

## **URBANDALE PLANNING AND ZONING COMMISSION MINUTES**

**September 29, 2008**

The Urbandale Planning and Zoning Commission met in regular session on Monday, September 29, 2008, at the Urbandale Administrative Offices Building, 3600 86<sup>th</sup> Street. Chairperson Paul Pick called the meeting to order at 6:00 p.m.

Commissioners present were David Russell, Jeff Payne, Bill Kusy, Kevin Gass, Jeff Hatfield, Judy Ralston-Hansen, Jill Creveling, Wayne Van Heuvelen, 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 to approve the minutes from the September 15, 2008 meeting. Mr. Russell moved, and it was seconded by Hatfield, to approve the September 15<sup>th</sup> meeting minutes. On roll call; Ayes: Russell, Hatfield, Kusy, Ralston-Hansen, Creveling, Van Heuvelen, Pick; Nays: none. Passes: Payne, Gass; Motion carried.

Mr. Pick said we are going to switch order of the agenda items, and begin with item #4, "Life Time Fitness" site plan no. 012-2008-12.00, 111<sup>th</sup> Street and Douglas Avenue.

Mr. Franklin said this site plan proposes a two-story full service health and fitness facility with approximately 88,082 square feet of floor area, and an outdoor pool complex. The proposed building will be oriented in a north-south direction adjacent to Interstate 35/80 with the main entry facing east toward the newly realigned 111<sup>th</sup> Street, and the outdoor pool complex located south of the building. A possible outlot for future development is also proposed at the north end of the property adjacent to Douglas Avenue. Architecturally, the building will be predominately brick and natural limestone with architectural block and EIFS accents to comply with the requirements of the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan. The building will be fire-sprinkled as required.

The property has a total area of 18.481 acres. It has 498.57 feet of frontage on Douglas Avenue but will be accessed at a single location from 111<sup>th</sup> Street via a private common drive since Douglas Avenue is a controlled-access arterial street with no access allowed between the Interstate interchange and 111<sup>th</sup> Street. A total of 551 parking spaces are provided north, east, and south of the proposed building. A minimum of 441 stalls are required by the Zoning Ordinance, on the basis of 1 space/1,000 square feet of gross floor area.

Topographically, existing elevations on the site, prior to the beginning of overlot grading operations which are underway related to the final plat, ranged from high points of about 200 feet in the southwest corner of the site adjacent to Interstate 35/80 to a low point of about 160 feet near the east central portion of the site, for an average existing grade of

about 7.69%. Proposed grading consists of significant quantities of cuts of 7 to 15 feet in the northern and southwestern portions of the site and fills of about 2 to 5 feet in depth in the eastern portion of the site. The property drains to the south along 111<sup>th</sup> Street to a drainage way that runs southeasterly through Living History Farms and eventually into Walnut Creek. Detention is proposed in two basins along the east property line that will serve the entire plat.

The property is zoned "P.U.D." Planned Unit Development District and is regulated by the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan. The properties to the east are also zoned "P.U.D." Planned Unit Development District and regulated by the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan. The properties to the south and to the west of the Interstate are zoned "A-2" Estate Residential District. Most of the property adjoining to the south consists of a single family residential estate, the exception being a strip of land along the Interstate that is part of Living History Farms, as is the property west of the adjoining Interstates 35/80. Continental Western is located north of Douglas, and is zoned "C-P" Planned Commerce Park District. The property is located in the Urbandale School District.

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

1. Provide a sidewalk connection to the future sidewalk along the private drive; revise the site lighting note to state that all lighting shall be horizontally mounted cut-off luminaries, including wal-packs, and light poles not to exceed 25 feet in height; show required detectable warning devices at all sidewalk/street intersections and on the curb ramp detail; complete the cut/fill quantity table; and provide a Hold Harmless Agreement (document to be provided by the Community Development Department) to allow the pavement and the plantings within easements.
2. Provide a copy of the NPDES permit prior to approval; verify whether a grease interceptor will be required; provide drainage calculations in the format outlined in SUDAS and certify the previous calculations are still correct; verify the capacity calculations on pipes 12-10 and 10 to 8 (both are 36" pipes at 1.4% but the capacity is different); callout for a footing and rip-rap at the flared end section; extend the existing 36" storm sewer to the MG Intake, revise the storm sewer from the existing 36" pipe to the detention area to be public, provide plan and profiles for these improvements, provide storm sewer easement, and obtain required permits from Iowa DOT; callout which side(s) of the MG Intake have openings; and provide a sanitary sewer easement to the east of Manhole Structure #1 toward the existing manhole
3. Relocate the fire hydrant located east of the pool approximately 175 feet to the south so it is located at the southeast corner of the pool area; and pay the Water Dept. connection fee of \$7,972.48.

Ms. Ralston-Hansen asked is there any plan for signage across the back, because that's quite an expanse, since that faces I-35/80?

Mr. Franklin said yes, we are working with them right now on signage. As a matter of fact, they are going to the Board of Adjustment for some of their signage issues. But I think they are planning signage on the interstate. And they would be permitted to have signage on that side of the building, based on the Sign Ordinance.

Mr. Russell asked is Staff satisfied that one entrance and one exit are sufficient?

Mr. Franklin said we are. There was a traffic study that was done as part of this whole plat, and this particular use was a permitted use in that P.U.D. And I think we're satisfied that this would satisfactorily be able to move people in and out, based on the uses and the traffic volumes that we would anticipate.

Mr. Kusy asked do you have any idea of what their hours are going to be?

Mr. Franklin said I believe they go 24 hours but I'll let David address that here in just a second.

Mr. David Tam, Development Manager with Life Time Fitness, said I'm very excited to be here today. We've been studying this marketplace for quite some time and have finally been able to work with some landowners here to acquire property and potentially develop it to meet the needs of the community of Urbandale. I'd like to just briefly go through a quick presentation that we put together. I won't take too much time on it because Mr. Franklin pretty much stole my thunder with the floor plans and everything! But we'll give you a quick synopsis of who we are, where we've gone, what we've done, and also open it up for questions, should you have any. I took some notes down on questions you asked Mr. Dekker, so I can touch on, too, so I can do that as well at the end. He said Life Time Fitness was founded in 1992. Our headquarters are in Chanhassen, Minnesota, which is a suburb in the southwest area of the Minneapolis metropolitan area. We're publicly traded, currently, on the New York Stock Exchange. We went public in 2004, and we now operate 78 centers in 17 different states throughout the country, and they're listed here, as you can see. Life Time Fitness' mission statement is to provide educational, entertain, friendly and inviting, functional and innovative experience of uncompromised quality that meets the health and fitness needs of the entire family. In doing so, our clubs are built on a 4 in 1 foundation policy. What that consists of is a sports and athletic component, professional fitness component, and a family recreation component, and finally a resort and spa component. You'll see through the pictures in the silver handout that Mr. Franklin provided that our facilities are of the utmost quality and provide the utmost amenities to the community at a reasonable price.

