

## **Minutes of the February 8<sup>th</sup>, 2022, Regular Planning and Zoning Commission Meeting**

The February 8<sup>th</sup>, 2022, Planning and Zoning Commission Meeting was called to order at 6:00pm.

**Roll Call:** The Following Commissioners were present: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Commissioners Absent: Inman. City Staff in attendance: Andy Kass, Bill Mettee and Kathryn Purvis.

**Agenda Approval:** Motion by Commissioner Broderick, seconded by Commissioner Streit, to approve the agenda for the February 8<sup>th</sup>, 2022, Planning and Zoning Commission Meeting. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

**Approval of the January 25<sup>th</sup>, 2022, Meeting Minutes:** Motion by Commissioner Broderick and seconded by Commissioner Streit to approve and adopt the minutes of the January 25<sup>th</sup>, 2022, Planning and Zoning Commission Meeting. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

**Open Forum:** None

**Election of Officers for 2022:** Commissioner Broderick moved to nominate Commissioner Inman as Chairman and Commissioner Streit as Vice Chairman. Commissioner Gerlitz seconded. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **Approval of a Rezoning related to a change from A-1 (Agricultural District) & K-MF Stacked Medium (Kettlestone Multi-Family Stacked Medium District) to K-MF Stacked Medium (Kettlestone Multi-Family stacked Medium District/ PD-1 (Planned Development Overlay) [Edencrest at Kettlestone]**

Community Development Director, Andy Kass, introduced the request for approval of a rezoning as submitted by the applicant, Hubbell Realty Company, in anticipation of a senior living center. The subject property is located east of SE Parkview Crossing Drive and north of SE Tallgrass Lane, containing approximately 4.90 acres. The applicant has submitted 53.86% consent from adjoining property owners within 250-feet of the subject property. Notice regarding the rezoning was mailed to the surrounding property owners on January 28, 2022, and signs have been placed at various locations where the property adjoins public streets.

Mr. Kass advised that the proposed concept plan identifies an approximately 43,400 square foot building approximately two stories in height that would house 80 units for senior living. Of those units, 22 units would be designated for independent living, 34 units would be

designated for assisted living, and 24 units would be for memory care. Surface parking and two garage buildings are available on site.

Mr. Kass explained that the request includes a Planned Development Overlay that would alter the minimum allowed unit square footage if approved and allow an exception to the maximum density of 14 units per acre. The Applicant has proposed a maximum of 18 units per acre, and minimum square footage ranging from 340 to 370 square feet for the assisted living and memory care units as they generally do not require facilities that an independent living or typical unit.

At this time staff would suggest approval of the rezoning as the request is generally consistent with the approved Kettlestone Master Plan. All property within the rezoning area will be subject to further platting and site plan approval.

- Commissioner Broderick questioned if there was room for the project to address additional parking if more units were added. Mr. Kass advised there was adequate space for additional parking.
- Commissioner Koshy questioned if the parking was average for similar developments. Mr. Kass advised the project is not the first to be constructed in the Des Moines Metro Area by the applicant and discussions with other municipalities advised that there were no reported parking issues.

Commissioner Streit moved to approve a Rezoning related to a change from A-1 (Agricultural District) & K-MF Stacked Medium (Kettlestone Multi-Family Stacked Medium District) to K-MF Stacked Medium (Kettlestone Multi-Family stacked Medium District/ PD-1 (Planned Development Overlay) [Edencrest at Kettlestone], subject to any staff comments. Commissioner Broderick seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **Approval of an ordinance to amend Chapter 165-Zoning Regulations, Definitions, & General Regulations, Waukee, Iowa, to incorporate provisions for Mobile Food Units**

Community Development Director, Andy Kass, introduced the proposed amendment to incorporate provisions for mobile food units. Mr. Kass explained that the provisions are similar to the recently enacted pilot program that has been in place for several years and has generally been well received. The provisions include a few minor improvements such as allowing mobile food units in public and private areas, requiring an annual submission permit except in cases such as events and the Farmers market where the applicant is already registering and meeting minimum requirements for operations, and requiring licensing through the Iowa Department of Inspections & Appeals, as well as an inspection from Waukee Fire Department, or another jurisdiction inspection within the last year.

