

URBANDALE PLANNING AND ZONING COMMISSION MINUTES

October 10, 2011

The Urbandale Planning and Zoning Commission met in regular session on Monday, October 10, 2011, at the Urbandale Administrative Offices Building, 3600 86th Street. Vice-chairperson Bridget Montgomery called the meeting to order at 6:00 p.m.

Commissioners present were Bill Kusy, Paul Pick, Judy Ralston-Hansen, Bridget Montgomery, and Wayne Van Heuvelen. Staff members present were Steve Franklin, Community Development Manager/Chief Planner, and Cheryl Vander Linden, Department Secretary.

The first item on the agenda was to approve the minutes from the September 26, 2011, meeting. Ms. Ralston-Hansen moved, and it was seconded by Van Heuvelen, to approve the September 26, 2011 minutes. On roll call; Ayes: Ralston-Hansen, Van Heuvelen, Kusy, Pick, Montgomery; Nays: none. Passes: none. Motion carried.

The next item on the agenda was the public hearing on the Electronic Message Center Amendment to the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan, 11200-11298 Douglas Avenue and 3600-3698 111th Street. If there were no objections, Ms. Montgomery said, she would dispense with reading the following official publication:

Case No. 010-2007-02.02.02

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 City Hall, 3600-86th Street, Urbandale, Iowa at 6:00 p.m. on Monday, October 10, 2011, to consider a petition from Mr. Michael Kossack, Director of Fixed Operations for Bob Brown Chevrolet, developer, to amend the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan for the following legally described property:

Lot 8, Walnut Ridge Business Park Plat 7, an Official Plat all now included in and forming a part of the City of Urbandale, Polk County, Iowa.

This property is locally known as 11200-11298 Douglas Avenue and 3600-3698 111th Street. The amendment to the Planned Unit Development Master Plan is proposed to allow an electronic color message center on a monument sign adjacent to Interstate 35/80. More information on this proposed amendment to the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan can be obtained at the Department of Community Development, 3600-86th Street, Urbandale, Iowa between

the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. All interested parties either for or against this proposed amendment to the "Walnut Ridge Business Park Plat 7, Lots 5-8" 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. Franklin said this request from Bob Brown Chevrolet pertains to the new dealership that is currently under construction on the 18.48-acre property located south of Douglas Avenue and west of 111th Street. The property adjoins Interstates 35/80 and has 498.57 feet of frontage on Douglas Avenue, but cannot be accessed from Douglas Avenue because it is a controlled-access arterial street with no access allowed between the Interstate interchange and 111th Street. Therefore, the dealership is accessed from 111th Street via a private common drive that also serves other lots on 111th Street. The site plan for the Bob Brown Chevrolet dealership was approved by the Council on May 31, 2011.

The P.U.D. Master Plan amendment has been requested to allow a full-color message center to be constructed at part of the monument sign along to Interstate 35/80. The message center is proposed to be 8.33 feet high by 13.67 feet wide for a total display area of 113.9 square feet in addition to other sign copy that has a total area of 148 square feet and overall copy area of 261.9 square feet including the message center.

When the City Council approved an amendment to the P.U.D. Master Plan on May 3, 2011 to allow the automotive vehicle dealers as an additional permitted use, the amendment also modified some of the Master Plan's sign regulations, including allowing the Interstate-oriented monument sign, and allowing it to have a 300 square-foot maximum copy area, and 50-foot maximum height.

Urbandale's Sign Ordinance currently prohibits electronic message signs, except on a very limited basis for Interstate-oriented businesses that at the present time only pertains to the Pilot Travel Center because a nearby competitor in another city has one. To paraphrase the existing regulations for electronic message centers:

"Electronic message centers may be allowed in lieu of an Interstate Sign otherwise permitted by Section 4.3(B) of this ordinance, but only by special permit granted by the City Council and subject to all of the requirements of this Section, including the payment of fees, and any additional stipulations adopted by the City Council as conditions for granting said permit. The City Council finds that message centers create special concerns for the safety of the motoring public and esthetics of the community which necessitate additional regulations and additional penalties to ensure compliance with the City's regulations.

Such business shall further demonstrate that: a competing Interstate business

within the Des Moines Metropolitan Area with the same principal use has lawfully erected an electronic message center; and the message center will not obstruct the view of or distract attention from official governmental signs or become a public nuisance.

Permits shall be issued only to Interstate-oriented retail businesses providing food, lodging, or fuel or repair services essential to normal operation and maintenance of motor vehicles. The lot on which such business is located shall have a minimum of 500 feet of frontage on an Interstate Highway, shall be zoned "C-H" Highway Commercial District, and located within a travel distance of 2600 feet from the Interstate Highway."

The Ordinance also regulates the operations of the message center (minimum display time, prohibition on flashing and other distracting affects, et. al) and requires annual licensing as a regulatory mechanism to control inappropriate operation of the message center.

Mr. Franklin said the property drains to the south along 111th Street to a drainage way that runs southeasterly through Living History Farms and eventually into Walnut Creek. Storm water detention is provided by two basins along the east property line that 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.

If an electronic message center is approved for this business, it appears certain to lead to requests for similar accommodations by other businesses. That is, this is a precedent-setting request that represents a significant change in City policy.

Accordingly, IF the City feels that it is reasonable and appropriate to change the current City policy and regulations on electronic message centers, it is suggested that it may be appropriate to defer action on this request, and to consider an amendment to the Sign Ordinance as a whole, to establish new regulations for electronic message centers that are applicable and acceptable for City-wide application

Mr. Franklin said if the amendment to allow the electronic message center is approved, staff recommends that it be subject to the following restrictions and requirements:

1. Not more than one electronic message center shall be allowed, and its copy or display area shall not exceed 125 square feet in area.
2. The electronic message center shall not utilize animation, chasing, flashing, scintillation, scrolling or running messages, fade, or any other effect which depicts movement or is intended to draw attention to the sign. Each display of copy or graphics, whether or not in a sequential message, shall be totally extinguished a minimum of one second before a new copy or graphic display appears, and each display shall remain lit a minimum of five seconds. Such signs shall not display off-premise advertising. Other limitations may be imposed by the City if found to be necessary to protect the public health, safety, and welfare.
3. An application to operate a message center shall be made annually to the City on a form prescribed by the City, and shall be accompanied by a contract with a licensed sign company for the maintenance of all electrical components and the sign structure. Permits may be renewed each year at the City's discretion upon payment of the prescribed fee and providing all information required herein, and upon demonstrating continued compliance with all of the requirements of this and all other ordinances.

