

URBANDALE PLANNING AND ZONING COMMISSION MINUTES

May 27, 2008

The Urbandale Planning and Zoning Commission met in regular session on Tuesday, May 27, 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 Dave Russell, Jeff Payne, Kevin Gass, Bill Kusy, Jeff Hatfield, Judy Ralston-Hansen, Jill Creveling, Wayne Van Heuvelen, and Paul Pick. Staff members present were Paul Dekker, Director of Community Development, 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 the May 12, 2008, meeting. Mr. Payne moved, and it was seconded by Russell, to defer action on the May 12, 2008 minutes until the next meeting, when everyone had had a chance to review them. On roll call; Ayes: Payne, Russell, Kusy, Gass, Hatfield, Ralston-Hansen, Creveling, Van Heuvelen, Pick; Passes: none; Nays: none. Motion carried.

The next item on the agenda was the public hearing on the "Crossroads Business Park Ceiling Height Amendment to the Comprehensive Plan and to the Planned Unit Development Master Plat", 4000-4168 121st Street, case number 010-1994-02.03.05. Mr. Pick said, if there were no objections, he would dispense with reading the following official publication:

Case No. 010-1994-02.03.05

OFFICIAL PUBLICATION

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Urbandale Planning and 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, May 12, 2008, to consider a petition from Mr. J. Russell Hixson, Hixson & Brown, P.C., on behalf of Crossroads Business Park, L.C., owner, to amend the Comprehensive Plan and the "Crossroads Business Park" Planned Unit Development Master Plan for the following legally described property:

Lot 4, Crossroads Business Park Plat 1, an Official Plat now included in and forming a part of the City of Urbandale, EXCEPT Parcel "A" as described in the Plat of Survey filed in Book 8875, Page 1000 in the Offices of the Polk County Recorder, Polk County, Iowa.

This property is locally known as 4000-4168 121st Street. The amendment to the Planned Unit Development Master Plan has been requested to allow a clear ceiling height of 25 feet, to allow the property to be developed as a warehouse. More information on this proposed amendment to the Comprehensive Plan and the "Crossroads Business Park" Planned Unit Development Master Plan 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 amendment to the Comprehensive Plan and the "Crossroads Business Park" Planned Unit Development Master Plan will be heard at the time and place set forth above.

There were no objections to the official notice as published.

Mr. Dekker said this matter was continued from the Commission's May 12 meeting. Staff previously recommended DENIAL of the above amendment to the Comprehensive Plan and to the "Crossroads Business Park" Planned Unit Development Master Plan since it the proposed PUD amendment did not appear to conform to the Comprehensive Plan as it currently exists, and because an amendment to the Comprehensive Plan to allow this use on this property appears contrary to numerous Plan policies and strategies.

In a subsequent communication, legal counsel for the petitioner proposed that the Master Plan Amendment be conditioned on:

1. Any building on Lot 4 would be prohibited from having loading spaces on the south and west sides of any building.
2. Any building on Lot 4 would be limited to not more than two (2) dock-high loading spaces and not more than three (3) drive-in loading spaces facing to the north at any one time.
3. Any building on Lot 4 would be limited to not more than two (2) dock-high loading spaces and not more than three (3) drive-in loading spaces facing to the east.
4. Such conditions would be incorporated into the restrictive covenants and zoning as part of this Amendment.

In addition to the above, staff recommends that two additional conditions be included as follows:

1. No loading or unloading of commercial vehicles, commercial vehicle being as defined by Iowa Department of Transportation for licensing purposes, shall be permitted between the hours of 8:00 p.m. and 6:00 a.m.
2. Refrigerated storage shall not be permitted within the building; refrigerated trucks or trailers shall not be allowed to remain parked on the property between the hours of 8:00 p.m. and 6:00 a.m.; and uses generating odors other than those originating from vehicles shall not be allowed.

Staff recommends approval of the Comprehensive Plan and Master Plan amendments subject to all of the above 6 conditions.

Mr. Dekker said this request pertains to a property located west of 121st Street and between Ridgemont Drive and Prairie Avenue. The property MAY consist of two parcels if it is subdivided in the manner submitted with this request. The northerly conceptual parcel has an irregular shape that includes 709.27 feet of frontage on 121st Street; a north-south width of 455 feet along the west boundary; and a net area of 10.38 acres. The southerly parcel, for which no conceptual plans have been provided, would have a north-south width of 373.64 feet and a net area of 3.97 acres. Both parcels are currently vacant.

The rezoning has been requested to allow industrial development on the property, by amending the Planned Unit Development Master Plan to allow a maximum clear ceiling height of 25 feet instead of the 16-foot maximum clear ceiling height currently allowed. The existing P.U.D. Master Plan designates this property for business park development, which is generally characterized by lower

ceiling heights of 16 feet, sometimes less and infrequent situations a bit more, which is acknowledged by inclusion of a provision allowing ceiling heights of up to 19 feet as a conditional use.

Business/research park uses often tend to be of an office nature, but with storage/production components that sometimes don't "fit" in an office park environment. As such, they generally have higher parking requirements due to numbers of employees and quite limited truck loading/unloading facilities, often limited only to "drive in" doors. However, there are some business/research park uses that are somewhat industrial in nature, including many "pure" research facilities that include laboratories and "clean room" production, etc. As such, business park zoning has to allow for some industrial uses, and the ceiling height restriction is included as a key component of limiting the property development to business park development, with its overall low-impact, low traffic, generally office park character.

This was done specifically because the entire property is bounded by existing single-family residences. Office and business park developments generally are considered acceptable land uses next to residential neighborhoods.

Conversely, industrial uses in general are not compatible with adjoining single family uses. The proposed 25-foot clear ceiling heights are very characteristic of "high cube" warehousing such as that found in "Crossroads" and along 109th/112th Streets, as well as being conducive to other types of industrial uses. High cube industrial development may include significant truck traffic volumes and corresponding noise and fumes, and 24-hour/7 day/week operations depending on the business occupants at any given point in time.

The business park requirements of the PUD Master Plan also require the buildings to be predominately brick, rather than the precast concrete allowed for industrial development. This amendment did not include a request to allow precast, but conceptual building elevations submitted with this request show a building on the northern parcel that is predominately precast. The parking ratio proposed for the conceptual development correlates to an industrial use rather than business park.

Mr. Dekker said there are existing single-family residences adjoining to the east, zoned "P.U.D." Planned Unit Development District. The property to the south is part of this "PUD" and is designated for office and retail uses. There is an existing business park development to the north, and industrial development to the east of 121st Street, some of which currently is occupied in the manner typical of a business park. The Urbandale Fire Station is located to the southeast.

The property is fully served by public infrastructure, including a 12" water main and a public sanitary sewer along 121st Street. The property drains to the drainageway that runs along 121st Street and then to the south through Living History Farms and eventually into Walnut Creek. 121st Street is fully improved, with no further improvements planned with the exception of sidewalks and a traffic signal at 121st and Meredith. It has a two-lane collector street cross-section along the frontage of this property.

The property is located in the Dallas Center-Grimes School District.

Mr. Pick said, as this is a public hearing, the Commission will hear comments from both proponents and opponents of the proposal. First we'll hear from any proponent.

Mr. Russ Hixson, 1360 NW 121st Street, Suite A, Clive, said for Van Meter and Crossroads Business Park L.C. It looks like we have everybody here from the last meeting, and maybe one new member, but I wanted to summarize where we believed we were at the end of the last meeting. It was our understanding that P & Z was basically in agreement that our proposed use, warehousing, office and wholesale, was permitted under the P.U.D. and the covenants, and I've provided you a copy showing that warehousing and office is specifically allowed. However, there was a concern of a future user coming in if Van Meter left the building and the building was conducive for someone else coming in and using it for an industrial purpose even though we weren't. And I know one of the residents voiced that concern, also. There was also an opinion that the structure that we were proposing was not really conducive to an industrial use and I think Mr. Dekker indicated that that was probably true, with the dead space we are creating in phase 2 and given the limited movement of the truck traffic. However, in #4, as you can see, there was also some concern that Van Meter wouldn't be locked into this site plan and could really get the city to approve any site plan down the road. And I know that was a concern, too. And then #5, there was a concern, if I remember right, of only phases 1 and 2 being built, phase 3 not being built, and then the residents being able to see dock doors and what would happen if there were a line of dock doors then all the way down there. So it's with these concerns, I actually wrote Mr. Dekker a letter and said these are the concerns I think we have. And these are ways I think we can try to alleviate those concerns.

Mr. Hixson said the first one, of course, we put "no dock doors, drive-in doors, anything" on the west side here where the residents would front, to go ahead and protect the residents. We also put a limitation of no dock doors here on the south. This is additional business park/retail. The fire station is over here, and we wanted to protect that view from that intersection of Douglas and where all that retail was. And so we put that limitation of no dock doors there. We also put a limitation of only two high dock doors and three drive-in doors facing to the north. What we tried to do there is we wanted to limit the concern that if only phases 1 and 2 were built, we'd have a whole line of dock doors there. So we limited that, just to make sure that we'd have enough for our initial phases right here and then some additional doors in phase 2 if we needed to access those until we moved into phase 3. He said we wanted to make sure that we had less of a make-up than Mail Services did, just to our north. The third restriction is we wanted to make sure that, when facing the east then, you also had a limited amount of doors. The intent was to try to give you as much comfort as we could of saying look, this is the basic blueprint that we're going to build and we're willing to put limitations to that effect. And so basically it's this building that we are looking at building phase 1 of the warehouse here, phase 2, and then of course phase 3, then with our dock doors and our limited area here for the truck traffic. It's our belief that this gives, of course, the residents the best protection, the residents being back here, not only from the site of any trucks, but also from any sounds of loading or unloading that may go on.

