



**AGENDA**  
**PLANNING AND ZONING MEETING**  
**Norwalk City Hall, 705 North Ave**  
**Monday, April 10, 2017**  
**5:45 P.M.**

1. Call meeting to order at 5:45 P.M.
2. Approval of Agenda
3. Approval of Minutes – March 27, 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. Consideration of a recommendation to the City Council regarding the proposed Urban Renewal Plan amendment.
  - b. Consideration of a recommendation to the City Council regarding a proposed change to the Subdivision Ordinance for parkland dedication.
  - c. Discussion regarding private infrastructure in subdivisions.
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. R-F Rezoning Process – tentative schedule: May 8 P&Z and May 16 City Council
  - c. Platting for Certified Industrial Site
  - d. Blooming Heights Final Plat
  - e. Norwalk Orchard View Plat 4 & 5 Preliminary Plat
  - f. North Shore Preliminary Plat
  - g. Warrior Run Plat 2 Final Plat
  - h. Affordable Housing Research
  - i. Cell towers in the Public ROW
  - j. Parks Master Plan RFP
10. Next Meeting Date: The April 24, 2017 meeting is cancelled, the next meeting is May 8, 2017
11. Adjournment

## **REGULAR NORWALK PLANNING AND ZONING MEETING 03-27-2017**

### **Call to order**

The regular meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, March 27, 2017. The meeting was called to order at 5:45 p.m. by Chairperson Judy McConnell. Those present at roll call were Elizabeth Thompson, Brandon Foldes, Barbara Belizzi, John Fraser, and Judy McConnell. Absent: Jim Huse and Donna Grant. Present was City Council liaison Stephanie Riva.

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

### **Approval of Agenda – 17-19**

Motion by Belizzi and seconded by Thompson to approve the agenda. Approved 5-0.

### **Approval of Minutes – 17-20**

*Motion by Fraser and seconded by Thompson to approve the minutes from the March 13, 2017 meeting. Approved 5-0.*

Chairperson McConnell welcomed the 12 guests present. With no one wishing to discuss matters not on the agenda, the business portion of the meeting was opened.

### **New Business**

#### **Public hearing and consideration of a rezoning request to rezone 27 acres of ground northwest of intersection Highway 28 and Delaware Street from (A-R) Agricultural Reserve to (M-1) General Industrial –17-21**

(Grant arrived at 5:49)

In 2014 the Ancell/Knox property was certified by the state and annexed into Norwalk. When it was annexed, it defaulted to A-R Agricultural Reserve. In 2016-17 the City was contacted by Woodgrain Millwork about the potential location and acquirement of 27 acres of that property for a window manufacturing facility. The first step to the development of the property would be to rezone the area to M-1 General Industrial district. The surrounding property is planned as future industrial development ground. For services, the site will require extensions of the City water and sanitary sewer service which was planned as part of the certification process. The City is currently in the beginning stages of work to extend those services.

The public hearing was opened at 5:50 p.m.

Ben Kern, 450 Sunset Drive, spoke about the need for extending the services.

Parris stated that the extension was added to the planning process and would be included.

The public hearing closed at 5:52 p.m.

Motion by Belizzi and seconded by Fraser to approve the rezoning request to rezone 27 acres from A-R to M-1. Approved 6-0.

## **Consideration of a resolution approving the site plan for Arby's at 9031 Marketplace Drive –17-22**

This request from United Properties and DRM Inc. to approve the site plan for Arby's at 9031 Marketplace Drive. The site is the northern most lot in the Marketplace at Echo Valley. The City required a buffer wall as part of the planned unit development for any commercial development in this area, the land adjacent to the north is a single family residential with housing backing up to the lot.

Thompson asked the purpose of the buffer wall, to buffer sound or light or what?

Parris explained that the buffer wall is intended to buffer all of those things.

Chuck Bishop, Bishop Engineering, explained that the property north and adjacent to the Arby's site had a 9ft fence and that it would not make sense to take down a 9ft fence to replace it with a 6ft fence as a buffer.

Scott McMurray, United Properties, stated that if the homeowners were asked to remove their fence they would then have to request an easement to connect the sides of their fence to the Arby's fence in an instance of having a dog that needed to be contained in their yard.

When asked why both fences wouldn't remain, it was explained by the property owner that there would be ongoing maintenance between the two fences and who would be responsible for that maintenance?

Grant asked if the homeowners had been contacted whereas Parris explained that contact was made during the rezoning phase and after that it would be the responsibility of the developer or business to make any additional contact.