An annual fee shall be paid to the City to cover the costs of monitoring the sign and enforcing these regulations.

If any one or more of the restrictions on operation on a message center are violated on more than 3 separate occasions in any license year, such violations shall be grounds for terminating the current license and denying a renewal of the license. The Zoning Administrator or other official charged with enforcing this ordinance shall document each violation and send notice of same to the person and address identified on the permit application as being responsible for the message center. Violations shall be promptly corrected, and if not corrected within seven (7) days after notification shall constitute a separate violation.

In making application, the permittee shall acknowledge that violation of these regulations may result in termination of the license and constitute grounds for nonrenewal of the license.

Ms. Ralston-Hansen asked was this a surprise to you? When we approved the original signage, did they mention that they were going to come back and ask for an electronic message type sign?

Mr. Franklin said no. I don't recall if we had specifically talked about that yet or not. Mr.

Brown and Mr. Kossack could probably address the timing of that issue. There was no deception of any kind from Staff's standpoint. I think they were still trying to think about whether or not they might want to have it, and decided that they would rather get approval to do the approved monument sign, and then come back and see if they could do a message center later.

Ms. Ralston-Hansen said as far setting a precedent for this, other than the truck stop, have you ever had a request for a moving sign?

Mr. Franklin said yes.

Ms. Ralston-Hansen said along the interstate or in town?

Mr. Franklin said we did have one fairly recently from someone along the interstate. There have been other requests in recent past years since the technology has gotten better. Five or ten years ago, all you had was the scrolling, flashing words with the white bulbs that would show up on the screen. Not nearly the resolution or capability of today's options. But since the technology has improved and the costs have decreased, like a lot of other types of signs, we will be getting more requests for this type of sign.

Ms. Ralston-Hansen asked why do those never come to us?

Mr. Franklin said because the Sign Ordinance doesn't allow them.

Ms. Ralston-Hansen asked why did this one come to us, then?

Mr. Franklin said this one is just a little bit of a different animal in that there were signage modifications that were asked to be part of the P.U.D. amendment, and now they want to modify one of the signs that was allowed in the P.U.D. amendment, so it's appropriate to bring it through this particular avenue. The other requests that come in would need to go to the Board of Adjustment to get a variance from the Sign Ordinance. And what we've told those people when they come in to request it is that the Sign Ordinance doesn't allow it, it's probably not going to get approved but you can take it through if you want to, and they've always elected not to do that.

Ms. Ralston-Hansen said okay, thanks.

Mr. Kusy said you said that we do allow it now on very limited cases. What are the specifics that this property has that doesn't make it permissible now? Is it the zoning?

Mr. Franklin said yes. There are several requirements in the Sign Ordinance but the two major things for an electronic message center to be eligible is that it has to be zoned "C-H", which is the Highway Commercial District and this is a P.U.D. The other major issue in the Ordinance is "interstate oriented retail businesses providing food,

lodging, fuel, or repair services essential to normal operation and maintenance of motor vehicles". So an auto dealership, Bob Brown Chevrolet, is considered to be more of a retail use selling new and used cars and trucks and does not qualify.

Mr. Kusy asked do we have much "C-H" zoning along the interstate?

Mr. Franklin said we don't really have a whole lot of "C-H" along the interstate. Most of our "C-H" zoning districts are going to be along Merle Hay Road and few other pockets here and there.

Ms. Ralston-Hansen said if we approve this, to those people who have come to you in the past, would they still have to go through the Board of Adjustment? Or if we changed the Sign Ordinance, would they just blanketly get their sign requests approved?

Mr. Franklin said if you would recommend approval of this, it would only pertain to this property as part of this P.U.D. amendment. So anybody else that wanted a message center of some kind, as things currently stand, would still need to go to the Board of Adjustment and request a variance from the Sign Ordinance.

Mr. Van Heuvelen said but in that situation, now you are apparently saying that you don't think the Board would go along with it. If indeed this were allowed, it would be a different story, wouldn't it?

Mr. Franklin said yes, I suppose it could change things a little bit. I think what we as Staff would tell you is that regardless of what you decide to do tonight, we're probably going to end up taking this up with a sub-committee of members from the Chamber and whoever else, and look at this in the bigger context of the Sign Ordinance, just because we feel like those requests are still going to be coming in. And if this gets approved, they're going to come in and say hey, you approved it for them, we want it too.

Ms. Ralston-Hansen said but they'd still have to go through the process.

Mr. Franklin said right now, they would need to go to the Board of Adjustment.

Mr. Kusy said I don't know if you know the technology of this sign, but if this sign got built without the electronic piece and then we later approved it, would it be very expensive to go back and retrofit the sign?

Mr. Franklin said I don't know. I can let Mr. Brown and Mr. Kossack speak to that. I wouldn't think it would be that big a deal to go back and add it on.

Ms. Montgomery said the Commission will hear comments from both proponents and opponents of this amendment. First we'll hear from any proponents.

Mr. Ron Brown, Bob Brown Chevrolet, said we're currently at Merle Hay and Aurora, and obviously relocating to Douglas. I'd like to explain to you just a little bit about our franchise system, because I think that has some effect on what we're talking about here, as far as Bob Brown Chevrolet being a franchisee of General Motors for the Chevrolet Motor Division. I won't take a lot of time with it, but I think it's kind of important and then I can give you my reasons why I think that we probably have a case here that has been addressed in the Sign Ordinance on why we feel that we should be able to have a reader board. The Chevy franchise is 100 years old. We've got 3,000 dealers, and we all have the exact same franchise agreement. And they're very specific about providing anything to all franchisees that they would provide to anyone in a specific situation. He said the sign package happens to be one of the situations for our franchise. There are two types of franchises. There's a single franchisee, which would be a Beneventi in Granger, Shottenkirk in Waukee, and Holmes in Norwalk. They're a single franchisee, they're outside of our metro area. And what General Motors does in a metropolitan area, size permitting, they have a multiple dealer agreement, so we have a separate sales agreement that the other single area dealers don't have. And all it means is that they're taking the entire metro area, less the three towns that I mentioned, and all three of us are assigned the same area. So I can sell on the east side, and they can sell on the west side, we're not just assigned Clive, West Des Moines and Waukee. We're assigned the whole area, along with Karl Chevrolet in Ankeny and Deery Brothers Chevrolet in Altoona.

