



Meeting Minutes
Plan & Zoning Commission Meeting
Tuesday, August 22, 2023
Ankeny City Council Chambers, Second Floor
1250 SW District Drive, Ankeny, Iowa

CALL TO ORDER

Chair Ted Rapp called the August 22, 2023 meeting of the Plan & Zoning Commission to order at 6:30 p.m.

ROLL CALL

Members present: Ted Rapp, Glenn Hunter, Trina Flack, Annette Renaud, Todd Ripper, Randy Weisheit and Lisa West. Staff present: E.Jensen, E.Carstens, J.Heil, B.Morrissey, R.Kirschman D.Silverthorn and B.Fuglsang.

AMENDMENTS TO THE AGENDA

Motion by T.Flack to approve the August 22, 2023 agenda without amendments. Second by G.Hunter. All voted, aye. Motion carried 7 - 0.

COMMUNICATIONS

There were no communications.

CITIZEN'S REQUEST

There were no requests.

CONSENT AGENDA ITEMS

Item #1. Minutes

Motion to approve and accept the August 8, 2023 minutes of the Plan and Zoning Commission meeting.

Item #2. Aspen Ridge Commercial Plat 3 Final Plat

Motion to recommend City Council approval of the Aspen Ridge Commercial Plat 3 Final Plat.

Item #3. Canyon Landing Duplexes Plat 2 Final Plat

Motion to recommend City Council approval of the Canyon Landing Duplexes Plat 2 Final Plat; and recommend City Council authorization of cost-participation for upsizing of public water main along NE 38th Street in the amount estimated to be \$24,200.00.

Item #4. Canyon Landing Plat 3 Final Plat

Motion to recommend City Council approval of the Canyon Landing Plat 3 Final Plat.

Item #5. Ankeny Northwest Water Tower Plat 1 Final Plat

Motion to recommend City Council approval of the Ankeny Northwest Water Tower Plat 1 Final Plat.

Item #6. 3755 NW Irvinedale Drive - Elevated Water Storage Tank Site Plan

Motion to approve the site plan for 3755 NW Irvinedale Drive, Elevated Water Storage Tank.

Motion by T.Flack to approve the recommendations for Consent Agenda Items #1 - #6. Second by R.Weisheit. All voted, aye. Motion carried 7- 0.

PUBLIC HEARINGS

Item #7. 98 Investments, LLC, request to rezone property from C-2, General Retail, Highway-Oriented, and Central Business Commercial District, to C-2A, Central Business Commercial District

Chair T.Rapp opened the public hearing.

Staff Report: D.Silverthorn reported 98 Investments, LLC, is requesting to rezone property from C-2, General Retail, Highway-Oriented, and Central Business Commercial District, to C-2A, Central Business Commercial District.



He said the area subject to the proposed rezoning consists of one parcel totaling 0.29 acres located south of W 1st Street, north of SW 3rd Street, and adjacent to the Ankeny Market & Pavilion. He commented that the neighboring property to the north and east are zoned the same, while properties to the south are zoned C-2A, Central Business Commercial District, and properties to the west are zoned R-2, One-Family and Two-Family Residence District. The proposed rezoning aligns with The Ankeny Plan 2040 Comprehensive Plan, Figure 12.10, Future Land Use Map, which indicates this property as Uptown (UP). D.Silverthorn presented the current zoning map, which shows the parcel is zoned C-2 and commented that rezoning it to C-2A, Uptown, would align with what is shown on the Future Land Use Map. He provided background on the compilation of The Ankeny Plan 2040 Comprehensive Plan Future Land Use Map for this area and noted that 82% of the participants were in favor of more retail, shopping and entertainment businesses; and 84% wanted to see the Uptown District in Ankeny revitalized. D.Silverthorn said based on the public participation and other findings, the Comprehensive Plan outlined certain goals and policies for continuing efforts to improve and revitalize Uptown such as pedestrian-scale architecture, streetscape, and upper-floor residential. He stated that the proposed rezoning could most significantly capitalize on the trailhead and specialty retail. He said the rezoning to C-2A basically allows the same exact uses as C-2 except it provides for additional flexibility regarding special use permits, lot and area regulations, parking and landscaping. He noted that the developer has submitted the required petitions and all legal notifications were met. Staff will present a complete staff report and recommendation at the next Plan and Zoning Commission meeting on September 6, 2023.

Brent Culp, Snyder & Associates, Inc., 2727 SW Snyder Boulevard, Ankeny representing 98 Investments, LLC presented a rezoning exhibit, which showed the surrounding properties that have signed off on the proposed rezoning. He asked if the Commission had any questions.

