

MEETING MINUTES
The City of Polk City
Planning and Zoning Commission
6:00 p.m., Monday, June 17, 2019
City Hall

Polk City, Planning and Zoning Commission (P&Z) held a meeting at 6:00 p.m., on June 17, 2019. The Agenda was posted at the City Hall office as required by law. **These tentative minutes reflect all action taken at the meeting.**

P&Z Commission Members Present:

Doug Ohlfest | Chair
Ron Hankins | P&Z Commission Member
Deanna Triplett | P&Z Commission Member
Krista Bowersox | P&Z Commission Member
Justin Vogel | P&Z Commission Member
Doug Sires | P&Z Commission Member

P&Z Commission Members Absent:

Dennis Dietz | Pro Tem

Staff Members Present:

Don Sandor | Interim City Administrator
Kathleen Connor | City Engineering Representative
Becky Leonard | Deputy City Clerk

Additional Attendees:

Rob Sarchet | Councilmember

1. **Call to Order** | Chair Ohlfest called the meeting to order at 6:00 p.m.
2. **Roll Call** | Hankins, Triplett, Ohlfest, Bowersox, Vogel, Sires | In attendance
Dietz | Absent
3. **Approval of Agenda**
Chair Ohlfest advised that Agenda Item 6, the Site Plan for Edgewater Pointe Plat 3, Lot 2 was removed at the request of the petitioner
MOTION: A motion was made by Hankins and seconded by Vogel to approve the agenda as amended.
MOTION CARRIED UNANIMOUSLY
4. **Audience Items** | No discussion items
5. **Approval of Meeting Minutes**
MOTION: A motion was made by Hankins and seconded by Vogel to approve the May 20, 2019 meeting minutes.
YES: Vogel, Hankins, Triplett, Dietz
ABSTAIN: Bowersox, Sires
MOTION CARRIED
6. ~~Consider motion to recommend Council approve the Site Plan for Edgewater Pointe Plat 3 Lot 2~~
7. **Comprehensive Plan Amendment for the revision of future land use for 301 Walnut from Low Density Residential to Mixed Use**

Jeremy Lindley with Lindley Enterprises reported that the rezoning request would be to switch the property to commercial use since it had previously been operating as a bait shop for the past several years. Some ideas from interested buyers would be to re-open the bait shop, pet grooming, air bnb with the bait shop, or a possible restaurant. Lindley asked about the site plan recommendation listed in the engineer memo.

Connor stated that the fact that the bait shop was previously grandfathered would expire after a period of time since the bait shop closed. Because there is no site plan on record, it is recommended that if a site plan is presented, it could depict compatible uses so that parking and signage requirements can be evaluated. Connor reported that the comprehensive plan would need to be amended to reflect the future land use from low density residential to mixed use. This amendment would fit with the historic

use of the property. Connor further advised that the Commission may want to consider restricting certain high-intensity uses on this site, given parking constraints. Alternatively, their recommendation could require a site plan to be approved prior to issuance of the certificate of occupancy for any new use or issuance of a building permit which would then become a stipulation in the rezoning ordinance. The Site Plan will allow the city to review issues such as parking and signage for new commercial uses on this site. The Commission asked if the site plan requirement could be waived if the Bait Shop were re-opened. Connor explained the bait shop represents a non-conforming use that was closed for business in December of 2018. Per Code, the bait shop use is grandfathered in for a period of one year after the use was discontinued; therefore staff agreed it would be reasonable to waive the requirement for a site plan if the Bait Shop were to re-open before the end of December, 2019.

Lindley inquired about the timeline in which the rezoning request would be approved and was advised that a public hearing for rezoning would be set at an upcoming Council meeting and then it will take three subsequent Council meetings to pass three readings of the Ordinance rezoning the property. The site plan will be a stipulation in the Ordinance, but will not delay approval of the rezoning; instead site plan approval will be required prior to any Certificate of Occupancy or building permit. If a bait shop comes in before mid-December, it would be grandfathered in.

