

## **Minutes of the Tuesday, February 9<sup>th</sup>, 2021 Planning and Zoning Commission Meeting**

The February 9<sup>th</sup>, 2021 Regular Planning and Zoning Commission meeting was called to order at 6:02 p.m.

**Roll Call.** The Following commissioners were present: Streit, Koshy, Broderick, Ward, and Hoifeldt. Commissioners Conley and Inman were absent. City staff in attendance: Brad Deets, Melissa DeBoer, Andy Kass, and Kathryn Purvis.

**Agenda Approval.** A motion was made by Commissioner Streit, and seconded by Commissioner Hoifeldt, to approve the agenda for the February 9<sup>th</sup>, 2021, Planning and Zoning Commission meeting. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

**Approval of the January 26<sup>th</sup>, 2021 Regular Meeting Minutes.** A motion was made by Commissioner Hoifeldt, and seconded by Commissioner Streit, to approve the minutes of the January 26<sup>th</sup>, 2021 regular Planning and Zoning Commission meeting as written. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

**Open Forum:** None

### **Approval of a Rezoning Related to a Change from A-1 (Agricultural District) to R-4 (Row Dwelling and Townhome District) [Broderick Property]**

Senior City Planner, Andy Kass, introduced the request for approval of a rezoning for a medium density residential subdivision as submitted by the applicant, TerraFirm JV. The subject property is generally located west of N. Warrior lane and north of Hickman Road, containing approximately 19.74 acres. The applicant has submitted consent from 20.04% from neighboring property owners. Generally 50% is required. This request was granted a hearing by the City Council given the extenuating circumstance that two of five property owners that abut this property are the City of Waukee and Waukee Community School District. Both of which are ineligible to consent to a rezoning request.

Mr. Kass explained that the concept plan shows the potential for 156 townhome units divided amongst 29 buildings in the development. The units have been identified as intended for owner occupation and each unit is intended to have its own lot. These lots would range between 1600 and 1728 square feet in size. Access would be available into the site off of an extended NW 2<sup>nd</sup> street and a public street that cuts through the property from east to west. All other streets interior to the site are identified as private streets. The applicant has requested the ability to do a fee in lieu of parkland.

At this time staff believes this project allows for diversity in the housing options in the area. This project also provides the necessary restricted access in proximity to the round-about on NW 2<sup>nd</sup> Street that would otherwise be problematic for other types of development. Staff would recommend approval of the rezoning.

- Commissioner Broderick advised that he had spoken to a property owner that abuts the subject property, Phillip Broderick, who had expressed his consent to the rezoning to the commissioner.
- Commissioner Streit questioned for more information regarding the Fee in lieu of parkland. Mr. Kass advised that the fee would be used to make improvements to other parks in the area and helps to avoid pocket parks. In the area there is Triumph Park as well as a large dedication from the Prairie Rose development to the East of approximately 15-17 acres that would serve the area for readily than the required 2.5 acres from this development. The fee would be due at the time of site plan approval.

Commissioner Hoifeldt moved to approve the rezoning related to a change from a-1 (Agricultural District) to R-4 (Row Dwelling and Townhome District) [Broderick Property] subject to any remaining staff comments. Commissioner Streit seconded the motion. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

**Approval of a Rezoning Related to a Change from A-1 (Agricultural District) to R-2 (One and Two Family Residential) and R-2 (One and Two Family Residential)/ PD-1 (Planned Development Overlay)**

Senior City Planner, Andy Kass, introduced the request for approval of a rezoning for a single family residential subdivision as submitted by the applicant, Element 119. The subject property is generally located south of NW Meredith Drive and west of N. Warrior Lane, containing approximately 56.95 acres. The applicant has submitted consent from 56.99 % of property owners. Notification was sent to adjacent property owners February 1<sup>st</sup>, 2021 and signs regarding the rezoning were posted on the property February 2<sup>nd</sup>, 2021. To date staff has not had any correspondence for or against the rezoning.

Mr. Kass explained that the submitted concept plan identified 148 single family lots built over the course of three phases. 62 of these lots would be zoned R-2, while the remaining 86 lots would have a zoning of R-2/PD-1, allowing for alterations to the lot sizing and set back requirements. The request would create a minimum 7,000 square foot lot with reduced lot widths and side yard setbacks within the planned development area. Concessions regarding elevations, size and landscaping for these lots. A number of public street extensions would occur as part of the development and a 10 foot wide trail will be required along the south side of NW Hillside Boulevard. Public utilities will serve the development and Stormwater detention is anticipated in Outlots W, X, and Y. Outlot Z has been identified as parkland dedication.

Mr. Kass addressed the grey area in the center of the map, explaining that the applicant was not looking to purchase that land at this time as this is a possible school location in the future. In the event that the school does not located here, there are additional plans for filling in the area with additional single family development.

At this time staff would recommend approval of the rezoning.

- Commissioner Koshy questioned if the circles at the top of the map were anticipated cul-de-sacs. Mr. Kass advised that the identified circles were required temporary turnarounds for emergency vehicles and snow plows.

