



**AGENDA**  
**PLANNING AND ZONING MEETING**  
**Norwalk City Hall, 705 North Ave**  
**Monday, July 10, 2017**  
**7:00 P.M.**

1. Call meeting to order at 5:45 P.M.
2. Approval of Agenda
3. Approval of Minutes – June 26, 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. Request from Michael and Tracy Carper to approve a Plat of Survey for Parcel "G"
  - b. August Meeting Date Change – August 14<sup>th</sup> meeting moved to August 7<sup>th</sup>
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. Stark Property
  - b. Platting & Site Plan for Certified Industrial Site
  - c. Sunset Crest Platting & Site Plans
  - d. Sunset Corner Site Plan
  - e. North Shore Preliminary Plat
  - f. Warrior Run Plat 2 Final Plat
  - g. Rolling Green Plat 6 Final Plat
  - h. Farms of Holland Plat 3 Final Plat
  - i. Affordable Housing Research
10. Next Meeting Date: July 24, 2017
11. Adjournment

## **REGULAR NORWALK PLANNING AND ZONING MEETING 06-26-2017**

### **Call to order**

The regular meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Monday, June 26, 2017. The meeting was called to order at 5:45 p.m. by Chairperson Judy McConnell. Those present at roll call were Elizabeth Thompson, Barbara Belizzi, Donna Grant, John Fraser and Judy McConnell. Absent: Jim Huse and Brandon Foldes.

Staff present included: Luke Parris, Community Development Director, Elliott Klimowski, Community Development Intern, and Hillarie Ramthun, Community Development Coordinator.

### **Approval of Agenda – 17-52**

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

### **Approval of Minutes – 17-53**

Motion by Grant and seconded by Belizzi to approve the minutes from the June 12th, 2017 meeting. Approved 5-0.

Chairperson McConnell welcomed the 3 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 approximately 32 acres of ground north Delaware Street and approximately 800 feet west of Iowa Highway 28 from A-R Agricultural Reserve to M-1 General Industrial —17-54**

The City enacted rezoning of the Windsor Windows Certified Site, located south of the City of Norwalk, on Iowa Highway 28 from A-R to M-1 industrial. The site was not rezoned previously because there was no prospective buyer. Now that the land has been purchased, and in order for the City to receive the RISE grant that has been approved, rezoning will need to take place to receive funds.

Thompson inquired about the home shown on the map and if it is included in the sale or future sale. Parris explained the homeowner lives in the home at this time, but that it is included and the homeowner would move if that piece of land is purchased.

Grant asked what RISE stood for-Parris responded Revitalized Iowa Sound Economy.

Public hearing opened at 5:50 p.m.

Public hearing closed at 5:50 p.m. No comments were made.

A motion was made by Grant to approve the rezoning request. Motion seconded by Belizzi. Approved 5-0.

#### **Request from Diligent Blooming Heights, LLC to approve the Final Plat for Blooming Heights–17-55**

Blooming Heights, a subdivision off 50<sup>th</sup> Avenue on the west side of town, it consists of 41 single-family lots and the properties surrounding the development at this time are mostly agricultural. Phase 1 of Blooming Heights is complete but no parkland was dedicated. The City staff is working with the City Attorney, Jim Dougherty, to create an agreement for the developer stating that

parkland will be dedicated for both Blooming Heights 1 and Blooming Heights 2 all within the second phase of the project before the Final Plat from Blooming Heights 1 will be approved. McConnell asked if the other part of the project sold to another developer, would they be bound to that agreement. Parris added yes, that would be included in the agreement that is being written.

If the property didn't develop for 25 years, then the area would be without any parkland for that length of time.

Commissioners asked about the map and the different lots and turnarounds shown.

Brad Cooper, Cooper Crawford and Associates, LLC. 475 S. 50<sup>th</sup> Street, Suite 800, West Des Moines, IA 50265.

Cooper explained that the final walk through happened last week and everything appears to be good and there were only a couple items that needed to be addressed before the next Council meeting. Cooper explained the locations of the turnarounds.

Grant asked if the lots near the turnarounds would be used by the public.

Cooper responded that they can be used by the public but would need to remain clear for use by emergency vehicles.

Motion by Belizzi and seconded by to approve the Final Plat with staff recommendations.

Approved 5-0.

#### **Request from Cort Landing, LLC to approve the Final Plat for Cort Landing Plat 2 —17-56**

This request would create 31 single-family lots along Pine Avenue, Cortland Drive and Cortland Court. The development is located close to the McAninch sports complex. The developer has agreed to provide grading services for Orchard View Park in lieu of providing parkland in Cort Landing.