He said the new issues or recommendations that we received from Staff that we weren't aware of the first time around, of course, were the loading times with respect to trucks, and then the refrigerated storage. Van Meter can agree to #2, of course, because it's not going to be a refrigerated storage and we're not going to have refrigerated trucks or trailers in there. However, we do have an intracompany transfer that is the basis of Van Meter's entire operation. As I told you before, this is going to be a hub or flagship for the Midwest of Iowa, and what happens is, they get product transferred into the Urbandale facility and that product will come in about midnight. Then they will get that product split up into the various truck runs that will go out the following morning. And those truck runs will go out anywhere from 6:30, 7:30 or 8:00, and to limit them not being able to have a truck

until 6:00 a.m. basically runs afoul of their entire operation and how they work. He said so what I want to do is all we want is to be treated similarly to the other businesses in the area. Of course here is where our proposed site is. We have the residential properties to the west, down here. We have Mail Services just to the north, and you'll note, and this is important, Mail Services was built on Lot 4 in Plat 1. It is business park, identical to the classification that we have. Then down here the next building is the Meredith Building, here in Plat 2. I want to look at those two because I think it's significant. This is the aerial photo of the Mail Services building. You can see here on the south are where their dock doors are, and they also have doors facing the residences here on the west. These are both drive-in doors. You can see here where their trucks are lined up. Here's our proposed site down here. This is the back, I went out and took photographs today, of Mail Services where the residences are along here in the back. They have drive-in doors and basically their trucks are parked here, from what we understand, all day long. And they are coming in and out. Of course we're not going to have any truck traffic like that. Mail Services has two drive-in doors on the west, they have five high dock doors on the south, two drive-in doors also on the south, for a total of nine doors, nothing near what we are proposing for Van Meter. The important part is that they were approved with no restrictions on their number of dock doors at all. They have no restrictions on the hours of their operation. I checked with the owner of Mail Services. He indicated that they've had no complaints whatsoever on their truck traffic to his knowledge. I confirmed that with Mr. Dekker, that he's not aware of any complaints. And he indicated that they have trucks leaving up until 11:30, they have a run that goes, and it's loaded up until that time, and then it leaves at night.

Mr. Van Heuvelen asked would these be similar trucks to what is proposed by Van Meter? Are we talking apples to apples, when we're talking about the trucks?

Mr. Hixson said you can from the photographs, if you go by there, they have semi trailer units parked there 24/7, and the only time they leave is once they're loaded. I know that they do have some van-type trucks, the ones in the back, that are coming and going, and my understanding is they have the big trucks that come and go, too, as they unload.

Mr. Van Heuvelen asked big trucks like Van Meter would have? The same thing?

Mr. Hixson said yes. One thing I do want to point out, the trucks that we have are not those big sleeper type cabs that you see. They're not over the road, and so they are more of the smaller type tractor-trailer units. We don't have to have refrigerator trucks or anything like that, that has to run all the time. Basically they pull up, they turn off, our midnight transfer is maybe 45 minutes. The entire time on the property and then it's gone. It doesn't stay there at all at any time during the day.

Mr. Gass said it's just one vehicle then? One vehicle goes in at midnight and unloads, and then it leaves?

Mr. Hixson said yes.

Mr. Russell said there are no other vehicles in or out the rest of the night?

Mr. Pick said it will be inside while it's unloading?

Mr. Hixson said it will pull up to the dock high door, I assume whatever space there is around it, but it

will pull up and it will be unloaded that way. And realize this, after phase 3 is done, we intend that all of that sound, view, everything, will be protecting the residential properties. But this property to the north of Meredith Building, it is in fact, from the assessor's web site, a warehouse, 118,000 square feet. It backs up to the residential properties over there. I went out and took photographs of it this morning. You can see that they have, across the back here, 12 dock high doors, one drive-in door, right here. They're industrial, but they have no restrictions on hours of operation in the P.U.D., no restrictions on the number of trucks, or traffic, or dock doors or anything. And the important thing I think to realize because we've tried to be a good potential neighbor, to the extent we can, is that this exact type of building, if it was 16 feet on hits ceiling height, could go on lot 4 with no restriction on anything because it is flat out permitted warehouse, as long as you don't exceed the 16 feet on the clear ceiling height. And so a building like this could be facing the residents, and obviously that's not what we want to do, and we don't think it's in the best interests of them. But I wanted to show that just to the north of this, this is going on and it's going on to a much greater extent than anything that we would be proposing. So our position is that, first of all, it's our use, what we want to do is specifically allowed in the P.U.D.s. When you're dealing what future use might be there, we think we've given the City and P and Z two protections there. First of all, the covenants and the P.U.D.s specifically identify those uses for lot 4 that can be used. So you can't come in and do manufacturing, and these other things that people might be concerned about. That gives the city a vehicle of protection for those. We've also then added these physical restrictions so that our building would not be conducive to an industrial use or any type of manufacturing use in the future. We've protected the residents to the best of our ability, probably more so than any of the other businesses around. When the single family dwelling was approved to the west, the Council was aware that warehousing was allowed on lot 4, and certainly it could be much worse than this for the residences. In fact, I think this is going to be better for the residents because you have to realize that many of the residents directly to the west, once our building is up and all phases are done, many of them will even be blocked from all that truck traffic and noise, and everything that's going on at Mail Services. So we think it's a very good situation for the residents. Mail Services obviously on the same lot, same plat, has nine unscreened truck doors with no restrictions at all, and I think most important, as I mentioned, if you went to the 16-foot clear ceiling height on lot 4, you could have warehousing on that entire lot, unlimited dock door heights, unlimited number of dock doors, no restrictions on hours, and no restrictions on refrigeration or the use. So we're okay with the refrigeration and that addition made by Staff. The only one is the limitation on hours that trucks can come and go. It just interferes with Van Meter's operation to the point that they can't do that. But I think we've tried to bend over backwards as much as we can to make this work, and with that, we would answer any questions you might have.

Mr. Gass asked is that merely a scheduling issue then? I mean, for example, if that truck shows up at midnight, it cannot show up at 8:00 p.m. or 7 :00 p.m. because of all different variables?

Mr. Hixson said I think that the issue is they have orders come in during the day, and then they decide where can we get that product from, how can we get it to Urbandale, that takes time to do. Get them here, they finally can get here by 11:00 p.m. or 12:00 a.m., whatever time they get here, then that truck has to be unloaded. The product has to be separated, has to be put in the separate orders for those trucks so they can go out in the morning. So I think it's just flat out timing. You can't get it done, and when they live by their service of "if we don't have the part, we will have it to you the next day", you just can't do that. So that's the issue for them.

Mr. Gass said sure, I understand.

Mr. Ralston-Hansen said I think this was asked before, I know there's no guarantee that you're even going to do the phase 3. But if you were, ballpark, in the next 2 years, 20 years? When?

Mr. Dave Lichtenour, Van Meter Industrial, 1751 Guthrie Avenue, Des Moines, said 2 to 4 years.

Mr. Payne said we may be repeating ourselves again, but the purpose for the higher ceiling was that there's inventory that requires a higher ceiling level?

Mr. Hixson said there's some inventory that requires a higher ceiling level, but the main purpose of it is that they stock and want to stock all products that their customers may need. And there's a lot of that product that they don't turn over on a daily basis. And so that first 15 feet, they may stock product that is turned over quite frequently, and that other 10 feet may be product that is not turned over hardly at all, but they need to have it on hand for their customers. So the need is that additional warehousing of that product up there that may be only needed once or twice a year, but they have to have it.

Mr. Gass said slow movers.

Mr. Kusy said when this one truck a night comes, it will not sit there and idle for the 45 minutes, is that correct?

Mr. Hixson said not that I'm aware of.

Mr. Lichtenour said no, it shuts off. It's unloaded with a forklift and about 45 minutes later, it's out of there.

Mr. Hixson said so as I indicated the first, we have no trucks, unlike Mail Services, that will sit outside. If they're not being loaded, they'll be either inside the building or they will be off the premises.

Mr. Lichtenour said that same truck comes to our building every day between 12:30 and 1:30 p.m. I would invite anybody to come visit our operation at 1751 Guthrie Avenue. It's a short-haul semi. I never hear it, period. It's not a long-haul type of truck. It's very quiet and I don't foresee that changing over the course of our operations.

Mr. Van Heuvelen said you don't foresee needing just one truck? If you built the next phase, would you need more trucks coming in at midnight to service your inventory supply?

