

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
Training Room**

Monday, December 12, 2016

Attending:

Council Member Jim Sandager	Development Services Director Lynne Twedt
Council Member Mickelson	Chief Building Inspector Rod VanGenderen
City Manager Tom Hadden	Planner Brian Portz
City Attorney Dick Scieszinski	Planner Brad Munford
Deputy City Manager Jamie Letzring	City Engineer Duane Wittstock
Communications Specialist Lucinda Stephenson	Principal Engineer Ben McAlister
Finance Director Tim Stiles	Fire Marshall Mike Whitsell
Development Coordinator Linda Schemmel	

Guests for:

Item #1 Mark Mayrose, 401 1st Street

Item #3 Scott Snyder

Item #2 Daryl Leise, Hartland Self-Storage
and Jason Thieuen, E&A Consulting

Item #5 Jeremy Christiani

The meeting of the Development and Planning City Council Subcommittee was called to order at 8:00 a.m.

1. Metal carports in Single Family

Director Twedt discussed a request from Mark Mayrose, 401 1st St regarding pre-manufactured carports. Director Twedt stated the city doesn't have a definition of an accessory structure as far as a carport or garage, however, the city considers them an accessory structure because they are detached from a primary building. Code states a detached garage should be 'residential in character' and the city doesn't consider metal carports residential in character. She pointed out the pros and cons stating there are more cons than pros. Director Twedt stated we are here to find out if council would like to look at clarifying code regarding allowing carports or keep the code as is continuing to not allow carports. Director Twedt provided the example of an existing enclosed carport on 10th Street and Railroad Ave.

Council Member Mickelson inquired about a carport located at Jordan Creek and Ashworth to which Director Twedt responded no one can have them so if there is one at that location it is not permitted.

Deputy City Manager Letzring stated there is one at this location and it is set back from the road.

Mark Mayrose, 401 1st Street, asked Director Twedt to go back to the pros and cons of her presentation, and he elaborated on one of the cons. Specifically, the one which read, 'structures are very lightweight and can easily be blown away causing injury to a person or property'. Mr. Mayrose stated the manufacturer he is working with constructs carports to meet all code whether wind or snow load and the structure cannot be blown away if it is installed by the manufacturer.

Director Twedt noted not everyone does it that way and the city has to look at the big picture. Some people will purchase one from Menards, install it over the weekend and anchor them with simple screw in stakes, and that these structures are not necessarily made to withstand wind and snow.

Mr. Mayrose clarified what he wants to construct is not strictly a carport it is a carport/garage because it is a totally enclosed structure. He provided pictures from his neighborhood within a five block area. He continued, explaining that a pre-engineered building is designed for installation based on the specifications for the locale they are installed in so the amount of anchors, fasteners, trusses etc. are based on the locale where the building will be installed.

Council Member Mickelson asked Mr. Mayrose, based on the pictures provided which carport would he be installing on his property.

Mr. Mayrose responded his carport would be similar in style to the photograph labeled A.

Council Member Mickelson asked for clarification if the carport in that picture was attached to the house, to which Mr. Mayrose responded it was not attached.

Council Member Mickelson commented that the picture looked like a single car garage.

Director Twedt noted that it is similar to a garage in size, however the question is are these materials something that we want to allow. She continued, metal roofs are becoming more common in residential and commercial construction but we don't see a residential single family home built completely out of metal.

Council Member Mickelson stated he would not be supportive of pictures B and D, provided by Mr. Mayrose as they looked like a traditional carport

Mr. Mayrose stated the manufacturer has two styles of trusses, a standard gable with overhang and a shoulder design.

Council Member Sandager inquired if the pitch on the standard gable was more like the pitch on the house or more like the pitch that is in the shoulder design. Mr. Mayrose responded it was more like the pitch on the house.

Development Coordinator Schemmel pointed out if it is truly a garage, where it is enclosed all the way around, there is a specific construction requirement to make sure it protects the house from any fire hazards, the same as a regular garage. Coordinator Schemmel stated that would be another concern with prefabricated carports meeting that requirement.

Council Member Sandager stated it is the size of the metal structure that makes it a concern. He continued, he would be open to having sheds or single car carports in backyards if the metal looks like wood and the structure is enclosed on all four sides, creating the appearance of a standard garage. He stated he is not in favor of metal buildings or three car garages because the metal becomes an obvious element. In the smaller structures, the metal is not as obvious and it looks like a wood finish.