Thompson suggested that aesthetically the fence following through the full length of the property would be more pleasing.

McMurray agreed and wished that all the fences along highway 28 were more uniform and aesthetically pleasing to the eye.

Riva asked that the property owners be made aware of what the plan was due to her history and experience of unhappy homeowners attending council meetings after the fact.

Nick Murray, DRM., Inc. spoke to acknowledge that the homeowners had not been notified but he would notify if necessary or preferred.

Primary focus of the conversation was that the Commissioners all agreed that the homeowner should keep their fence and also that Arby's should build a fence to make sure that the buffer requirements will be met both now and in the future. When no motion was made, McMurray said that they would be happy to follow any requirements of the City and/or the P & Z Commission.

Motion by Grant and seconded by Belizzi with staff recommendations and conditions that the buffer wall be built for the length of the lot. Approved 6-0.

**Request from KFH LLC and City State Bank to approve the preliminary plat for Farms of Holland Plat 3 -17-23**

This request would create two commercial lots and street right-of-way for Turnberry Road in the northeast part of intersection Highway 28 and Colonial Parkway.

There is a staff recommendation that the developers and the City come to an agreement on flexing funds that would have been expended on the trail along Highway 28 to assist in the development of the trail in Elizabeth Holland Park. At present, the City will be responsible for the cost of a trail, as well as building a bridge, from north to south along the east side of Highway 28. South of the Elizabeth Holland Park there will be a trail, so it seemed redundant to have another trail along Highway 28 when there will be a trail a half mile away in Elizabeth Holland Park.

Grant asked if there will be any safe place for crossing Highway 28.

Parris responded that the DOT will not allow anything to be built until there is a receiving area on the west side.

Foldes asked how Highway 28 will be crossed; there is not a tunnel or other type of crossing.

Parris responded that it would just be a cross walk.

Grant asked if the only crossing points are Beardsley, Colonial Parkway, and Cherry Parkway.

Parris agreed that those are the locations to cross and that Chatham Avenue will be another crossing when it is complete.

Grant inquired about the completion of trails and would like to see Norwalk bring in more bicyclists to what will be the "town center" area. In order for this to come to fruition, trail connections and completions would have to happen.

Parris continued to explain the large expense of trails and that the ideal time to create trails is during the development stages. The good thing about that discussion taking place during development is cost sharing; the bad thing is that trails have to be put off until that piece of land is to be developed.

Motion by Thompson and seconded by Grant to approve preliminary pat for the Farms of Holland Plat 3. Approved 6-0.

**Consideration of a recommendation to the City Council regarding the proposed annexation of 80 acres of ground for the Norwalk Community School Districts planned elementary school -17-24**

The City of Norwalk received an application to annex approximately 78 acres into the City of Norwalk. This is the proposed site of the Norwalk Community School Districts new elementary school. Following annexation, the City will need to consider rezoning for the property. After review, the City has determined that services can be provided to the desired location for the school site. The City will study the remaining acres within the school property which may be developed sometime in the future and will require services. The City has also identified the need to study traffic patterns at the potential school site and has requested that Norwalk Community School District initiate that study. The City will also study the impacts along North Avenue, particularly at the intersection of North Avenue and Iowa Highway 28. With no need for more discussion or explanation, Chairperson McConnell invited the Commissioners to motion.

Motion by Belizzi and seconded by Fraser to approve the annexation request. Approved 6-0.

**City Council Update-** There was no Council meeting the previous week due to spring break. At the next meeting a discussion will take place regarding bring more potable water into the City because we are reaching our capacity. There will also be a proposal of renaming North Avenue.

**Economic Development Update-**

- Receiving fence approvals back, so far most agree only two have come back that were negative.
- Sunset Crest development plans are underway and property owners hope to start demolition by the time the home show starts.
- Work has started with the new owner of 71 acres of R57 and G14 to annex into the City.
- Many requests for land are being received regularly.
- Norwalk has the potential to be the "Sister City" to the city of Kosovo which could bring international business and trade opportunities.
- Rowat Cut Stone development agreement will be considered by Council on April 6<sup>th</sup>.
- Woodgrain Millwork Co. agreement process to begin on April 6<sup>th</sup> at the Council meeting.

**Future Business Items-**

- Planning and Zoning work session on April 24<sup>th</sup> instead of the regularly scheduled P & Z meeting.
- Proposed Koethe ground annexation. Meeting with Bedwell's to discuss being annexed.
- R-F rezoning tentatively scheduled for May.
- Platting for certified site
- Norwalk Orchard View preliminary Plat 4,5 & 6 – under review
- North Shore preliminary Plat—under review
- Warrior Run Plat 2 final plat—under review
- Cell Towers located in the right-of-way is still being looked into because it is a new situation for many cities.

