



AGENDA
PLANNING AND ZONING MEETING
Norwalk City Hall, 705 North Ave
Monday, May 8, 2017
5:45 P.M.

1. Call meeting to order at 5:45 P.M.
2. Approval of Agenda
3. Approval of Minutes – April 10, 2017
4. Chairperson – Welcome of Guests
5. Public Comment – 3-minute limit for items not on the agenda (No action taken)
6. New Business
 - a. Public hearing and consideration of a zoning amendment to rezone properties in the City's Founders District (located south of North Ave, east of IA 28, west of Cherry St, and north of Wright Rd; and, along Main St between North Ave and IA 28) from current R-1 Single Family Residential and R-2 Two Family Residential to R-F Founders District Single Family Residential
 - b. Request from Norwalk Land Co. LLC, to approve the Preliminary Plat for Norwalk Orchard View Plat 4 & 5
 - c. Discussion regarding siting cell towers in the public right-of-way
 - d. Update on Parks Master Plan Request for Proposals
7. City Council Update – Stephanie Riva, Planning and Zoning Commission Liaison
8. Economic Development Update – Hollie Askey, Economic Development Director
9. Future Business Items
 - a. Proposed Koethe Ground Annexation
 - b. Platting for Certified Industrial Site
 - c. Blooming Heights Final Plat
 - d. North Shore Preliminary Plat
 - e. Warrior Run Plat 2 Final Plat
 - f. Rolling Green Plat 6 Final Plat
 - g. Farms of Holland Plat 3 Final Plat
 - h. Site Plan Amendment for Brownstones at the Legacy Plat 8
 - i. Affordable Housing Research
10. Next Meeting Date: May 22, 2017
11. Adjournment

REGULAR NORWALK PLANNING AND ZONING MEETING 04-10-2017

Call to order

The regular meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, April 10, 2017. The meeting was called to order at 5:46 p.m. by Chairperson Judy McConnell. Those present at roll call were Elizabeth Thompson, Brandon Foldes, Barbara Belizzi, Jim Huse, Donna Grant and Judy McConnell. Absent: John Fraser
Present was City Council liaison Stephanie Riva.

Staff present included: Luke Parris, (Interim) Community Development Director, and Hillarie Ramthun, Community Development Coordinator.

Approval of Agenda – 17-26

Motion by Huse and seconded by Thompson to approve the agenda. Approved 6-0.

Approval of Minutes – 17-27

Motion by Belizzi and seconded by Grant to approve the minutes from the March 27, 2017 meeting. Approved 6-0.

Chairperson McConnell welcomed the 6 guests present. With no one wishing to discuss matters not on the agenda, the business portion of the meeting was opened.

New Business

Consideration of a recommendation to the City Council regarding the proposed Urban Renewal Plan Amendment.—17-28

The rezoning of a certified industrial site creates the need for an amendment to the Urban Renewal Plan. The amendment will explain the use of Tax Increment Financing (TIF) dollars to assist with the construction of needed infrastructure associated with the Ancell/Knox Site. This will also provide an explanation of the incentive package to Woodgrain Millwork due to the utilization of TIF dollars. Part of the approval process will require a review by the Planning & Zoning Commission to make sure that the proposal conforms to the City's Comprehensive Plan.

An amendment has been prepared which covers (1) the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of projects in the Urban Renewal Area. This will consist of: construction of street, water system, sanitary sewer system and storm water drainage improvements and provide tax increment financing support to the Woodgrain Millwork plant project. This will include the funding of economic development grants and incremental property tax payments to facilitate property acquisition, project development, and job creation.

Grant asked when Woodgrain Millwork will begin building.

Parris considered that it would be November.

McConnell asked how many workers, Parris responded with 70-80

Grant inquired about HWY 28 and if there would be changes such as three lanes rather than two.

Parris concurred that a third lane would be added, a right turn lane.

McConnell entertained a motion.

Motion by Huse and seconded by Grant to approve the recommendation to City Council regarding the proposed Urban Renewal Plan Amendment. Approved 6-0.

Consideration of a recommendation to the City Council regarding a proposed change to the Subdivision Ordinance for parkland dedication –17-29

On March 13, 2017, P&Z discussed the potential change to the parkland dedication section of the City's Subdivision Ordinance. There is growing concern with how the developers are meeting the City's requirement. The primary concern: developers have forgone dedicating land and chose the City's option to provide a monetary fee in its place. The monetary fee is meant for the improvement to existing parks. The value of the monetary fee is determined by the pre-development value of the ground on a per acre basis. The result of the low fee payments does not match the typical cost of park improvements.

The City has a plan to develop a Master Parks Plan that will help determine future locations of parkland. While in the interim, the City could amend the Subdivision Ordinance section to remove the monetary fee option. City staff has developed a proposed agreement that would require each developer to dedicate land for every residential development or enter into a separate agreement with the City to how the dedication would be met.

Parris added language stating that any development agreement will need to go through Planning & Zoning and the Park and Recreation Advisory Commissions to ensure that provisions are being complied with. There is no language at this time regarding smaller developments or those requirements. There was concern from the Commissioners regarding sections of the ordinance where it is stated that developers may want to dedicate private parkland.