- Commissioner Gerlitz questioned if there were notification requirements for when and where the food trucks would be operating. Mr. Kass advised that there is no requirement for notification of locations, however the anticipated location and times are listed on the permits submitted. This could change if concerns and complaints are reported.
- Commissioners Streit and Tessau questioned if there were maximum times allowed in one space, and if other cities also had mobile food unit permits. Mr. Kass advised that other cities did have permitting requirements and that for the City of Waukee, units were regulated to two hours at a time in one spot, frequenting a spot no more than 5 days in a row, and no allowed overnight parking. Additionally, the units can not create an instance where parking the unit reduces the available parking below the required parking spaces for the area.
- Commissioner Broderick questioned if there was any feedback from brick-and-mortar stores. Mr. Kass advised none at this time.

Commissioner Streit moved to approve an ordinance to amend Chapter 165-Zoning Regulations, Definitions, & General Regulations, Waukee, Iowa, to incorporate provisions for Mobile Food Units. The motion was seconded by Commissioner Gerlitz. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **Approval of a Preliminary Plat for Morgan Plat 2**

### **Approval of a Final Plat for Morgan Plat 2**

### **Approval of a Site Plan for Project Morgan WKE Site (2995 W. Hickman Road)**

Community Development Director, Andy Kass, introduced the request for approval of a Preliminary Plat, Final Plat, and Site Plan for Project Morgan Plat 2 as submitted by the applicant, Apple, Inc. The subject property is generally located north of Hickman Road, between S Avenue and T Avenue, containing approximately 592 acres. The property was rezoned in 2017 in anticipation of a data center.

Mr. Kass advised that the site plan identifies the construction of a number of buildings. Building WKE.01 is 315, 773 square feet in size for a data center building. WKE.01-Administration Building, is approximately 63,349 square feet in area, a maintenance building is shown to be 10,511 square feet in area, and 4 network distribution buildings are shown to be 2,210 square feet in area. A small guard building is shown at the entrance to the site. Any future data center buildings will require separate site plan approvals.

Mr. Kass advised that the applicant will be required to pace S Avenue as part of public improvements, and that the applicant has already constructed much of the storm water infrastructure on the property. Sanitary sewer and water extensions will also be the responsibility of the applicant. At this time Parking, landscaping, open space, and elevation requirements have all been met.

Staff would recommend approval subject to any remaining staff comments.

- Commissioner Broderick questioned if there was a reason for the “U” shaped pond. Ryan Hardisty of Civil Design Advantage and representative of the Applicant advised that the area is very flat, so the U Shape allowed an increase in depth to accommodate stormwater runoff from both S Avenue and the subject property.
- Commissioner Koshy questioned if S Avenue will be constructed in Phases. Mr. Hardisty advised that it will be paved all at once.
- Commissioner Koshy questioned if any other boundary protections aside from the guard gate existed for the site. Mr. Hardisty advised that large berms were incorporated into the landscaping around the property, and an 8-foot fence is intended to be installed at the boundary of the site.
- Commissioner Gerlitz questioned if there was a timeline for the other buildings. Mr. Kass advised not at this time.

Commissioner Broderick moved to approve a Preliminary Plat for Project Morgan Plat subject to any remaining staff comments. Commissioner Streit seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

Commissioner Broderick moved to Approve the Final Plat for Project Morgan Plat 2 subject to any remaining staff comments. Commissioner Tessau seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

Commissioner Gerlitz moved to approve the site plan for Project Morgan WKE Site (2995 W. Hickman Road) subject to any remaining staff comments. Commissioner Streit seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **Approval of a Preliminary Plat for Waukee Crossing Plat 2 Outlot W**

City Planner, Bill Mettee, introduced the request for approval of a preliminary plat for a residential subdivision as submitted by the applicant, Hubbell Realty Company. The subject property is generally located south of NW Sunrise Drive and west of NW 2<sup>nd</sup> Street, containing approximately 22 acres.