Grant inquired if there is any way to create a walkway from McAninch to Cort Landing or any other development along there due to frightening sight of seeing children walk along the highway.

Kelly Cortum responded by saying that it might be too late to include a walkway from the Cort Landing development, but maybe one of the other developments would allow for something. He added that there are no sidewalks along Wright Road and it might be beneficial to the City to have sidewalks along that busy stretch of road. Cortum would be willing to swap parkland dedication money for grading of the area or the park to help with sidewalks.

Motion by Grant and seconded by Fraser to approve the request from Cort Landing with staff recommendation which would include a special amendment, and separate agreement.

Approved 5-0

#### **Discussion regarding the zoning and future land use designation for the Stark Property east of 50<sup>th</sup> Street near County Line Road.**

Real Estate agents approached the City to inquire about the zoning of the Stark Property and what are the allowable uses. The property is approximately 225 acres and is located on the north side of town near 50<sup>th</sup> and County Line Road. It is currently zoned a mix of A-R, IC, and PC (Agricultural Reserve, Industrial Commerce, and Professional Commerce). The area has restrictions on building height, site lighting and recommends low intensity uses due to the property being located within an approach zone of the Des Moines International Airport. In 2016 the future land use plan and map was updated in an effort to change the proposed land use for the area. At this time the future land

use map calls for a new Sub Area of Residential/Commercial Flex along 50<sup>th</sup> Avenue and low density residential development to the east. The concept is that 50<sup>th</sup> Avenue would become a second commercial corridor due to the development of Veteran's Parkway in West Des Moines and the connection to 50<sup>th</sup> from Maffitt Lake Road. Prior to the 2016 future land use plan, the entire area was identified- including the North Shore development, as Sub Area 2. The plan uses allowed would identify as residential, retail, office, and educational/municipal/community in Sub Area 2. Both the updated future land use plan and the previous future land use plan are in conflict with current zoning. Parris stated that after the meeting with the real estate agents, the plan was that they were going to market the land as industrial and office ground.

Grant asked if the site is accessible for traffic or trucks and what roads would they use to access the site. Other Commissioners answered that the Iowa 5 Highway to Veteran's Parkway to Maffitt Lake Road to S. Orilla Road to County Line Road , or Highway 28 to Pine Avenue to 50<sup>th</sup> to County Line Road.

It was asked which map becomes the default in the case of a sale of the property. Parris responded that the zoning map is the default; zoning is your legal right to use land.

Belizzi asked about the purple area of the map. Parris said that it is the residential/commercial flex area.

Grant expressed that if real estate agents are approaching Norwalk for that property, the City should be all for it as zoned industrial. Wright Road was supposed to be the area for industrial but there was no easy access so it never happened.

The issue has been identified that the land use plan has been looked at and recommendations have been made, but no final decision has been set and a definitive decision needs to be made of what the zoning will be. The City staff is looking to clarify an approach for handling this non-conformity. Next step for this is to pass this information along to Council and let them know of mixed reviews on the matter.

Grant left at 6:40 p.m.

#### **Update on moratorium on cell towers in Public Right of Way.**

On May 9, 2017 the Governor signed a bill that amends the Iowa Cell Siting Act to allow certain types of cell towers in public Right of Way. The amendment specifically addresses small wireless facilities located on new or existing poles. The codes states that a new pole would have similar height and appearance to existing poles located within 500 feet of the proposed location. Staff believes that City can regulate the height if these poles due to this language to ensure that any new poles are similar in height, style and appearance to existing poles. The amendment doesn't give the City much ability to deny a new pole or siting of small wireless facilities on existing poles and the amendment only provides a narrow set of circumstances in which a permit can be denied if the pole is in an area zoned single-family residential. In addition to this, most circumstances can be overcome by the applicant modifying the proposal and resubmitting to the City.

With the new legislation, the City staff is looking into an approach for dealing with future requests.

#### **Future Business Items-**

Platting and site plan for Certified Industrial Site

Sunset Crest Platting & Site Plans

Sunset Corner Site Plan

North Shore Preliminary Plat

Warrior Run Plat 2 Final Plat

Rolling Green Plat 6 Final Plat

Farms of Holland Plat 3 Final Plat

Affordable Housing Research

**City Council Update- no update**

**Economic Development Update-**

Groundbreaking for Windsor Windows to take place on Wednesday June 28, 2017 on site.

