

## REGULAR NORWALK PLANNING AND ZONING MEETING 05-11-2020

### Call to order

The regular meeting of the Norwalk Planning and Zoning Commission was held electronically due to COVID-19 (Coronavirus) State of Emergency WHEREAS, Iowa Code Section 372.14(2) and the Norwalk City Code Chapter 15.02(2) grant the Mayor powers in emergency circumstances when public danger exists to take extraordinary steps to protect the public health and safety; therefore, all in attendance met via google hangout, Monday, May 11, 2020. The meeting was called to order at 5:45 p.m. by Chairperson Judy McConnell. Those present at roll call were, AJ Samuelson, John Fraser and Elizabeth Thompson, Megan Regennitter, Donna Grant and Zach Webster. Absent: None

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

### Approval of Agenda – 20-36

Thompson made a motion to approve the Agenda and Fraser seconded. Approved 7-0

### Approval of the April 27, 2020 Minutes – 20-37

Grant motioned to approve the April 27, 2020 Minutes and Regennitter seconded. Approved 7-0

### Approval of the May 1, 2020 Minutes – 20-38

Webster motioned to approve the May 1, 2020 Minutes and Regennitter seconded. Approved 7-0

### Welcome of Guests

There were 17 guests present by computer and phone; with no one wishing to speak, the business portion of the meeting was opened.

### New Business

#### **Public hearing and recommendation on a zoning amendment to change land east of Silverado Estates south of Highway G14 from A-R Agricultural Reserve to R-1(60) Single Family Residential —20-39**

This request is to rezone 47 acres of land located east of Silverado Estates and on the south side of Highway G-14 from A-R Agricultural Reserve to R-1(60) Single Family Residential. The 47 acres is the greater part of 80 acres that is immediately sewerable and the remainder will require future sewer service from the south. The rezoning of 47 acres would allow for the development of sixty-eight 70' wide lots and sixty-five 60' wide lots and meet all guidelines of the Comprehensive Plan. Jared Johnson, Accurate Development, 9500 University Ave. #2112 West, Des Moines, explained the draw of purchasing the land for development was due to the immediate ability to connect to nearby sewer. This development would allow for a transition from the RE-1 of Silverado Estates to smaller lots of 70' & 60' leading east towards commercial areas shown on Norwalk's current zoning map. Several residents of Silverado Estates, west of this proposed development, shared comments at the April 27, 2020 Planning & Zoning meeting that carried over to the May 11<sup>th</sup>, 2020 meeting. Those who spoke were not in favor of the proposed development and shared these concerns:

Brian & Metinka Slater, 1117 Colt Lane, had lot size concern and traffic concerns as well as if any drainage studies have been done or will be done, curious about outlets and what will the plan be for the remaining property that is planned for future development.

Charles Adams, 3338 Sundance Ct (also sent email to City), concerned that the amounts of home values are not lining up and Silverado Estates will no longer be Rural Estates once the this development goes in. Warren County Future Land Use Plan-CSR land-what is Norwalk's priority.

Joyce & Bruce Bain, 1134 Colt Lane (also sent email to City), concerned about the small lot size and noise abatement between communities throughout Norwalk between developments, 5 small homes in their backyard doesn't sit well, does not want tiny homes in her backyard, would like to know if Agrihood has been taken into account.

Jennifer McCall, 3347 Sundance Ct (also sent email to City), questions about the definitions of densities, a need to increase the notice period so residents are not reacting emotionally but factually, math doesn't add up for square footage of homes and concerned about quality of homes, assessed value is different than market value and has concern for that, wanted to know if the traffic study was done prior to

pandemic or during the pandemic, concerned about development having rental properties and the safety of her children, has been paying \$8 a month for future sewer that may never come to fruition. Ross Ingwersen, 1140 Colt Lane, wanted to echo all the concerns of his neighbors.

Nick & Rachel Ford, 1128 Colt Lane (also sent email to City), same concerns of everyone else, concerned for school system-busing and the strain on the school system with all the added families.

Randy Simms, 3112 G-14 (also sent email to City), concern of ingress/egress and site lines, several lots would line the side of his property-not the rear and this would hurt any resale value of his property.