Mr. Mettee explained that the plat identifies a total of 67 single family lots that meet or exceed the R-2 zoning district requirements, and one outlot that contains a stormwater detention pond to the northeast of the site. Public streets will provide access through the site, a 10-foot-wide trail will be installed along the east side of NW 6<sup>th</sup> Street, and 5-foot sidewalks will be installed along NW Sunrise Drive and within the development with individual lot development. All public utilities will serve the site and landscape buffer easements will be installed along the north, east, and west sides of the site. The applicant has suggested a fee in lieu of dedication of 1.31 acres of parkland.

At this time staff would recommend approval subject to any staff comments.

- Commissioner Tessau questioned if the pond would be wet bottomed. Mr. Mettee advised that was correct.
- Commissioner Broderick questioned if the pond was located too close to the Round About. Director of Development Andy Kass and representative of the applicant, Emily Harding of Civil Design Advantage, advised that the properties to the east and west have ponds that border a roundabout, and that there are no provisions that restrict the location for ponds. This is also the low point of the property and ideal for water run off collection. Commissioner Hoifeldt also advised that roundabouts generally involve slower traffic so incidents involving the pond will generally involve driver error.

Commissioner Streit moved to approve the Preliminary Plat for Waukee Crossing Plat 2 Outlot W subject to any remaining staff comments. Commissioner Gerlitz seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **Approval of a Preliminary Plat for Fareway Stratford Crossing**

### **Approval of a Final Plat for Stratford Commercial Plat 1**

### **Approval of a site Plan for Fareway Stratford Crossing (350 NW 10<sup>th</sup> Street)**

Community Development Director, Andy Kass, introduced the request for approval of a Preliminary Plat, Final Plat, and Site Plan for a Fareway store as submitted by the applicant, Fareway Stores, Inc. the subject property is generally located south of NW Sunrise Drive and west of NW 10<sup>th</sup> Street, containing approximately 7.12 Acres.

Mr. Kass advised that the project includes one lot that houses the construction of a 21, 353 square foot Fareway grocery store, a loading dock and trash enclosure are shown on the west side of the building, and a seasonal greenhouse area is shown within the parking area to the north of the building. A small area on the northeast side of the site could potentially house a small commercial building, however no plans are included for this at this time. The Plat also identifies an outlot to the south of the site approximately 3.19 acres in area and zoned for commercial use. The applicant will be extending public utilities through the site and storm water detention will be provided within a dry bottom detention basin on the north side of the site. At this time all landscaping, open space, and elevation requirements have been met.

Staff would recommend approval for Fareway Stratford Crossing/ Stratford Commercial Plat 1, subject to any remaining staff comments and review of the legal documents.

- Commissioner Gerlitz questioned if this store would be acting as a replacement for the Laurel Street Store. Mr. Kass advised that was unknown at this time.
- Commissioner Streit questioned the updated stormwater requirements. Mr. Kass advised that the capitol Crossroads stormwater management which the city has adopted hopes to increase consistency in stormwater management requirements and reduce downstream

flooding and erosion. Dry bottom ponds used to be considered a water quality component, however they now require additional quality control methods to recharge the ground water naturally as they are intended.

Commissioner Gerlitz moved to approve the preliminary plat for Fareway Stratford Crossing subject to any remaining staff comments and review of the legal documents. , Commissioner Broderick seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

Commissioner Gerlitz moved to approve the Final plat for Stratford Commercial Plat 1 subject to any remaining staff comments and review of the legal documents. , Commissioner Broderick seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

Commissioner Gerlitz moved to approve the site plan for Fareway Stratford Crossing (350 NW 10<sup>th</sup> Street subject to any remaining staff comments and review of the legal documents. , Commissioner Tessau seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

### **New Business**

Community Development Director, Andy Kass, introduced new business to the Commission.

### **Adjournment**

Commissioner Koshy moved to adjourn the regular Planning and Zoning Commission Meeting. Commissioner Broderick seconded the motion. Ayes: Hoifeldt, Streit, Broderick, Koshy, Tessau, and Gerlitz. Nays: none. Motion Carried.

The February 8<sup>th</sup>, 2022, Planning and zoning Meeting was adjourned at 7:02 pm.

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Cherian Koshy, Chairman

Attest:

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Andy Kass, Community Development Director