid wood fence a minimum of 6 feet tall, on the north side of the building where all vehicles that are not actively being repaired within the yard or building shall be temporarily stored, which was a condition of the Board of Adjustment approval. Architecturally, the building addition will be predominately brick on the south and west elevations, and painted CMU's on the north elevation, which complies with the requirements of the "C-N" District. The addition and the existing building will need to be fire-sprinkled.

The property has a total area of 0.52 acres, for a Floor Area Ratio (F.A.R.) of 0.134 including the addition. The lot has 165.3 feet of frontage on Douglas Avenue and 143.82 feet of frontage on 75th Street. The property currently is accessed from two locations on Douglas Avenue and one location on 75th Street, however the western access on Douglas Avenue will be removed per the recommendation of the City Engineer and as also required by the Board of Adjustment approval because of a left-turn lane that will be constructed on Douglas at the 75th Street intersection. The remaining eastern access is shared with the adjacent fast-food restaurant and will provide adequate

ingress/egress from Douglas Avenue. A total of 6 employees are anticipated, and a total of 4 parking spaces are provided to the south of the building. A minimum of 4 stalls are required by the Zoning Ordinance, on the basis of 1 space/2 employees (per regular working shift) plus 1 space for the manager (3 spaces minimum).

Topographically, the site is quite flat. Existing elevations on the site range from high points of about 178 feet in the center of the site at the existing building, to a low point of about 175 feet along the southern boundary, the average existing grade on the site is about 3.2%. Proposed grading is very minimal and consists of cuts and fills generally less than one foot in depth. The property drains southerly to the storm sewer in Douglas Avenue. Storm detention is not required since the impervious area is being decreased.

Parking lot screening requirements are being satisfied by the planting of a continuous row of shrubs along Douglas Avenue and 75th Street. Sidewalk exists along Douglas Avenue and 75th Street. The property is zoned "C-N" Neighborhood Convenience District as are the properties adjoining to the east, south, and southwest, which consists of a fast-food restaurant, a retail/office building currently occupied by a martial arts business, a restaurant, and a drinking place. There are single-family residences adjoining to the north (rear), zoned "R-1S" Suburban Density Single Family District. The property to the west is zoned "P.U.D." Planned Unit Development District and governed by the "Cedar Ridge" P.U.D. Master Plan, and consists of retail and office commercial development. The property is located in the Urbandale School District.

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

1. Label the 6" curb and gutter replacement along Douglas Avenue; revise the proposed Juniper along the north property line to be Spruce or Fir trees (species to be approved by Community Development Dept.), and add 2 additional trees for a total of 7 new trees along the north property line; revise the proposed Dogwood shrubs and Day Lilies to be Euonymus, Ilex, Viburnum, or some other shrub (species to be approved by the Community Development Dept.); label the fence enclosure north of the building to be "solid wood fence, 6 feet tall (min.)"; label the existing fence along the north property line; and revise General Note #15 to "All existing site lighting shall be replaced, including "wal-packs" if any, with horizontally mounted luminaires with cut-offs to prevent light spill onto adjoining properties. Wal-packs also shall include a shroud or otherwise shield the bulb to prevent glare. Light poles shall not exceed 25 feet in height, if any are provided."
2. Provide detention calculations or certification that the impervious area has been decreased by the improvements; show all existing utilities including water and sewer service locations and sizes; verify if WRA will require the grease trap to be replaced or upgraded; provide a sand and oil separator; verify if the DNR will require any approvals for the proposed work; and remove any remaining underground fuel tanks

as required by the Fire Code.

Mr. Mike Simonson, Simonson and Associates Architects, 2420 128th Street, Urbandale, and Andy Schreck, Civil Design Advantage, 5501 NW 112th Street, Grimes, were present to represent this site plan.

Mr. Schreck said one comment to make on the site plan is, after our first submittal, the building actually has expanded a little bit further to the west. Instead of a 1,100 square foot addition, it's a 1,300 square foot addition now. I just wanted to clarify that to you.

Mr. Russell asked how many square feet was that?

Mr. Schreck said it went from 1,100 square feet to 1,300 square feet. It shifted the building about 5 feet to the west, but nothing that is going to impact any of the comments. But I just wanted to clarify that before you grant approval.

Mr. Gass asked is this a relocation or is this a new business coming to town?

Mr. Simonson said this is a relocation from just outside of Urbandale. This property is being purchased but the purchase hasn't been completed yet since we need to get through the approval processes first. So I don't want to tie ourselves to the current owner. These old gas station sites are sometimes difficult to redo. Fortunately we have a client that the property will work really well for. Their business is located at the corner of Merle Hay Road and Douglas Avenue at this time and is a service station where they do repairs and also sell fuel. They will not have fuel sales at this location.

Mr. Russell asked isn't there a pole sign there now?