Other property owners of Silverado Estates opposed to the development that had emailed the City but were not in attendance or didn't speak at the virtual meeting:

Casey & Kelsey White, 1110 Colt Lane

Melissa & Brett Stewart, 1122 Colt Lane

City Staff gathered all concerns voiced at the April 27, 2020 meeting and presented information to concerned residents during this May 11<sup>th</sup> meeting.

Public hearing opened at 5:51 p.m.

Staff provided thorough presentation regarding dwelling density, valuation per acre, average home size in Norwalk (zero lot lines non-existent for R-1 development), traffic and noise, projected home values vs Norwalk demographics, zoning of Silverado and what it means to be "Rural Estates", difference between very low density and low density, traffic data for study of G14, home valuation--market value & assessed value, privacy from adjacent yards, rental property, DART and HIRTA, ingress and egress of development, drainage and hydrology, Agrihood, and Warren County Future Land Use Plan. The applicant, Jared Johnson of Accurate Development, spoke after the staff report to give details of the lots along the west of the proposed development. Those lots had been redrawn and deepened to allow for more space between where the houses would be situated from the rear property lines and to allow that the tree line remain intact. The main discussion from the property owners that line the west half of the proposed development was concern of their large lots having 5 homes in their rear yards (one home would have 5+ at the side yard) due to the narrowness of the proposed lots. The following had concerns about homes lining their rear property:

Jennifer McCall, 3347 Sundance Ct

Charlie & Mechile Adams, 3338 Sundance Ct

Michael Tysdal, 1202 Silverado

Bruce & Joyce Bain, 1134 Colt Lane

Nick Ford, 1128 Colt Lane

Casey White, 1110 Colt Lane

Randy Simms, 3112 G14 Hwy (side yard affected)

In addition to the concern of houses lining Silverado properties, McCall expressed concern of sanitary sewer and stormwater fee that she has paid for several years and asked if the City would refund the homeowners of Silverado for that fee if there will be no future sewer to connect to. Parris responded that the Utility Billing Clerk pulled the billing information of the Silverado property owners and there was not a sewer fee but there was a stormwater fee which would be accurate for billing in that area. McCall also found it disheartening that the City was concentrating on new residents and growth of the City and not of existing residents. Jim Dougherty, City Attorney, added that he was not aware of any fees in that area for sewer.

Joyce Bain, 1134 Colt Lane spoke and expressed concern that houses crammed on top of them will take away the country/rural feel, they did not want to be City, they wanted to be in the country, deepening the lot does nothing for her because there will still be 5 houses in her back lawn. Bruce Bain also spoke to the concern of the increase in population and valuation not matching up. He was also concerned about overwhelming the school system which is already overwhelmed.

Charles Adams, 3338 Sundance Ct, echoes Bain's concern of population increase and overwhelming the schools. Adams does not want to be like West Des Moines and doesn't want houses crammed in his back yard. Adams would like more discussion to take place with Council & Planning & Zoning to help preserve some farm land and evidence from the developer to show that the homes would sell in the development.

Nick Ford, 1128 Colt Lane, wanted to know if the school system is aware of this development and why not all the lots along the west were not lengthened. Parris explained that the school and the City do partner on some things and although he cannot comment about knowledge of this development, they

hire outside demographers to help them with the impact of growth not only in Norwalk, but surrounding Norwalk because people outside of the City limits do attend Norwalk Schools.

Melissa Stewart, 1122 Colt Lane, wanted to point out that a development is going in by Bedwell Gardens and is concerned about the impact on the school and why so many houses need to be built in Norwalk. Randy Simms, 3112 Hwy G14 spoke about the ingress/egress of the development not lining up with Timberview Development and the dangers of turning off/onto Hwy G14. Simms was not informed during previous meetings that the lots of this proposed development could be so small in size.

Mechile Adams, 3338 Sundance Ct. spoke to the concern of the aesthetics of the development. She would like to see a development like Blooming Heights and is disgusted by this proposed development. Adams looked up every person on P&Z as well as on Council and has looked at their homes and none have 5 homes in their backyards—would they have chosen a different location if they had 5 homes in their backyards?