Mr. Lichtenour said I really don't. We have a 140,000 square foot warehouse in Cedar Rapids that kind of feeds this location. I can't predict, in the future with infinite wisdom, but I really don't see the need for additional transfers. If we have the size facility that's outlined in that graphic, we'll have the ability to feed other offices, like Sioux City, out of that location without the need of additional transfers.

Mr. Pick asked if there was anybody who wished to speak in opposition?

Mr. Larry Loss, 4115 122nd Street, Urbandale, said I live immediately adjacent to where this would be built. I'd like to start with the fact that I think a lot of the neighbors are appreciative to the efforts that

have been made so far to take us into consideration in the design of the building. If it got to the point where phase 3 was constructed, you would be limiting a lot of the truck traffic both visually and audially. But as we do know, there is no guarantee that that will actually be built. I hope, for Van Meter and actually for Urbandale's, growth that it does, because it means you're being a very successful company and that's good for all of us. But we do have some concerns about what is the situation, if that isn't actually ever built, or if the zoning is changed to allow something like that warehouse area to be built but a different company is the owner of Van Meter or they've sold the building to somebody else who has different plans. And once you make a change that would allow industrial, you've opened the door for something else to take place in that location. I've seen some of the recommendations that were suggested by Mr. Hixson as additional covenant items and, I agree, those seem to be make sense and would help. I guess I come today and would recommend that be included in the City code in some manner, instead of just covenant. I sat here two weeks ago as you discussed the residential plots and the variance that you were going to do, and the need to include some of that language in what you were doing and were covenants actually enforceable or were they were strong enough to allow the changes and to prevent things from happening that you didn't want to have happen. So, you can't have covenants strong enough on one hand and covenants not strong enough on the other hand. So I would encourage that items that were going to be included in the covenants to actually be included in the zoning for this particular property. He said I feel strongly that way especially in the context that the future phases may not be completed by Van Meter. And if someone else were to come in, they would obviously look at potentially different uses for a structure that they may be willing to build. A couple of other thoughts that come to mind, just as I saw the presentation tonight. I'm assuming that the semi that comes at midnight is a diesel?

Mr. Lichtenour said yes.

Mr. Loss said and you shut the diesel semi in the winter?

Mr. Lichtenour said yes.

Mr. Loss said that seems kind of strange having driven a truck before, that in winter you never shut a diesel off. So I also have a question... you're going from approximately 30,000 square feet to 80,000 square feet and you're doing that in an attempt to grow your business, but we're hearing that there's maybe going to be one truck additional? That seems a lot of additional square feet that's necessary to only have one more truck in or out. Just an observation. You would know better than I would, but it seems like a lot of square footage for one truck a day. The Meredith building was referenced earlier. I believe there is residential to the west of that building, but if you go out there, you can plainly see that it's not anywhere near as close as the residential is that's being talked about here tonight. It's significantly closer in location here than behind the Meredith building. So, those are my comments.

Mr. Van Heuvelen asked what's the comparison with the Mail Services building? I believe we saw some pictures of the Mail Services building. Does that back to your property as well?

Mr. Loss said yes, it does.

Mr. Van Heuvelen asked is that any sort of a disturbance?

Mr. Loss said no.

Mr. Van Heuvelen asked is it the same proximity in terms of distance to your home as this will be?

Mr. Loss said actually I'm closer to Mail Services than I am to this particular building. I would be north of where your dock doors would be proposed to be built.

Mr. Van Heuvelen asked are there trucks in the evening at Mail Services that would be in view of your home?

Mr. Loss said because of the berm, I don't see them.

Mr. Van Heuvelen asked but do you hear them in the evening at all?

Mr. Loss said no. My biggest concern tonight is not that I think that this plan is bad or that it has major shortcomings. I would just like to see your recommendations be that items that are proposed as covenant items are proposed by the City itself be included in whatever the planning, or city code. I don't speak fluent planning and zoning here. But somehow to incorporate that into something stronger than a covenant because I sat here and listened to you guys for close to 2 hours whether the covenants proposed in other locations were actually strong enough or were able to be enforced adequately. And I think this, as proposed, is fine and takes residents' concerns into consideration. I'd just like to see that that be included in a manner that would guarantee that Van Meter, or any other owner of this property or building would follow what was being proposed to you tonight.

Mr. Hatfield asked if the proponents had any rebuttal they wished to make.

Mr. Hixson said the only thing would be that we had proposed they be put in protective covenants. I think Mr. Dekker actually came back and recommended that they also be placed in the PUD ordinance itself, and we think that's fine. The more protection, the better. So we'd be willing to have them put in both places, so the city would have a better ability to enforce them. So we don't have any problem with that.

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

Mr. Hatfield said site plan isn't, obviously, going to be considered at all tonight. But this would most likely have to have a berm or trees, similar to, or even more so, than Mail Services.

Mr. Dekker said the requirement along this property would be the same as for Mail Services., in terms of berm and landscaping.

Mr. Van Heuvelen asked what about this truck, where we're apparently not in agreement, trucks at midnight? What are your thoughts about the proponents' ideas that that just doesn't work? Is there compromise? What's your viewpoint of this?

Mr. Dekker said my job is to make sure you make an informed decision, whatever that decision might

be. And you're free to make whatever decision you want, but what I would have to tell you that where there have been concerns, it's been with a single truck, occurring late at night and being on premises for maybe 45 minutes or so making deliveries. And if that's happening at 11:30 and you're still up watching t.v., it's probably not a big deal. If it's happening at 1:30 a.m. and you're trying to get to sleep. Or it's happening at 9:30 p.m. and you have a baby that you're trying to get to sleep, it's probably not such a good thing. So to say that it's not a problem, I can't tell you that. It is a problem for some people. Whether you think that's a significant problem or not, it's your decision to make.

Mr. Van Heuvelen asked can you compare and contrast this to the Meredith property and the Mail Services property? What's the difference here?

Mr. Dekker said the Meredith property, for one, you recall that that was something that did go through as a PUD amendment. That there were no loading docks allowed on the residential side of the building, and that was a change that the City Council approved to allow subject to an extraordinarily high berm with landscaping on top of it, and there is a much greater distance between the residential in that situation and the residential here, because there is city park land that directly adjoins. So there is a greater separation. Those homes also don't face directly east, they kind of face to the north, so there's fewer homes that are impacted and the number of home that are impacted, there are a couple that are somewhat close, and then all the others get farther, and farther away.

Ms. Ralston-Hansen asked how about Mail Services? They have back dock doors.

Mr. Dekker said Mail Services has the dock doors on the side, which if you had a perfect world, wouldn't be where you'd want to see those, but they're allowed by ordinance. What Mail Services does in terms of their operation is those trailers are parked there, they're brought in and left. And then they're loaded during the day. So what comes is a cab that comes in, picks it up and leaves, and that's a very short duration, and that is a difference between being on-site while you're unloading.

Mr. Russell asked do you know how many times a night they come in to do that?

Mr. Dekker said to the best of my knowledge, once.

Mr. Russell said it's after hours, late hours?

Mr. Dekker said it generally is in the later evening hours. I think Mr. Hixson said around 11:30 p.m. and that kind of fits my recollection of what they had mentioned at the time, was that it was 11:00-ish, or somewhere in there.

Mr. Payne said I don't know exactly what our conversations were, but if this was categorized a warehouse and had lower ceilings, you could have multiple dock doors. We could have, in the current ordinance, trucks coming and going all night long, as long as the ceilings were lower. And so I think one thing Mr. Hixson was trying to get us to understand a little bit is. We all thought it was a warehouse, it's just that when we added the height, now it gets classified as industrial. I think that was the issue we were having. So then with industrial didn't fit the ceiling requirements. So, to me, it's a warehouse by nature of what the business. I understand the risks are with a future owner of the building. I don't know, it's an interesting concern.

Mr. Dekker said not to beat it to death, but probably a good analogy is between Mail Services versus the Bulk Mail Center. They're both processing mail, so it's the same use, arguably. But what's the difference is how it's laid out and how it's operated. That's an enormous difference, as to which you would rather live next door to.

Ms. Ralston-Hansen said I would take this layout over Meredith and Mail Services any day of the week.

Mr. Russell said especially after Phase 3 is done.

Mr. Gass said I don't know that somebody's going to invest that kind of money in that property with only building that initial phase. That's a big piece of property, it costs a lot of money, so I just don't see them investing in that building just there without definite plans of expansion. As far as the noise goes, I guess I'll offer my opinion and I certainly don't want to undermine the neighbors' concerns because they are valid. But where I live just off of 100th Street on Alpine Drive, I can hear the interstate, if the windows are open I hear the trucks going by all the time. So I don't know that one truck is necessarily going to add to the level of noise. My opinion, we have trucks and we go into areas where we are told that you have to shut the truck off, even a refrigeration unit. And when you've got temperature-sensitive items on there, sometimes that gets a little concerning in the summertime. Nonetheless we do it because those are the covenants of the neighborhood. So you can control that, you can tell whoever is driving the truck that once you get there, you set your brake, you shut the truck off, and it doesn't start again until you're ready to leave. There again I don't want to minimize the neighbors' concerns about that, but I just don't see this as being a deal-breaker for this plan.