Foldes pointed out that the way the text reads the developer can dedicate private land for a park, but that land cannot be claimed as private if they do so.

Parris stated that a developer cannot claim a private park as part of their dedication. The private ground would be open for public use, but would have to be maintained privately.

Parris asked if the current code language would need to be amended to suit the City's needs and not give to many alternatives.

McConnell would like to see a refined process of how parkland dedication is approved.

Motion by Grant and seconded by Thompson with the added recommendation. Approved 6-0.

Discussion regarding private infrastructure in subdivisions—17-30

Over the last few years, the City has received concerned comments from citizens regarding private streets. City staff and the City's engineer have investigated due to previous incidents with private streets. Inspections have been conducted to ensure private infrastructure has been installed correctly. In 2015 the City required that all private infrastructures be built in accordance with City standards that are required for public infrastructure. The Zoning Ordinance also required blue signage for private streets. The City would like clarification as to whether the recent changes are enough to ensure that private infrastructure are built correctly or if changes need to be made to the Subdivision Ordinance and Zoning Ordinance to make all streets and infrastructure public.

Grant expressed that private streets, such as Jaden Lane, are too narrow.

Riva stated that she doesn't mind private streets and was one of the people that pushed for the private infrastructure requirements to meet the code of public requirements.

Parris discussed the different set back requirements for medium density/private infrastructure compared to a traditional single family subdivision and commented that what essentially needs to be done is that the code will need to be rewritten.

The private infrastructure discussion will be brought back at a future time.

City Council Update- Big news of the week is the new web site search feature has been updated to go directly to the agenda and minutes of City Council.

Future Business Items-

- Planning and Zoning work session on April 24th instead of the regularly scheduled P & Z meeting.
- R-F rezoning tentatively scheduled for May.

Next meeting Date – May 8, 2017.

Adjournment – 17-31

Motion by Belizzi and seconded by Huse to adjourn the meeting at 6:31 p.m. Approved 6 -0.

Judy McConnell, Vice Chairperson

Luke Parris, City Planner



**PLANNING & ZONING COMMISSION
AGENDA STATEMENT**

Item No. 6A
For Meeting of 05.08.2017

ITEM TITLE: Public hearing and consideration of a zoning amendment to rezone properties in the City's Founders District (located south of North Ave, east of IA 28, west of Cherry St, and north of Wright Rd; and, along Main St between North Ave and IA 28) from current R-1 Single Family Residential and R-2 Two Family Residential to R-F Founders District Single Family Residential

CONTACT PERSON: Luke Parris, AICP – Community Development Director

SUMMARY EXPLANATION:

In 2015 Zoning Ordinance Update, the City created a new zoning district titled the Founder's Single Family Residential District (R-F). The purpose of this district was to create relaxed standards for older areas of the community that had difficulty conforming to the standards of the traditional Single Family Residential District (R-1). While the District was created when the updates were adopted by City Council, there has been no property in the City officially zoned as R-F.

On January 5, 2017, the City Council approved a resolution directing staff to begin the rezoning process for the areas shown on the attached map. In February 2017, staff sent invitations and held a public meeting to provide information to residents about the proposed rezoning. Staff answered questions at that meeting but did not receive any objections to the proposal. Staff also scheduled an opportunity to learn about the rezoning at 5:00 PM on May 8th, immediately prior to the Planning & Zoning Commission. Staff will provide any comments obtained at the 5:00 PM meeting during the Commission meeting.

The new district was formed and the rezoning is being proposed because the City found that many older homes and lots within the City did not conform to the traditional standards of the Single-Family Residential district. At times, this impacted the ability of a property owner to make improvements to their property. To provide more flexibility, the City adopted the new Founders District Single-Family Residential to lessen the City requirements. The new district provides the following minor changes:

- Reduce front building setbacks from 30' to 25'
- Reduce rear building setbacks from 35' to 25'
- Reduce building setbacks for the side of corner lots from 30' to 10'