Mr. Tam said here is some imagery of the sports and athletics that we offer. We have an indoor gymnasium. We do partner with surrounding golf courses and try to get some good group rates for our fitness members. And also we provide indoor and outdoor lap pools. Professional fitness, this particular facility will have approximately 150 different cardiovascular equipment pieces on the second floor, roughly 60 different resistance training items, and also a spinning pavilion, or spinning room, that has about 60 different spinning cycles. And it also will contain two group fitnesses, as Mr. Franklin stated previously. The family recreation component, one of the things that we see that's been missing in a lot of fitness clubs around the area, including in this marketplace, is that family piece, where the kids can recreate, as well as the adults. So we have an outdoor water slide, a nice leisure pool, and also a very integral child activity area where they have their own gymnasium and a jungle gym thing, as you can see in one of those photos there below. He said lastly, the resort and spa is kind of the largest component. We offer high quality finishes such as granite finishes, granite tables, granite tabletops, cherry chairs, cherry cabinets, and cherry lockers that are free of charge, as well as free towel service for all members. This is a quick site aerial. You'll see where that yellow box is off of Douglas and I-35/80, and just gives you a quick glimpse of what the site's going to consist of. Then this is the overall site, with 111<sup>th</sup> Street up front to the east of us.

Mr. Tam said here's the elevation once again. It's a little bit smaller than what Mr. Franklin had up here. But just to comment on the rear elevation. There is proposed signage in the northwest corner and it's about a 90 square foot sign is what we're looking at there. As far as the single access question that was asked earlier, we have a number of clubs with single access points. We haven't had any problem with traffic control. We have a constant flow of people coming and going. The average today is about 2 hours. So we run through people pretty quickly and don't have too much congestion related to that. We do have some busier times before and after work, of course, but throughout the day it's pretty steady. Again, here's the first floor layout and Mr. Franklin touched on that pretty well, unless there's any further questions related to the floor plans? And also here is the second floor layout. Temporary pre-sale office – we are working with Staff to go through this, as well. But one of the key components is to be able to be on-site and market this product and get the brand out there. We haven't been in this area yet and this is our first club, so to be on the site and be able to show a presence and be able to market this and get numbers signed up prior to our grand opening, allows us to have a good customer base prior to opening the doors and getting things rolling. We've done this in pretty much every club we've built and it's been a pretty pronounced marketing campaign for us. With that, I'd just open it up for any other questions and I thank you for your time.

Ms. Ralston-Hansen asked at any of your other locations, have they ever morphed into more of an entertainment venue, outside of a fitness venue? We've had some experiences in our nearby community, where they started out as sports clubs and fitness clubs and they still are, but then they've kind of morphed into a venue for bands,

concerts, late-night activity. I'm not making a judgment call, but am just curious if that has happened at some of your other locations?

Mr. Tam said we are a 24-hour fitness facility. A number of the amenities do operate under normal business hours. We on occasion will have an event for members, or an event for a particular party, but at no time are we operating a reoccurring late-night type party or entertainment atmosphere for entertainment.

Mr. Van Heuvelen asked how many clubs do you have nationwide, and are there others in the state of Iowa, or anywhere close at hand?

Mr. Tam said we currently have 78 clubs nationwide. They're in 17 different states. This would be the first one in Iowa and also the first one in the Des Moines metropolitan area. We've looked very hard at the demographics in this area and we feel that this is the most prime location and we're excited to be here.

Mr. Gass said when you say you've looked at the demographics, I'm just curious, what are you looking at? Are you looking at the number of people who already attend fitness centers, and you're trying to lure them from their facility to this one, or what?

Mr. Tam said that's a great question. We have a group that looks at the population, looks at the demographics, understands what the incomes are in that area, and we look at the amount of people that would potentially go to a fitness club and be working out. And then we look at all the competitors in the area, and the different fitness facilities, and see how they're serving that area. Right now, we feel this particular marketplace is about 57% underserved, whether it be that existing clubs don't have the amenities that people are looking for, or the finishes that a customer would be looking for, or maybe the hours of operation, or price point, aren't what they're looking for.

Mr. Russell said I assume you have several different types of facilities that you build?

Mr. Tam said correct.

Mr. Russell asked would this be your largest one, or the smallest?

Mr. Tam said this would not be our largest one, nor our smallest one. Lately we've been focusing on two core buildings. One is a 112,000 square foot two-story prototype, and then one is a 140,000 square foot three-story prototype, which was designed for more metropolitan, downtown areas type of locations. The reason that we've come up with this particular club, this will be the first one built within the United States. There are about three others in the same process of approvals in design. The way we came up with this particular 91,000 square foot building was trying to reduce unused space, be more efficient environmentally and economically. So we're not really pulling out any major amenities that were being used from any of our other clubs, we're just pulling out

unused space right now.

Mr. Russell asked what would you anticipate the number of members in a facility of this size?

Mr. Tam said roughly somewhere between 7,900 and 9,000 members. That would include family memberships, as well, so if you have a family of four, that would be four members, to show you how we count our numbers.

Mr. Russell said a facility of this size can handle that type of volume of 7,900 to 9,000 members?

Mr. Tam said that's correct.

Mr. Hatfield said it's a nice facility, looks good, and we wish you well.

Ms. Christine Weber, 8300 Ittis Drive, said I'm wondering what plans are in place, or what will be addressed, as far as traffic patterns? Already with Continental Western across the street, I know that the street that parallels Douglas, north of Douglas, that curves around Continental Western, there already is a back-up there to the light. And Allied Nationwide will be moving out of that adjoining building to the east. Right now a large piece of that building is basically a factory facility, a printing facility. Continental Western plans to move in technical staff, so I'm sure that factory floor will be filled with people. There will be more staff in there. And I'm wondering the impact on the traffic pattern there?

Mr. Pick said I think we had talked about the traffic pattern, that there was a traffic study done?

Mr. Dekker said a traffic study was done for this area a number of years ago, prior to the rezoning. At one time, development on this site was held up until the interchange could be reconstructed and some of those traffic issues addressed. Then ultimately the traffic study addressed and is the reason why 111<sup>th</sup> Street is being built the way it is being built. It's being built in accordance with that traffic study and the traffic capacities that were identified as being necessary.