Mr. Hatfield said I think there's no perfect compromise, but I think this one is probably much better than what could adjoin the residences. I think this developer and this owner have gone above and beyond, and will continue to go above and beyond, to continue to make this thing work. So I don't have any strong problems with this plan as long as they follow through with what they're saying that they will. I actually googled your company and it looks like a great company, a nice web page. So if you glean a company's image off of a web page, it was a nice presentation. So if you can continue all the way through site and through your operations to make the residents happy, I think this is better than 80% of what could be there. And I think they've gone above and beyond to make this work for the residents and for the city.

Mr. Russell said I really appreciate how this developer has worked with the neighbors. After coming from 10 years of sitting on the Board of Adjustment, we would see time after time there would be requests for variances or conditional uses, and they wouldn't talk to the neighbors, they didn't care about the neighbors. They said this is our plan, this is what we want. And the neighbors would be in an uproar, but they wouldn't talk to the neighbors. So we always found that, when they do talk to the neighbors, they work with the neighbors, there's a spirit of cooperation which I sense here, then it's always a win-win for both sides. I just wanted to tell you I appreciate how you have worked with the residents to put this project together.

Mr. Hatfield said and we still have site plan issues, but if you'd continue to work with them during site plan, that would be great, too. That would help everybody.

Mr. Van Heuvelen said obviously, a good company. Mr. Hixson, you made a great presentation. Not a lot of flack from the neighbors although they probably haven't received notice of just exactly what we're thinking about doing today. But once again, we come to the thing that we aren't approving a business, we're approving a building. And just to step back for a second and say what is the worst-case scenario here that could possibly happen? And that is that Phase 3 doesn't get built and I know this won't happen, but it is something that happens everyday, we witness it here in Central Iowa all the time, certainly recently we've witnessed it. But if indeed the building would be sold with no restriction on trucks coming and going all night long, as proposed here, trucks could be coming and going all night long. Now, they've indicated that their one truck they're going to need per night. But what if we said "only two trucks"? Double what they really want and even as they foresee into the future, put a restriction that only two trucks can come in during the course of the evening. That's double what they requested and double what they can foresee in the future, but it still kind of protects us in a worst-case situation if this doesn't happen just exactly as we think and pray that it does happen?

Mr. Russell said so you think we should make it for two trucks, to anticipate potential growth? What happens if they don't need it?

Mr. Van Heuvelen said even with their potential growth, they could never see needing more than one. So I'm proposing give them double what they want and that way, even in a worst-case scenario, we aren't going to run into a situation where the neighbors are calling Mr. Dekker or his successor, 10 years hence from now, saying boy, there are trucks and everything else going on all night long. That the worst-case scenario would be two trucks. Double what they could possibly foresee in the future with the growth.

Ms. Creveling said so basically you're saying amend this first edition that Mr. Dekker had, to allowing two trucks between 8:00 a.m. and 6:00 p.m.?

Mr. Van Heuvelen said yes, a maximum of two.

Mr. Hixson said that would be acceptable to us.

Mr. Russell moved, and it was seconded by Hatfield, to approve the Crossroads Business Park Ceiling Height Amendment to the Comprehensive Plan and Rezoning from "A-1" to "R-11", subject to Staff recommendations, specifically that loading and unloading would be allowed for up to two commercial vehicles as defined by the Iowa Department of Transportation for licensing purposes between 8:00 p.m. and 6:00 a.m. and specifically those units would not be refrigerated storage units that would be allowed during those hours. On roll call; Ayes: Russell, Hatfield, Payne, Kusy, Gass, Creveling, Ralston-Hansen, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

Commissioner Russell had to leave the meeting after the first public hearing.

The next item on the agenda was the "Reel Property-Golden Tusk Group-Rezoning" Amendment to the Comp Plan and Rezoning from "A-1" Agricultural Reserve District to "R-11" Intermediate Density Single Family District, 144th Street and Douglas Parkway, Case no. 010-2008-01.01.

Mr. Pick said, if there were no objections, he would dispense with reading the following official publication:

Case No. 010-2008-01.01

OFFICIAL PUBLICATION

TO WHOM IT MAY CONCERN:

Notice is hereby given that the Urbandale Planning and Zoning Commission will hold a public hearing in the Urbandale Administrative Offices Building, 3600-86th Street, Urbandale, Iowa at 6:00 p.m. on Tuesday, May 27, 2008, to consider a petition from Mr. John Snyder on behalf of The Golden Tusk Group, LLC, owner, to amend the Comprehensive Plan and rezone the following legally described property from "A-1" Agricultural Reserve District to "R-1I" Intermediate Density Single Family District:

Parcel "R" of the Southeast Quarter of the Southeast Quarter of Section 24, Township 79 North, Range 26 West of the 5th P.M., all now included in and forming a part of the City of Urbandale, Dallas County, Iowa.

This property is located north of Douglas Parkway in the 14400 block of Douglas Parkway, immediately west of Walnut Creek. The rezoning is proposed to allow a single-family home development with minimum lot widths of 80 feet. The Comprehensive Plan Land Use Map currently designates the property for townhome development. More information on this proposed amendment to the Comprehensive Plan and rezoning 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 amendment to the Comprehensive Plan and 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 property located on the north side of Douglas Parkway at about 144th Street, immediately west of the Walnut Creek Regional Park. It has a total area of about 9.51 acres and has 597.13 feet of frontage on Douglas Parkway. The property is currently vacant. A mass-grading plan to allow the property to be filled with "imported" earth, at the risk of the developer, to raise the elevation of the site above the 100-year flood elevation of Walnut Creek and allow for future development was approved by the City Council on May 6, 2008.

The rezoning has been requested to make the existing property legally conforming with respect to the minimum lot area, and to allow future development of the property into a single-family residential subdivision. Both a preliminary plat and final plat showing future lot configurations will need to be approved by the Planning and Zoning Commission and City Council prior to any development. The minimum lot width required by the "R-1I" District is 80 feet, and the minimum lot area requirement is 10,800 square feet. Parkland dedication requirements of the Parkland Ordinance were previously satisfied by dedicating land for the Walnut Creek Regional Park.

The existing Comprehensive Plan Land Use Map designates the property for attached single-family (townhome) development. The proposed rezoning would result in less intensive use than the existing

Plan designation, so approval of an amendment to the Comprehensive Plan to allow the rezoning appears reasonable and appropriate.

Water service is available from a 16" water main located along the north side of Douglas Parkway. Sanitary sewer service will be obtained by extending laterals from either an existing sewer that runs along the south side of Douglas Parkway, or from a sewer trunk located north and east of the site within the Walnut Creek Regional Park. Douglas Parkway is fully improved with a four-lane cross-section plus turn lanes that was completed in 2007.

The property is currently zoned "A-1" Agricultural Reserve District. It drains easterly to Walnut Creek. The properties to the east, north and west are also zoned "A-1" Agricultural Reserve District. The property adjacent to the west is a residential estate, and the Walnut Creek Regional Park adjoins to the north and east. Across Douglas Parkway to the south are single-family residences along 144th Street that are part of the Hallbrook development, zoned "P.U.D." Planned Unit Development District and required to have 75-foot minimum lot widths. The property is located in the Waukee School District.

Mr. Franklin said Staff recommends approval of the above amendment to the Comprehensive Plan and rezoning from "A-1" to "R-1" subject to the following condition:

A berm and buffer plantings shall be provided in a 50-foot landscape setback along Douglas Parkway in accordance with the criteria of Section 4.34 A, paragraph 2 of the Zoning Ordinance.

Ms. Ralston-Hansen said a couple of weeks ago, we had someone come and talk about the gated community. That's just east of here?

Mr. Franklin said that is this property.

Ms. Ralston-Hansen said that is this property. Okay.

Mr. Franklin said so the grading plan's been approved. This is the request for the rezoning and then obviously the next steps would be to come in with the preliminary and final plats.

Mr. Pick asked how many feet above the 100-year floodplain were they building up?

Mr. Franklin said they have to have everything at least one foot about the 100-year flood. I think they were shooting for 2 feet. But Mr. Gibson or somebody can probably address that, when they come up.

Mr. Gass said that's Walnut Creek along there on that east side?

Mr. Franklin said yes, that is correct. This is Walnut Creek. This whole parcel here to the east is part of Walnut Creek Regional Park. It is all parkland and this is Walnut Creek that you see running here.

Mr. Gass said and Rosewood is just to the east of that?

Mr. Franklin said that is correct, just to the north and the east.

Ms. Ralston-Hansen said so help me understand again, between the development and the creek, is that just open land?

Mr. Franklin said this northern and eastern boundary of their site adjoins this property which is all part of Walnut Creek Regional Park, yes.

Mr. Pick asked if there was anybody present who wished to speak in favor of this proposal.