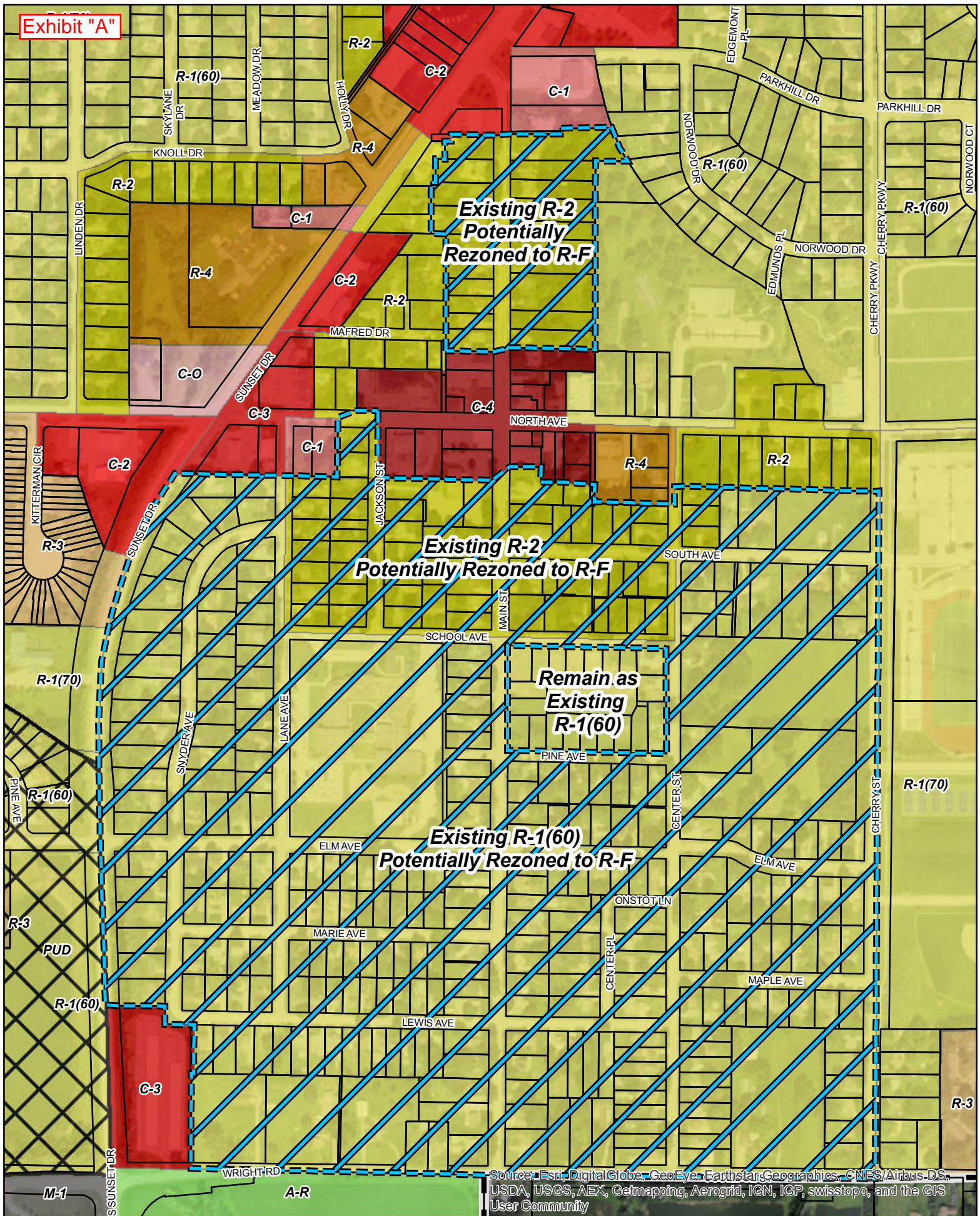
ALTERNATIVES:

1. Recommend approval of the rezoning to the City Council
2. Recommend approval of the rezoning to the City Council with conditions
3. Take no action at this time.

STAFF RECOMMENDATION:

Staff recommend approval of the rezoning request. The request is in conformance with the City's Comprehensive Plan and future land use map.

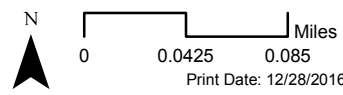
Exhibit "A"



Source: Esri, DigitalGlobe, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



Areas to be considered for Founder's District Single Family Rezoning





**PLANNING & ZONING COMMISSION
AGENDA STATEMENT**

Item No. 6B
For Meeting of 05.08.2017

ITEM TITLE:	Request from Norwalk Land Co. LLC, to approve the Preliminary Plat for Norwalk Orchard View Plat 4 & 5	
CONTACT PERSON:	Luke Parris, AICP – Community Development Director	
APPLICANT(S):	Norwalk Land Co. LLC PO Box 267 Johnston, IA 50131	City State Bank 801 Main Street Norwalk, IA 50211
GENERAL DESCRIPTION:	This request would create 61 single-family lots west of the existing Norwalk Orchard View residential development	
IMPACT ON NEIGHBORHOOD:	The properties surrounding are residential in nature. Ground to the west was recently purchased by the school for the future elementary school and potentially additional residential.	
VEHICULAR & PEDESTRIAN TRAFFIC:	The plat shows the construction of two new streets, Walnut Drive and Tupelo Court, and the extension of three existing streets, Hickory Drive, Orchard View Drive, and Bradford Drive. The road connections provide two egress points from the neighborhood to Orchard Hills Drive, a major collector for the neighborhood. On the north of the development, Hickory Drive is stubbed to the west, providing future opportunities for connections to future development and additional egress points from the neighborhood.	
TRAIL PLAN:	The plat shows standard 5' sidewalk on both sides of all streets. The closest trail is along Orchard Hills Drive that connects the neighborhood to McAnich Sports Complex to the south and the new Orchard View Park and trails along North Avenue to the north. An 8' trail and associated trail easement is also shown between lots 48 & 49 to provide an access to Orchard View Park from the neighborhood. This trail would connect with a planned bike trail in the park.	
ZONING HISTORY FOR SITE AND IMMEDIATE VICINITY:	This site is zoned in the Orchard View PUD as R-1(60) Single-Family Residential. Surrounding ground is also zoned R-1(60) with the R-3 Norwalk Orchard View Townhomes bordering the southeast of the plat. Land to the west was zoned A-R Ag Reserve when annexed into the City of the school district. The area will likely be rezoned to residential when the school site progresses with development.	
BUFFERS REQUIRED/ NEEDED:	Adjacent uses are compatible and any required buffering was provided on the R-3 site.	