T.Rapp said he noticed that the parcel for the proposed rezoning seems to overlap part of the AMP parking lot. Brent Culp responded that he noticed the discrepancy, also saying the information/map came from the Polk County Assessor. T.Rapp asked if there is a proposed change of use. Brent Culp responded, none that he was aware of at this time.

There was no one in the audience to speak for or against the request.

Motion by T.Flack to close the public hearing, receive and file documents. Second by T.Ripper. All voted aye. Motion carried 7 – 0.

BUSINESS ITEMS

Item # 8. Request by Hope Kimberley, LLC, BK Linnemeyer Trust, Brian K. and Kelli K. Linnemeyer, Richard R. and Stacey Martin, A. Byron Gustafson, Northstar, LTD., DRA Properties, LLC, and Gene C. Hildreth, Jr. for 80/20 Voluntary Urbanized Annexation of property into the City of Ankeny (Hope Kimberley 2.0)

Staff Report: J.Heil reported the request is for the annexation of approximately 422.15 acres of land adjacent to the City's northeastern boundary. Generally located north of NE 126th Avenue, west of NE Delaware Avenue and east of N Ankeny Boulevard. He stated that seven of the property owners own 11 of the 19 properties included in the proposed annexation. He commented that the land area consists of 345.63 acres owned by consenting property owners and 76.52 acres are owned by non-petitioned property owners. He presented an aerial map representing all the property included in the request. J.Heil stated that the Code of Iowa allows cities to annex up to 20% of the total land area to be annexed from non-consenting owners to avoid the creation of islands and to create uniform boundaries. He stated the non-consenting properties are included in the annexation request to avoid the creation of islands and to provide for uniform boundaries, which is required by Iowa Code. He noted that the annexation area is located within two miles of the City of Alleman and approximately 12.51 acres of public road right-of-way are included. The Ankeny 2040 Comprehensive Future Land Use Map was presented. J.Heil stated that if the annexation request is approved by the City Development Board, it will be initially zoned R-1, One-Family Residence District, consistent with all newly incorporated properties into the City of Ankeny. He provided an overview of utility services that will be provided for this land area. He stated that there is a consultation meeting scheduled for August 24, 2023, which is a requirement for all 80/20 voluntary annexations. Staff recommend that the Plan and Zoning Commission recommend that City Council approve the Hope Kimberley 2.0 80/20 Voluntary Urbanized Annexation.



T.Rapp asked whether including the Four Mile Four County Plat as a part of this annexation is to create a uniform boundary. E.Jensen said, yes. T.Rapp questioned why the City would annex land north, outside of The Ankeny 2040 Comprehensive Plan. E.Jensen explained that the City's adopted annexation policy states that the preference is to annex land within the urban growth area, which is the Future Land Use Map; and the policy further states that the City can annex out of that area if it makes sense and is able to serve the growth area. He shared a map that showed the City's ability to serve sanitary sewer up to NE 134th Avenue. E.Jensen noted that if the land is annexed into the City, the adjacent land uses shown on the Future Land Use Map would extend to the newly annexed area.

R.Weisheit confirmed that new water lines would be run during the development of the land to supply water to the area. J.Heil said, yes. The developer would be required to add them.

L.West asked who received the notice regarding the Consultation meeting. J.Heil said the Code requires for this request, the Polk County Board of Supervisors, Lincoln Township Trustees and Clerk, the Polk County Land Use Planning Manager, the Ankeny and North Polk Community School District Superintendents.

The correspondence from Alleman Mayor Bob Kremme was included in the Commission's packet for this request.

There were no further discussions.

Motion by G.Hunter to recommend City Council approval of the Hope Kimberley 2.0 80/20 Voluntary Urbanized Annexation. Second by A.Renaud. All voted aye. Motion carried 7 – 0.

REPORTS

City Council Meeting

E.Jensen reported on the August 21, 2023 City Council meeting. E.Jensen shared that the Council had a work session that included a discussion on urban chickens and the Experience Park along the bike trail. He will provide information to the Commission when appropriate.

Director's Report

E.Jensen presented the tentative agenda items for the September 6, 2023 Plan and Zoning Commission meeting.

Commissioner's Reports

T.Flack asked if there is information on which streets have been reopened after construction. E.Jensen said he would forward the notice that went out to the public to the Commission.

MISCELLANEOUS ITEMS

September 5, 2023 – 5:30 p.m. City Council Meeting Representative: Staff

ADJOURNMENT

There being no further business, T.Rapp motioned to adjourn. Meeting adjourned at 6:53 p.m.

A handwritten signature in blue ink that reads "Brenda Fuglsang".

Submitted by Brenda Fuglsang, Secretary
Plan & Zoning Commission