Mr. Brown said so, with that, we're all competitors in the same market area. How this came about was Karl was approved a reader board sign through the City of Ankeny and was constructed. So when we made our relocation request to General Motors, we asked for the same sign. And their process says, they have a third party, in this case it's Eagle Sign, and so this is what they brought to the table. And Mr. Franklin and the Staff has addressed it, as you've heard. So I think, in that respect, when you speak of we're obviously an interstate business, but when you speak of the paragraph that addresses "such businesses shall further demonstrate that a competing interstate business within the Des Moines metropolitan area". We were Number One in sales, and Karl is now Number One in sales, and he moved to a 30-acre location. We're approximately 18-1/2 to 19 acres where we're at. So businesses' situations change. They take time, but they happen. And we feel that he is obviously our biggest competitor in Central Iowa, and General Motors, when they got the request, they couldn't understand why we couldn't have a sign and Karl could. They obviously don't understand, in Detroit, the specific situations for our market area. There will be no obstruction of this sign for any government or any other official business. It's actually going to be tucked right into the corner right next to the Living History Farm land. I don't know what their long-range plan is, but I don't know that they'll have commercial or any other types of businesses. It seems to me that when we looked at their property on Hickman, we were trying to relocate there before the economy turned down, that they were pretty specific about how they want to keep their properties.

He said I think it's important to understand, too, that we're forecasting 20% of our service business will be transient, interstate service business. And that's a pretty good chunk of what we need to do to try and get people to come from the interstate to our location. I'm sure all of you are aware of the site, but it is a sunken lot, so we don't have the luxury of seeing anything but our sign. We probably will have, maybe it looks like, 10 or 15 cars parked up around our sign up on the high part on the southwest corner, which is on the interstate. So that is truly very meaningful to us, to have recognition to someone coming down the interstate, whether they are just driving to work and know we're here, or someone that needs service work going down the interstate. We don't sell gas, but we are building an 8-station electric recharging station for the Volt. I don't know this for sure, but we think that it's a standardized charging system for the industry, just like a gas pump, or a diesel, or ethanol or whatever the case. I can't predict the future of the electric car in the state, but we're going to be selling them. We're selling them now, and so in some fashion, we are addressing this need. We are catty-cornered across the interstate from the Pilot Travel Center, and I submit they do service work. Probably fuel is their main attraction, but they do tires, they do service repair, they do everything we're going to do, wash vehicles, maintain them. So I think that in this example here, we have consideration for competition. And it's obviously changing times in our marketplace. We have 25 % fewer dealers from what we've gone through, so it's important to us. We're proud to be there, we want to work with the City any way we can. We don't want to create obstacles for you, but I would really appreciate hard and long consideration on it. We can build a sign to accommodate a reader, because we do want to get our signs up. We're doing a three-phase occupancy of the building. The first will probably be our lube/oil/filter/car wash. Then it will probably be the body shop, then the service department. So we would obviously like to have people know we're there for this, and this will happen in January, more than likely, probably March, and then a complete move-in in May. So any consideration you give on this proposition, we appreciate, and thanks for your time. He asked if they had any questions?

Ms. Ralston-Hansen asked why didn't you present the automation of your sign when you asked for the sign package?

Mr. Brown said I think Mr. Franklin explained it, and Mr. Kossack might be able to address it better than me, I wasn't involved in it.

Ms. Ralston-Hansen said it sounds like you got approval of it from the Chevy franchise dealership when you got approval to relocate your operation.

Mr. Brown said well, they submitted the sign and it was denied.

Mr. Mike Kossack, with Bob Brown Chevrolet, said when we did go through General Motors and did our proposition to move, they sent us out what our initial sign package was. And then after we went ahead and we got our P.U.D. amended to be able to build out there, then they came to us and said, well, here's a reader board we would like you

to have to be compete. We would have submitted it because we've been pretty fair and up-front about everything, at that time. So then they came to us and then we really looked into it and decided that would really help our proposal. We didn't think they would even consider that for our location, that's why we didn't do it at that time. And the moment we did, we got in front of Mr. Franklin and got a drawing, and Pattison Sign is the company out of Detroit doing it, and Eagle Sign is the local vendor that's proposing it. So we got on it as soon as we knew that we were able to do that.

Mr. Kusy said I had the question earlier about could you put the sign up now without the reader board, and then add it later?

Mr. Kossack said we addressed that. I talked to Eagle Sign quite a bit about doing that, not knowing the timeliness of being able to get this done or approved. We could add it in, it would be an expense, not a very cheap expense. They said it would be \$12,000 to \$18,000 for us to construct it, then he'd have to remove most of the sign, and rebuild it. It wouldn't be just as easy as hanging a reader board on there. I kind of thought it would be an easy process, but it actually isn't because of the height, and the wind load, and everything else for the sign, they would have to disassemble the sign and rebuild it with it.

Ms. Montgomery asked what is your vision for what's going to be displayed on the board?

Mr. Kossack said kind of like you would picture your cars. You would put on there Volt charging station, or electric car charging station. You'd put on there on Saturdays and Sundays, quick service is available, no wait, car wash. We would probably promote our "now opening". For the first year, it probably would be mostly just telling them what we are out there. None of the stuff would be flashy, blingy stuff. It would be a solid screen that you would see, it would go away, and then a new image would come up. You wouldn't have that fading in and fading out. Because we understand on the interstate people are doing 65 or 70 miles per hour, so it has to be a bright constant photo for people to be able to read.

Ms. Ralston-Hansen said if it was to be approved, have you looked over the staff recommendations that Mr. Dekker and his team put together?

Mr. Brown and Mr. Kossack said absolutely, yes.

Ms. Ralston-Hansen asked and those are ones you could live with?

Mr. Kossack said absolutely.