DRAINAGE:	Drainage from the northern lots are collected by the on-street storm sewer system and conveyed to the regional storm water detention pond in Orchard View Park. Drainage from the southern lots is collected by the on-street storm sewer system and detained in a private basin on outlot Y along Tupelo Court.
DEVELOPMENT HISTORY:	A preliminary plat for the entire Norwalk Orchard View development was originally approved by the City in 2014. Since that time, enough changes had occurred with the development of the Norwalk Orchard View Townhomes that the remaining portion of Norwalk Orchard View required a new preliminary plat to review lot layout and infrastructure design.
FLOODPLAIN:	None of the proposed lots are located within a floodplain.
PARKLAND:	Parkland for the development was dedicated during the final platting of Norwalk Orchard View Plat 1.
UTILITIES: WATER, SANITARY SEWER, STORM SEWER.	<ul style="list-style-type: none"> • An 8" water mains are provided along City streets to provide adequate water service. • Hydrants are shown at adequate coverage for all lots. • An 8" sanitary sewer is located along City streets to provide adequate sewer service. • An appropriate storm sewer system was designed to convey water from the lots and street into the retention ponds in Orchard View Park or the private detention area on outlot Y.
RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:	This area was part identified as low density and medium density residential. The proposed preliminary plat meets the intent of the land use plan.
STAFF ANALYSIS – ZONING ORDINANCE:	<p>The Preliminary Plat consists of 61 lots. The plat consists of 19.02 acres of land with lots ranging from 8,589sf to 27,32sf.</p> <p>Streets will be dedicated to the City for street use upon approval of the Final Plat. The designated street right-of-way is 60 feet with a 28' wide roads, with the exception of Tupelo Court which is 26' wide.</p>
STAFF ANALYSIS – SUBDIVISION ORDINANCE:	The Subdivision Ordinance requires that Preliminary Plat submissions details on lot design, street layout, sanitary sewer layout, water main layout, grading, and storm water management. All information has been submitted by the applicant.
STAFF RECOMMENDATION:	<p>Staff recommends that the request for the Preliminary Plat of Farms of Holland Plat 3 be approved with the following conditions:</p> <ul style="list-style-type: none"> • That the applicant provides all supporting documentation required within the Norwalk Subdivision Regulations. • That any significant modifications to the final plat be reviewed and approved by the Planning & Zoning Commission and City Council.

DRAFT RESOLUTION NO. ____

**A RESOLUTION APPROVING THE PRELIMINARY PLAT OF NORWALK ORCHARD VIEW
PLATS 4 & 5**

WHEREAS, the Planning & Zoning Commission reviewed this request at their regular meeting on May 8, 2017 and recommends approval of the Preliminary Plat; and

WHEREAS, that the applicant provides all supporting documentation required within the Norwalk Subdivision Regulations; and

WHEREAS, that any significant modifications to the preliminary plat be reviewed and approved by the Planning & Zoning Commission and City Council; and

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the Preliminary Plat of Norwalk Orchard View Plat 4 & 5 as described and shown in Attachment "A" attached hereto and made a part thereof by reference.