Mr. Simonson said if there is a pole sign, it will be removed. It's part of this whole right-of-way discussion and the added green space. We are allowed to have a monument sign, although I don't think that our client intends to have one at this time. That hasn't been decided yet for certain, but in any case they will not have a pole sign.

Mr. Russell said the only other concern I had is sometimes with automotive repair shops, there are extra spare tires sitting around and auto parts that are out in view. I'm assuming that won't happen here? It will all be in the back, out of sight?

Mr. Simonson said we do have a track record. If you were to drive by the applicant's new site, you would find that it is rather neat and tidy. We did spend quite a bit of time discussing that sort of thing with Staff, where cars that are under repair would park. They do not sell cars off of the lot, this is strictly repair, and in meeting with Staff, we did agree to provide a containment area behind the building in the event that there were to be a couple of cars being worked on for an extended period that needed to be parked outside, rather than inside the bays. They would be kept in an behind the building so

they wouldn't be visible to the public.

Mr. Russell said the neighbors to the north, the hours of operation?

Mr. Simonson said that was discussed at the Board of Adjustment actually. I don't recall what the hours were. I think it's something like 6:00 a.m. to 8:00 p.m. At that time, we discussed the need to repair the fence that's there. I don't know how old it is, but it definitely needs to be repaired. And Staff also wanted us to provide additional plant materials in the buffer yard as well as along the street, which we certainly agree to.

Mr. Hatfield said this new building should be an improvement for the neighborhood. It will be a nicer building, cleaner, and won't have the noise from the car wash that was in the rear portion of the building before. So, it should be a big improvement.

Mr. Russell said I'm glad to see that corner will be occupied again. The property has been kind of an eyesore since the service station left.

Mr. Kusy asked when you close the westerly entrance as is being required, do you tear out the old curbing? Is there a sidewalk in front of there now?

Mr. Simonson said what we discussed with Staff and agreed to do is that we will be responsible for taking out the entire approach, and then the City will come back and redo the curb as part of the street improvements the City has planned. There obviously is a sidewalk there now, so we will be responsible for replacing the sidewalk.

Mr. Kusy asked is there some grass area that would be tied in then, so that it just looked like that was never there?

Mr. Simonson said yes. In fact, Staff asked that we be sure, during the grading operation, to grade it such that when the City acquires that right-of-way and widens the street, the City won't have to come back and grade on our property, and we're in agreement with that. So in all likelihood what you're going to see is a taper away from the street that would be sod and then it would slope back up. Because obviously during the street widening, they need to maintain the crown of that street profile.

Mr. Kusy asked Mr. Franklin if that intersection is on some future schedule to be redesigned?

Mr. Franklin said not that I'm aware, no time soon. It's just standard procedure for something like this, if we need a little bit more right-of-way, to go ahead and get it at that time.

Mr. Van Heuvelen asked with this additional 200 square foot expansion that we heard

about tonight, is there any possibility that it creates a problem for parking, setbacks, etc.?

Mr. Franklin said no, it would not. It would still be well below the threshold for what Fire would look at for the sprinkler situation. It would still be well behind any building setbacks or anything there, and the parking is actually based on the anticipated number of employees. So if that number would still be the same, then that wouldn't make any difference. We shouldn't have any concerns. We'll get an updated plan and review it to be sure.

Mr. Russell said sounds good, and like it's going to be a nice improvement to that corner and to the neighborhood.

Mr. Gass moved, and it was seconded by Russell, to approve the 7425 Douglas Avenue Auto Repair site plan, subject to Staff recommendations, excluding the necessity for a fire sprinkler system, and expanding the addition from approximately 1,100 square feet to approximately 1,300 square feet. On roll call; Ayes: Gass, Russell, Kusy, Hatfield, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

Mr. Gass asked how soon will they start? You have to dig those tanks up and everything, huh?

Mr. Simonson said that's all been done.

Mr. Gass asked was there any soil contamination?

Mr. Simonson said there is some contamination. It's being monitored. Work was done three years ago, so, as is typical, they continue to do the well testing over a period of time. But all of the tanks were removed.

Mr. Gass asked what's going to happen to your old place then?

Mr. Rich Higgins, 7825 78th Street, Urbandale, said my father sold the intersection. We own the Pizza Hut and the service station properties, and that's going to become a town center. There's going to be a large drug store that will be the anchor for a 2- or 3-story complex on that property. The fellow that my father is dealing with would very much like to use the funds that are available as a part of the Merle Hay Mall renovation to rejuvenate that whole block that faces Merle Hay Road. They think that that drive to Johnston, between Saylorville and Urbandale, is going to be the future. They see that as an expanding commerce area.

Mr. Russell asked how far north will that go? Will it go up past West Bank?