There was no one present who wished to speak in opposition.

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

Mr. Van Heuvelen said it seems that the staff report is probably correct that, if we would just ad hoc allow this, that we would probably be besieged with additional requests, certainly understandable. It seems like maybe a little additional study both from the safety standpoint, and I hesitate to use the word "restrictive" standpoint, but if we do go toward these types of signs, there will be requests along Hickman, along Merle Hay, different places, that aren't going to be the interstate, and probably some restaurants, hotels, everybody's going to want one. What happens in these situations when we open the door? I really don't know the answer to that, so it seems to me some additional study is probably in order to see just exactly what other communities are doing and maybe what Ankeny is doing, and make sure we do the right thing. Allow businesses to be able to advertise their services but not allow the door to be too wide open where everybody starts putting up these signs every 15 feet and then they become ineffective for everybody.

Mr. Pick asked Mr. Franklin if he knew what the timeframe was? You know, I think there was something put out there about commissioning a group to consider reworking the Ordinance.

Mr. Franklin said when we've done this before, it's taken, I would say, in the neighborhood of 3 to 4 months to do. A couple of months of meetings with a subcommittee to talk about it, flush it out a little bit. Generally we try to do that with a representative from the Commission, maybe a representative from City Council, a few Chamber members, get some business owners in there. So we would estimate a 3 to 4 month timetable to get through that.

Ms. Ralston-Hansen said I think that's being optimistic, having sat on this Commission for so long.

Mr. Franklin said Mr. Dekker and I discussed that this afternoon because this is one question I thought you might ask. We think we could probably do it in 3 or 4 months based on the previous couple of amendments to the Sign Ordinance. That's not to say it might not take a month longer. It's difficult to schedule people into meetings, and if there's a lot of input, we just have to get into it to see. But we think a 3 to 4 month timetable would be fair and accurate to shoot for.

Mr. Pick said the schedule for putting up the sign is when? Now?

Mr. Kossack said the end of November, or early December, is when we'd like to have it up. We'll open the quick lube and car wash, hopefully, the end of December, or January.

Mr. Kusy asked did the special cases where we allow it now, when we modified our Sign Ordinance a few years ago, was it modified with that inclusion because we already had Pilot out there, or was it decided that boy, if it met all these crazy criteria, that we would allow it? Which came first?

Mr. Franklin said this particular provision for Electronic message Centers has been in the Ordinance for some time. I don't have a date on it, but it's been, I'm going to guess, 12 to 15 years, maybe longer, that that has been there. We've had at least two modifications of the Sign Ordinance since I've been here in about the last six years, and I don't recall the electronic message center topic ever coming up.

Mr. Pick asked so how many requests have there been for these digitalized boards, within the last 18 months?

Mr. Franklin said two off the top of my head. It's not like we get one every other month.

Mr. Pick said in my personal opinion, I don't think that we would be besieged with these, because I think the cost of these things will prohibit that.

Mr. Franklin said right, they're not cheap but they are getting better and less expensive all the time.

Mr. Pick said they're not cheap!

Mr. Franklin said I don't think there would be a lot of requests. But, I think there would be a few more than what we get now.

Ms. Ralston-Hansen said if we use this as the vetting tool for those additional or subsequent requests, would they be able to meet, not knowing who they were nor do I need to, if you gave them the same screen, for lack of a better term, saying ok, if your request meets all of these, would you approve them?

Mr. Franklin said that's what I mentioned earlier. Whether it's now or later, we're probably going to end up going through a sign amendment process. Most of the recommended criteria that we've listed here is probably what's going to be included in any changes at the end of the day. What might get changed is where those types of signs are allowed to be, the scale and scale based on the location and type of street....Right now, if you read through the current restrictions there can't be any fading or flashing. The copy has to be visible for five seconds, it has to go clear for at least one second before another one could come up, etc... Some of those timing issues and size issues might change based on the scale of where they would be allowed, but most of those criteria is still going to apply.

Ms. Ralston-Hansen said there's no residential around here, so that sign is not going to interfere with anyone's light.

Mr. Franklin said that's correct.

Ms. Ralston-Hansen said to me, that's pretty huge. Personally I don't have a problem with it.

Ms. Montgomery said so, hypothetically, we could approve their request and simultaneously request a subcommittee?

Mr. Franklin said yes, you sure could. Whatever you recommend tonight is going to go to Council, and they can take up what your recommendation is and decide what they want to do. But you certainly could do that. You could approve this sign, subject to the recommended conditions, and then also recommend that we revisit this in the bigger picture with the Sign Ordinance.

Ms. Montgomery said just to clarify, anyone else wanting to do a sign like this would still be subject to the Board of Adjustment.

Mr. Franklin said that is correct. Because the Sign Ordinance does not permit it, so in order for them to be allowed to do it, they would need to go to the Board of Adjustment and try to get a variance.

Mr. Van Heuvelen asked have you laid any groundwork with the Chamber or have you done any study, has Mr. Dekker done any study, is there any national standards at all that we could expedite this along a little bit? My problem is that, if we allow this one, and then say let's have a committee to kind of do things right in the future, make sure we're all on board with this stuff, every one will be measured against this one. In terms of height, and how much it flashes, pixels and everything, this will always be the one that could very well be outside of the model that we come up against. And this has got residential nearby, this one doesn't have residential; this one's got 2,500 feet of interstate space, and the next one only has 500 feet. So we're always going to be measured against this one, which could be the exception that will make everybody else relatively uncomfortable. If we do a comprehensive study and make them all parallel from the start, it will be more fair to everybody and I think we'll have less controversy. That being said, of course, I hate to see anybody have to spend the extra money if they have to do this sign twice, but if we could expedite this somehow, if the groundwork was already laid, if we could get the committee together, if the Chamber is ready to go, and do something that's going to be fair and equal, and less problematic for the City, as other requests come on board. And there will be other requests. I don't know how many, but there will be.

Mr. Franklin said yes, I agree there will be more requests. I would say two things, we

already have a meeting set up with some Chamber representatives and some other folks to discuss a couple of other signage issues. I'd think we could very easily add this to that agenda. In terms of any recent research that we've done, I don't know if Mr. Dekker has done that or not. I would think probably not. He did do a bunch of research years ago to come up with the current criteria. There's a lot of information out there about this newest technology, and I think we could probably pretty quickly research that stuff and come up with information for discussion.

