

## **REGULAR NORWALK PLANNING AND ZONING MEETING 6-24-2019**

### **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 24, 2019. The meeting was called to order at 5:45 p.m. by Chairperson Judy McConnell. Those present at roll call were AJ Samuelson, Barbara Bellizzi, Zach Webster, John Fraser and Elizabeth Thompson. Absent: Donna Grant

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

### **Approval of Agenda – 19-64**

Bellizzi motioned to approve the Agenda and Fraser seconded. Approved 6-0.

### **Approval of the June 10, 2019 Minutes – 19-65**

Samuelson motioned to approve the June 10, 2019 Minutes and Webster seconded. Approved 6-0.

### **Welcome of Guests**

There were 8 guests present; with no one wishing to speak, the business portion of the meeting was opened.

### **New Business**

#### **Consideration of a request from Lil Scholars Preschool and Childcare for a site plan amendment for Lil' Scholars Legacy—19-66**

*(Grant arrived at 5:48 p.m.)*

This request is for a change in exterior façade material to the Lil' Scholars Legacy Preschool & Childcare that is being constructed just west of Iowa Hwy 28/Sunset Drive. The original site plan was approved in March of 2019. It was recently discovered that the approved site plan fell short of the Class 1 and 2 materials required by zoning for C-2 Community Commercial. Staff recommends approval. McConnell entertained a motion, Bellizzi motioned to approve the site plan amendment for Lil' Scholars Preschool and Childcare and Thompson seconded. Approved 7-0

#### **Public hearing and consideration of a request from Cannon Clark to rezone property at 400 North Avenue from C-2 to C-4—19-67**

Public hearing opened at 5:51 p.m.

This request is for the consideration of a rezoning of a parcel at 400 North Avenue from C-2 Community Commercial to C-4 Founder's Business District. The reason for the request would be to allow a commercial office building to fit on the site with fewer setback restrictions. Currently the front setback for this .49 acre parcel that sits just east of Kitterman Circle and south of North Avenue is 50 feet. Rezoning to C-4 would reduce that setback to 38 feet from the centerline of North Avenue. C-4 regulations would allow a structure to sit closer to the right-of-way, and the applicant could create parking at the rear of the property. Cannon Clark, 201 Trevor Ct, presented a concept drawing to which showed how a building could be placed on the site, parking to the rear, a shared drive with Casey's (located to the east of the parcel) and also showing a second ingress/egress to Kitterman Circle to the west. Grant inquired about the sidewalk to the front of where the building would sit and if it would be the cost of the City to straighten what is presently crooked. Clark said that the cost would be the builder/developer cost not the City. Thompson asked why this corner lot would be allowed a second ingress/egress while a different project on Sunset Corner was not allowed access onto Richard George. Parris explained that the DOT was involved with the planning of Sunset Corner due to the Hwy 28 access. Grant expressed concern of the new school traffic that will occur with the completion of that project onto North Avenue. Clark

explained that it was purely conceptual at present and the current prospect tenant would be a financial advisor, which should be low traffic.

Sara Houk, 751 Kitterman Circle, spoke regarding concern for more traffic on a residential street. Thompson and Grant expressed concern of traffic cutting through the proposed business parking lot to the ingress/egress off Kitterman Circle. Parris explained the SUDAS requirements for an additional egress and also stated more steps would be involved as a site plan is brought forward in the future for any structure placed on the lot.

Public hearing closed at 6:12 p.m.

McConnell entertained a motion to approve the request to rezone property at 400 North Avenue from C-2 to C-4, Samuelson motioned to approve and Fraser seconded. Approved 6-1

**Public hearing and consideration of a request from Nathan and Jennifer Katzer to rezone property at 7986 S. Orilla Road from RE-1 to C-1 —19-68**

Public hearing opened at 6:23 p.m.

This request is for the rezoning of a one acre property located off of S. Orilla Road from RE-1, Rural Estates residential to C-1, Neighborhood Commercial which would allow the applicant to expand the chiropractic office in the accessory building to occupy the entire building rather than the present space of only half. If rezoned, the residential home will be functionally non-conforming, but could be lived in and the chiropractic office would become spatially non-conforming; neither space could be physically expanded moving forward as existing uses. Nathan Katzer, 7986 S. Orilla Rd spoke. Bellizzi asked if Katzer will be the only doctor working, Katzer explained that a second chiropractor would be hired for extended working hours not to overlap the current owner's hours. Bellizzi asked if enough parking would be available for customers, McConnell inquired about a requirement to pave gravel area. Since there is already a paved parking area with several stalls available, it was not a concern for the gravel portion to be paved at this time. Grant and Samuelson asked if the property could be changed back to residential if sold in the future. Parris explained that it would be unlikely for a future user to want the area rezoned back to residential in the future due to the expansion of Veteran's Parkway through the Orilla area. If it is sold and the individual didn't want to run commercial, as long as the home is still residential it could continue to be utilized as a residence, it will be at the point of no return if the residence is also made commercial. Fraser asked if surrounding neighbors were notified. All surrounding were notified and City staff was not contacted regarding any concerns.

Public hearing closed at 6:38 p.m.

McConnell entertained a motion, Bellizzi motioned to approve and Grant seconded. Approved 7-0

**Public hearing and consideration of a request from HRC Norwalk, LLC to rezone property south of Beardsley Street and east of Elizabeth Holland Park and Colonial Parkway to the Paxton Pointe PUD—19-69**

McConnell prefaced that the applicants for this project had requested the item be tabled until more information could be provided. The public hearing would be opened because public was notified.

Public hearing opened at 6:40 p.m.

Klimowski gave a brief report with minimal detail regarding the rezoning request for the Paxton Pointe PUD in the area south of Beardsley Street and east of Elizabeth Holland Park and Colonial Parkway. The City was presented with a PUD proposal but plans have not been provided for review at present. The City gave written and verbal comments to the proposal and staff anticipates several changes from the original proposal. No report is included so as not to create confusion when the item is brought back to future P&Z for review. Parris added that some of what was discussed had to do with walkability and staff does not know what will be submitted after comments were given, the same proposal could be brought back or something completely

different, but as with all public hearings, notifications will be sent out so public can attend or comment. Mel Roe, 9426 Bellflower Lane spoke and asked about additional traffic on Beardsley Street. Parris explained that an ongoing study has been in place with Schneider and Associates and the possible widening of Beardsley Street in the future to accommodate additional traffic. Public hearing closed at 6:47 p.m.

Grant commented on the Comprehensive Plan and High Density residential and where it should be allowed.

McConnell entertained a motion to table the item, Bellizzi motioned to table and Fraser seconded. Approved 7-0 Item Tabled.

**City Council Update-** No Update

**Economic Development Update-** No Update

**Community Development Update-** the Fast and Fresh portion of Hyvee plans have been reviewed and look promising to be completed soon and reviewed at a future P&Z.

**Next meeting Date – July 8, 2019.**

**Adjournment – 19-70**

Motion by Bellizzi and seconded by Fraser to adjourn the meeting at 6:56 p.m.  
Approved 7-0.

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Judy McConnell, Chairperson

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Luke Parris, Community Development Director