Ms. Weber asked how long ago was that traffic study done, again?

Mr. Dekker said I couldn't give you an exact date of that study, but it was somewhere in the neighborhood of 2006 when it was being looked at as a possible retail site for a large retail store. And at that point, one of the issues that was addressed by the study was the amount of traffic that would be generated by office-type uses, versus retail uses, and what the different impacts were of those. Ultimately the retail did not come about; it would have required more extensive development in the way of street

improvements than what are necessary under the office scenario. The traffic inputs really haven't changed since that study, I would say.

Ms. Weber said so as the change of population comes through this intersection, as it apparently already has, with the redesign of Continental Western over the last few years, if there's a need to adjust something as simple as the timing of the lights, is that something that the City can handle without a particular study? Or is it a rather straightforward action, to take care of traffic so it wouldn't back up so much either way, north-south or east-west?

Mr. Dekker said I'm not sure I completely understand the question, but basically what a traffic study looks at is whether the desired level of service function is being met under the projected traffic volumes, looking both at current traffic counts and future traffic from projected growth. The goal is always a Level D, which means that the traffic that's moving through an intersection is equivalent to its capacity. And the main thing that becomes an issue in most intersections is the number of left turns and the amount of green that you can allow for that. So typically what you're looking at is the amount of stack that you're providing and the ability to clear the queues of people waiting to make left turns within the allowable green time. And typically that means you have to have dual left turn lanes, if you have high capacity. Is this development going to add more traffic? Certainly, any development is. But this is the type of traffic that was accounted for in that study and, again, is what the intersection is being built to accommodate. So it's expected to perform within the desired level of service for that intersection after this is built, and after everything else in this plat is built.

Mr. Pick asked does that clarify things for you?

Ms. Weber said yes.

Mr. Pick asked if Mr. Tam was okay with Staff recommendations as stated in the staff report?

Mr. Tam said yes, Life Time Fitness is acceptable with all the recommendations.

Mr. Hatfield moved, and it was seconded by Ralston-Hansen, to approve Life Time Fitness site plan, subject to Staff recommendations. On roll call; Ayes: Hatfield, Ralston-Hansen, Russell, Payne, Kusy, Gass, Creveling, Van Heuvelen, Pick; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the public hearing on the Amendment to the "Hy-Vee/Ace" Planned Unit Development master Plan, 8601 Douglas Avenue, case number 010-1983-02.02.01. Mr. Pick said he would dispense with reading the following official publication, if there were no objections:

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, 3600-86<sup>th</sup> Street, Urbandale, Iowa at 6:00 p.m. on Monday, September 29, 2008, to consider a petition from Hy-Vee, Inc. and Westdale, L.L.C., owners, to amend the "Hy-Vee/Ace" Planned Unit Development Master Plan for the following legally described property:

Lot 1, Sunflower Plat 1, an Official Plat all now included in and forming a part of the City of Urbandale, Polk County, Iowa EXCEPT the East 20 feet of the South 100 feet of said Lot 1, and EXCEPT the East 15 feet of the North 553.37 feet of said Lot 1, and EXCEPT that portion of said Lot 1 that has been platted as Sunflower Plat 5, an Official Plat; and

Parcel "A" in Lot 1, Sunflower Plat 5, an Official Plat now included in and forming a part of the City of Urbandale, Polk County, Iowa, of the Plat of Survey filed in Book 10311 at Page 944 in the Polk County Recorder's office, EXCEPT Parcel "B" as recorded in said Book 10311 at Page 944; and

Lots 2 and 3, Sunflower Plat 5, an Official Plat now included in and forming a part of the City of Urbandale, Polk County, Iowa.

This property is located north of Douglas Avenue and west of 86<sup>th</sup> Street, and is locally known as the "Urbandale Hy-Vee" and the "Westdale Shopping Center". The amendment is proposed to allow convenience stores as a permitted use, in conjunction with plans to remove all existing buildings and to construct a new Hy-Vee store and a new convenience store, and possible future development on "outlots" along Douglas Avenue. More information on this proposed amendment to the "Hy-Vee/Ace" Planned Unit Development Master Plan can be obtained at the Department of Community Development, 3600-86<sup>th</sup> 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 "Hy-Vee/Ace" 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 request pertains to property located north of Douglas Avenue and west of 86<sup>th</sup> Street, and is locally known as the "Urbandale Hy-Vee" and the "Westdale Shopping Center". The entire property has about 1139.34 feet of frontage on Douglas

Avenue and about 655.07 feet of frontage on 86<sup>th</sup> Street, and has a total area of approximately 14.09 acres. The property currently contains an existing Hy-Vee store on the eastern half of the property; a strip shopping center with several retail tenants on the western half of the property; and an undeveloped parcel at the westerly end of the property. The property is designated for neighborhood convenience and personal service oriented retail/commercial uses by the "Hy-Vee/Ace" P.U.D. Master Plan.

The Master Plan amendment has been requested to allow convenience stores as a permitted use, in conjunction with a site plan to remove all existing buildings and to construct a new Hy-Vee store and a new convenience store, and possible future development on "outlots" along Douglas Avenue. Other than the proposed convenience store, the proposed redevelopment conforms to the existing zoning, with some corrections/modifications to the site plan.

The site plan proposes the following: a convenience store with 2,442 square feet of floor area, a 16-pump fuel canopy, and an automated, single-bay carwash all located in the northeast corner of the property adjacent to 86<sup>th</sup> Street; a newly constructed Hy-Vee grocery store with 84,000 square feet of floor area (and a possible 16,000 square foot future expansion) to be constructed in the northwest corner of the property with the main entrance oriented southeasterly toward the corner of 86<sup>th</sup> Street and Douglas Avenue; and a future office/retail building with approximately 5,000 square feet located in the southeast corner of the property at the corner of 86<sup>th</sup> Street and Douglas Avenue. Architecturally, the grocery store will be predominately brick on the east and south sides, and painted tilt up concrete panels to match the color of the brick on the north and west sides, which meets the requirements of the P.U.D. Master Plan. The loading docks are located on the northeast corner of the building, facing to the east.

The grocery store will be fire-sprinkled as required by the Building/Fire Codes. No architectural elevations were submitted for the convenience store or the retail building.