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

**Adjournment – 17-57**

*Motion by Fraser and seconded by Huse to adjourn the meeting at 6:56 p.m. Approved 4 -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 07.10.2017

<b>ITEM TITLE:</b>	<b>Request from Michael and Tracy Carper to approve a Plat of Survey for Parcel "G"</b>	
<b>CONTACT PERSON:</b>	<b>Luke Parris, AICP – Community Development Director</b>	
<b>APPLICANT(S):</b>	Michael & Tracy Carper 4691 Dakota Street Norwalk, IA 50211	Thomas Land Surveying, LLC 6230 90 <sup>th</sup> Avenue Indianola, Iowa 50125
<b>GENERAL DESCRIPTION:</b>	<p>Michael and Tracy Carper currently own 38.9 acres of land north of Dakota Street approximately half a mile south of City limits. The Carpers are proposing a split of the 38.9 acres to create Parcel "G" which is a 2.38 acre parcel with approximately 451 feet of street frontage on Dakota Street.</p> <p>The Carpers are planning to have a winery building on Parcel G. The remainder of the 38.9 acres will include vineyards and a residence.</p>	
<b>RELATIONSHIP TO COMPREHENSIVE LAND USE PLAN:</b>	This area was identified as very low density residential in the future land use plan updated in 2016. This category was for rural areas where water and sanitary sewer service extensions would be more difficult.	
<b>STAFF ANALYSIS:</b>	<p>City interest in platting outside of City limits is to limit development is not consistent with the City's future plans. This is to ensure that future development can occur in conformance with the City's envisioned land use plan. The City's current land use plan identifies this area as a location that will stay rural in character as the community develops.</p> <p>The proposal is to create a new parcel for a building that will be used as a winery. The use of a winery is not consistent with the use of very low density residential, however, it should be noted that the County allows this use on the property without the requested parcel being created. Additionally, the owners have already received approval from the County for the use.</p> <p>The split of Parcel "G" would not appear to limit the ability of the area to develop into very low density residential in the future per City plans.</p>	
<b>STAFF RECOMMENDATION:</b>	Therefore, staff recommends that the Plat of Survey be approved.	

**DRAFT RESOLUTION NO. \_\_\_\_**

**A RESOLUTION APPROVING THE PLAT OF SURVEY FOR PARCEL "G" NW ¼, NE ¼ OF  
SEC. 22-77-25**

WHEREAS, the Planning & Zoning Commission reviewed this request at their regular meeting on July 10, 2017 and recommends approval of the Final Plat; and

NOW, THEREFORE, BE IT RESOLVED: That the City Council does hereby approve the Plat of Survey for Parcel "G" NW ¼, NE ¼ of Sec. 22-77-25 as described and shown in Attachment "A" attached hereto and made a part thereof by reference.

PASSED AND APPROVED this 13th day of July, 2017.

\_\_\_\_\_  
Tom Phillips - Mayor

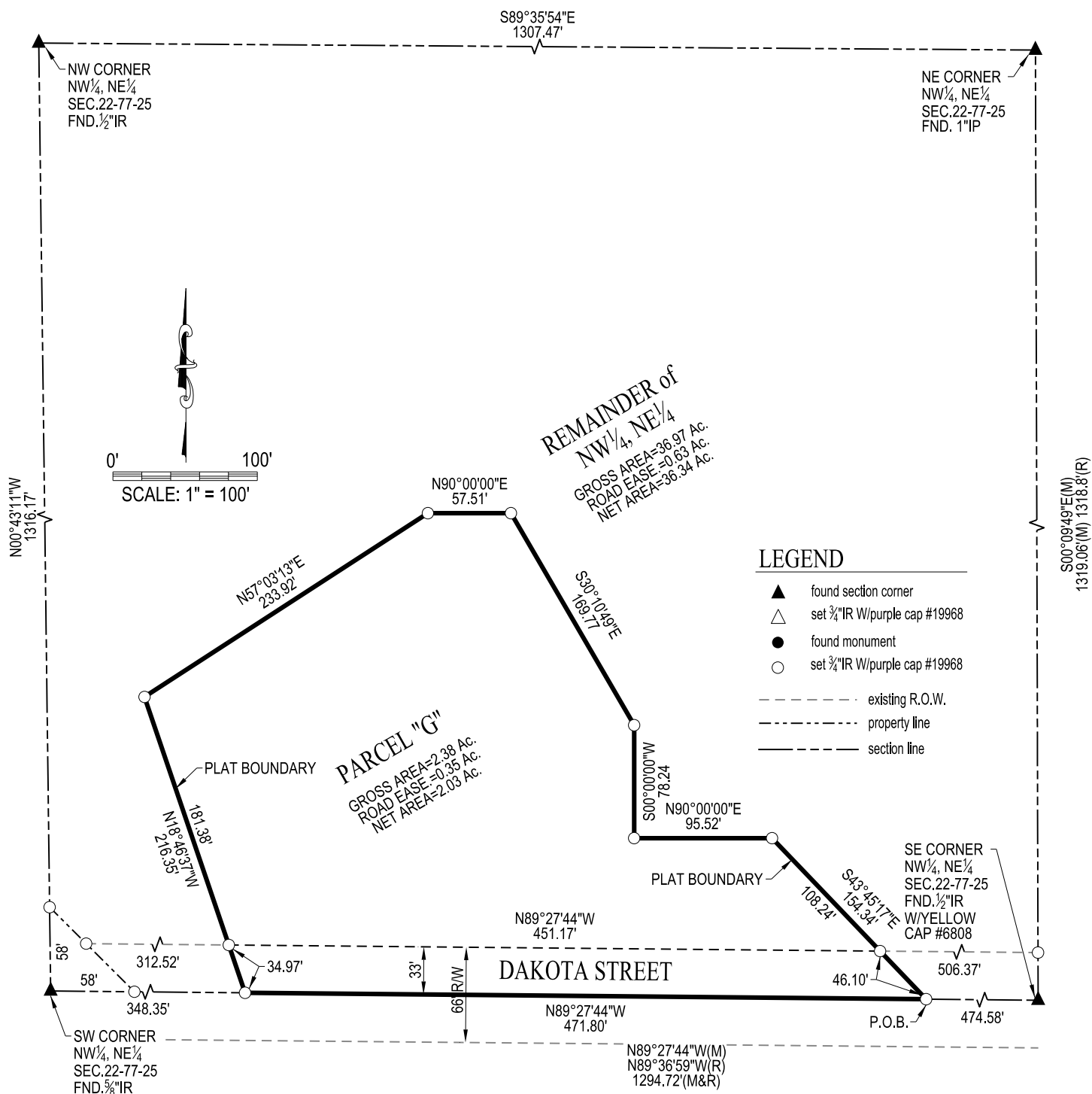
ATTEST:

\_\_\_\_\_  
JODI EDDLEMAN, CITY CLERK

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

## INDEX LEGEND

DATE OF SURVEY: 06-09-2017 THRU 06-14-2017



PROJECT NUMBER	17099	COUNTY	DATE DRAWN	YEAR	SHEET NO.
		WARREN	06-23-2017	2017	1 OF 2



PLAT OF SURVEY - PARCEL "G"

NW¼, NE¼ of SEC.22-77-25

LEGAL DESCRIPTION: PARCEL “G”

A parcel of land located in and forming a part of the Northwest Quarter of the Northeast Quarter of Section 22, Township 77 North, Range 25 West of the 5th P.M., Warren County, Iowa, more particularly described as follows:

Commencing at the Southeast Corner of the Northwest Quarter of the Northeast Quarter of said Section 22; thence North 89°27'44"East along the South Line of the Northwest Quarter of the Northeast Quarter of said Section 22, a distance of 474.58 feet to the Point of Beginning; thence continuing North 89°27'44"West along said South Line, a distance of 471.80 feet; thence North 18°46'37"West, a distance of 216.35 feet; thence North 57°03'13" East, a distance of 233.92 feet; thence North 90°00'00"East, a distance of 57.51 feet; thence South 30°10'49"East, a distance of 169.77 feet; thence South 00°00'00"West, a distance of 78.24 feet; thence North 90°00'00"East, a distance of 95.52 feet; thence South 43°45'17"East, a distance of 154.34 feet to the Point of Beginning, containing 2.38 Acres, which includes 0.35 Acres of Public Highway Easement, subject to all easements, restrictions and covenants of record.