Mr. Higgins said Eichner, who purchased the property from my father, starts at West

Bank and goes to Merle Hay Road, and then across the street, to the Verizon store. One of the major things they did, Eichner and Merle Hay Mall worked together closely and had a traffic light put in where West Bank and Bankers Trust is. That is a dramatic improvement! So that will make that whole area more viable.

Regarding Staff reports, Mr. Franklin said we do not anticipate having a meeting on December 22.

I want to update you on two submittals that you considered. If you didn't know, the Hy-Vee P.U.D. amendment was approved by Council, and the Landmark Office Park rezoning was also approved.

And lastly, I'd like to introduce you to our newest staff member. Joining Mr. Dekker, Ms. Mac Bean and me is Annika Schilke. Her official title is "Assistant Planner/Economic Development Specialist". We're thrilled to have Ms. Schilke with us and she'll be helping us out.

Mr. Russell said she will be working with the Chamber, I think, as part of that too.

Mr. Franklin said yes, with the economic development side of things.

Mr. Hatfield asked what did you do before?

Ms. Schilke said I attended college in Minneapolis.

Mr. Gass said you came south, where it's warmer!

Mr. Franklin said the next time we meet we'll take up Chair and Vice-chair discussions.

Mr. Gass said I'm a lame duck. He said Mr. Van Heuvelen is too, I believe.

Mr. Van Heuvelen said yes, you're exactly right.

Mr. Gass asked will you go again if the Mayor wants you to?

Mr. Van Heuvelen said I'll have to get a raise!!! And my pension is starting to accrue now so it's starting to make it worthwhile. The Rule of 88 is applying.

Mr. Gass said I told Mr. Dekker that if the Mayor wants me to, I will. If he doesn't, I'm fine with that, as well.

Mr. Pick said so we'll talk about Chair and Vice-Chair at the next meeting then. Who is going to be at the meeting next Tuesday, with the Chamber?

Mr. Franklin said that's the preliminary meeting to talk about how to broach the subject of temporary "tent sales" that some businesses want to do from time to time. I believe Mr. Dekker is planning on attending, and I will also. I'm not sure if the City manager is going to go, or not. It is just an initial discussion to figure out how to tackle that particular issue, who would be allowed to put up temporary tents, what would be the conditions, much like what we did for signs. I assume we'll use the same type of process.

Mr. Russell said how that's going to be expanded or regulated. You're working with Adam from the Chamber.

Mr. Franklin said yes, Adam is on the committee. I think they've got a sub-committee put together. This will be the first initial meeting with everyone to try and get our arms around that subject.

Mr. Van Heuvelen asked where are tent sales happening? Do I miss them?

Mr. Franklin said we occasionally get permit applications for them. We'll get people who come in who want to put up a tent out in their parking lot over the weekend because they're having some sort of a sale or a grand opening, or whatever.

Mr. Russell said the car dealerships do that, don't they?

Mr. Franklin said yes, car dealers do it. Some, depending on what they are and how long they're going to be, for example, Hy-Vee has a conditional use permit which allows them to do that every year within certain criteria. There are other places like the car dealerships which do it every now and then, but they're in a zoning area where it's allowed with certain conditions. There are other people that come in and right now, under the current Zoning Ordinance, they're not really allowed to do it because they can't have any outside displays or sales. So we have to get our arms around that and figure out what's the best way to handle it.

Mr. Kusy asked does the City issue liquor licenses?

Mr. Franklin said yes. They contact Deb Mains, the City Clerk.

Mr. Kusy said the place that is now in where Razzamatazz was, are they having problems getting theirs?

Mr. Franklin said I think there was a ban for one year on that particular property because of the Razzmatazz issues. My understanding is they do not have one right now and they would like to get one, but I don't know what the latest is. If you look at Council agendas, there are typically two or three liquor license renewals that will be on the Consent agenda at each meeting. That all goes through the City Clerk's office.

Mr. Russell said the Hy-Vee site plan has passed through City Council, but has Hy-Vee signed on the dotted line yet?

Mr. Franklin said I don't know.

Mr. Russell said I think it's still up in the air, the last I heard.

Mr. Franklin said they were asked at Council when they would do the project and they didn't commit to any time table.

Mr. Russell asked did they work out the storm sewer and the curbing, and all of that?

Mr. Franklin said the drainage along Douglas? Yes. We talked about that, the way it was left is that there could be an opportunity to do a beautification project there on some of the islands and the medians along Douglas. They were clearly going to have some excess earth, whenever they would do the project. We agreed that we would talk at that time and see if we could do each other a favor and get some of that work done.

Mr. Russell asked is there going to be a new storm sewer in that ditch from the corner down to...?

Mr. Franklin said at the time that it gets filled in, there would be. We'll just have to wait to see exactly when happens.

Mr. Russell said I was just wondering whose expense that was going to be?

Mr. Franklin said Dave McKay left it that when they're ready and they've got extra dirt, we'll talk with them to get all of that worked out.

The meeting adjourned at 6:25 p.m.