MOTION: A motion was made by Hankins and seconded by Sires on the recommendation to Council to approve the Comprehensive Plan Amendment for the revision of future land use for 301 Walnut from Low Density Residential to Mixed Use subject to the recommendation and comments in the Engineer Memo dated June 7, 2019, including the requirement for Site Plan approval prior to issuance of a Certificate of Occupancy or any building permits for any commercial use, with the exception of a Bait Shop provided said Bait Shop occupies the existing commercial structure prior to one year after the non-conforming Bait Shop uses was discontinued.

MOTION CARRIED UNANIMOUSLY

8. 301 Walnut – Rezoning from R-2 to C-1

MOTION: A motion was made by Hankins and seconded by Sires on the recommendation to Council to approve Rezoning 301 Walnut from R-2 to C-1 subject to the recommendation and comments in the Engineer Memo dated June 7, 2019 noting a correction on item #1 of the recommendation revising “from Civic to Civic/Commercial” to “from Low Density Residential to Mixed Use”.

MOTION CARRIED UNANIMOUSLY

9. Berggren Farms Voluntary Annexation

Jerrold Ruckle, MJR Development, reported that they’re working with the Berggren Family on the parcel to the east of White Tail Ridge to annex into the City and request the area to be rezoned from A-1 to R-1. Ruckle did obtain signatures from nearly every neighboring resident within the city. A concept plan was not presented since the plans for White Tail Parkway are not yet finalized.

Engineer Comments

- This project would include the extension of White Tail Parkway
- The property falls within the service area of the lift station located in TCI Plat 6 and would be served with the same sanitary sewer line as White Tail Ridge
- The water is being installed on NW Hugg, but will need to be extended along NW 72nd Street.
- Future land use in the comprehensive plan is listed as low density residential so no amendment needed

Commission Comments

- Happy to see staff’s detailed write-up
- Pleased there were no review comments
- Recommended, if possible, that the developer share the plans for the development with the neighboring residents

The following residents in unincorporated Polk County on the east side of NW Hugg Drive addressed the Commission and stated they were not notified of the annexation and rezoning requests and expressed concern with the future development.

- Greg & Katherine Young

- Teresa Young

Interim City Administrator Sandor advised that voluntary annexation does not require notification while the rezoning notifications are specific to property owners within 250-feet of the rezoning and within the city limits of Polk City.

MOTION: A motion was made by Hankins and seconded by Vogel on the recommendation to Council to approve the Voluntary Annexation of the Berggren Farms subject to the recommendation and comments in the Engineer Memo dated June 6,2019.

MOTION CARRIED UNANIMOUSLY

10. Berggren Farms - Rezoning from A-1 to R-1

MOTION: A motion was made by Hankins and seconded by Bowersox on the recommendation to Council to approve Rezoning the Berggren Farms to be annexed from A-1 to R-1 subject to the recommendation and comments in the Engineer Memo dated June 6,2019.

MOTION CARRIED UNANIMOUSLY

11. Miller Property Voluntary Annexation

Josh Trygstad, Civil Design Advantage, reported he was not representing the owners requesting the annexation, but did prepare the exhibits as City Engineering Representative Connor had requested and could answer any questions related to the annexation in general, but couldn't speak on behalf of the applicant.

- 33 acres located at the southwest corner of NW Hugg Drive and N 3rd Street
- Area is currently undeveloped with the exception of a couple houses and the rest is farm field

Engineer Comments

- Sanitary sewer in the Wolf Creek area are designed to extend to this area
- The water main will be extended from Wolf Creek Townhomes and tie in there
- The Comp Plan includes a 12" water main along NW Hugg Drive and N. 3rd Street that will need to be incorporated into the future development
- This property represents the northern limits of the city's existing sanitary sewer service areas. Prior to further annexation or development in this area, the City will need to plan for a new trunk sewer per the Comprehensive Plan that runs up the west side of 3rd Street to serve the North Service Area
- Will need to plan for future improvements to NW Hugg Drive at some point

The following audience members addressed the Commission and asked about notifications and steps in the rezoning request process.