Mr. Dekker said the convenience store has a total of 12 parking spaces provided to the south of the building. A minimum of 13 spaces are required by the Zoning Ordinance on the basis of 5 spaces/1000 square feet. The grocery store has a total of 424 parking spaces provided primarily to the east and south of the building. A minimum of 420 spaces are required by the Zoning Ordinance on the basis of 5 spaces/1000 square feet. Additional spaces will need to be provided if/when the expansion is constructed. The retail building has a total of 38 parking spaces provided to the north of the building. A minimum of 25 spaces are required by the Zoning Ordinance for the proposed building on the basis of 5 spaces/1000 square feet.

The two existing access locations to the property, which include the signalized full access on 86<sup>th</sup> Street and the full movement location on Douglas Avenue, will remain. The City Engineer indicates that it is becoming increasingly difficult to maintain satisfactory operation of the 86<sup>th</sup> Street signal for the Hy-Vee entrance because of

increasing traffic on 86<sup>th</sup> and at the 86<sup>th</sup> and Douglas intersection, and that there are a significant number of accidents at the Hy-Vee signal. The issues relate to the very limited separation between the Hy-Vee signal and the 86<sup>th</sup> and Douglas signal. The redevelopment is expected to shift the primary traffic flows from the 86<sup>th</sup> Street access to the Douglas access, so it may be appropriate to relocate the Hy-Vee signal from the 86<sup>th</sup> Street access to the Douglas access. The addition of right-turn lanes appears to be necessary at both access points, which in the case of the 86<sup>th</sup> Street access could be combined with a lengthened right-turn lane for south-bound 86<sup>th</sup> Street at the Douglas intersection to facilitate overall traffic function. The City Engineer also indicates that dual left-turn lanes for south-bound 86<sup>th</sup> Street are needed at the Douglas intersection to help clear the queuing given the diminishing amount of "green time" that can be provided for left turns due to growing traffic volumes, and the existing Hy-Vee signal on 86<sup>th</sup> Street makes this difficult to achieve.

Topographically, the site falls primarily from northeast to southwest, and has a high point of about 920 feet in the northeastern corner to a low point of about 870 feet near the southwest corner adjacent to Douglas Avenue, with an existing average grade of about 4.17%. The proposed grading consists of primarily cuts of between 4 and 12 feet in depth across much of the site, the primary intent of the grading being to increase the store visibility from the streets. The grading includes cuts and construction of retaining walls between 8 and 10 feet tall along most of the north portion of the property and along a portion of 86<sup>th</sup> Street to the north of the existing access drive. The wall is located 30 feet or more to the south of the northern property boundary, with a portion of the building's north wall also acting as a retaining wall. Minimal fills of 2 to 3 feet in depth are proposed along the south edge of the site. The site drains south and west via the storm sewer system in Douglas Avenue to North Walnut Creek. Storm detention is proposed near the southwest corner of the site.

Parking lot screening requirements will need to be satisfied by the construction of a berm along 86<sup>th</sup> Street and Douglas Avenue, or planting a continuous row of shrubs. If a berm with the 3.5-foot minimum height required by the Zoning Ordinance is not possible because of the topography, then a continuous row of shrubs is required in lieu of the berm.

Mr. Dekker explained that parkland dedication is not required for nonresidential development. The single-family lots to the north and northwest are zoned "R-1S", Suburban Density Single-Family District, but are considerably larger than the minimum lot width and area requirements of the "R-1S" District. Adjacent directly to the west is dedicated parkland along North Walnut Creek. To the east and northeast, across 86<sup>th</sup> Street, are the Omega Place office complex, which is zoned "C-O", Office/Service District, and single family residences zoned "R-1S". To the south, across Douglas Avenue, are Walker Johnston Park and the Municipal Complex which includes the Urbandale library and the City administrative offices. Across the street intersection to

the southeast is the Parkwood Plaza shopping center which is part of the "Colby Woods" PUD. The property is located in the Urbandale School District.

Mr. Dekker said staff will provide a recommendation at the next Commission meeting, after the Commission has identified issues and concerns from this public hearing relative to this amendment request. The Commission also could refer this request to a subcommittee for further discussion if desired.

With respect to the site plan, Mr. Dekker said staff will provide a recommendation at the next Commission meeting, after the Commission has identified issues and concerns from this public hearing relative to the P.U.D. Amendment that may affect the proposed site plan. The review of the site plan to date finds the following minimum conditions to be required for any approval:

1. Submit architectural elevations for the convenience store and carwash, and the retail building; submit plans and specifications for the retaining walls, certified by a structural engineer and/or soils engineer as may be appropriate to ensure the walls are properly designed for the loads and to ensure the slopes along the north property line and along 86<sup>th</sup> Street will not be de-stabilized.
2. Provide curb and gutter and storm sewer along Douglas Avenue since the existing drainage ditch is proposed to be filled, to prevent storm runoff from flowing onto Douglas Avenue; show erosion control measures at all intake and outlet structures; label storm sewer structure types; extend storm sewer pipes to outlet at the creek channel in locations approved by the City Engineer; and label all critical crossings and callout the elevations.
3. Redesign the site plan if required by the Fire Department to provide additional fire equipment access to the sides or rear of the building; and relocate or provide additional fire hydrants if required by the Fire Department (hydrant locations not shown on the site plan).
4. Revise the site plan to provide a berm or additional plantings to comply with parking lot screening requirements; provide the required 20-foot setback for all parking spaces along Douglas Avenue, and/or alternatively propose a right-of-way exchange on 86<sup>th</sup> Street for some Douglas Avenue right-of-way to comply with the 20-foot setback requirement; show all existing utilities; show all proposed utilities and services including fire hydrants for all buildings; show the locations and type/size of all existing trees, and preserve all in the north slope that can reasonably be preserved; provide additional plantings as necessary to comply with buffer yard and landscaping requirements of the Zoning Ordinance; revise site lighting notes to state that all lighting shall be horizontally mounted cut-off luminaires including wal-packs, and light poles shall not to exceed 25 feet in height; note which of the existing utilities are to be removed, and remove all service connections that are

being abandoned from the public mains; note that the existing meter equipment must be removed prior to demolition; note that all water main or services within 200 feet of an underground fuel tank must be copper if 2" or smaller, and ductile iron if larger than 2"; label all water main bends; note the limits of pavement removal at existing City streets; show required detectable warning devices at all sidewalk/street intersections; that all site work shall follow SUDAS specifications including City of Urbandale Supplemental Specifications; verify that all details, including handicap ramps, are compliant with SUDAS including City of Urbandale Supplemental Specifications;