- Commissioner Hoifeldt questioned if the Boulevard would be divided. Mr. Kass advised that the boulevard designation was not going to be divided.
- Commissioner Streit questioned if the proposed planned development was similar to other requests in the past. Mr. Kass advised that these lots were larger than more recent requests and more in line with early requests for smaller lot development in the Spring Crest and Stratford developments.

Commissioner Broderick moved to approve the rezoning related to a change from A-1 (Agricultural District) to R-2 (One and Two Family Residential) and R-2 (One and Two Family Residential)/ PD-1 (Planned Development Overlay). Commissioner Streit seconded the motion. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

### **Approval of a Site Plan for Hyper Energy Bar (1025 SE Laurel Street)**

Senior Planner, Andy Kass, introduced the request for approval of a site plan for Hyper Energy Bar as submitted by the applicants, Waukee Town Center, LLC and Heart of America Group. The subject property is generally located north of SE Laurel Street and west of SE Alice's Road, containing approximately 0.89 acres.

Mr. Kass advised that the project includes construction of a proposed building approximately 512 square feet in size, with an overall height of 16 feet. A drive-thru window is provided on both the north and south sides of the building in what is known as a California Style Drive-thru. A walk-up window is located on the west side of the building with the intent to not have service interior to the building. Access to the site is provided to the west off of SE Laurel Street and to the east through the Tommy's Car Wash site. A total of 7 parking spaces are shown on the site plan exceeding the requirement of 5. Public utilities will service the site and Stormwater will be detained in a regional basin to the north of the site. All landscape, lighting, open space, and elevation ordinance requirements have been met at this time.

Staff recommends approval of the site plan subject to remaining staff comments and review of the legal documents.

- Commissioner Koshy questioned what the construction timeline is for SE Laurel Street. Mr. Kass advised that SE Laurel Street should be completed late summer of 2021 as a joint venture between the City and the developer. At this time Access is unavailable to Hickman. Brad Deets, Director of Development provided a clarifying comment that a separate developer owns the land necessary to make the connection to Hickman Road and there is some hesitation about providing the necessary easements regarding competition and providing access and having to maintain an access that someone else uses. Staff continues to work to obtain the ability to see SE Laurel street outlet to Hickman Road.
- Commissioner Hoifeldt questioned if there was an option for outdoor seating. Mr. Kass advised it was not called out, but that there was space if they decided to add it.
- Commissioner Broderick questioned if this set a precedent for cutting through the car wash site for other lots as well. Mr. Kass advised that the connection is necessary at this point in time. That may change as other lots develop and access is available away from the site.

Commissioner Hoifeldt moved to approve the Site Plan for Hyper Energy Bar [1025 SE Laurel Street] subject to any remaining staff comments. Commissioner Koshy seconded the motion. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

**Approval of an Ordinance to amend Chapter 160: Site and Building Development Standards, Chapter 165: Zoning Regulations, Definitions and General Regulations, and Chapter 169: Zoning Regulations District Regulations by incorporating regulations for interior storage uses**

Director of Development, Brad Deets, introduced the request from staff to approve an ordinance to amend chapters 160, 165, and 169 of the Waukee Municipal Code to incorporate regulations related to interior storage uses within the Commercial C-1 District.

Mr. Deets advised that the intended type of project would be commercial in look, but contain internal storage units with interior access only. Staff was approached by a developer looking to bring this type of product to the City and the City Council has indicated interest in pursuing the inclusion of interior storage uses. The new ordinance would add a definition of what internal storage uses are as well as provide specific design standards for the use including provisions for loading/unloading areas and the architectural design. The ordinance also requires a portion of the first floor of the building be used for retail space, and advises that the use would need to maintain a minimum of 400 feet back from any identified interstate, highway, or major/minor arterial road.

Mr. Deets advised that this proposed use and the ordinance regarding it makes use of the back side of large commercial parcels while still protecting the surrounding neighborhoods and presents a project that mirrors the surrounding building aesthetic.

- Commercial Broderick questioned if the retail requirement was the entire first floor. Mr. Deets advised that it was a 50% requirement.
- Commissioner Koshy questioned if the ordinance addressed interior and exterior options. Mr. Deets advised that “combo” storage would still be maintained in the M-1 light industrial district. Advising that only interior storage uses would be allowed into the commercial district. Commissioner Koshy also asked for clarification of the term “Junk” as it listed a lot of items that might be found in a storage unit. Mr. Deets advised that the terminology came from the property maintenance code and that a friendly amendment would be added for clarity regarding the property maintenance portion of the code.

Commissioner Broderick moved to approve an Ordinance to amend Chapter 160: Site and Building Development Standards, Chapter 165: Zoning Regulations, Definitions and General Regulations, and Chapter 169: Zoning Regulations District Regulations by incorporating regulations for interior storage uses subject to any remaining staff comments. Commissioner Streit seconded the motion. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

**New Business**

Senior Planner, Andy Kass, introduced new business to the commission.

## **Adjournment**

Commissioner Koshy moved to adjourn the February 9<sup>th</sup> regular Planning and Zoning Commission Meeting. The motion was seconded by commissioner Hoifeldt. Ayes: Streit, Koshy, Broderick, Ward, and Hoifeldt. Nays: None. Motion Carries.

Meeting adjourned at 6:58pm.

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Cherian Koshy, Chairman

Attest:

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Brad Deets, Director of Development