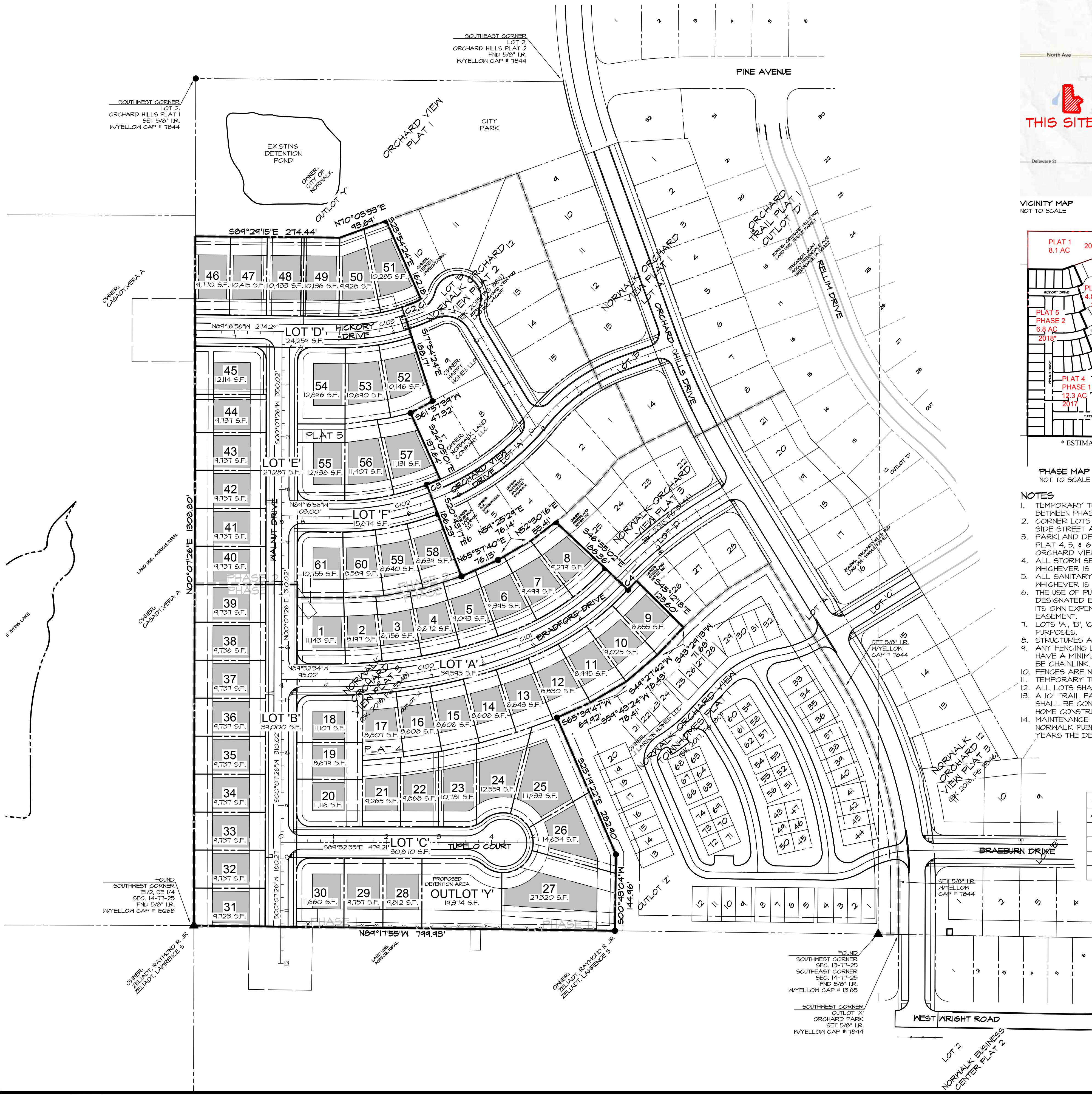
PASSED AND APPROVED this 18th day of May, 2017.

Tom Phillips - Mayor

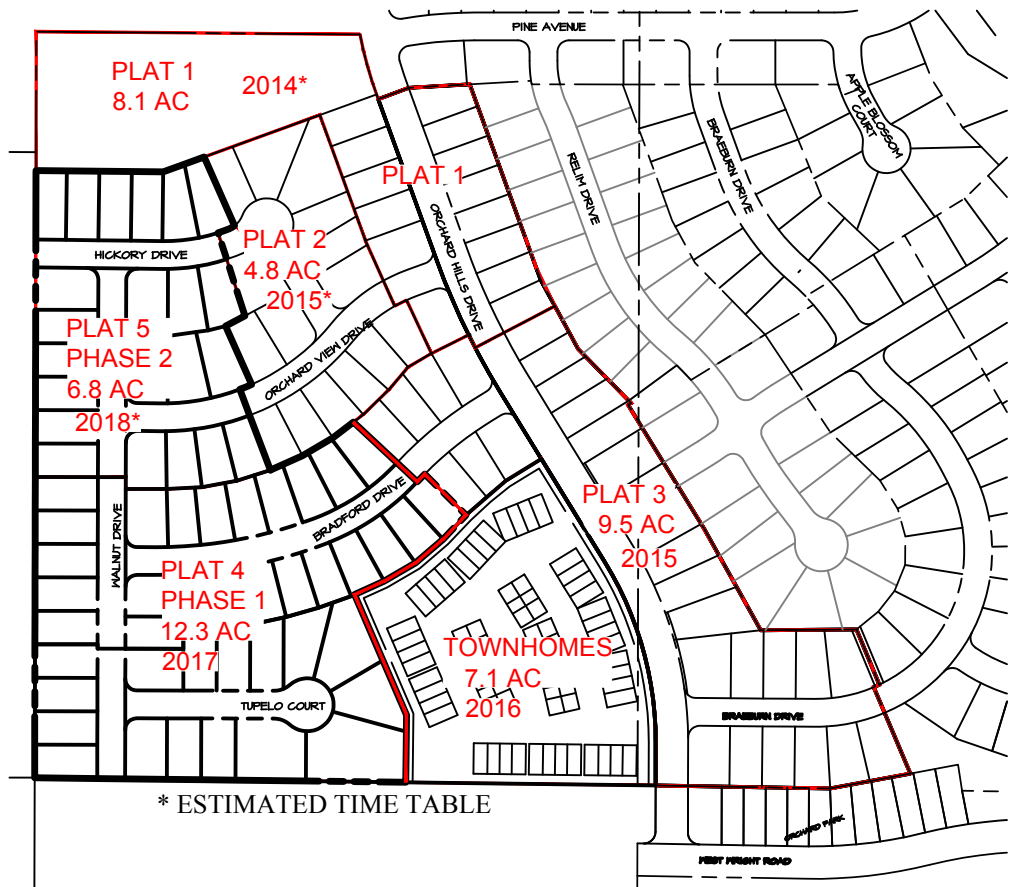
ATTEST:

JODI EDDLEMAN, CITY CLERK

<u>ROLL CALL VOTE:</u>	<u>Aye</u>	<u>Nay</u>
Kuhl	___	___
Lester	___	___
Isley	___	___
Riva	___	___
Livingston	___	___



VICINITY MAP
NOT TO SCALE



PHASE MAP
NOT TO SCALE

NOTES

1. TEMPORARY TURNAROUNDS SHALL BE PROVIDED AT TEMPORARY STREET DEAD ENDS BETWEEN PHASES.
2. CORNER LOTS ON ORCHARD HILLS DRIVE SHALL HAVE THEIR DRIVEWAY ACCESS TO THE SIDE STREET AND NOT CONNECT TO ORCHARD HILLS DRIVE.
3. PARKLAND DEDICATION FOR THE NORKALK ORCHARD VIEW SUBDIVISION, INCLUDING PLAT 4, 5, & 6 HAS BEEN PROVIDED BY THE DEDICATION OF OUTLOT 'Y', NORKALK ORCHARD VIEW PLAT 1.
4. ALL STORM SEWER EASEMENTS ARE TO BE 20 FEET WIDE OR TWO TIME THE DEPTH, WHICHEVER IS GREATER.
5. ALL SANITARY SEWER EASEMENTS ARE TO BE 30 FEET WIDE OR TWO TIMES THE DEPTH, WHICHEVER IS GREATER.
6. THE USE OF PUBLIC UTILITY EASEMENTS IS SUBORDINATE TO THE CITY'S USE OF ITS DESIGNATED EASEMENT. ANY USER OF A PUBLIC UTILITY EASEMENT MUST RELOCATE AT ITS OWN EXPENSE WHEN UTILITY IS IN CONFLICT WITH THE CITY'S USE OF ITS DESIGNATED EASEMENT.
7. LOTS 'A', 'B', 'C', 'D', 'E' & 'F' ARE TO BE DEEDED TO THE CITY OF NORKALK FOR STREET PURPOSES.
8. STRUCTURES ARE PRECLUDED WITHIN EASEMENTS.
9. ANY FENCING LOCATED WITHIN AN OVERLAND FLOWAGE EASEMENT IS REQUIRED TO HAVE A MINIMUM OF 6-INCHES CLEARANCE UNDER THE BOTTOM OF FENCE, AND SHALL BE CHAINLINK.
10. FENCES ARE NOT ALLOWED IN THE DETENTION AREA.
11. TEMPORARY TURNAROUNDS SHALL BE PROVIDED AT TEMPORARY STREET DEAD ENDS.
12. ALL LOTS SHALL HAVE A 5' SIDEWALK INSTALLED ALONG ALL STREET FRONTS.
13. A 10' TRAIL EASEMENT IS LOCATED BETWEEN LOTS 48 & 49. THE PROPOSED 8' TRAIL SHALL BE CONSTRUCTED BY THE HOME BUILDERS OF THOSE TWO LOTS AT THE TIME OF HOME CONSTRUCTION.
14. MAINTENANCE OF THE TEMPORARY TURNAROUNDS SHALL BE THE RESPONSIBILITY OF NORKALK PUBLIC WORKS. IF TURNAROUNDS ARE IN PLACE FOR MORE THAN TWO YEARS THE DEVELOPER MAY BE REQUIRED TO PAVE THESE.

CENTERLINE CURVE DATA						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C100	020°50'44"	940.00'	360.18'	182.11'	358.20'	S74°42'04"W
C101	026°15'51"	500.00'	229.21'	116.66'	227.21'	S56°08'43"W
C102	051°21'34"	500.00'	448.21'	240.42'	433.35'	S65°02'15"W
C103	025°45'45"	400.00'	179.86'	91.47'	178.34'	S77°50'11"W

CURVE DATA						
CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	15°08'44"	50.00'	13.22'	6.65'	13.18'	S60°33'06"W
C2	3°58'06"	310.00'	25.63'	12.82'	25.62'	S10°06'33"W
C3	3°21'44"	470.00'	27.58'	13.79'	27.58'	S67°35'51"W
C4	1°42'44"	780.00'	23.31'	11.65'	23.31'	N43°56'20"E

PRELIMINARY PLAT NORKALK ORCHARD VIEW PLATS 4 & 5

NORKALK, IOWA
SHEET 1 OF 3

OWNER / DEVELOPER:
NORKALK LAND CO., L.L.C.
P.O. BOX 261
JOHNSTON, IOWA 50131
ATTN: JOHN LARSON

LEGAL DESCRIPTION
OUTLOT 'X', NORKALK ORCHARD VIEW PLAT 3, AN OFFICIAL PLAT RECORDED IN BOOK 2016, PAGE 6210 AT THE HARRIS COUNTY RECORDER'S OFFICE, EXCEPT NORKALK ORCHARD VIEW TOWNHOMES PLAT 1, AN OFFICIAL PLAT RECORDED IN BOOK 2011, PAGE 180 AT THE HARRIS COUNTY RECORDER'S OFFICE, ALL IN THE CITY OF NORKALK, HARRIS COUNTY, IOWA AND CONTAINING 19.02 ACRES MORE OR LESS.