- Greg & Katherine Young
- Doug Curry, 12365 Hugg Dr

Councilmember Sarchet and Interim City Administrator Sandor explained the role of the Planning and Zoning Commission along with the process of going before Council. At that time, the rezoning request takes three readings by Council before it is approved while the annexation request is approved in one reading.

MOTION: A motion was made by Hankins and seconded by Vogel on the recommendation to Council to approve the Voluntary Annexation of the Miller Property subject to the recommendation and comments in the Engineer Memo dated June 6,2019.

MOTION CARRIED UNANIMOUSLY

12. Comprehensive Plan Amendment for the revision of future land use for the Miller Property from Medium Density Residential to Low Density Residential

Josh Trygstad, Civil Design Advantage, representing the developer, Orton Development Company, requested recommendation of approval for the Comprehensive Plan Amendment from Medium Residential Density to Low Residential Density. Bruce Gates, Orton Development Company, representing the developer was also present and available to answer questions.

- This area would be a buffer between some of the areas to the north

- Gates believed staff was agreeable with low density residential instead of medium residential

Concept plan shows 86 single-family lots

- The topographical survey isn't complete so the concept plan may change
- Access from N. 3rd Street, NW Hugg Drive, and Wolf Creek Drive
- West Trace Drive is not proposed to be extended due to existing drainage way and tree removal and culvert that would be required for construction
- Outlot 3 would be a wet-bottom detention pond for storm water management
- 4' wide public sidewalks will be required on both NW Hugg Drive, N. 3rd Street, and all interior streets

Engineer Comments

- Reiterated the request is to change the area to low residential density versus the medium residential density currently designated on the Comprehensive Plan which would allow townhomes, similar to Wolf Creek townhomes, to be constructed. The developer is requesting less density for detached single-family homes.
- Provided an overview of how the Comprehensive Plan was created

Commission Comments

- Trail connectivity needs to be looked at so that Wolf Creek Townhomes and this future development are connected to the rest of the city
- Extension of West Trace Drive is preferred for continuity; otherwise a cul-de-sac bulb needs to be constructed
- Will take resident feedback into consideration

The following audience members addressed the Commission regarding the rezoning and development concept including request that West Trace Drive not be required to be extended in order to save trees.

- Tim Cooney, 550 N Trace Ct
- Robin Blaylock, 910 Chinook Way
- Aric Sharp, 12500 NW Hugg Dr
- Charlotte Loter, 913 W Trace
- Elaine Shipley, 910 Wolf Creek

MOTION: A motion was made by Hankins and seconded by Triplett on the recommendation to Council to approve the Comprehensive Plan Amendment for the revision of future land use for the Miller Property from Medium Density Residential to Low Density Residential subject to the recommendation and comments in the Engineer Memo dated June 6, 2019.

MOTION CARRIED UNANIMOUSLY

13. Miller Property - Rezoning from A-1 to R-2

MOTION: A motion was made by Hankins and seconded by Triplett on the recommendation to Council to approve the Rezoning of the Miller Property from A-1 to R-2 subject to the recommendation and comments in the Engineer Memo dated June 6, 2019.

MOTION CARRIED UNANIMOUSLY

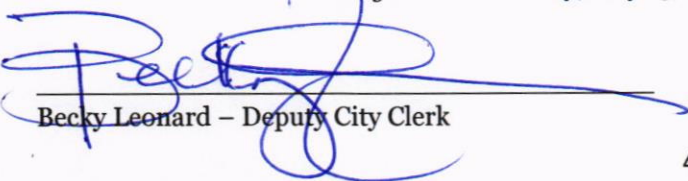
14. **Staff Report** | Interim City Administrator, Don Sandor, reported that Deputy City Clerk Leonard has resigned effective July 1, 2019. The Commission congratulated Leonard and thanked her for her service. Councilmember Sarchet reported that the City Manager process is progressing and advised the Commission to save July 11th on their calendar with more details to come.

15. **Commission Report** | No report

16. Adjournment

MOTION: A unanimous motion was made to adjourn at 7:19p.m.

Next Meeting Date – Monday, July 15, 2019


Becky Leonard – Deputy City Clerk