Meeting Minutes

Plan & Zoning Commission Meeting

Tuesday, May 16, 2023

Ankeny City Council Chambers, Second Floor
1250 SW District Drive, Ankeny, Iowa

CALL TO ORDER

Chair Ted Rapp called the May 16, 2023 meeting of the Plan & Zoning Commission to order at 6:30 p.m.

ROLL CALL

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

AMENDMENTS TO THE AGENDA

Motion by T.Flack to approve the May 16, 2023 agenda without amendments. Second by T.Ripper. All voted aye. Motion carried 5 – 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 May 2, 2023 minutes of the Plan and Zoning Commission meeting.

Item #2. 255 NW 36th Street - Culver's Site Plan

Motion to approve the site plan for 255 NW 36th Street, Culver's; subject to City Council approval of the 36th Street Centre Preliminary Plat and Final Plat.

Motion by T.Flack to approve the recommendations for Consent Agenda Items #1 - #2. Second by R.Weisheit. All voted aye. Motion carried 5– 0.

PUBLIC HEARINGS

There were no public hearings.

BUSINESS ITEMS

Item #3. 36th Street Centre Preliminary Plat and Final Plat

J.Heil reported North Ankeny Boulevard, LLC has proposed a 22.60-acre Preliminary Plat and Final Plat. The 36th Street Centre Preliminary Plat and 36th Street Centre Plat 1 Final Plat would be located west of N Ankeny Boulevard and south of NW 36th Street. He stated that the area is zoned C-2, General Retail, Highway-Oriented and Commercial Business District and that the properties to the north and east are similarly zoned and the property to the west and south are zoned R-3. He explained that the preliminary plat includes 12 commercial lots, associated easements, utilities and site infrastructure and he noted the primary access points. He said the 36th Street Centre Plat 1, creates two buildable lots along NW 36th Street, an outlot for future development and shows associated utilities and easements. He provided further information to the Commission on the water main, sanitary sewer, and stormwater. He noted that there is no parkland dedication required for a commercial development. Staff recommend that the Plan and Zoning Commission recommend City Council approval of the 36th Street Centre Preliminary Plat and that the Plan and Zoning Commission recommend City Council approval of the 36th Street Centre Plat 1 Final Plat; and authorize the Mayor to sign a development agreement for a future traffic signal and related improvements along NW 36th Street.

T.Rapp asked if the traffic signal was warranted for the intersection on 36th Street with the development of Kwik Star. J.Heil said no.
The applicant had no additional comments for the Commission.

Motion by L.West to recommend City Council approval of the 36th Street Centre Preliminary Plat. Second by T.Flack. All voted aye. Motion carried 5 – 0.

Motion by T.Flack to recommend City Council approval of the 36th Street Centre Plat 1 Final Plat; and authorize for the Mayor to sign a development agreement for a future traffic signal and related improvements along NW 36th Street. Second by T.Ripper. All voted aye. Motion carried 5 – 0.

Item #4. Request by Hope K. Farms, LLC for 80/20 voluntary urbanized annexation of property into the City of Ankeny
B.Morrissey reported that Staff has received a request by Hope K. Farms, LLC for an 80/20 voluntary urbanized annexation of certain territory adjacent to the City's northwestern boundary, generally located at the intersection of NW 54th/NW 118th Avenue and NW Ash Drive/NE 6th Street. He stated that the annexation of territory encompasses approximately 369.80 acres and the annexation area is located within two miles of the City of Alleman. He said that there are eight properties totaling 356.71 acres, which are owned by property owners who have signed a petition consenting to the annexation, while 5.77 acres are owned by property owners who have not signed a petition consenting to the annexation. 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 the Iowa Code. There are approximately 7.32 acres of public road right-of-way that are included in the annexation request, as the City is required to incorporate any and all county road right-of-way to the centerline of the adjacent road. B.Morrissey stated that if petitions are not received for all ten properties, 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 explained that the current petitioned land area is approximately 356.71 acres, which equals 98.41% of the 362.48 total calculated acres, excluding Polk County road right-of-way. The land area of the two non-petitioned properties total 5.77 acres, equaling 1.59% of the calculated land area, excluding Polk County road right-of-way. He noted that the annexation area is identified in The Ankeny Plan 2040 Comprehensive Plan as being suitable for Low-Density Residential and 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 shared that the City of Ankeny currently provides Fire and EMS service to the annexation area. The City of Ankeny water main runs along NE 6th Street and NW 118th Avenue, and the sanitary sewer line ends at the southeast corner of the proposed annexation area. A consultation meeting is scheduled for May 22, 2023 and notices were mailed to the Polk County Board of Supervisors, Crocker Township Trustees, Polk County Planning, and the Ankeny Community School District. Staff's recommendation is that the Plan and Zoning Commission recommend that the City Council approve the Hope Crest 80/20 Voluntary Annexation.

R.Weisheit inquired about whether there is a storm sewer in the area. B.Morrissey responded that currently there is no storm sewer in the area, but it would come later if the territory is annexed into the City.

The applicant had no additional comments for the Commission.

Motion by T.Ripper to recommend City Council approval of the Hope Crest 80/20 Voluntary Urbanized Annexation. Second by R.Weisheit. All voted aye. Motion carried 5 – 0.

REPORTS

City Council Meeting

E.Jensen reported on the May 15, 2023 City Council meeting.

Director's Report

E.Jensen presented the tentative agenda items for the June 6, 2023 Plan and Zoning Commission meeting and the April 2023 Building Permit Report.

E.Jensen shared that, tentatively, Commissioner Trina Flack will give a presentation on Catch Des Moines activities at the next Plan and Zoning Commission meeting.

Commissioner's Reports

L.West asked if "no mow May" has impacted the City of Ankeny. There was follow-up discussion between staff and the Commission.
L.West commented, if possible, she would like to see the Commission have a retreat this year.

MISCELLANEOUS ITEMS

June 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 6:46 p.m.

Brenda Fuglsang

Submitted by Brenda Fuglsang, Secretary
Plan & Zoning Commission