ZONING
ORCHARD VIEW P.U.D. - R-1 (60)

BULK REGULATIONS R-1 (60)
MINIMUM LOT AREA - 7500 SF
MINIMUM LOT WIDTH - 60'
FRONT YARD SETBACK - 30'
REAR YARD SETBACK - 35'
SIDE YARD SETBACK - 12' TOTAL (5' MIN)
HEIGHT LIMIT - 35'

UTILITIES
WATER - CITY OF NORKALK WATER WORKS
SANITARY - CITY OF NORKALK SANITARY SEWER SYSTEM
STORM - CITY OF NORKALK STORM SEWER SYSTEM
ELECTRIC - MIDAMERICAN ENERGY
GAS - MIDAMERICAN ENERGY
PHONE - CENTURYLINK

BENCHMARKS
R.R. SPIKE IN POWER POLE 40 FEET SOUTH OF CENTERLINE OF NORTH AVENUE AND 15 FEET EAST OF CENTERLINE OF ASPEN DRIVE.
CEC PLAN DATUM ELEVATION.....-121.45
NAVD88 DATUM ELEVATION.....-123.00
BRASS PLUG IN HEADHALL OF REINFORCED BOX CULVERT AT NORTHWEST CORNER OF INTERSECTION OF IOWA HIGHWAY 28 AND ELM AVENUE.
CEC PLAN DATUM ELEVATION.....-874.90
NAVD88 DATUM ELEVATION.....-870.45

BURY BOLT ON HYDRANT, AT NORTHEAST CORNER OF INTERSECTION OF ASPEN DRIVE AND ELM AVENUE.
CEC PLAN DATUM ELEVATION.....-124.44
NAVD88 DATUM ELEVATION.....-120.04
CUT 'X' INTERSECTION SYCAMORE DRIVE AND ELM AVENUE.
CEC PLAN DATUM ELEVATION.....-834.71
NAVD88 DATUM ELEVATION.....-833.26

** NOTE: CEC PLAN DATUM IS 4.45' HIGHER THAN NAVD88 DATUM **

CERTIFICATIONS

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

JEFFREY A. GADDIS, IOWA LICENSE NO. 18381 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2016 PAGES OR SHEETS COVERED BY THIS SEAL: THIS SHEET ONLY

I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

MELISSA M. HILLS, IOWA REG. NO. 18023 DATE MY LICENSE RENEWAL DATE IS DECEMBER 31, 2017 PAGES OR SHEETS COVERED BY THIS SEAL:

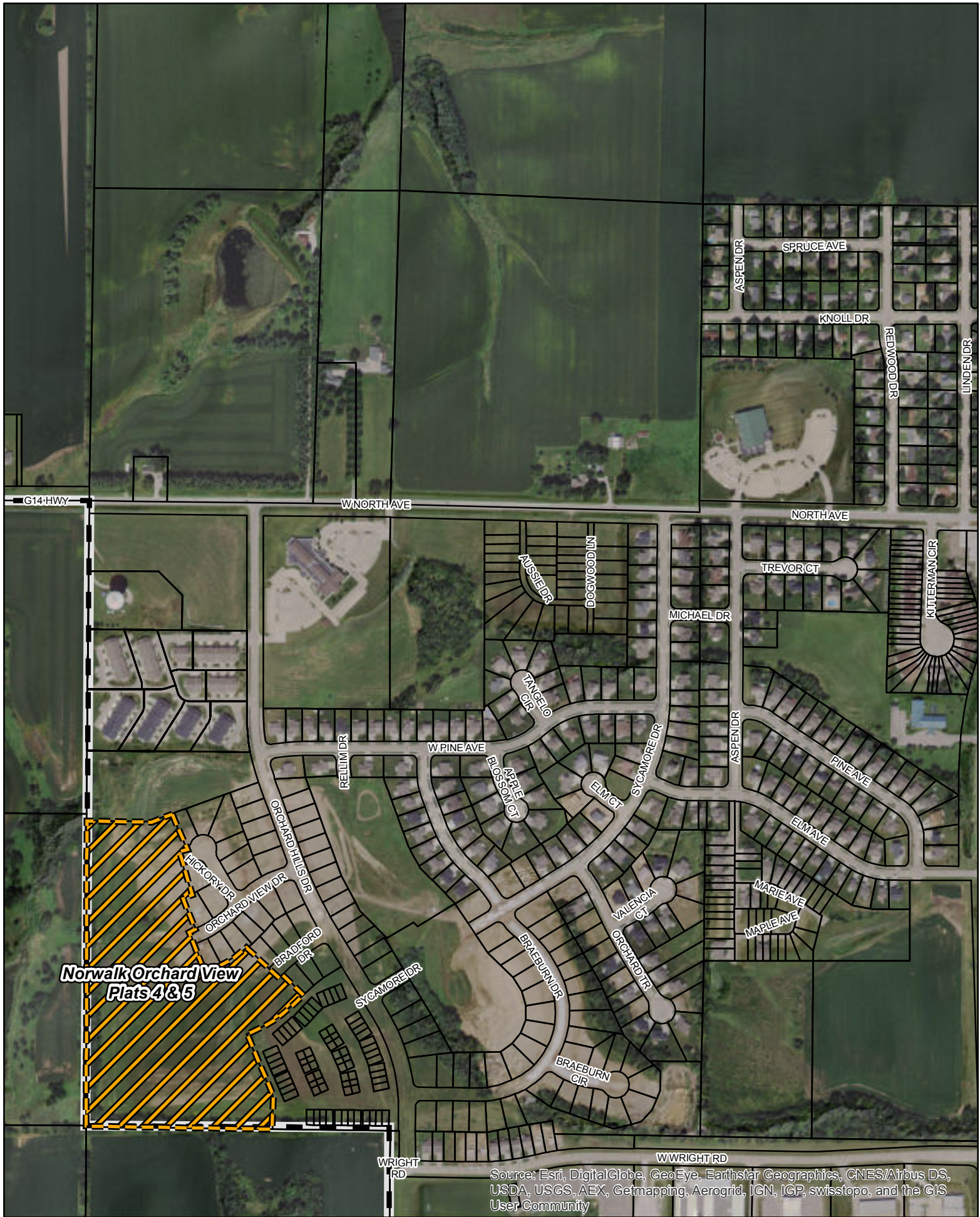
LEGEND

- EXISTING/PROPOSED
- 10" — PLAT BOUNDARY
 - SAN 2" — STORM SEWER & SIZE
 - W 8" — SANITARY SEWER & SIZE
 - 10" — WATER MAIN & SIZE
 - 10" — MANHOLE
 - 10" — STORM INTAKE
 - 10" — FIRE HYDRANT
 - 10" — VALVE
 - 10" — F.E.S.
 - 10" — EXISTING CONTOURS
 - 10" — PROPOSED CONTOURS
 - 10" — SILT FENCE
 - 10" — P.O.B.
 - 10" — POINT OF BEGINNING
 - 10" — BUILDING SETBACK LINE
 - 10" — BUILDABLE AREA WITHIN BUILDING SETBACK LINES
 - 10" — PHASE LINE / PLAT BOUNDARY
 - 10" — CLEARING & GRUBBING



SCALE: 1"=100'





Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



**PLANNING & ZONING COMMISSION
AGENDA STATEMENT**

Item No. 6C
For Meeting of 05.08.2017

ITEM TITLE: Discussion regarding siting cell towers in the public right-of-way
CONTACT PERSON: Luke Parris, AICP – Community Development Director

SUMMARY EXPLANATION:

This past spring, the City received a request from a company called Mobilitie to place a cellular tower in the public right-of-way along Iowa Highway 28. The City has learned that Mobilitie received a classification of a public utility from the Iowa Utility Board in order to seek placement of towers in the public right-of-way. Staff determined that current City code did not adequately contemplate how to regulate such towers and on April 6, 2017, the City Council enacted a six-month moratorium to allow time for staff research the topic and developed ideas on how to address the requests.

During initial research, staff learned that the State legislature had passed Senate File 431, which relates to regulations on the siting of small wireless facilities. The bill is currently awaiting signature from the Governor. Staff is currently reviewing the bill and has identified the first few key points:

- It allows new poles in the ROW by right to a height of 40 feet, or not more than 10 feet above the average height of other poles within 500 feet.
- Poles higher than 40 feet, or the above reference average, can be subject to a special use permit process.
- It does not allow moratoriums to be put into effect for the smaller poles. This shouldn't affect the City right now as the Mobilitie request was for a taller pole.

Staff will continue to work with the City Attorney to review the new bill and determine what actions the City needs to take.



**PLANNING & ZONING COMMISSION
AGENDA STATEMENT**

Item No. 6D
For Meeting of 05.08.2017

ITEM TITLE: Update on Parks Master Plan Request for Proposals
CONTACT PERSON: Luke Parris, AICP – Community Development Director

SUMMARY EXPLANATION:

Recent concerns over parkland dedication in the City resulted in Staff reviewing the Subdivision Ordinance and determining two problems related to how the City obtains parkland. The first was the options that the City provided to developers, which resulted in many developers contributing a dollar amount as opposed to dedicating land. The second is that the Subdivision Ordinance requires that parkland be dedicated to the City in accordance with the City's Master Parks Plan.

Recently, the City approved an amendment to the Subdivision Ordinance that provided a solution to the first issue. Additionally, during the budget process from the City's Fiscal Year 2018 Budget, the City Council identified the need for the Master Parks Plan and set aside funding for a new plan.

In April, the City developed and sent out a Request for Proposals (RFP) for the Master Parks Plan. The City has received four submittals for the project. Nancy Kuehl, Parks & Recreation Director, is currently forming a committee to review the proposals and oversee the project. The proposed committee consists of:

- Stephanie Riva – City Council & P&Z Liaison
- Erika Isley – City Council & Park Commission Liaison
- Brett Cermak – Park Commission
- Nancy Kuehl – Parks & Recreation Director
- Tony Bellizi – City Engineer
- Luke Parris – Community Development Director
- Judy McConnell – Planning & Zoning Commission

The RFP anticipated that the project will last approximately 6 months, with a final document produced by November 2017.