Mr. Bob Gibson, Civil Design Advantage, 5501 NW 112th Street, Grimes, said you have seen this before, it is that gated community. So, like Mr. Franklin said, we're just taking it to the next step. We're in agreement with Staff, although we do have, I wouldn't say it's an issue, but that one condition, which is the typical 50-foot buffer, landscape separation along an arterial like Douglas to protect these homes, we've got some significant separation.. But you can see in this graphic here, we're going to save most of these cedars. That line, the bike trail, that's there, but inside of that we've got a pond that we want to build, a pretty significant pond, so we're providing a lot of separation from Douglas, but we don't have room for that full 50 feet and a berm. So we'd like to throw out the idea that the pond, additional landscaping within here, as well as a wrought-iron fence, it will be an open fence but it will have a lot of landscaping within it, and probably stone columns or some kind of masonry at regular spacing along there, would serve the same purpose. As well as the fact that these homes are setback more than 100 feet, this one being the closest one is more than 100 feet from the right-of-way of Douglas. So again, we're looking at this as being an exclusive area. It's only 10 lots, gated community and what we're showing here is a pretty significant entry. Using the existing trees, the fence, the gate, the landscaping, and the pond to give it an even greater sense of exclusivity, it's a beautiful piece of ground. It backs up against the park. There are some good trees to the north and to the east, and Rosewood is over there, so it's a lovely piece of ground. As far as the zoning is concerned and Staff's recommendation, we're all good with that, except we can't really do a 50-foot berm. We can do the buffer if the pond is included as part of the buffer.

Mr. Hatfield asked Mr. Dekker what he thinks about the compromise that Mr. Gibson brought up?

Mr. Dekker said if you want to add in "berm or landscaping or lake", that's fine.

Mr. Pick asked wasn't there an issue also on the back edge of the development, that it was feeding into something else and you wanted to try to cut that off?

Mr. Gibson said that's an issue we can discuss now, if you so desire. It's more one of preliminary plat. But it is one issue that we have a respectful disagreement with Mr. Dekker on, the need for a connection to the west. And again it's an exclusive community. They want to gate it. And to connect it to the west would kind of defeat that purpose, if you put another gate there, there would be no purpose for that connection. The cul-de-sac is at 600 feet so it's within that maximum length that doesn't require another connection. But again, that's actually a decision I don't think you guys can even make. It's just an issue for later. But we are submitting a preliminary plat tonight, which I'm assuming that you've got right there. So it will be before you in a few weeks.

Mr. Pick asked are there any comments from opponents?

Seeing no one, Mr. Kusy moved and it was seconded by Ralston-Hansen, to close the public hearing. On roll call; Ayes: Kusy, Ralston-Hansen, Payne, Gass, Hatfield, Creveling, Van Heuvelen, Pick; nays: none. Passes: none. Motion carried.

Mr. Gass said it looks like a pretty nice place. He asked how many truckloads of dirt is it going to take to get this grade to where it needs to be?

Mr. Gibson said about 80,000 yards.

Ms. Ralston-Hansen said I think this is a nice use for that property, after all of the turmoil that intersection has gone through. I think this is a nice addition.

Ms. Ralston-Hansen moved, and it was seconded by Hatfield, to approve the Reel Property-Golden Tusk Group-Rezoning, subject to staff recommendations, with the exception that it will be a 50-foot landscape setback or a lake. On roll call; Ayes: Ralston-Hansen, Hatfield, Payne, Kusy, Gass, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

The next item on the agenda was "Waterford Landing Plat 2" Preliminary Plat (160th Street and Northview Drive).

Mr. Dekker said this preliminary plat covers property that is part of the "Waterford Landing" Planned Unit Development District. The property has a total area of 56.19 acres and 1,682.27 feet of frontage on Waterford Road and 1,317.30 feet of frontage on 156th Street, including the existing rights-of-way for 156th Street and Waterford Road.

There are a total of 69 building lots proposed. The lots have widths of 80 feet in the southeast half of the plat and widths of 75 feet in the northwest half of the plat. An amendment to the P.U.D. allowing 4 lots to have 70-foot lot widths was approved by the City Council on March 25, 2008. Lots 15-17 and Lot 69 are the lots allowed to have 70 feet of lot width. Lots 15-17 adjoin along the south edge of the parcel and were required to have 80-foot minimum lot widths. Lot 69 is the corner lot located adjacent to Waterford Road on the west side of 160th Street that was required to have a 75-foot minimum lot width. The Lot areas range from 9,377 square feet to 26,083 square feet, with most lots ranging from 9,377 square feet to 16,528 square feet.

The lots will be accessed from several new streets. The proposed plat will provide an access to Waterford Road to be known as 160th Street, which extends south connecting to two east-west streets and continues south to Northview Drive and into "Waterford Landing" Plat 1. Northpark Drive and 161st Street temporarily dead-end at the northwest corner of the plat and will eventually extend north and west into the remainder of the "Waterford Landing" P.U.D. These streets will be classified as local residential streets, which are required to have a 50-foot right-of-way width and 26 foot paving width. Additional right-of-way is required to be dedicated along Waterford Road to provide a 120-foot total right-of-way width.

The plat proposes an approximate 21-acre open space dedication in the east portion of the plat adjacent to 156th Street and is the floodplain of Walnut Creek. Nearly all of the proposed dedication is floodway. A 12" water line will be extended west along Waterford Road. Sanitary sewer service will be extended north from "Waterford Landing" Plat 1 and will be extended west from the sewer trunk

constructed along Walnut Creek. The interior lines will be the standard sizes, i.e. 8".

Proposed grading consists of cuts generally ranging from 2 to 6 feet in depth, in the southerly portion of the site. There are also fills of 2 to 7 feet in depth in the northeast/ north central portion of the site. Storm detention is provided in the southeast corner of the plat and west of Outlot B.

The property is located in the Waukee School District, and drains to the east to Walnut Creek, which runs through the Parcel. "Waterford Landing Plat 1" lies to the south and is conditionally zoned "R-1S" Suburban Density Single Family District. The properties to the east, northeast, and north are all zoned "A-1" Agricultural Reserve District at this time. The properties to the east and northeast are currently used for agricultural purposes and are designated for 75-foot minimum lot width single family detached residential with the exception of townhouses at the 156th and Waterford intersection. There are existing residential estates located to the north of the east half of the parcel, and an agricultural parcel to the north of the west half. To the west is an undeveloped portion of this P.U.D. that is designated as single-family detached lots with a 75-foot minimum lot width.

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

1. Submit an Attorney's Opinion for approval.
2. Provide drainage calculations for the plat in the format outlined in section 2A-5 of the SUDAS Design Manual: as the calculations need to address the undetained flows, a detailed drainage map needs to be provided showing all areas and their acres, and if necessary include the future plat in these calculations; provide a note that detention basin maintenance will be the responsibility of this plat's Homeowners Association; extend the storm sewer in the detention areas to the creek; resolve the conflicts between the storm sewer and sanitary sewer on Lots 10-13 and at Lot 64; provide an erosion control plan; extend the existing storm sewer pipe from Lot 21 to the plat boundary at Lot 27, so it can connect to the proposed pipe in the Highland Meadows Plat; show the existing contours and proposed contours on Lots 22-28 and verify this area will drain, as it appears that these lots may have drainage problems; provide a storm sewer easement and storm sewer tile line in the back yards of Lots 29-51 and Lots 53-62 and note that maintenance of the tile line will be the responsibility of the HOA; provide rip rap at all storm sewer outlets; provide additional permanent erosion control measures along the creek channel at outside bends to reduce erosion; provide a copy of NPDES Permit prior to final approval of preliminary plat.
3. Move the sanitary sewer pipe near Lots 24 and 25 out from under the pavement; move Northpark Drive further north in front of Lots 58 and 59, as the easement encroaches into the front yard setback; provide sanitary sewer easements at the time of final plat submittal, if sanitary sewer easements have not been finalized with the USSD by the time of the final plat; provide temporary blowoffs for all water mains terminating at the plat boundary; provide a note that the water main along 156th Street and Waterford Road will need to be constructed with this plat.
4. Show the Walnut Creek and the existing contours in the outlot area; provide sanitary, storm sewer and SWF easements, we recommend the easements be 30' wide or twice the depth of the sewer, whichever is more; move manholes for the storm and sanitary sewer to the lot lines; coordinate this preliminary plat with the Highland Meadows plat to the west by verifying that all

street and utility locations will match with the Highland Meadows plat; show the Highland Meadows proposed plat along the west side of this plat.

5. Provide a future street profile for Waterford Road and sight distance calculations based on the existing road as the location of the proposed street (160th Street) intersecting with Waterford Road has the potential to have sight distance problems; provide a 40' temporary easement along Waterford Road and 156th Street at the time of the final plat for the reconstruction of Waterford Road and 156th Street.
6. Provide a petition and waiver agreement for one-half of 31-foot pavement on 156th Street and the remaining unimproved portion of Waterford Road that is in accordance with the City's standard specifications or provide a cash escrow or surety for such improvements at the time of the final plat, or construct improvements to 156th Street and the remaining unimproved portion of Waterford Road of equal value as determined and approved in writing by the City Engineer.
7. Extend water mains and all other public infrastructure along the entire frontages of 156th Street and Waterford Road as required by the existing Planned Unit Development Master Plan, and at such time as may be required by the Urbandale Water Department and City Engineer.
8. Provide off site easements. Offsite easements documents will be required prior to approval of construction drawings or a letter stating the property is owned by the developer. Show limits of property owned by the developer for offsite easement determinations.
9. Verify the lot widths for Lots 55, 58 and 59 (must be 75-feet at the building setback line); re-establish the front yard setback on Lots 58-60; show setback lines and callout dimensions, specifically the front setback requirement on all streets; show the correct street names, as provided by the Community Development Department; move the minimum floor elevations (M.F.E.) from the outlots to the corresponding buildable lots (as outlots are unbuildable); label the purpose of Outlots A B C and D on the actual lot; re-label Outlots 1A-14A to Outlots E through R; change note #2 to state that ownership of Outlots E through R shall remain with their respective lots.
10. Dedicate Outlots "A", "B", "C" and "D" to the City to satisfy Parkland Ordinance requirements as previously approved by the Parks and Recreation Commission and City Council.