**Next meeting Date – April 10, 2017.**

**Adjournment – 17-**

*Motion by Foldes and seconded by Grant to adjourn the meeting at 6:54 p.m. Approved 6 -0.*

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Judy McConnell, Vice Chairperson

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Luke Parris, City Planner



**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

Item No. 6A  
For Meeting of 04.10.2017

**ITEM TITLE:** Consideration of a recommendation to the City Council regarding the proposed Urban Renewal Plan amendment.

**CONTACT PERSON:** Luke Parris, AICP – Interim Community Development Director

**SUMMARY EXPLANATION:**

The City of Norwalk has been working with Woodgrain Millwork on incentives related to the development of their manufacturing facility on the Ancell/Knox Certified Industrial Site. This includes the use of Tax Increment Financing dollars to assist with the construction of needed infrastructure associated with the site and to provide an incentive package to Woodgrain Millwork utilizing TIF dollars.

Prior utilizing TIF dollars, the City is required to amend the City's Urban Renewal Plan to include details on the project. Part of the approval process requires that the Planning & Zoning Commission review the proposal for conformity with the City's Comprehensive Plan.

An amendment to the City's Urban Renewal Plan has been prepared which (1) covers the addition of the Property to the Urban Renewal Area; and (2) authorizes the undertaking of new urban renewal projects in the Urban Renewal Area consisting of (1) the construction of street, water system, sanitary sewer system and storm water drainage improvements to facilitate the development and redevelopment of commercial and industrial property situated adjacent to Highway 28 near the southern City limit; and (2) providing tax increment financing support to the Woodgrain Millwork manufacturing plant development project, including the funding of economic development grants and incremental property tax payments to facilitate (a) property acquisition; (b) project development; and (c) job creation.

City staff has reviewed the amendment and believes that the amendment conforms to the City's Comprehensive Plan due to the future land use designation for the area being identified as industrial, and that the future transportation network identifies Delaware as a proposed improved street in the community.

**STAFF RECOMMENDATION:**

City staff recommends that the Commission provide a favorable recommendation to the City Council regarding the conformity of the amendment to the Comprehensive Plan.

April 6, 2017

To: City of Norwalk, Iowa Planning & Zoning Commission

Re: Norwalk Urban Renewal Area /Urban Renewal Plan Amendment

A public hearing will be held by the City Council on May 4, 2017 on a proposed amendment to the urban renewal plan for the Norwalk Urban Renewal Area to add the property legally described in the proposed amendment and to approve a new urban renewal project. I have prepared this memorandum to assist the Commission in performing its role in this process.