Mr. Van Heuvelen said Ankeny apparently just went through this. They may have a book they could hand you.

Mr. Franklin said I don't think it would take too long to get some research done, and like I said, we've already got a meeting scheduled and a process going now with a couple of other signage issues that we're going to be talking through. The other thing I would tell you is that this sign would meet the criterion that's recommended. We did try to think about this sign being that standard benchmark that you speak of for this type of location and use. And then if Bob Brown is willing to do the other things recommended in paragraph 2, such as no animation or chasing or flashing, and Mr. Kossack indicated they're willing to accept that, we feel like this sign would be within the criteria that would be flushed out if we went through a sign amendment process.

Ms. Ralston-Hansen said so eventually, at the end of the day, we're going to end up with this. If we made a recommendation to change the ordinance, it's going to be 80% of what these words are?

Mr. Franklin said I think that's probably fair, there would certainly be some revisions but I'd bet it would look pretty close to these recommendations for this use and location.

MS. Ralston-Hansen said that's kind of what I heard you say earlier.

Mr. Pick said we've already outlined if there are violations. My personal opinion, I just think that it turning into 5 to 6 months to debate this issue is too long. It's unacceptable

Ms. Montgomery said under # 2 on the Staff recommendations, you have "such sign shall not display off-premise advertising." Would that preclude any sort of pro-bono promotion for, like a non-profit activity?

Mr. Franklin said no, it would not preclude that. There is a freedom of speech issue. If they wanted to have a message for the mayor, or whatever on there, we really couldn't stop them from doing that. What we wouldn't want to see them doing is advertising Homemaker's is having a sale on sofas, or that type of thing.

Ms. Montgomery said ok, but they wanted to put up something about the Lion's Club breakfast or something like that, they could do that?

Mr. Franklin said yes.

Mr. Pick said if this passes tonight, it goes to the Council in 2 weeks then?

Mr. Franklin said 3 weeks. It is a P.U.D. amendment, so it would not be next week, it would be the following Council meeting, so it would be 3 weeks from tomorrow. It would be a public hearing before Council, and they would consider whatever recommendation you want to make tonight.

Mr. Pick moved, and it was seconded by Ralston-Hansen, to approve the Electronic Message Center Amendment to the "Walnut Ridge Business Park Plat 7, Lots 5-8" Planned Unit Development Master Plan, subject to Staff recommendations and also moving forward with some type of committee to handle consideration of amendments necessary to the Sign Ordinance. On roll call; Ayes: Pick, Ralston-Hansen, Kusy, Montgomery; Passes: none. Nays; Van Heuvelen. Motion carried.

Mr. Van Heuvelen said, in explanation of his "no" vote, my vote is not against the sign at all. It's just that I'd rather see it done in a comprehensive fashion and as fast as we possibly can. I realize that this could possibly lead to some extra expense but if the City really worked hard, and we got our commissions together, got the Chamber together, I'd like to think that this could go a lot faster. To do it on an ad hoc basis could mean that some people are not going to get treated fairly.

The next item on the agenda was the public hearing on the Directory Sign Amendment to the "Colby Woods North Plat One" Planned Unit Development Master Plan, 3701-3799 86th Street, Case No. 010-1973-02.02.06.

Ms. Montgomery said she would dispense with reading the following official publication, if there were no objections.

Case No. 010-1973-02.02.06

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 City Hall, 3600-86th Street, Urbandale, Iowa at 6:00 p.m. on Monday, October 10, 2011, to consider a petition from Emmes Realty Services, LLC, authorized agent for Gateway Highland Properties, Inc., owner, to amend the "Colby Woods North Plat One" Planned Unit Development Master Plan for the following legally described property:

Lots 1 and 4, Colby Woods North Plat 1, an Official Plat now included in and forming a part of the City of Urbandale, Polk County, Iowa.

This property is located south of Douglas Avenue and east of 86th Street, and is known locally as the "Parkwood Plaza" Shopping Center located at 3701-3799 86th Street. The amendment is proposed to allow directory signs to be constructed on the property. More information on this proposed amendment to the "Colby Woods North Plat One" Planned Unit Development Master Plan can be obtained at the Department of Community Development, 3600-86th Street, Urbandale, Iowa between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. All interested parties either for or against this proposed amendment to the "Colby Woods North Plat One" Planned Unit Development Master Plan will be heard at the time and place set forth above.

There were no objections to the notice as published.

Mr. Franklin said this request pertains to a property located south of Douglas Avenue and east of 86th Street that is known locally as the "Parkwood Plaza" Shopping Center located at 3701-3799 86th Street. The shopping center has approximately 124,500 square feet of floor area excluding the US Bank and Urban Grill "outlots". The property is 12.69 acres in area and has 600 feet of frontage on Douglas Avenue and 1,107 feet on 86th Street. It is accessed from Colby Parkway, which forms the south boundary of the development; 86th Street at an access location that is about 600 feet south of Douglas Avenue that also is an access location for the Municipal Complex; and has a right-turn only access from east-bound Douglas Avenue.

The amendment is proposed to allow directory signs to be constructed on the property in compliance with the Urbandale Sign Ordinance. The "Colby Woods North Plat One" P.U.D. Master Plan, which was approved by the City Council on January 26, 1988 includes some limited criteria for ground signs as part of the performance standards, and does not allow directory signs. The allowable ground signage per the current P.U.D. Master Plan is limited to a "maximum height of six feet above the grade at the property line" and the copy is "limited to the name and address of the shopping center".

An amendment to the Sign Ordinance was approved by the City Council in 2008 to allow directory signs per the following criteria:

- E. *Directory Sign. (Amended by Ordinance No. 2008-01, April 4, 2008). Any retail, office, or industrial premises that this ordinance permits to have a ground sign may erect a directory sign as such permitted ground sign if such premises have three or more tenants occupying a total of not less than 9,000 square feet of gross floor area. Directory signs shall conform to the monument sign requirements except as provided by this paragraph.*

Tenant copy shall be updated within ninety (90 days) after any and all changes in tenant occupancy on the premises to reflect current occupancies, and any tenant copy remaining after such time that does not identify a current tenant shall be deemed obsolete and shall cause the entire sign to be defined as an abandoned or unmaintained sign and as such shall be removed in its entirety as required by this Ordinance.