Mr. Kusy said this is the parcel directly east of the subject we talked about last week?

Mr. Dekker said correct.

Mr. Kusy asked how come I was under the impression that we'd already approved this?

Mr. Dekker said the Commission and Council both approved that amendment in about March, somewhere in there.

Mr. Joe Petrazinski, Hubbell Realty, 6900 Westown Parkway, West Des Moines, said we're in agreement with Staff.

Mr. Gass moved, and it was seconded by Hatfield, to approve the Waterford Landing Plat 2 Preliminary Plat, subject to Staff recommendations. On roll call; Ayes: Gass, Hatfield, Payne, Kusy, Ralston-Hansen, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

The next item on the agenda was "Walnut Ridge Business Park Plat 7 (fka Douglas @ I-35/80)" Preliminary Plat Time Extension (128th Street and Meredith Drive).

Mr. Franklin said this is a request for a time extension for approval of a preliminary plat covering property located south of Douglas Avenue, east of Interstate 35/80 on both sides of the proposed realigned 111th Street and north of Justin Drive. The preliminary plat was originally approved by the City Council on August 31, 2004, and a reconfiguration of the plat was approved by the City Council on July 3, 2007. The Subdivision Ordinance requires that a final plat be submitted within 365 days after approval of the preliminary plat, unless a time extension is granted. Otherwise, the preliminary plat becomes void. Filing a final plat for a portion of a preliminary plat automatically extends the time for the remaining plat for one year after the date of the final plat approval.

There are a total of ten building lots and one outlot proposed for this preliminary plat. The buildable lots generally have lot widths ranging from 214.99 feet to 498.57 feet, and areas ranging from 0.73 acre to 8.32 acres. The property is zoned P.U.D. Planned Unit Development District. The portion located east of 111th Street between Douglas Parkway and Justin Drive is part of the "Bolton-Hay Property" P.U.D. and the area west of 111th Street is part of the "Douglas @ I-35/80" P.U.D.

The property has a total area of 39.96 acres, and has approximately 1,034.78 feet of frontage on Douglas Avenue, approximately 310.74 feet of frontage on the western extension of Justin Drive to 111th Street; and about 1,245 feet on the proposed realignment of 111th Street. The property has mostly been used for agricultural purposes, exceptions being the existing right-of-way for 111th Street and a former gas service station site to the southwest of the original 111th Street and Douglas Avenue intersection.

The lots will be accessed from the realigned 111th Street. The 111th Street and Douglas Avenue intersection was relocated approximately 250 feet west to improve the intersection configuration when the Douglas Avenue/Parkway interstate interchange was reconstructed. The intersection was also signalized at that time.

The P.U.D. Master Plan requires 111th Street to have a 100-foot right-of-way except at the Douglas intersection, and requires a traffic study to be completed to determine the pavement width and configuration. The PUD Master Plan controls access to 111th in accordance with standard City policy, unless alternative measures are determined to be appropriate by a traffic study.

Justin Drive intersects 111th Street at the southeasterly corner of the plat, having been completed in 2006 to connect 109th and 111th Streets. 111th Street is a dead-end to the south of Justin Drive, terminating at the north boundary of Living History Farms.

No parkland dedication is required for a non-residential plat. A 12" water main will be constructed as part of the public improvements in the 111th Street relocation. There is an existing 20" water main in Douglas Avenue and a 12" existing water main in Justin Drive that the 111th Street main will connect. Sanitary sewer service will be extended from a sewer trunk that currently terminates a short distance

west of the southwest corner of this property. The sewer trunk was constructed to serve this and the other properties south of Douglas Avenue in the 111th Street corridor.

Proposed grading consists of cuts up to 14 feet in depth in the area along the west side of Lot 7 adjacent to the Interstate. There are also fills of up to 20 feet in depth through the central part of the plat through Lots 5, 9 and 10. No on-site storm detention is provided at this time, but will be required for each lot as it is developed, and must be shown on the site plan.

The property is located in the Urbandale School District and drains to the south along 111th Street to a drainage way that runs southeasterly through Living History Farms and eventually into Walnut Creek. An existing motel and convenience store to the northeast are zoned "C-H" Highway Commercial District. The "Walnut Ridge Business Park" development to the east and southeast are zoned "M-1" Light Industrial District. To the north, across Douglas Avenue, is the Continental Western office park zoned "C-P" Planned Commerce Park District. To the west of the Interstate is a property zoned "A-1" Agricultural Reserve District that is a part of Living History Farms, and to the south is another property zoned "A-1" Agricultural Reserve District.

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

1. Submit an Attorney's Opinion for approval.
2. Begin the process of vacating the right-of-way for the old 111th Street right-of-way and provide a warranty deed for the new 111th Street prior to the approval of the construction drawings.
3. Update the roadway and utility improvements to match the current construction drawings; provide a sanitary sewer stub for Lot 6; provide a sanitary sewer easement on Lot 8.
4. Provide storm water detention calculations for the pond following current SUDAS format; note that pond maintenance will have to be done through an association document; revise the Surface Water Flowage Easement along the north edge of Lot 8 as it does not match the drainage way; tie the existing 36" pipe coming from the DOT ROW and the 15" pipe to the north of Lot 8 into the proposed pipes to the south with a MG intake and provide a Storm Sewer Easement; shift the surface water flowage easement to the drainage way on the east side of Lot 8; shift the storm sewer pipe in Lots 5 and 9 to the west to match the drainage way; revise the surface water flowage easement to match the pond.
5. Provide a temporary easement for the off-site easement for the grading by the southeast corner of Lot 5; change all proposed overland flowage easements to surface water flowage easements; change the street names to agree with the City of Urbandale street naming system (Community Development will provide the street names).

Mr. Pick said some work has started on this site. Has there been some street work done at the very southern edge?

Mr. Franklin said that's right, there's been a little bit that's been done. However most of the work has been put on hold at this point until they can get the wetlands issue resolved. Then, like I said, they'll go right into construction once they can get that taken care of. And that's imminent, I think. He asked

is that the best way to describe it? Mr. Jerry Oliver, Civil Engineering Consultants, indicated it was.

Mr. Van Heuvelen said I must be missing something. What's the reference to 128th Street and Meredith Drive?

Mr. Franklin said sorry about that, we just got the wrong address in there. That should be 111th Street and Douglas Avenue, I'll make that correction.

Mr. Pick asked do the developers have any comments?

Mr. Jerry Oliver, Civil Engineering Consultants, indicated that they did not.

Mr. Payne moved, and it was seconded by Gass, to approve the "Walnut Ridge Business Park Plat 7" subject to Staff recommendations. On roll call; Ayes: Payne, Gass, Kusy, Hatfield, Ralston-Hansen, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the "7625 Hickman Road Parking Expansion-Revised" Site Plan No. 012-2008-01.00 (7625 Hickman Road).

Mr. Franklin said this is a revised site plan proposing additional parking spaces for two existing buildings on the property in connection with a restaurant and bar that is proposed to occupy the southern building. An existing Motel occupies the northern building. A previous site plan was approved by the City Council on February 12, 2008. This plan has been revised to allow 2-way circulation around the buildings with mostly 90-degree, head-in parking, (except for a few parallel spaces adjacent to Hickman Road) rather than one-way circulation with angled parking. The revised plan also relocates the detention basin to the southwest corner of the site rather than the southeast corner in order to avoid construction of expensive concrete retaining walls.

The existing 61 room Motel Relax in the north building has a building footprint of 9,765 square feet and is two stories tall. The south building, which is currently vacant, has a building footprint of 5,875 square feet and is a single story building. The property has a total area of 2.576 acres, for a Floor Area Ratio (F.A.R.) of 0.226. There is one access location from Hickman Road via a private street called Canterbury Road, which is also the primary entrance to the Westpointe Apartments and Townhomes to the north and a secondary access for the Kmart that adjoins to the east. The property has about 465.31 feet of frontage on Hickman Road and about 223.15 feet of frontage on Canterbury Road.

A total of 116 parking spaces are proposed on the site plan. A minimum of 117 stalls are required by the Zoning Ordinance, on the basis of 1 space/room for the Motel plus a space for the Manager, and spaces equal to 30% of the capacity of the proposed restaurant and bar.