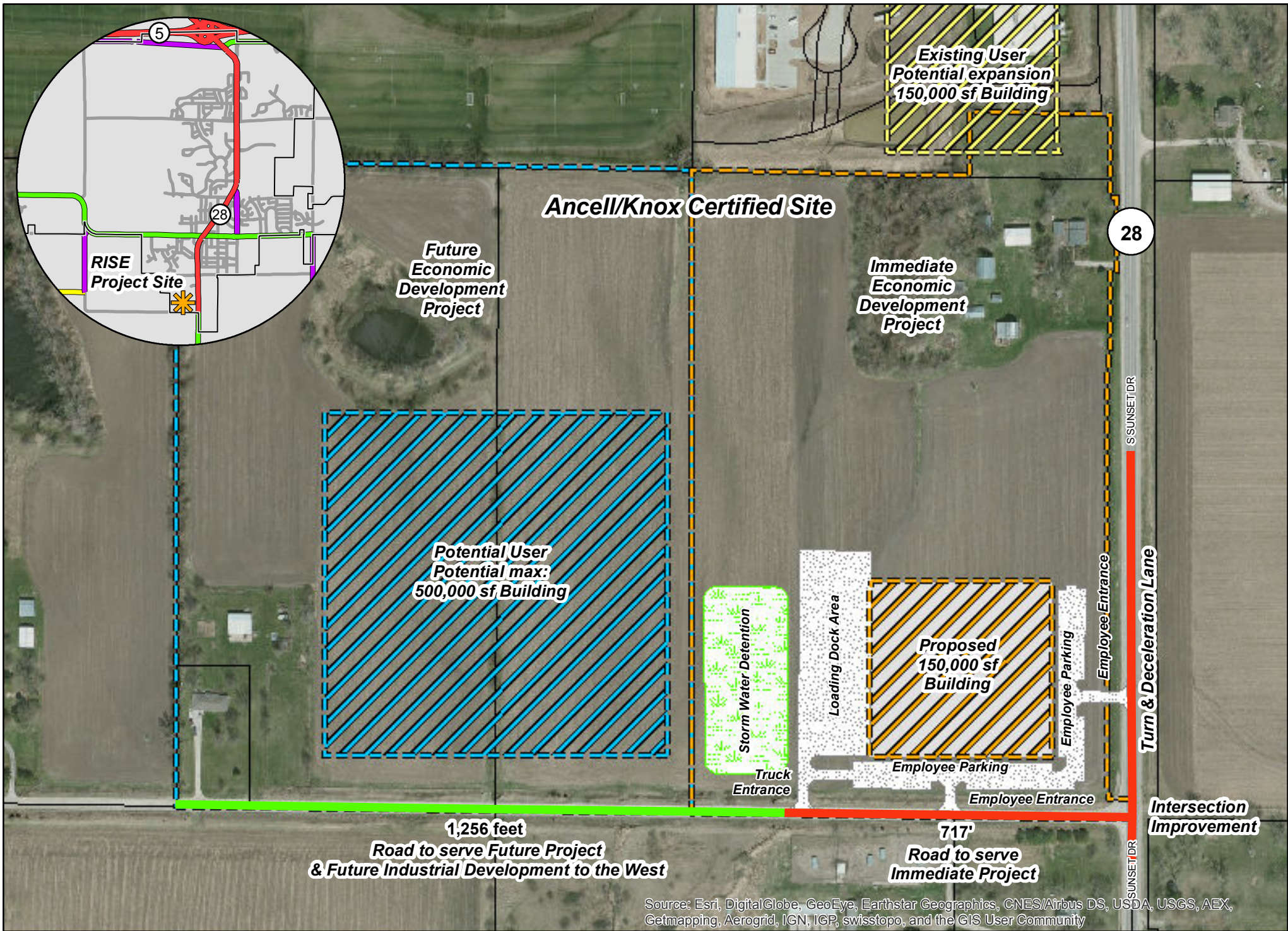
Section 403.5 of the Code of Iowa requires that, before they hold a public hearing, the City Council must submit a copy of the proposed plan amendment to the Commission, “for review and recommendations as to its conformity with the general plan for the development” of the City. The statute does not require that the Commission hold a hearing on the proposed plan amendment, nor does it require that the Commission take any action to either approve or reject the proposed plan amendment. It directs that the Commission review the plan amendment and comment to the City Council as to whether the plan amendment conforms to, or is consistent with, the City’s Comprehensive Plan. Please complete your review and submit any comments to the City Council by Noon on May 4, 2017 .

Please call me at (515) 283-1000 if you have questions about the statutory process.

Best regards,

John P. Danos









**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6B**  
**For Meeting of 04.10.2017**

**ITEM TITLE:** Consideration of a recommendation to the City Council regarding a proposed change to the Subdivision Ordinance for parkland dedication.

**CONTACT PERSON:** Luke Parris, AICP – Interim Community Development Director

On March 13, 2017 the Commission discussed a potential change to the parkland dedication section of the City's Subdivision Ordinance. This discussion was brought about regarding growing concerns over how developers are meeting the City's parkland dedication requirement. The concern was primarily been that developers have forgone dedicating land in favor of using the City's option of providing a monetary fee in lieu of land dedication. The monetary fee is meant to be used by the City to make improvements to existing parks. The value of the monetary fee is determined by the pre-development value of the ground on a per acre basis. This has resulted in relatively low fee payments to the City Of Norwalk that does not match the typical cost of park improvements.

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

In response to the concerns the staff initially developed a proposed amendment that would require the dedication of land for every residential development or require that each developer enter into a separate development agreement with the City in regards to how the dedication requirement would be met.

At the March 13, 2017, the Commission requested that Staff consider how both the Planning & Zoning Commission and the Park & Recreation Advisory Commission could provide input into the process. Staff has modified the proposed amendment to indicate that both Commissions will review and comment on proposed development agreements that would satisfy the City's parkland dedication requirement.

On March 13, 2017, the Commission also discussed providing a similar option for small developments. The City staff recently worked with Kelly Cortum to come to an agreement on how parkland dedication will be met for his small development. Staff felt this was a fairly easy process and did not have concerns over the process being too difficult for small developments. Additionally, this process may be replaced once the Master Parks Plan is complete and the City has a better idea regarding the location of needed facilities.