TLS

THOMAS  
LAND  
SURVEYING, LLC

6230 90th AVENUE  
INDIANOLA, IA 50125  
TELE.: 515.494.6663



PROJECT NUMBER	17099	COUNTY	DATE DRAWN	YEAR	SHEET NO.
		WARREN	06-23-2017	2017	2 OF 2

INDEX LEGEND

COUNTY: WARREN  
LOCATION: PARCEL "G" in the NW¼, NE¼ of SECTION 22, TOWNSHIP 77 NORTH , RANGE 25 WEST

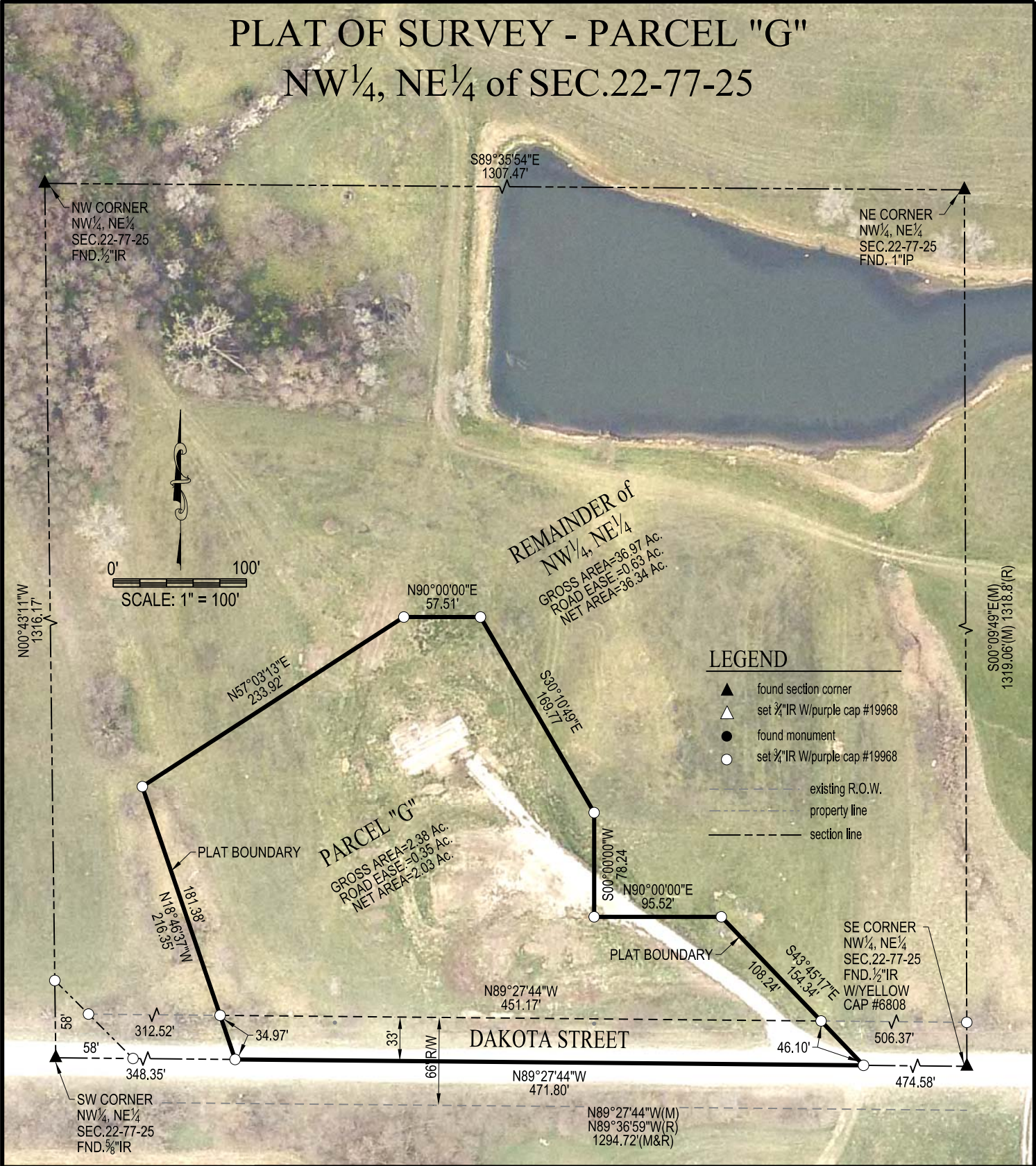
SURVEY FOR REQUESTOR PROPRIETOR: MICHAEL J. CARPER and TRACY CARPER  
4691 DAKOTA STREET, NORWALK, IOWA 50211

SURVEYOR AND SURVEY COMPANY:  
MATT THOMAS, PLS  
THOMAS LAND SURVEYING, LLC  
6230 90th AVENUE, INDIANOLA, IA 50125

RETURN TO AND PREPARED BY:  
MATT THOMAS, 6230 90th AVENUE,  
INDIANOLA, IOWA 50125  
(515) 494-6663

DATE OF SURVEY: 06-09-2017 THRU 06-14-2017

COUNTY RECORDER'S USE BELOW THIS LINE



TLS

THOMAS  
LAND  
SURVEYING, LLC

6230 90th AVENUE  
INDIANOLA, IA 50125  
TELE.: 515.494.6663

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature: \_\_\_\_\_ Date: 06-14-2017

Name: (Printed or typed) Matthew J. Thomas

License Number: 19968

My license renewal date is December 31, 2017

Pages or sheets covered by this seal: 1 - 2

PROJECT NUMBER	17099	COUNTY	DATE DRAWN	YEAR	SHEET NO.
		WARREN	06-14-2017	2017	1 OF 2

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