5. Redesign the detention pond to eliminate the encroachment into the existing Water Main Easement, and add a stand pipe in the detention area; verify whether the two 36" pipes that feed the detention basin should be combined so there is only one outlet pipe at the east side of the detention area; and provide drainage/storm detention calculations in the format outlined in SUDAS.
6. Provide a Hold Harmless Agreement (document to be provided by the Community Development Department) for the pavement and the plantings within easements; document that the carwash equipment will provide the required 2/3's water recycling; and provide a copy of the SWPPP and NPDES Permit prior to approval.
7. Provide a grease interceptor for the convenience store if required by WRA regulations.
8. Provide a traffic study if required by the City Engineer; add right-turn lanes at both entrances, unless shown not be needed by a traffic study; relocate the traffic signal from 86<sup>th</sup> Street to Douglas Avenue, unless shown not to be necessary or beneficial to traffic movements on 86<sup>th</sup> Street and Douglas Avenue by a traffic study; discuss the potential for exchanging right-of-way along Douglas Avenue for right-of-way along 86<sup>th</sup> Street to facilitate construction of right turn lanes and dual south-bound left turn lanes at 86<sup>th</sup> Street and Douglas Avenue (and meet parking setback requirements—see #4 above).

Ms. Ralston-Hansen asked what is in the lower righthand corner?

Mr. Dekker said that's indicated to be future commercial development of some sort, not really identified at this point and just conceptual. Basically it's an outlot for some other third party development.

Mr. Van Heuvelen asked do I understand you to say that the only issue that's contested, or at issue with respect to the redevelopment of this property, is the rezoning for the convenience store? And that perhaps Hy-Vee could have rebuilt their store in the new location without any public hearing?

Mr. Dekker said from a zoning standpoint, that's correct. Everything they are proposing conforms to the existing zoning except for the convenience store. They would only need to gain site plan approval if the convenience store was not part of the proposal, and public hearings are not customarily held for a site plan.

Mr. Van Heuvelen said they would have had a site plan request only, if they had just wanted to level the current store and shopping center, and either leave that part of the site as open space or some other use allowed by the current zoning?

Mr. Dekker said that's correct.

Mr. Hatfield asked was there a lot of discussion with Staff as to the location of the convenience store and the proposed carwash?

Mr. Dekker said no, not really other than to present the plans and indicate that they intended to propose a convenience store and car wash in the northeast corner. We noted that proximity would be a likely concern if the property was vacant, but since that currently was the primary loading space and pick-up lanes for Hy-Vee perhaps it would be different. In any case, they'd find out if they met with the neighbors and at the public hearing.

Ms. Creveling asked what's between the grocery store and the convenience store? There's a big circle thing there.

Mr. Dekker said it's a landscape island.

Mr. Van Heuvelen asked what will the loading docks in the back of Hy-Vee look like?

Mr. Dekker said the loading docks are proposed to be on the side of the building, in the northeast corner of the building.

Mr. Van Heuvelen asked will they be screened at all from the neighbors behind?

Mr. Dekker said they're not screened other than by topographic elevation. There's a retaining wall proposed along this edge and then a pretty high bank that is between the store and the residential.

Mr. Van Heuvelen said that location is probably approximately where Goodwill store has been for awhile, is that about right? Would that be the old loading or unloading docks for Goodwill? Or maybe they would be a little bit to the east of there.

Mr. Dekker said you can see underneath the proposed construction the existing improvements are visible in gray, like a watermark. If I blow this up a little bit you can see the footprint of the existing Hy-Vee, the former Goodwill store, and the proposed

loading docks for new Hy-Vee are pretty much right in the area where the Goodwill drop-off was.

Mr. Pick said so the appropriate discussion topic for the public hearing is whether the zoning should be changed to allow a convenience store. Everything else is a site plan issue, which is not a public hearing. Hy-Vee store can buy the existing retail center, knock that down, rebuild a Hy-Vee there, and that's not a public hearing issue. The public hearing issue is allowing the convenience store on the east corner of the site.

Mr. Payne said I don't think we've opened up the public hearing yet, correct?

Mr. Pick said no.

Mr. Payne said at this point in time it's just discussion amongst the Commissioners, and then there will be an opportunity once we discuss it for the audience to present their views to the Commission.

Mr. Kusy asked is the current access off of 86<sup>th</sup> Street going to remain the same under the new plans?

Mr. Dekker said yes, the access points do not change.

Ms. Ralston-Hansen said so it will continue to be a signaled access, with a traffic light?

Mr. Dekker said the traffic signal is not proposed to be changed as part of this proposal. However, the City Engineer does have concerns about the operation of the signal and with that access in general. With the increasing traffic on 86<sup>th</sup> Street, the function of that signal is deteriorating and it also is creating problems for the 86<sup>th</sup> and Douglas intersection.

Mr. Hatfield said I also read that the City Engineer might request another light on Douglas. Is that what I read?

Mr. Dekker said he's not requesting that, but there is some expectation on the part of the City Engineer that Hy-Vee might make that request at some point in time and he doesn't want any discussion of that sort to take place without also including a discussion of the 86<sup>th</sup> Street signal. If that request is made, then he certainly wants to couple the discussion of both intersections and not allow another signal at the Douglas intersection without addressing the problems with the 86<sup>th</sup> Street signal. And his preference, quite honestly as you can see in the staff report, is for the 86<sup>th</sup> Street signal to go away because of the problems it's creating. He doesn't feel it can function adequately in the future, and would be willing to accommodate a signal on Douglas if that meant the 86<sup>th</sup> Street signal would be removed and those issues therefore eliminated.

Mr. Payne said I know it sounds like we're talking a lot about site plan issues right now, but I have one more for you. On this entrance over here, is there going to be a turn lane? It appears that maybe there's a small right turn lane coming into that.

Mr. Dekker said part of the recommendation on the site plan is that right turn lanes be required at both intersections as part of the redevelopment.

Mr. Payne said okay. I promise that that's my last site plan question. The convenience store up there would be how far from the north property line?

Mr. Dekker said I think this setback is 30 feet, that's my recollection. Topographically, there is a considerable difference in elevation between the convenience store site and the residences. The proposed floor elevation of the convenience store is 912 feet and each of these lines is a 1-foot contour, so there is a 22-foot difference between the floor elevation of the convenience store and the property line to the north.

Mr. Payne said so it's quite a steep elevation from the back of the building to the property line, about straight up.

Mr. Dekker said, for example where the loading spaces are proposed for the new store there is a retaining wall along there that is 10 feet tall, and then a slope that is rising upward from that.

Mr. Kusy asked do you know what their typical store hours would be for the convenience store?

Mr. Dekker said no, I do not know what the hours of operation would be. It would be appropriate to ask Hy-Vee's representatives when they make their presentation.