Casey White, 1110 Colt Lane, spoke to the safety issue of the sun rising in the east and driving on G14 and the widening of the road and needing the infrastructure before the homes are built, Also would like to know what studies the City has done to show the need for more homes and growth in the City, due to development of surrounding communities of Ankeny, Des Moines and along Veteran's Parkway and what studies has the City done to ensure there are not vacancies in the future. What will this development do for the community for the long term?

Michael Tysdal, 1202 Silverado asked why the meeting couldn't be delayed for a few weeks so that the meeting could be held in person. Tysdal spoke of concern of the homes being built before the road is widened and questioned if more emergency services would be located towards Silverado Estates with additional developments happening. The tree line will be trimmed by the developer which means the buffer would be removed and questions why more trees can't be planted or a fence installed. Tysdal also wanted to know why a school representative wasn't involved in the meeting due to taxes and a large portion of the taxes are with the school district and not all with the City.

Public hearing closed at 7:07 p.m.

It was opened to the Commissioners to discuss and deliberate. Thompson inquired if it was ever discussed between the developers to widen the lot rather than deepen. Johnson responded that if the lots were widened they wouldn't be very deep lots. Regennitter asked for clarification of the number of lots proposed per acre of Silverado lots, how many homes per Silverado lots? Johnson responded with 2.4 houses per acre with Silverado lots being about an acre. Thompson asked about the price point of the homes that would be built. Johnson explained that the \$400,000 amount is the builder cost but would sell for more than that. Klimowski added that he received information from a Council person regarding the Echo Ridge area with similar size lots and houses well over \$400,000 and it is a more dense area. Fraser added a comment that in the past that a homeowner purchased land between an existing development and a new development that was being proposed in order to pacify all involved.

With no further discussion, McConnell entertained a motion to approve the Zoning Amendment to change land east of Silverado Estates south of Highway G14 from A-R Agricultural Reserve to R-1 (60) Single Family Residential, Samuelson motioned to approve, Regennitter seconded. Approved 6-1

#### **Public Hearing on a zoning amendment related to standard garage dimensions—20-40**

Public hearing opened at 7:16 p.m.

Discussion has continued regarding the Zoning Ordinance relating to the required sizes for two-car garages in residential zoning districts. The proposed amendment would change the requirement from 22 ft wide by 20 ft deep garages to modifying it as an overall square footage requirement of 440 sq ft. Additional discussions have taken place with Council members to try to figure out an alternative formula or calculation to make all happy with an amendment to the requirement. Samuelson and Grant both praised City Staff for pursuing this amendment and what a benefit it will be for builders and the City.

Public hearing was closed at 7:20 p.m.

McConnell entertained a motion to approve the zoning amendment related to standard garage dimensions, Samuelson motioned to approve, Fraser seconded. Approved 7-0

#### **Request for an amendment to the Site Plan at 600 Colonial Circle—20-41**

This request is for a trash enclosure to be added at 600 Colonial Circle. Due to the nature of the building and it being an accessory structure for trash, an amendment to the site plan is required per City

Ordinance. Aesthetically the neighborhood will benefit to having the current dumpster enclosed rather than sitting out in the open. Blake Tingley, Hubbell Realty Company, was available for questions and spoke of the improvements currently taking place with this property. McConnell inquired about any issues that could be anticipated with the enclosure being added. Tingley commented that the enclosure would not cause any additional issue with trash pickup. McConnell entertained a motion, Grant motioned to approve the Site Plan amendment at 600 Colonial Circle, and Webster seconded. Approved 7-0

**City Council Update-** None

**Economic Development Update-** None

**Community Development Update-** None

**Next meeting Date –June 8<sup>th</sup> (due to Memorial Day on May 25<sup>th</sup>)**

**Adjournment – 20-42**

Motion by Fraser and seconded by Grant to adjourn the meeting at 7:32 p.m.  
Approved 7-0

\_\_\_\_\_  
Judy McConnell, Chairperson

\_\_\_\_\_  
Elliot Klimowski, City Planner

Date: \_\_\_\_\_