**11. Park Land Dedication.** The development of land that will house new residents, including families with children, will create additional demand for open space and facilities to provide opportunities for recreation and physical fitness activities at a place safely away from streets. Therefore, to provide for orderly community development with the design of subdivisions and development of land that is consistent with the City's Comprehensive Plan and Comprehensive Park Plan with the creation of parks and trails for recreation and physical fitness opportunities as well as pedestrian and bicycle trails to promote the health, safety and welfare of the citizens of Norwalk, whenever property is proposed to be developed for residential purposes the developer shall be responsible for ~~contributing-dedicating public parkland to the City~~to for the implementation of the City's neighborhood park systems. No new plats or site plans for residential development shall be approved unless and until the provisions of this ordinance are complied with.

If land planned or proposed for development includes a park or trail as shown on the Land Use Plan of the Comprehensive Plan and the City's Comprehensive Park Plan, the planned park site or trail location, or revised park site or trail location approved by the Park Commission and City Council, shall be included in the neighborhood sketch plan, master plan, preliminary plat, final plat and plat of survey for the development project by the developer and such land area planned for park or trails shall be reserved for incorporation into the City's park and trail system. The developer of land planned for residential dwellings shall dedicate land, facilities and/or improvements for public park land or trail use as planned for the neighborhood park system within the City's Comprehensive Plan and Comprehensive Park Plan and such area shall be adequately graded and prepared as set forth herein.

The neighborhood park system includes a network of active and passive recreational areas including neighborhood parks, mini-parks, linear green belt parks and trails intended to serve neighboring subdivisions and developments, while community parks are public parks established as the center of recreational activities for several neighborhoods or the entire City. The implementation of the neighborhood park system is considered a necessary improvement that directly benefits the residents of a subdivision or development being added to a neighborhood and is therefore considered a required subdivision or development improvement the same as streets, sanitary sewers, water facilities and other required improvements. The City's Comprehensive Plan recommends a standard of 10 acres of park land and trails per 1,000 population as the City grows, of which approximately sixty percent (60%) or six (6) acres per 1,000 population is planned for the neighborhood park system.

1. Parkland Dedication Standards. The developer shall dedicate land, facilities, equipment and/or improvements to the City to develop an equivalent of six (6) acres of land for development of the neighborhood park system for each 1,000 population estimated to inhabit the area to be developed. Therefore, the dedication of land, facilities, equipment and/or improvements to the City for development of the neighborhood park system shall be the equivalent of 261 square feet per resident or the following area for each of the listed dwelling unit types:

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**Park Land Dedication Requirements**  
(Based on 261 square feet of land per person)

| Dwelling Unit Type              | Population per Unit | Land Dedication Requirement |
|---------------------------------|---------------------|-----------------------------|
| Single-Family Detached Dwelling | 3.00/Unit           | 783 Square Feet/Unit        |
| Single-Family Attached Dwelling | 2.00/Unit           | 522 Square Feet/Unit        |
| Multiple Family (Apartments)    | 1.60/Unit           | 418 Square Feet/Unit        |
| Mobile Home                     | 1.60/Unit           | 418 Square Feet/Unit        |

~~If no park or trail is planned within the City's Comprehensive Plan and Comprehensive Park Plan for the area proposed to be developed or if the amount of land planned for parks and trails within the area to be develop is less than the land area required to be dedicated, the developer shall be required to do one or a combination of the following as determined by the Council:~~

- ~~A. — If the amount of land planned for parks and trails within a development is less than the land dedication requirement, to fulfill the park land dedication requirement the developer may dedicate land owned by the developer that is located outside of the development and where parks or trails are planned within the City's Comprehensive Plan or Comprehensive Park Plan as part of the neighborhood park system, an amount equivalent to the fair market value of the amount of additional land needed to fulfill the park land dedication requirement including the cost of grading and site preparation as required for park land proposed for dedication;~~
- ~~B. — If the amount of land planned for parks and trails within a development is less than the land dedication requirement, to fulfill the park land dedication requirement the developer may improve the existing or proposed neighborhood park system with the construction or installation of park improvements, facilities, equipment or trails as determined by the City at a cost equivalent to the fair market value of the amount of additional land needed to fulfill the park land dedication requirement including the cost of grading and site preparation as required for park land proposed for dedication, or;~~
- ~~C. — If the amount of land planned for parks and trails within a development is less than the land dedication requirement, to fulfill the park land dedication requirement the developer may pay a cash deposit as a performance surety to the City to be held in escrow to implement the neighborhood park system, an amount equal to the fair market value of the amount of additional land needed to fulfill the park land dedication requirement including the cost of grading and site preparation as required for park land proposed for dedication.~~