Mr. Pick said, as this is a public hearing, the Commission will hear comments from both proponents and opponents of this proposed zoning change to allow the convenience store on the northeasterly corner. He said we will hear comments from proponents.

Mr. John Brem, with Hy-Vee, 5820 Westown Parkway, West Des Moines, said I'm pleased to have before you a proposal to build an 84,000 square foot grocery store to replace the current store that we have on site, which is a 65,000 square foot store. As some of you may or may not know, that facility was built in 1978. It's aged and it's getting a little tired. And space-wise, we have a lot of products and services we'd like to offer that require more space, thus the reason we're bringing this proposal before you.

As part of those services, we're also adding the "c-store" in this proposal. I have a presentation here to show you. This is a plan view of the current project. The big thing to note is that the existing grades and the way our store is currently positioned on the site doesn't present very well to 86<sup>th</sup> Street and Douglas Avenue. We want to increase

the presence that we have on Douglas Avenue and 86<sup>th</sup> Street by angling the building, and also altering the grades, dropping the site quite a bit. He said in addition, that will decrease our presence to our neighbors to the north. So, what you're seeing here is the large store on the upper lefthand corner. The current store sits at an elevation of 914, and the new store would sit at an elevation of 905. So we're essentially dropping the building and the site by almost 10 feet.

Mr. Brem said in addition we looked initially at tucking the c store down low and to the north in the northeast corner of the site. The idea there was to lower the light levels, the noise and the disruption to the neighborhood behind. On September 11, we held a neighborhood meeting and we had approximately 12 or 13 neighbors show up to that meeting. Overall, I think, the neighbors supported the plan with one distinct item and that was they were opposed to the c store being up in the northeast corner, that close to the neighborhood. As a result of that meeting, and after waiting for City comments, Hy-Vee decided to go ahead and move that c store down to the southeast corner, away from that neighborhood. Essentially we flipped the future use on the corner to the north, and the c store use to the south corner, and because we don't know what that future development might be, we're showing it as these dashed lines as a conceptual development. Obviously it couldn't be a use outside of what's already permitted in the P.U.D. But since we don't know what that is, that would be green space until we had some use for that particular spot.

He said in addition to that, I don't know if the City received architectural renderings or not, but we have a rendering of what the future building would look like. We have similar stores like this, one that's close by is the new store that we've built on Fleur Drive by the airport in Des Moines. We've also built a similar store to this in Grand Island, Nebraska, and we've opened one in Lincoln, Nebraska. This would be the fourth that would be of this type of style. The front elevation is primarily brick on the first 10 feet from grade up, then it's EIFS, then another brick band, and then EIFS, and obviously quite a bit of windows. We've designed our newer stores to let in a lot of daylight to increase the ambience in the store. The rear of the store, and the sides, are primarily precast concrete. I believe the report says that it's tilt-up concrete. The difference between precast and tiltup is tiltup is formed and poured on-site, and then tilted up onto the foundation. The precast panels that we have are manufactured off-site in a controlled environment, they're shipped to the site, and they're set up like a giant brick, essentially. So it's a higher quality material than tiltup. In addition, this is a view of the carwash, which is no longer in the new site plan. We did some sections for the neighbors, to show them the relationship between their properties and the back of the store.

You can see section A on the plan is up behind the store in the lefthand corner. You can see there would be a slight berm there and heavy landscaping. I believe we're planting around 126 trees in that buffer strip, the majority of which would be evergreen. And there's 60 feet between the property line and the store. As you go farther east

around the property line, you get to Section B, which would be the relationship between the neighborhood to the north of us and the service docks. And the service docks are buried into the landscape. The wall you see there is approximately 10 feet, so trucks and garbage and all that would be far below the homes that are to the north. The idea there was to reduce the noise, the visual intrusion into the neighbors. And you can see Section C which no longer pertains to this site plan, but this was what our intended design was, to bury the c store and the gas canopy into the landscape. He asked are we talking about zoning right now, or site plan? I have a few comments regarding site plan comments from the staff report. I don't know if this is the time to address them right now?

Mr. Pick said this is the public hearing for zoning right now. So why don't we reserve site plan comments until later?

Mr. Brem said all right. We had a few comments on the site plan notes from the city. Item # 2 addressed putting a curb section on Douglas Avenue, if we filled in the ditch there. To do so is really not within our scope of what we want to do on this site. We will just leave that section alone as a rural section and not do any filling on that portion. I just wanted to make that comment. Item # 4, I wanted to clarify. There's a note that 25-foot light poles would be the standard required. We can do that but we just wanted to note for the record that generally speaking, in our parking lots, we mount our poles on a 3-foot base so that cars can't hit them. And just wanted to make that noted. Item #8 is in regards to the traffic signal on 86<sup>th</sup> Street at our east entrance, and we'd like the opportunity to study that intersection more before any decision is made on what to do with that signal. I'd be happy to answer any questions, if you have them.

Mr. Hatfield said I think you said that you are pulling the concept of a carwash. So this plan does not anticipate a car wash?

Mr. Brem said correct.

Mr. Hatfield said you can always come back and petition but in the foreseeable future, you don't see that as an issue, that you're going to come back in 6 months?

Mr. Brem said we have not built a carwash in the three years that I've been with Hy-Vee, and I haven't seen a plan that's had one on it for quite awhile.

Mr. Hatfield said I'm not sure what your position was on #2 of the staff recommendations. You don't want to provide a curb, gutter and storm sewer? Can you work that out with Staff?

Mr. Brem said right. Douglas Avenue is currently a rural section with ditches along the way, and to fill that in and create a curb and gutter would require a lot of infrastructure and a lot of negotiating with the D.O.T. We just don't feel at this time that would be an

appropriate thing for us to be doing.

Ms. Ralston-Hansen said I have one question, a clarification on the lighting. You said that you're okay with the 25-foot height pole but you're going to mount them on a 3-foot stand, so in essence they're going to be 28 feet?

Mr. Brem said you're absolutely correct. That's why we wanted to note that.

Ms. Ralston-Hansen asked then how can that be in compliance with the staff's recommendation of a 25-foot light?

Mr. Brem said essentially what we're requesting is that we be allowed to do that, have a 28-foot total height.

Ms. Ralston-Hansen said so you're asking for an exception.

Mr. Brem said yes.

Mr. Kusy said the revised site plan shows a proposed bank. Is that still the plan, or is that going to be the gas pumps? Or is that a bank of pumps? Is that what that means?

Mr. Brem said that's a note that should have come off of there. That is the gas pumps. And we'll get that clarified for everybody when we resubmit these.

