

## **SPECIAL NORWALK PLANNING AND ZONING MEETING 3-06-2019**

### **Call to order**

The special meeting of the Norwalk Planning and Zoning Commission was held at the Norwalk City Hall, 705 North Avenue, Wednesday, March 6, 2019. The meeting was called to order at 12:01 p.m. by Chairperson Judy McConnell. Those present at roll call were AJ Samuelson, John Fraser and Elizabeth Thompson. Absent: Barbara Bellizzi, Summer Fuller and Donna Grant.

Staff present included: Luke Parris, Community Development Director, Elliot Klimowski, City Planner and Hillarie Ramthun, Community Development Coordinator.

### **Approval of Agenda – 19-20**

Fraser motioned to approve the Agenda and Thompson seconded. Approved 4-0.

### **Welcome of Guests**

There were 14 guests present; with no one wishing to speak, the business portion of the meeting was opened.

### **New Business**

McConnell entertained a motion to remove the tabled item, motion by Fraser to remove the previously tabled item and seconded by Samuelson. Approved 4-0

### **Request from H-CM LLC for the approval of the Preliminary Plat for Legacy Commercial Plat 9 –19-21**

This request from Hubbell Realty Company is for the approval of a preliminary plat for the site of a future daycare building. This site fronts Highway 28 and is located north of Warrior Place 1, LLC which houses Anytime Fitness as well as Norwalk Family Dentistry. Access to Plat 9 would be granted by an easement of the private drive located behind Warrior Place 1, LLC. This would become a frontage road in the future connecting Chatham Avenue with Colonial Parkway. The zoning for the area falls under C-2 and TC which is the appropriate use to move forward. This item was tabled at the February 25, 2019 Planning & Zoning meeting due to a request from the Commissioners for more information to be provided by McClure regarding an easement agreement and also the possibility of an additional ingress/egress to the plat.

Parris provided an updated staff report and also explained that there was confusion at the previous meeting regarding an easement that was dated 2008. It was discovered by staff that the easement was put in place when the building was constructed in 2004 but an addition was made 2008 which caused the book & page to reflect that year. Parris also addressed the traffic concern for the area and explained that City staff had done research regarding traffic generation for a daycare of that size and didn't find that it met the requirements to trigger a traffic study. A thousand trips per day would trigger a traffic study per the City's subdivision ordinance. Parris provided different recommendations that could be made to Council by P&Z and let the Commission know that the neighboring property submitted a letter from their attorney stating their concerns having only one ingress/egress.

McConnell inquired about the traffic research and the specifics. Parris had spoken to the Director of Crayons 2 Pencils in Norwalk, where there is not a traffic issue. There are peaks and lulls for any daycare pick up and drop off and other research models of trip distribution result in about 1 vehicle per minute during peak times. Thompson asked if City staff had researched the other Lil Scholars locations. Parris responded that staff felt it made more sense to check a local daycare center. Caleb Smith, McClure Engineering, spoke regarding growth in other areas of the metro that are similar to Norwalk's and have not experienced issues with one shared drive. McClure and Hubbell have been in communication regarding the connection of the frontage road, but the road won't be developed until lots are sold.

Joe Pietruszynski, Hubbell Realty Company, spoke regarding the start of The Legacy and how the commercial plans for the area are the same now as when it was created in 1999. Market dynamics are the push as to when growth takes place and there has been expressed interest along the Highway 28 corridor due to increased activity and demand in Norwalk at present.

Connor Wasson, Attorney with Ahlers & Cooney, P.C. represented the interest of 1101 Chatham Avenue (Warrior Place 1) and spoke regarding the wear and tear of the road and access issues for customers and employees of 1101 Chatham.

McConnell inquired about the requirements of private drives and how they are to be constructed? Parris responded that private drives are to be constructed to the same standards as any/all public drives, so wear and tear would be the same as vehicles traveling on the City's public streets.

Donna Grant, 1101 Chatham Avenue, discussed the postponement of traffic lights, delays for employees and customers in leaving Warrior Place, and wear and tear on the private drive.

Maureen Winslow, 1101 Chatham Avenue, reiterated Grants concerns. Thompson asked Baker if there has been discussion at Council regarding a traffic signal at Chatham Avenue. Baker indicated it was not planned in the near future. McConnell asked Parris to comment on discussions with Public Safety and if they expressed any concerns. Parris explained that there is a desire for a secondary egress other than Chatham, and would work with property owners to have a secondary access added because that would be an important step to move forward. Thompson inquired about the other Lil Scholars locations and what traffic issues occur. Parris diverted the question to Marci Johnston, Director of Lil Scholars. Johnston explained that the other locations don't have traffic issues due to the nature of the drop off process. There has never been a time of wait for vehicles due to the sporadic nature of drop off/pick up. Joe Pietruszynski spoke again regarding the traffic situation of daycares and they are not queueing lines like what would be seen at a school. It is a misconception of how daycares work.

Samuelson spoke and expressed that he understands all concerns of all involved, but that the addition of a daycare would be less of a traffic headache for the area than that of a fast food restaurant. There is nothing that should stop this project from moving forward. Parris again offered different recommendations that P&Z could pass along to Council.

Samuelson made a motion to approve the Preliminary Plat for Legacy Commercial Plat 9, with a recommendation for the City to work with Hubbell to investigate and push forward a secondary means of access to the site as soon as possible; seconded by Fraser. Approved 4-0

McConnell entertained a motion to remove the tabled item, motion by Samuelson to remove the previously tabled item and seconded by Fraser. Approved 4-0

### **Request from Lil Scholars Preschool & Childcare for the approval of the Lil Scholars Preschool & Childcare Site Plan—19-22**

This request is for the approval of a site plan for a new daycare building for Lil' Scholars Preschool & Daycare. This site is located west of Iowa Highway 28, just north of Chatham Avenue. The intent at present is to access the parcel using a private drive that currently exists behind a building known as Warrior Place 1, which houses Anytime Fitness & Norwalk Family Dentistry. This private drive has an easement in place to allow for access and was originally intended to be a frontage road connecting Chatham Avenue to Colonial Parkway to allow access to any future C-2 and TC type buildings that would be built along the west of Iowa Highway 28. The building use as a daycare is appropriate for the location and follows all City code regulations according to this site plan. Staff recommends approval.

Samuelson made a motion to approve the Preliminary Plat for Legacy Commercial Plat 9, with a recommendation for the City to work with Hubbell to investigate and push forward a secondary means of access to the site as soon as possible; seconded by Thompson.

**City Council Update-** No update

**Economic Development Update-** No update

**Community Development Update-** No Update

**Next meeting Date – March 11, 2019.**

**Adjournment – 19-23**

Motion by Samuelson and seconded by Thompson to adjourn the meeting at 12:49 p.m.  
Approved 4-0.

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Judy McConnell, Chairperson

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Luke Parris, Community Development Director