The dedication of land shall be by warranty deed at the time of the release of the final plat for recording or final approval and prior to authorization of construction of a site plan development. If the reservation of additional land for public park use is required, the process and timing for acquisition of such land shall be set forth by agreement (See part 13 of this Chapter 16.07, Reservation and Acquisition of Park Land). Such reserved land shall be shown on the final plat. The Park Commission shall recommend to the Council the size and location of land to be reserved for parks or trails as set forth by the City's Comprehensive Plan and Comprehensive Park Plan. If park and open space land reserved to fulfill the requirements of this Title is proposed by the developer to be privately held and maintained, such shall be preserved by easement and made accessible to the general public.

In order to determine whether the dedication of land for parks and trails is required within a development, the Comprehensive Plan and Comprehensive Park Plan shall be used as a guide to determine the general location of parks and trails. The specific location and dimension of parks and trail sites shall be determined in consideration of the topography, geologic features, flood hazard areas, historic and archeological sites, natural areas and the character and recreational needs of the neighborhood where the park or trail is proposed. Access to the subdivision from proposed parks and trails shall be considered in design of the neighborhood plan or master plan

for the area. The suitability of the subdivision for parks and trails by reason of location, access, development cost, and maintenance cost shall be determined during the review process.

Where hiking or biking trails are planned on the City's Land Use Plan and Comprehensive Park Plan, the developer shall be required to dedicate land for trails of at least thirty (30) feet in width. The land dedicated, or easements if approved by the City, may serve to help satisfy park land dedication requirements.

2. Alternative to Park Land Dedication. If a developer does not desire to dedicate public parkland required by this section, then the developer may make a request to the City Council that the developer be allowed to meet the Parkland Dedication requirements through other arrangements agreeable to the City Council and the developer, as long as such agreements provide equal value to the City. Such agreements shall be made between the City Council and the developer in the form of a Development Agreement, with review and comment from both the Planning & Zoning Commission and the Park and Recreation Advisory Commission. Preferred alternatives include, but are not limited to, dedication of equivalent parkland outside of the proposed subdivision, dedication of improvements to existing parkland within the City, or dedication of improvements to the City's trail system.

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**PLANNING & ZONING COMMISSION  
AGENDA STATEMENT**

**Item No. 6C**  
**For Meeting of 04.10.2017**

**ITEM TITLE:** Discussion regarding private infrastructure in subdivisions  
**CONTACT PERSON:** Luke Parris, AICP – Interim Community Development Director

In the past few years, the City has received several concerned comments from citizens regarding private streets in Norwalk. Several citizens were not aware that their streets were private and that they were responsible for the maintenance of those facilities. Other residents expressed concerns about traffic utilizing their private streets as a through connection; causing additional wear and tear on infrastructure they were responsible for maintaining.

In 2016 the City of Norwalk considered several housing projects that utilized private infrastructure which raised concerns from several City officials due to previous incidents with private streets. Each project ultimately passed, however, City staff was asked to investigate several points, how to ensure private infrastructure is built correctly, and is it appropriate for the City to allow private infrastructure (particularly streets) in residential developments.

For recent projects in 2016, the City's Engineer has been on site conducting inspections while the private infrastructure is being installed. This has helped to give the City assurances that private infrastructure is installed correctly. Additionally, during the 2015 update to the City's Zoning Ordinance, the City required that all private infrastructures be built in accordance with City standards required for construction of public infrastructure. The Zoning Ordinance also required special blue signage for private streets.

The City staff is looking to clarify if the recent changes have gone far enough to ensure that private infrastructure (streets) are built correctly or if changes are needed to the Subdivision Ordinance and Zoning Ordinance to make all streets and infrastructure public.

Currently, private streets are primarily utilized for medium-density townhome developments. The use of private streets allows for the denser medium-density townhome project to be built because less ground is utilized on public right-of-way and front setbacks. In a traditional single-family subdivision, the front of a home is located 46' from the back of the street curb. In a traditional townhome development with private streets, the front of the home is located 25' from the back of the street curb. This efficient use of ground is what allows from dense townhome products to be developed. If the City were to want to move away from private streets, a new mechanism for public right-of-way would need to be considered to continue to allow for medium-density townhome developments to be built.