Not more than one directory sign shall be permitted on each street frontage unless the premises has 600 or more feet of frontage on a continuous street, in which case two (2) directory signs separated by a minimum of 250 feet shall be permitted. All directory signs on a premises shall be consistent in design, color, and materials, and the copy shall be identical except that different tenant names can be displayed in each directory sign.

Cabinet signs or other signs with Plexiglas, acrylic, polycarbonate or other translucent faces upon which copy is painted, silk-screened, or created by affixing vinyl letters shall be prohibited in all cases.

Directory signs shall have a minimum setback of 50 feet from all property lines except street lines; a minimum setback of 100 feet from the point of street line intersection on a corner lot; and a minimum setback of 10 feet from any street line or if no street right-of-way line exists shall have a minimum setback of 25 feet from the curb or pavement edge.

The premises' street address, including the entire range of address numbers if more than one, shall be displayed below all other copy and a minimum of three (3) feet above the grade at the base of the sign; shall have a letter height of not less than six inches (6") nor more than fourteen inches (14"); shall be formed from individually mounted letters, provided that push-through letters may be used for letters that are 8" or less in height; shall be lit with the same brightness and intensity as all other copy on the sign; and shall have a white font color if the background is dark, or a dark font color if the background color is light. The address copy shall not be included in computing the permitted sign area or counted as a tenant name.

The name of the premises, if any, may be displayed on the monument above or below the tenant copy in individually mounted letters having a maximum height of 14" and maximum copy area of 15 square feet in addition to the maximum sign area allowed for the tenant faces.

The maximum monument height shall be 15 feet, the maximum monument area shall be 190 square feet, and the maximum total sign area for all tenant faces shall be 50 square feet unless the directory sign complies with all of the following criteria, in which case the maximum monument height shall be 20 feet; the maximum monument width shall be 24 feet; and the maximum monument area shall be 2.5

times the copy area or 320 square feet, whichever is less:

- 1. The copy for each tenant shall be not less than eight inches (8") nor more than fourteen inches (14") in height, unless a height of less than eight inches is necessary to fully display an individual tenant's name and trademark. Calculations for such heights shall be the cap height or ascender height as measured from the copy baseline to the top of the ascenders or capital letters and disregarding the descender height of lower case letters' stems.*
- 2. All copy shall be fabricated from channel letters, reverse channel letters, or push-through letters.*
- 3. Tenant copy shall limited to names and logos displayed on an individual background area for each tenant, and the directory sign shall not display copy for more than six (6) tenants. The tenant background areas shall be fully encased within the sign monument. The background area shall be identical in area and dimensions for all tenants. The background area for each tenant shall not exceed twenty-six (26) square feet, a height of 24 inches, or width of 13 feet. For channel and reverse channel letters, the copy letters shall be the same height for all tenants; the background area dimensions shall be scaled from midpoints between the copy area for each tenant; and the copy area for each tenant shall not exceed 60 percent of the tenant's background area.*
- 4. All copy shall be internally illuminated, and all illumination shall be identical in color, brightness, and intensity. The background area shall be a single, identical color for all tenants, and the copy shall be a single, identical color for all tenants. It is preferred, but not required, that the background color be dark and that the copy color be white to optimize contrast and night visibility.*

Mr. Franklin said the shopping center meets the minimum criteria for directory signage since it does have more than 9,000 square feet of floor area and more than 3 tenants.

There are currently three ground signs on the property that were constructed when the shopping center was built, and all three were recently reconstructed/renovated to give them a more updated appearance. One is located at the corner of 86th Street and Douglas Avenue, another is located at the corner of 86th Street and Colby Parkway, and the third is located between the other two at the turn lane on 86th Street. All of the signs have copy that reads "Parkwood Plaza" and are compliant with the P.U.D. Master Plan standards. However, upon construction of any new directory signage the existing monument signs would become legally non-conforming. Since the signs were recently updated they would be allowed to remain in place as is until they begin to deteriorate and need to be removed.

The property is zoned "P.U.D." Planned Unit Development District, as part of the "Colby Woods North Plat One" P.U.D. The properties to the east and the south are also zoned "P.U.D." Planned Unit Development District, as part of the "Colby Woods" P.U.D. The property to the north is the Omega Place office development, which is zoned "C-O"

Office/Service District. The property located to the west of 86th Street is zoned "G" Conservancy District and contains the City Administrative Offices, the Urbandale Public Library, and Walker Johnston Park. The property is located in the Urbandale School District.

He said Staff recommends approval of the above amendment to the "Colby Woods North Plat One" Planned Unit Development Master Plan.

Mr. Van Heuvelen asked did I miss something? Is Planet Fitness moving in there?

Mr. Franklin said Planet Fitness is moving in over there, yes. They are working on their build-out right now. They're looking at an opening right before the end of the year, I think.

Mr. Scott Michaelis, Emmes Realty Services, LLC said much before the "regret season".

Mr. Franklin said they're going in the space immediately next to Incredible Pizza. So between Incredible Pizza and Aparre, they're going right in that space there.

Mr. Pick said that's a great spot for a fitness facility, right between two restaurants!

Mr. Kusy asked the parking lot is not congested too much right there?

Mr. Franklin said they did need to go to Board of Adjustment to deal with a parking variance, because we've got so much going on there. But they did get that approved.

Ms. Montgomery said the Commission would take comments from both proponents and opponents of this proposal. First, they would take comments from proponents.

Mr. Michaelis said Mr. Franklin did a great job, so unless there are any questions? He summed it up very well.

There was no one who wished to speak in opposition.

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

Ms. Ralston-Hansen moved, and it was seconded by Pick, to approve the Directory Sign Amendment to the "Colby Woods North Plat One" Planned Unit Development Master Plan, 3701-3799 86th Street. On roll call; Ayes: Ralston-Hansen, Pick, Kusy, Van Heuvelen, Montgomery; Nays: none. Passes: none. Motion carried.

Mr. Franklin said there will be a public hearing on this item 3 weeks from tomorrow night before the City Council.