Ms. Creveling asked where does that sit in elevation relative to the store, this front parcel, where the convenience store would go?

Mr. Brem said it's slightly higher than where the store would sit. The site's kind of funny, it drops slightly back from that southeast corner, back towards the west. And what we're planning to do is take off a considerable amount of the earth that's on that corner now and dropping the elevation. But it will still sit higher than the store, because we're also dropping the elevation where the store would be.

Mr. Hatfield said is the convenience store proposed to operate 24/7? Is the store going to be 24/7?

Mr. Brem said the c store itself probably won't be 24/7, but it will be pay at the pump so the gas pumps are going to be open at all times. The store would be open 24 hours as it is now, but not the convenience store.

Mr. Hatfield said but that's no change. It's 24/7 now, isn't it?

Mr. Brem said yes.

Mr. Pick asked what would the actual convenience store hours be then?

Mr. Brem said the convenience store hours would be something like 7:00 a.m. to 10:00 p.m., or 6:00 a.m. to 10:00 p.m., would be typical.

Mr. Kusy asked would you say that it's very typical, with the new Hy-Vee developments, to do some kind of a freestanding convenience store/gas pump? Isn't that pretty much their standard M.O. for new stores? On your new developments around the Midwest, when you're doing a new store, it's typical for you to do a freestanding convenience store with gas pumps?

Mr. Brem said that's correct.

Mr. Payne said when you had your meeting with the neighbors, were any of the businesses that are to the east present? Or was it just mostly residents that were there?

Mr. Brem said it was mostly residents that attended the meeting. I don't recall if we had any business owners from the west of us at the meeting, or not. We didn't talk to any that I recall.

Mr. Pick asked if there were any other proponents who wished to speak? Seeing no one, he said we will now hear comments from opponents.

Mr. Steve Stefani, 8612 Horton Circle, said I'm the fourth lot on Horton Circle, on the south backing up to the store. I didn't go to the first meeting, but I do want to say this. We've lived in our residence since 1988, and we have to say I think Hy-Vee has been a really good neighbor to us. We knew when we moved in there that they were going to be there, and I think probably things have worked out as we would hope that they would, considering the circumstances. We've gone to them when we've had problems and they've been very responsive to us. I will say that I was concerned about the c store because I've been around and I've seen where they've built them in other locations. It seems like this would have been the one closest to a neighborhood. I know the one out by Des Moines Golf and Country Club is in a commercial area. The one out by the airport is surrounded by commercial. There aren't too many convenience store that are that close to a residential property, unless I'm mistaken. I think it would have been by far the closest one to a residential property.

So in that respect, I'm really pleased to see that they have moved it to the south because our great concern was that we would have a store with long hours. Out at the airport, they have gas fumes from airplanes all the time and odors from a convenience store aren't going to change anything. But, we don't want to smell them in our back yard because we already catch the doughnuts from the bakery every morning when we get up and fried chicken at night. And the last thing we wanted was gas and fuel smells

in our back yard. So I really want to say thanks for what they've done.

My only concern would be that green area, and I know there are neighbors who live in that area. A bank, of course, would be preferable to a car wash. Something that wouldn't be open 24 hours a day. In your previous experience, what type of a business would you anticipate going in there?

Mr. Brem said we can't exactly anticipate what kind of business would go in there, but typically a bank or a sit-down type of restaurant is a use that would be typically in that kind of space.

Mr. Pick said if it's any use that isn't in the P.U.D. currently, they would have to come and ask for a change, just like they are doing for the convenience store.

Mr. Stefani said so we would be able to come back and express our opinions on whatever was going in there?

Mr. Pick said yes, if it isn't allowed by the current P.U.D., they would have to come back and ask for a variance, yes.

Mr. Stefani said I want to say I think this is a far better, much more friendly plan than what we were expecting. And I can't speak on behalf of my neighbors, but I think basically I'm sure they're happier with this than they would have been with the previous plan. And as long as we have that option of having some input into what goes into that area right behind our neighbors, we would like to make sure that we don't lose that opportunity.

Mr. Raymond Heck, 8601 Horton Circle, said I think it's a good plan. I was kind of surprised to see that we were maybe going to get some relief on the stop lights. That's my main concern because of the extra traffic. I'm wondering if I'm reading this right, when it talks about removing the traffic signal on 86<sup>th</sup>, does that mean the one on the east entrance to the store or the one down at 86<sup>th</sup> and Douglas?

Mr. Hatfield said the one east of the store. It's predicated on a traffic study, too, that Hy-Vee is going to provide as one of the specifications.

Mr. Heck said I just wanted to clarify that. I've got no problems with that, but I was wondering how you were going to take the stop light out at Douglas and 86<sup>th</sup>! We would all like to see Douglas made a main entrance for Hy-Vee. I think you'd get 100% support on that part of it.

Mr. Steve Stefani said I wondered, with regard to the loading dock which would be somewhat close to where we live, is there any way to additionally insulate that area with a wall or something, to kind of act as a noise barrier? Or maybe something covered

that would mitigate the noise from that particular loading dock area?

Mr. Pick said that will be a site plan issue.

Mr. David Bailey, Hy-Vee, 5820 Westown Parkway, West Des Moines, said with regard to the noise in that general area, I'd like to just point out a couple of things. One is the site plan that you see in front of you is less intense than it is today. There is less square footage being proposed now than there is today out there at the center and much less activity behind the building. Today as it sits, there was all that activity from Goodwill, all that unloading, all of those tenants have open dumpsters that are fed from the outside, and the trucks pick them up and dump them in. So there's a lot of noise created there that will all go away once we develop this. Our loading dock area will be similar to what it is today except it is screened more because of the lower elevation and with the extra berming and the hill that is being created there. But then the only garbage and dumpsters that you'll have there will be self-contained compactors. So they're a big unit that's attached to the building and they're fed from inside the building. They're self-contained and sealed so there's no leakage onto the ground, so there should be a lot less noise than what they're hearing there currently today.

Mr. Billy Foley, 3901 86<sup>th</sup> Street, said I want to thank Hy-Vee for spending thirty plus years in our neighborhood and servicing Urbandale. They originally come from the 6400 block of Douglas. And also for their plan, which they didn't mention here, they aren't going to tear down their existing building until they build their new building, and they'll keep their current employees on board and save their jobs. So that's a compliment to them.