Topographically, existing elevations on the site range from high points of 93 feet in the north central portion of the site, to a low point of about 75 near the southeast corner, for an average existing grade on the site of about 7.5%. Very minimal cuts and fills are proposed in the areas where the existing pavement is located south, west and north of the buildings. Cuts and fills of 2 to 5 feet will occur along the eastern edge of the site as part of a small area of proposed pavement, and in the detention basin

area near the southwest corner of the site. The property drains south towards Hickman Road and then east to Rocklyn Creek. Storm detention is now proposed in the southwest corner of the site. Parking lot screening requirements are being mostly satisfied by planting a continuous row of shrubs along Hickman Road, although a few additional shrubs are required to screen the easternmost proposed parking spaces. The existing shrubs along Canterbury Road satisfy the screening requirements along the east end of the property, however they must remain undisturbed or be replaced if damaged or removed during construction. Sidewalks exist along Hickman Road and Canterbury Road.

The property is zoned "C-N" Neighborhood Convenience District, as is the property to the east across Canterbury Road, which contains the K-Mart and Aamco Transmissions. The property to the north is the Westpointe Apartments and Townhomes, and is zoned "P.U.D." Planned Unit Development District as part of the "Charleston Court" P.U.D. The Urban Green Apartments are adjacent to the west, and are zoned "R-3" Low Density Multi-Family District. The properties to the south across Hickman Road are located in the City of Windsor Heights. The property is located in the West Des Moines School District.

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

1. Correct/clarify the information shown in the "Adjoining Zoning", "Site Use", and "Open Space" sections of the data; clarify the symbol used for "Iron Rod or Pipe Found" versus other similar symbols shown on the plan; callout and clarify the areas of existing pavement and proposed pavement; and provide the existing number of parking spaces.
2. Provide interior parking lot landscaping/green space in accordance with Section 5.13 of the Zoning Ordinance; provide additional shrubs to screen the easternmost proposed parking spaces; remove the parking space in front of the fire hydrant on the south side of the building so that it will not be obstructed by a vehicle; provide 2 additional parking spaces including one handicap accessible space; provide integral concrete curbs around the entire perimeter of parking and provide storm sewer to pick up the parking lot drainage; provide required above grade handicap signage; show all proposed contours and spot elevations; and provide spot elevations from the parking lot into the building to verify handicap access.
3. Show the fire, sanitary sewer and storm sewer service line locations; show the existing water main easement along the east side of the site; and show all erosion control measures.
4. Revise the detention calculations to follow the SUDAS format; account for the portion of the site runoff that is leaving the site undetained; revise the I100 value to 7.12 in/hr; provide drainage map; verify the volume stored since the calculations and the plan do not match; and provide the NPDES permit or verify that it is not required.

Ms. Creveling asked is there room for two-way traffic there?

Mr. Franklin said there is. They do have the minimum dimensions for parking spaces and drive aisles such that you would be able to have two-way traffic going all the way around the buildings now.

Mr. Hatfield said just to be clear, when it's built, it has to have the minimum parking, even though you

don't count it now. It has to be built with the minimum?

Mr. Franklin said that's correct. There are a minimum number of spaces required for the hotel and then also a minimum number of spaces required for the capacity of the restaurant and bar, that's what's driving this minimum number of spaces, and that's why they have to add them, which is 117 total spaces. That's what that number is. They do have a tenant here for this south building so they're eagerly anticipating Council approval so they can get this constructed.

Mr. Pick asked do the developers have any comments?

Mr. Larry Barry, 901 Thomas Beck Road, Des Moines, said the initial plan that you saw that's already been approved, I was just unsatisfied with it for several reasons. The one was it was forcing one-way traffic. There was some one-way, some two-way, it was just confusing. So I picked it up, and after spending about 8 years on the planning and zoning commission, when I saw it, I thought no, it's got to change. So we remassaged it so there could be two-way traffic, would be less confusing, more functional, and that was the first change. The other change is them engineer had the detention basin pretty much right at our front door, and right on Hickman, very visible. Just a large concrete bunker. And realizing that we own the dirt here, it's much more practical and functional to do surface detention and we had storm connection here in the street. So we moved the detention from our front door to the surface detention on this side. And that's primarily the change. By doing that, you can plainly see, everything is head-in 90 degree parking. On the parking counts, we will agree with Mr. Franklin on the parking count – whoever added it wrong or right, we don't know, the engineer or Mr. Franklin, considering what the engineer did with the first plan, Mr. Franklin is probably right! Mr. Barry said we have the ability to add some parking stalls right here, additional parallel stalls, or, if we need, a couple more head-in's here. So we will agree upon that count and correct it.

He said item 1, we have no problem with, that was just an engineer needs to clarify some of the existing contours. On item 2, we are providing plantings, buffering the parking on Hickman, and there may be some other additional screening that he wants that we will take care of. The hydrant that's noted to eliminate the parking stall from, that's right here. You'll see that little hatched area. The parking stall is directly south of there so we have already deleted that parking stall. And that may be where the miscount is, so that there's access to the fire hydrant. We have the handicap stalls at the front door, this is going to be a Bosnian restaurant, and the work they have done – they are done, they are waiting for us to fix this so they can get their C.O., and I think Jill Bassman gets at least one call a day from them. So we've corrected the handicap stall. I think that note is where we have now tied in the detention to the existing storm sewer system. It's not shown on here, we will provide the upright handicap signage in agreements with City Code. We will add the spot elevations here, but primarily that is flat. Engineering can't see it, or staff, from the site plan, but it is flat from the handicap to the entrance. This is all existing paving. And what's been added is some paving across here, and some additional paving right across here, to accommodate the parking.

In item 2, they're calling for an ordinance doing integral concrete curbs around the entire perimeter. This is really an existing site. At a lot of the site, we're not even interrupting the existing paving. We had planned on adding asphalt curbing across this section of the site, along the south, along Hickman, to force that water to this detention basin. We have no curb on the west, it doesn't show on here. We need to put that on there, as we're going to add concrete parking bumpers. This will let any of the rain, the storm run-off, filter through and shed off gradually to the detention rather than forcing it

in in one location, which creates erosion problems. Then the same thing over here, most of this is existing parking, existing paving, plus we've added there's no detention here because we've over-detained on the west detention basin. So to eliminate the erosion problems on the east side of the parking, we planned on parking bumpers here for the same reason, to let the rain run-off filter through the parking bumpers without a curb rather than concentrate that run-off which will become an erosion problem.

Mr. Hatfield asked are you asking us to approve it without concrete?

Mr. Barry said yes, without the integral concrete curb around the entire perimeter.

Mr. Hatfield asked how much of a deal-breaker is that, in your opinion?

Mr. Barry said first, it's more functional the way I'm suggesting it. And Mr. Franklin doesn't disagree with that, but said that it's kind of an ordinance. What we're dealing with is an existing site plan that we're adding about 20% to the parking surface, everything else is existing. And I'd like to just expand the existing parking lot and use more functional parking bumpers because I think you've got to agree, the water shedding down across here, if you force it into one location, then you're creating more erosion problems.

Mr. Kusy asked is there any curbing now?

Mr. Barry said no, there's no curbing anywhere on the site. We are going to add curbing especially right here to primarily pick up this water that we're detaining, although we've only added about 20% to 25% of parking, approximately half the entire site because we have the space for it in the basin. So this approximately western half of the site, it naturally drains to the west so we put the detention on the west. This curb will take the water from this portion of the lot and drive, and force it into the detention basin. So this is the portion of the curbing we're adding, more to control the storm run-off. And all the rest on the north end, this water comes around and falls, we'd like it instead of the concentrate, just whatever water falls to the west will, and you're familiar with the parking bumpers, will make its way through or under the parking bumpers, gradually into that detention basin. It will go in there quicker because there are more outlets from the paving.

Mr. Hatfield said other than that issue, do you agree with the rest of the staff recommendations?

Mr. Barry said we are in agreement with everything else. And we'll work out minor other plantings, and parking counts with Mr. Franklin and Mr. Dekker.

Ms. Ralston-Hansen asked Staff if they could live with bumpers versus curbing?

Mr. Franklin said as I explained to Mr. Barry earlier today, for any parking lot that gets updated and improved, there is language in the Zoning Ordinance relative to parking requirements that typically requires a curb. It can be concrete, it can be asphalt, can be whatever kind of curb they want. Engineering also does want a curb so everything can run along the pavement and get to an outlet here in the southwest corner, and then get piped into the basin so the drainage really doesn't get to be that big of an issue. But we are going to require the curb is the bottom line. It's typical procedure to do it, for any type of project like this.

Mr. Van Heuvelen said and City Engineering says this is the most effective way to handle run-off?

Mr. Franklin said yes, for drainage, what Engineering would like to see is to have parking lots be curbed and piped to collect it from intakes in the parking lot and have it piped directly into the detention basin. So that's where their comment is coming from. And then, like I mentioned, there is language that requires the curb for parking purposes. Just a better way to control traffic, control drainage, and improve aesthetics.

Mr. Kusy said I think aesthetically curb probably looks better, too.

Mr. Franklin said yes.

Mr. Barry said I agree if you're dealing with a site that is improved. I mean sometimes you have to take the blinders off. We're not piping the drainage so the curbing is not serving that purpose. Typically it's to control the storm run-off and get it into, let's say its catch basin within the parking lot, and then piped to the detention basin. So all of the surface area is controlled with curbing. This plan is intended not to control even as it's shown, if we install curbing, we're still going to have to leave sections of the curb out so that the storm water can flow through it on this section of the site. The eastern half of the site has no detention because we're permitted to over-detain in the one area. This is existing, so we're not piping any of this storm water, as well. It is shedding to the turf so that it will gradually make it down.