The next item on the agenda was the "Bent Creek Ridge" Preliminary Plat (150th Street and Brookview Drive).

Mr. Franklin said this preliminary plat pertains to the west 29.75 acres of a 60-acre property in unincorporated Dallas County that is being voluntarily annexed into Urbandale. The City Council approved the voluntary annexation on September 20th and the State's City Development Board will consider it on October 12th. The Council also approved the first reading of an ordinance to rezone the west half of the property from "A-1" to "R-1S" on October 4th which will become effective once the annexation is final, assuming the annexation is approved by the City Development Board. The annexation won't become final until at least late November, due to Code of Iowa provisions allowing for appeal of the filing and Board action.

The west boundary of the plat adjoins the "Bent Creek Estates" development, and the plat is accessed through "Bent Creek Estates" and specifically by Brookview Drive. The property is currently used for agricultural purposes. There is an existing farm building on this parcel that will be removed.

The preliminary plat proposes 39 buildable lots and 2 outlots. The conditional rezoning of the property approved by the Council requires the lots to have a 75-foot minimum width. The proposed lots generally have widths of 90 feet or more, and areas that range from 13,900 square feet (0.32 acre) to a large estate lot with 81,187 square feet (1.86 acres). Outlot "X" is 2.56 acres that is expected to be developed into single-family residential lots at some future date when properties to the south are developed and sanitary sewer is extended northward from the Urbandale trunk sewer that follows Walnut Creek. Outlot "P" is a 3.00 acre parcel that is proposed to be dedicated to satisfy the Park Land Dedication requirement for the plat.

Brookview Drive, which is a collector street requiring a 35-foot front setback will be the only access to the proposed subdivision until adjoining parcels are developed. Brookview Drive is expected to eventually extend east out to 142nd Street, when the east 30 acres of the annexation parcel are developed. There also is a street "stub" to the north that will provide additional access when the property adjoining to the north is eventually developed. The corner lots on interior streets are required to be twenty feet wider than the minimum width. The minimum front setback along 147th Street is 30 feet, the minimum rear yard setback for all of the lots is 30 feet, and the minimum side yard setbacks for the lots are 8 feet on each side.

Urbandale's sanitary sewer and water are available to the 39 proposed buildable lots that are being platted from "stubs" that are located in Brookview Drive.

142nd Street is the Polk/Dallas County Line. The City of Grimes lies to the east of 142nd Street. The property adjoining immediately to the south is also in the City of Grimes. It is a 20-acre, 330-foot wide parcel that is included in the “Grimes severance area” of the Urbandale-Grimes Annexation Agreement, so it can voluntarily sever from Grimes and annex into Urbandale at the request of the property owner.

The property to the north (referred to as the “Robel Farm”) is currently unincorporated. Its owners have petitioned for voluntary annexation to Urbandale, and a public hearing has been set for the City Council to consider the Robel Farm annexation on October 18th.

The “Bent Creek” development adjoins to the west and is also is zoned “R-1S” Suburban Density Single Family District, with Conditions of Rezoning that also require a 75-foot minimum lot width.

The plat is located in the Waukee School District and drains southwesterly to Walnut Creek.

Mr. Franklin said Staff recommends approval subject to finalization of the annexation into Urbandale and of the rezoning to “R-1S”, and requiring the developer to:

1. Submit an Attorney's Opinion for approval.
2. Comply with the Parkland Ordinance; if the proposed land dedication is accepted, provide an access to the park parcel having a width of at least 15 feet, in a location that is acceptable to the City (appears to have been provided, drawing legibility is obscured); and relocate the storm water detention elsewhere, outside of the park parcel.
3. Provide off-site easements as needed to construct the improvements; increase the size of the temporary turnaround at the end of Brookview Drive; provide a Minimum Grade at Structure elevation on the final plat for each lot without an MOE; and provide individual grading plans for each lot at the time the construction drawings are submitted for approval.
4. Add a manhole near the subdivision boundary/end of the sanitary sewer between Lots 5 and 6; and widen the sanitary sewer easement on Lots 11-15 to be 2 times the depth or 30 feet, whichever is wider, centered on the pipe.
5. Provide additional permanent erosion control measures along the channel to reduce erosion along the rear of lots 16-17 and 20-39; verify that the proposed grading for Lots 10, 11 and 13 will provide adequate drainage; and inform future lot purchasers of the City's drainageway policy.

6. Provide a storm water detention maintenance facility agreement per the City's post construction ordinance (template provided by the Community Development Dept.); and provide a copy of the NPDES Permit prior to final approval of the preliminary plat.
7. Drainage Report – provide discussion based on the items 2A-5 part 4 related to the 2 year release rates, detention performance, the accounting for offsite areas that will be developed in the future, and the undetained flows from this site; provide more narrative on how the release rates were determined; revise the narrative to explain the computer generated print outs; verify that the detention will work properly and not be a maintenance problem for the property owners if it is not graded including removing the trees from within the ponding limits; and provide storm pipe design information and intake capacity information for the 100 year storm.

Ms. Erin Ollendike, Civil Design Advantage, was present to represent this preliminary plat.

Mr. Kusy asked are you okay with the Staff recommendations?

Ms. Ollendike said yes.

Mr. Kusy moved, and it was seconded by Van Heuvelen, to approve the Bent Creek Ridge Preliminary Plat, subject to Staff recommendations. On roll call; Ayes: Kusy, Van Heuvelen, Pick, Ralston-Hansen, Montgomery; Nays: none. Passes: none. Motion carried.

Ms. Montgomery asked will this item be on City Council's agenda next week?

Mr. Franklin said yes, that will be next Tuesday.

The next item on the agenda was the Revised "Landmark Office Park" Preliminary and Final Plats (9300-9499 Blocks of Plum Drive).

Mr. Franklin said these revised preliminary and final plats pertain to a property located along the Plum Drive corridor, approximately midway between 86th Street and 100th Street. It adjoins the south side of Interstates 35/80 for approximately 1,333 feet and has a total area of 38.86 acres. The plat is bisected by a section of Plum Drive that is currently under construction as a City project. The City Council approved the property's "C-O" Office Service District zoning on December 16, 2008. The existing preliminary and final plats were approved by the Council on May 3, 2011.