I've heard the comments of the neighbors up on Horton Circle. That is a busy street and I don't know any of them so the fact that occasionally Hy-Vee is a little noisy, they're noisy neighbors. The unloading, years ago, I lived there when they first opened and then their plan was to close at 10:00 p.m. in the winter and 11:00 p.m. in summer. Well to keep competitive, they're now open 24 hours a day and their lights are on likewise in the winter and summer, all night. The idea is the loading docks currently are on the northeast corner and the plan originally was the trucks wouldn't arrive until 6:00 a.m. or later. Well Hy-Vee can't control when trucks arrive because they sit there through the night, running, and that will be a little challenge for those folks living right there.

They'll move away from me. I happen to be the only neighbor that fronts on the street looking at Hy-Vee. In the original plan they required shielding. Shielding of trees, they had a fence around all of their air conditioners and their coolers. I believe the paper said they had a couple of remodelings, so I've been through a couple remodelings. Hy-Vee does take care of the building, but during one of the re-roofings, they took the fencing off the roof and you can see the air conditioners and the big coolers. He said the trees that are beautiful down here, at the neighborhood meeting that we had with all the neighbors, they're going to remove them again. Unfortunately the green trees will

have to go away. That's the first bunch they planted on the hillside, and several of them died. It will take awhile for the trees to grow. I watched Hy-Vee build. I'm glad the plan said move the C-store. Hy-Vee wants to be competitive and stay in business, and if it's away from the neighborhood, it should help.

Mr. Scott Richardson, 8604 Horton Circle, said I live in the second house from the corner. I'd like to really thank you guys for moving that store. That was a big stickler I know that we had at the meeting. I'm still going to be curious to see what pops up in that space but hopefully it will be good news for the area. The idea of turn lanes, figuring out how to do it without wiping out all the sidewalks in there, especially on 86<sup>th</sup> Street, would be an ideal thing to pull some of the traffic away from that corner when we're trying to get out of there at 8:00 a.m. and 5:00 p.m. at night. So if somebody would pay some attention to the turn lanes, that would be great! Other than that, good job, guys!

Mr. Steve Stefani, 8612 Horton Circle, said I have a question with regard to the previous speaker with regard to those trees. We negotiated a deal with Hy-Vee, and they put in additional trees behind our home years ago to keep the plastic bags from blowing into our backyard. I'm praying that those trees aren't going to be cut down, because we have some that are right adjacent to our fence in the back and we don't want to have those gone because we paid to have those planted. We split the cost with Hy-Vee on those. We negotiated that deal with the store manager and we either paid for the trees or we paid to have them planted, one or the other. But we had 5 or 6 big evergreens put in there, half of it was at our cost. And we want to make sure that they're not going to get cut down. At least I'd like to make sure that they make every effort to not do that.

Mr. Pick said we will address that as a site plan issue. He asked are there any other opponents?

Mr. Hatfield said just so you know, we're about to close the public hearing, so if you have any comments, now is the time. Because then we're going to do some dialogue up here. So if you have anything to say, now is the time.

Mr. Pick asked do the proponents have any rebuttal?

They indicated that they did not.

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

Mr. Pick said so we'll now move on to site plan issues.

Mr. Hatfield said we're going to look to Mr. Dekker for some direction with this.

Mr. Dekker said with respect to the zoning, you have basically two options. If there's a general consensus on whether to approve the convenience store as a permitted use and want to make that subject to, for example, that it would be allowed only in that southeasterly corner, then perhaps you would be in a position to act upon that matter at this meeting. Hy-Vee does have a timeline that is of concern to them and if you're ready to act tonight, I think they would appreciate action on the zoning change.

Mr. Payne said I'm certainly willing to act. It sounds like, to me, from what Hy-Vee has said, and from the comments from neighbors, there really isn't any dissatisfaction to the relocation of the c store, subject to maybe some site plan issues that we can address later, and then with the convenience store being dropped down to the southeast corner of the site. So I'd be certainly willing, if there's no more discussion....

Mr. Pick said maybe we just stipulate that it has to be located in the southeast corner.

Mr. Van Heuvelen said I think the neighbors are deeply appreciate of the time that Hy-Vee gave them in the meetings they held and the way that Hy-Vee listened to them.

Ms. Ralston-Hansen said there would not be included a car wash use with that c store.

Mr. Payne moved, and it was seconded by Van Heuvelen, to approve the Amendment to the "Hy-Vee/Ace" Planned Unit Development master plan, subject to staff recommendations, that the convenience store be confined to the southeast corner of the property, and that there be no car wash use associated with this amendment. On roll call; Ayes: Payne, Van Heuvelen, Kusy, Hatfield, Ralston-Hansen, Creveling, Pick; Passes: Russell, Gass; Nays: none. Motion carried.

Mr. Pick said I think it's a tribute to Hy-Vee that when we ask for opponents from the audience, they mainly had positive things to say rather than really being opponents. I think it's a "hats off" that you guys are a good corporate citizen for the City of Urbandale!

Mr. Dekker said for the record, the two abstentions were due to appearances of conflicts of interests relative to employment relationships.

Mr. Gass said I work for a subsidiary of Hy-Vee, so I had to abstain from the comments and voting. But I too am glad to see that they did what they did.

Mr. Russell said our law firm is representing one of the retail tenants in ongoing discussions with Hy-Vee, so I abstained for that reason. But I'm glad, to date anyway, these things have been worked out great.

Mr. Dekker said, regarding the site plan, if there are major items that might be noted that you would like to see discussed, with this modification to the c store, the site plan

has been altered substantially so we'll need to see a resubmittal of that and work through that. There are a number of issues that we'd like to discuss more thoroughly with Hy-Vee. So if there are particular things that you would like us to pay attention to, we'd welcome hearing those.

Mr. Payne said my main concern is probably the lighting, and then also the existing trees, as the gentleman said in the back. If they can be saved, great. Or whatever options there may be for those. Then the traffic study, also.

Mr. Pick asked will the site plan revision be in for the next meeting?

Mr. Dekker said it depends on how soon it gets drawn up and submitted.

Mr. Hatfield said site plans do not necessarily create notification to the adjoining residents, so they just have to look at the newspaper or on the city's web site?

Mr. Dekker said they would not. If they would watch the web site for the pending items on the agenda or the agenda itself, that will let them know when the site plan is scheduled for discussion. I would also encourage them to simply call our office to check, and we'd be happy to tell them whether it's on the agenda and answer any questions they might have.

Mr. Hatfield said so you will not receive a letter on the site plan. You'll just have to check with City Hall or check the web site.

Mr. Dekker said, regarding staff reports, at the next meeting we'll have Brunswick Bowling and we'll also have the site plan for Hy-Vee if they can address some of the revisions in time.

The meeting adjourned at 7:10 p.m.