Mr. Van Heuvelen said I guess I can't dispute what you're saying, not being an engineer. In fact, I don't think any of us are engineers, and this is really an engineering question. P & Z, from time to time, we may have some ideas on adjusting ceiling heights and lot sizes, and aesthetic things like that, but when it comes to engineering issues, we really do rely on the professionals, and their experience with water and run-off and that sort of stuff. You may be right. But then the City Engineer probably is right, as well.

Mr. Barry said they are right when you read the Code. If you are building a new parking lot or doing a major reconstruction of an existing parking lot, they would want you to do the storm calcs, which we've done, they'd want you to control every square foot of paving, and control that water within your hard-surface area to a catch basin, then pipe that to a detention pond where it would be relieved out, then orificed out. In this case, we're not doing that. We have a surface lot that, if I install curbing here, I still have to leave sections of the curb out so that the water can flow through. So the engineers with blinders on says I want to control the water in that hard-surface area so it can be piped to a detention basin. Well, we're not piping it to a detention basin. We're relieving it through either sections of curb left out here, or parking bumpers.

Mr. Van Heuvelen said how about this? Because you're asking us to really go against the expertise of the City Engineer, and he's been doing it for a hundred years, or so. Dave McKay, the City Engineer, is involved someplace in the background on this sort of stuff. If you can go to the City Engineer between now and the City Council meeting, and convince him that he doesn't know what he's talking about, and you've got better ideas...

Mr. Barry said I didn't say that.

Mr. Van Heuvelen said you've just got a better idea, let's just leave it at that.

Mr. Barry said I'm not saying he's wrong. He's correct in his interpretation.

Mr. Van Heuvelen said the Code is correct. But if you can convince him to go with you to City Council and say this is a great idea that Mr. Barry's got, then I'm all for it. But for purposes tonight, it's going to be real tough to say that Mr. McKay, you may have some education in this, but we think we've got a better idea. But if you can change his mind before City Council, great.

Mr. Hatfield said I agree. And to some extent, it's aesthetics, too. A lot of it's water, I'm sure that there are engineering reasons. But there's also aesthetics. If I come to a building, and the asphalt goes right into the grass, to me it looks a little unfinished. So I think part of the Code is you're updating this, you're going to have a nice restaurant, it's going to be a nice property, you're going to be very proud of it. Finish it off with a little extra curbing, it looks more complete. You might have to cut a few intakes in, fine. But I think it's aesthetics and water. So, again, if you can get Mr. McKay to say you can make it look pretty and move water through, more power to you!

Mr. Van Heuvelen said so you get another bite at the apple – okay?

Mr. Hatfield moved, and it was seconded by Creveling, to approve 7625 Hickman Road Parking Expansion –Revised” Site Plan, subject to staff recommendations. On roll call; Ayes: Hatfield, Creveling, Payne, Kusy, Gass, Ralston-Hansen, Van Heuvelen; Passes: Pick; Nays: none. Motion carried.

Mr. Pick said that he had passed due to a professional relationship with the developer that might present a conflict of interest.

The next item on the agenda was the “Urbandale High School-Phases 2C/2D” Site Plan No. 012-2004-18.03 (7111 Aurora Avenue).

Mr. Franklin said this site plan pertains to “Phases 2C and 2D”, which together constitute the final phase of the high school reconstruction project. These two phases consist of three major components which include demolishing and removing the remainder of the existing building (except for the gymnasiums) and certain existing parking areas, construction of a 32,620 square foot building addition to the south of the new building that was constructed as part of Phase 1 (just east of the baseball field); and the construction of the southwest and main parking lots adjacent to the north side of Aurora Avenue, in the location of the original building.

With completion of the redevelopment, most of the parking will be located south and west of the new school building. A student drop-off area and the main parking lot will be accessed from a right-in/right-out access east of 72nd Street, and the new main access aligning with 72nd Street. The 72nd Street drive will also provide access to the Senior Center and the pool, and will be signalized (currently scheduled for the summer of 2009) to facilitate traffic flow. The size of the northwestern parking area (between the building and baseball diamond, now being restricted to teachers and staff), which constituted about 1/3 of the total original parking, will be significantly reduced and the “lost spaces” are being replaced within the main southwesterly parking lot along Aurora. Most of the

original parking to the east and northeast of the building is also being eliminated, and replaced by the new main parking southwest of the new building.

The number of parking spaces will continue to fluctuate while construction and demolition is in process, as approved by the Board of Adjustment as part of the Conditional Use process. The Conditional Use Permit granted at the January 19, 2005 Board of Adjustment meeting requires a minimum of 618 parking spaces on the school site, excluding the pool and Senior Center parking, upon the completion of the project. A total of approximately 642 spaces are proposed for the high school, while maintaining the 65 spaces for the Senior Center and 24 spaces for the pool, for a total of approximately 731 parking spaces.

Architecturally, the proposed building addition will be predominately brick with some metal panels and brick accents to match the buildings from previous phases. The school property is zoned "R-11" Intermediate Density Single Family District.

The property has a total area of 35.53 acres including the baseball field that will not be altered by the redevelopment, but excluding City-owned parcels for the Senior Center and Swimming Pool facilities. The lot has 1,694.67 feet of frontage on Aurora Avenue, excluding 250 feet of frontage for the Senior Center (school frontage includes all of the pool parking and most of the Senior Center parking), and 779.15 feet of frontage on 70th Street. 72nd Street, with a right-of-way width of 70.0 feet, terminates into the north side of the property.

Topographically, this portion of the site is fairly flat. Minimal cuts and fills of generally 1 to 3 feet will occur with these final phases of the construction.

The single-family residences located to the north of the school property are zoned "R-11" Intermediate Density Single Family District, as are those located to the south of the school property (south of Aurora Avenue) and west of 72nd Street. The single-family residences located to the south of the school property (south of Aurora Avenue and east of 72nd Street), Lions' Park, and the single-family residences located east of the school (east of 70th Street) are zoned "R-1S" Suburban Density Single Family District. The property is located in the Urbandale School District.

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

6. Correct the actual number of proposed parking in the cover sheet data to match the plans; provide separate public improvement drawings for the proposed right turn lane on Aurora Avenue; show all pavement markings and arrows; provide a stop sign at the proposed west exit onto Aurora Avenue; complete the storm sewer schedule on Sheet C5.1; provide a note to sawcut the existing pavement for all removals along Aurora Avenue; provide a note that all existing manholes and valves will be adjusted to grade; provide a note to relocate the power poles located in the proposed turn lane; provide a note to abandon the existing sewer line connected to the northwest side of the existing building per the specifications; provide a note to repair the hole and protect the existing intake along Aurora Avenue near 72nd Street; verify the location of the intake near the proposed west entrance with the proposed curb; adjust the grading for the proposed small southwest parking lot so that it doesn't drain into the street; correct the location of the erosion control around inlet D2 on Sheet C3.2; and update the stabilized construction entrance details on Sheets C3.2 and C3.3 to reflect enough width to

accommodate dump trucks head to head.

7. Provide a minimum of 5 feet minimum clearance around all fire hydrants; provide required fire lane signage per the direction of the Fire Department; verify that all existing areas of the school including the gymnasiums will be sprinkled; and widen the inbound one-way access drive from Aurora Avenue if required by the Fire Department (Fire Department request the proposed one-way drive be widened from 18 feet to 20 feet).
8. Revise the meter pits to use a flat top rather than an eccentric cone, which is not allowed; provide flow calculations for sizing the meter; and provide a curb stop outside of the meter pit.

Mr. Brian Phillips, DLR Group, was present to represent this site plan.

Mr. Gass asked is the cursor on the gymnasium?

Mr. Franklin said yes, it's right here.

Mr. Gass asked is that going to be a stand-alone building?

Mr. Franklin said there's actually an alternate bid that creates some new space here west of the gym and would connect the 2 buildings. Here's an enlargement on the plan that would be this area here. They may very well come back and do that. It hasn't been determined yet whether that alternate is going to be accepted or not.

Mr. Gass said did you say that that second entrance there, that lines up with 72nd?

Mr. Franklin said correct. This would be the entrance that would be signalized and does line up with 72nd. And that is in the CIP right now for next summer to be done.

Mr. Hatfield moved, and it was seconded by Ralston-Hansen, to approve the Urbandale High School-Phase 2C/2D" Site Plan, subject to Staff recommendations. On roll call; Ayes: Hatfield, Ralston-Hansen, Payne, Kusy, Gass, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

Regarding Staff reports, Mr. Franklin said I believe everything on your "pending" list is going to be on our agenda for next time. We will have a public hearing for Northpark Business Centre. That's the same lot that came through about a year ago or so for a fitness facility use north of Northpark Drive. There will also be a final plat, a preliminary plat, and then several site plans that have come through.

Mr. Kusy asked are they all commercial?

Mr. Franklin said Summit Estates is a final plat that's residential. And everything else in there, yes, would be commercial. That is correct.

The meeting adjourned at 7:26 p.m.