The original preliminary and final plats proposed two large outlots, and the right-of-way for Plum Drive. Outlot "X" was 23.07 acres and had approximately 1,362 feet of frontage

along the north side of the Plum Drive right-of-way. Outlot "Y" was a 12.66-acre parcel along the south side of Plum Drive. Both of the outlots would have had to have been replatted into buildable parcels prior to any development, since outlots are allowed to lack some public infrastructure that would be installed later with the replat into buildable parcels.

The revised preliminary and final plats propose a total of nine buildable lots with areas ranging from 63,276 square feet (1.45 acres) to 366,687 square feet (8.42 acres). Lots 1-3 are larger lots proposed on the north side of Plum Drive, and lots 4-9 are smaller lots south of Plum Drive.

The proposed plats will provide the Plum Drive right-of-way through the parcel, completing the segment of Plum Drive between 86th and 100th Streets, and therefore the entire Plum Drive corridor from 86th Street to NW Urbandale Drive. The completion of Plum Drive will allow the City to widen Meredith Drive to a 4-lane cross-section between 86th Street and NW Urbandale Drive, which is scheduled in 2012. It is necessary to close Meredith Drive to through traffic during the widening project, and that was not possible without the completion of Plum Drive to serve as a detour route.

Mr. Franklin said a 12" water main has been extended along this section of Plum Drive as part of the ongoing street construction project. Sanitary sewer service is available to the property from a trunk sewer that runs through the property, along the west property line to approximately its mid-point and then northeasterly along the major drainageway.

Interstates 35/80 adjoin to the north. The property to the east is zoned "P.U.D." Planned Unit Development and is regulated by the "Best Commercial" Planned Unit Development Master Plan, and is currently being platted as "Highland Pointe Office Park Plat 1". The property to the west is zoned "A-1" Agricultural Reserve District. The property to the west is currently used for agricultural purposes, and the Highland Pointe property will be returned to agricultural use now that the "over lot" grading of the property has been completed. Single-family residences in the "Glen Eagles" neighborhood adjoin the entire south boundary, other than for the North Walnut Creek floodplain and related public open space.

The property is located in the Johnston School District, and the Northwest Market Center Urban Renewal Plan/Tax Increment Finance District (established for economic development purposes).

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

1. Revise the drawing to show all of the proposed buildable lots rather than the previously approved Outlots, revise Notes 2 and 3; provide the NPDES permit; and show all erosion control measures.

2. Extend the pedestrian easement in the southwest corner of the plat north to the Plum Drive right-of-way in accordance with the conditions required for the rezoning of the property.

Staff recommends approval of the final plat subject to requiring the developer to:

1. Submit the plat documents for approval, including surety for any uncompleted public infrastructure that is not included in the City's Plum Drive project, including \$43,616.48 for sidewalk along Plum Drive, and maintenance bonds for the public improvements; and provide all easements (provide legal descriptions and title block information for documents provided by Community Development Dept.)
2. Show addresses for each lot (to be provided by Community Development Dept.); show the 50-foot Landscape Buffer along the entire south boundary of the plat excluding the North Walnut Creek floodway; show the easement in the northeast corner of the site associated with the development to the east; correct the spelling of development on Sheet 2; verify whether minimum opening elevations are required for any of the lots; verify the second General Note since water has been installed along Plum Drive; and revise the callout for the ingress/egress easements from existing to proposed since they have not yet been recorded.
3. Extend the pedestrian easement in the southwest corner of the plat north to the Plum Drive right-of-way and construct the 10-foot wide pedestrian trail in accordance with the conditions required for the rezoning of the property. The trail location shall be approved by City staff prior to construction.

Ms. Erin Ollendike, Civil Design Advantage, was present to represent this preliminary and final plat.

Ms. Ralston-Hansen asked are you okay with the Staff recommendations?

Ms. Ollendike said yes.

Mr. Kusy asked the entire parcel is zoned "C-O", right? Even though they have different-sized lots?

Mr. Franklin said yes, that is correct. The entire parcel is zoned "C-O" and the proposed lots meet all of the minimum lot requirements, as far as setbacks, sizes, and things like that.

Ms. Ralston-Hansen moved, and it was seconded by Pick, to approve the Revised Landmark Office Park Preliminary and Final Plats, subject to Staff recommendations. On roll call; Ayes: Ralston-Hansen, Pick, Kusy, Van Heuvelen, Montgomery; Nays:

none. Passes: none. Motion carried.

Regarding Staff reports, Mr. Franklin said we have one thing is pending right now, which is basically what we consider to be an accessory structure on the Bob Brown Chevrolet property to have a battery charging center for the Chevy Volt vehicle. It just came in and we need to look at that, and if necessary we'll get that on the agenda. It's going to be a smaller building with a little bit of an overhead canopy, just a station where you can plug in the car. Beyond that, nothing on the pending list. Activity is still good on both the residential and commercial sides. Still a lot going on. We are pretty busy right now! We may have a one or two meeting lull, but then I think there is going to be some other stuff come in here before winter, getting ready for next year. It continues to be a slow, steady incline but it is an incline based on where we've been.

Ms. Montgomery said there seems to be a lot of in-fill, if that's what you call it, out in my area, on lots close to the school off 156th Street, which is nice to see.

Mr. Franklin said like the Children's Dental Center that is being built on 128th Street, just north of the bank north of Hickman, is one of several recent situations where there was one or two lots left, and somebody's finally going in there to get that built.

Ms. Montgomery asked so you're thinking that there will be a meeting on October 24?

Mr. Franklin said I need to look at that plan and see if we would have that in in two weeks. But my feeling is that it will be four weeks from tonight, we'll probably be able skip our next meeting. But I can confirm that with you here yet this week.

Ms. Montgomery said maybe I'm confusing the other car dealership out near Bob Brown, the Preowned Solutions, but I was thinking that there was not a public car wash with Bob Brown.

Mr. Franklin said that's correct, this is not a public car wash. In addition to their main building, they have two smaller buildings. But they are for customer use only.

Ms. Montgomery said okay. From the way that he was talking, it sounded like it might be a public car wash.

The meeting adjourned at 6:56 p.m.