Mr. Mayrose added the siding is prefabbed metal but is put on horizontally, rather than vertically which is typical in commercial buildings, noting that the horizontal placement makes it look more like siding. The carport Mr. Mayrose would like to place on his property is 18' x 24'.

Planner Munford stated under our code, in the residential section, there is a requirement that residential accessory structures can be up to 1000 sf or 10% of the lot. He pointed out there are larger lots all over our city that could have quite a substantial structure.

Council Member Sandager responded that we could limit the size of the structure.

Planner Munford clarified if we change the code we would have to separate this structure from other structures in order to place size limitations.

Planner Twedt reiterated Planner Munford's point stating an estate lot could have a much bigger structure, such as a Morton building. She continued, it would be hard to say you can do up to 400 square feet as a metal building and everything else has to be traditional residential construction.

Chief Building Official VanGenderen stated it would be easier to keep track of regardless of exterior material if it matches the house and they construct overhangs. He added if they have a blank side facing a neighbor they could add windows or dress it up in some manner making it look more residential in character.

Director Twedt posed to Council Members if they were in agreement with carports enhanced to look more residential in nature with overhangs and windows to match the house.

Council Member Sandager stated he was in agreement and Council Member Mickelson added placing belongings into an enclosed structure would be beneficial.

Director Twedt asked if the city would want to restrict these to the rear yard using the carport on 10th & Railroad as an example.

Council Member Sandager said he would prefer them in the rear and exceptions can be provided for situations like the house on Railroad where no rear yard exists.

Planner Munford inquired if they were in agreement with allowing enclosed structures or structures with both sides open.

Council Member Mickelson responded he would not be in support of the open carports.

Chief Building Official VanGendern asked for further clarification regarding the shoulder style carport.

Council Member Sandager responded he would not be supportive of a standard carport. He added he likes the eaves and residential appearance and was not opposed to metal as a material. He gave the example of Kum and Go coming before the Council to request use of a material that was new and wasn't being used a number of years ago, noting we changed the code to allow that material.

Direction: Council Members were supportive of allowing carports that are enhanced to look more residential in nature with overhangs and windows to match the house.

2. Parking for Indoor Storage in Office Districts

Director Twedt stated last year we passed an ordinance that allowed indoor storage in office districts and recently passed a similar ordinance for commercial districts. She introduced Jason Thieuen and Daryl Leise who discussed a proposed development in the Jordan Creek Business Park located on Village View Drive west of the Village of Ponderosa. They are looking to build a building for indoor storage. Director Twedt noted that the developers understand they will need to make it look like an office building.

Council Member Sandager commented based on the renderings, it did not currently look like an office front.

Director Twedt ensured they will work with the developer to meet the City's architecture requirements.

She continued, in the city code there are parking regulations for straight office buildings and parking regulations for a typical mini storage facility. When storage facilities are constructed in the office district, the site provides parking as required for storage facilities but the applicant also has to demonstrate that if there was a repurposing of that building the parking could be provided for typical office uses. She stated they were here to talk about options because the required parking numbers are so drastically different and the City doesn't want to be in a situation where we allow this building to go up and it does not survive as self-storage but doesn't have the parking to support a reuse. She added it could become an office building with no way to park it, referring to a similar situation with the former Dahl's building on 50th Street.

The developers are looking at a 120,000 square foot building, 85-90,000 of which is leasable area. Director Twedt pointed out under our code it typically reads under gross floor area even though there is a difference in what is leasable and what is floor area as we are looking at the maximum parking stalls that would be necessary. It was commented that if someone repurposes the building they are going to try and capture as much of that 120,000 square feet as useful area as they can.

She explained from our code standpoint a straight office building of this size would require about 540 parking stalls, but, as an indoor storage facility it would only require 13-15 stalls. Ms. Twedt noted that this location happens to be in the Jordan Creek Business Park thus dropping the number of required parking stalls to approximately 350.

Council Member Sandager asked if the Business Park has less stall requirements than our code requires.

Director Twedt responded affirmatively adding the Overlay District was meant to share parking so you have overflow which can flow between different lots.

She continued, the developer would park what they need today and show where and how they could park it in the future if it was ever needed.

Jason Thieuen, E & A Consulting Group, Omaha, NE, commented specifically on the parking stating that repurposing this type of building is not possible because of how it's constructed. He stated it would be too expensive and plumbing or electrical code would not be met, they would have to tear down the building to reuse it as office, adding that it would be financially unfeasible.

Mr. Thieuen, explained, if someone wanted to spend the money on an existing office building and gut it he didn't think the money made sense, but going backwards that it would make sense because you have the parking already there. He indicated in this particular situation you couldn't fit 120,000 square feet of office on this lot without a parking structure and Mr. Thieuen didn't know if there even was enough room or if it would be financially feasible. He stated on this site you could get 40-50,000 square feet of building to park based on code. He noted there are some drastic differences in the use type that's being proposed and the requirements in term of parking. In this situation they are only parking 94 stalls still which is significantly shorter from a surface stand point and a lot of that has to do with the drainage soil. He stated the way this building is constructed you can't use it for an office building.

Director Twedt posed the question as to what the building could be reused for.

Mr. Thieuen responded it acts like a warehouse in certain jurisdictions. He continued by stating that they fall under a warehouse and not a storage use type because of the way they function with everything being internal. He explained there has been a change in the industry across the country, traditionally storage had been the back of the house in industrial complexes with very little security and visibility. He stated the industry is changing and the end users don't want to be located behind those industrial complexes anymore, they want to be in a more secure and safe area closer to their residences and/or places of business. This particular product type is designed to fit within an office-retail type development or can act as a buffer between multi-family and single family housing or commercial and multi-family.

Director Twedt then pointed out then we have the question, are we comfortable with warehousing coming into these areas and with that, the traffic of semis and large trucks.

Mr. Thieuen stated it is mini-storage, it is not a warehouse, truck traffic and big semis is not the connotation. He continued, the building can't function as a warehouse because there is not a repurpose outside of the storage facility, the building would have to be torn down and rebuilt. He clarified this type of structure fits under a warehouse in other communities because it is an indoor facility where you drive your car or van in and take your stuff up on an elevator to your storage unit. He added it is not a true mini storage with garages outside that you can see from the property line.

Deputy City Manager Letzring inquired as to what an additional use would be if it cannot be office as previously stated nor can it be a warehouse. She stated the subcommittee members were trying to find out what an alternative use would be in this area for the building.

Council Member Mickelson interjected the City is a little sensitive because there was a big grocery store chain that went bankrupt, and there are big grocery stores that are vacant all over the city with no reuse for them.

Council Member Sandager explained what members of the subcommittee were referring to is Dahl's store that is being converted into mini storage because there is no other use. He continued the city is left holding the bag when the developer comes in and says they can't tear the building down and it is too expensive to repurpose it. Then ask the City to make an exception. He noted this is office zoning located in one of our premier areas of town. He commented on the City being forward and long term thinking. He commented that it could be storage forever, but his experiences doesn't support that. He stated he wasn't in agreement with the development as currently proposed, it is an office zoning and it makes sense as an office. He continued, if we put in indoor storage it may work well for a number of years but when the industry changes again and decides in 30-40 years this isn't a building that is desirable anymore repurposing is the challenge.

Mr. Thieuen stated when you think of life cycles of a building today 25-30 years is typical use out of the building, rarely do buildings last 100's of years. He continued, a lot of time buildings are torn down or redone because they can't meet the market at that time. He then pointed out the City has adjusted code to allow this use within a specific zoning district but the parking requirement is so tough it is almost impossible to meet that.

Council Member Sandager asked Director Twedt if we changed the zoning in both office and commercial districts.

Director Twedt responded zoning has been changed for office only and they are finishing up the commercial code change.

Council Member Sandager then asked if the commercial zoning changes referred to was Dahl's to which she responded affirmatively. He also inquired if the City had a particular use in mind for the office district.

Director Twedt stated that the changes to zoning are what spurred this type of development noting it is not a bad use. If it looks and acts like an office the big problem is what can be done if and when they move out to ensure we don't have a building sitting vacant that nobody can use. She continued, if storage is moving out and it is not financially feasible they are not going to tear the building down before they leave, they will leave it for the next guy to deal with, which is the problem with Dahl's. She added code says it has to be another use that is allowed in that district noting that we could look at that whole district and see what is the least generating and see if we can get there from that.

Council Member Mickelson asked about Lot 1 which is currently occupied by Biolife and if they could use some of their parking since this is an area where they blend parking together.

Ms. Twedt stated they could talk to Biolife and see what Biolife needs and how much overflow they might have as excess. She added that is what this is set up for, you go and work it out with your neighbor and come up with a cross access shared parking agreement or they could purchase part of that lot from Biolife. She stated they don't have to build the parking they just have to show the City that they can meet code if required.

Council member Sandager stated he wasn't sure what the numbers should be to park adding we tend to over park in our city and it is generally office users that want to over park. He stated we need to cap the parking that's allowed instead of worrying about minimums.

Mr. Thieuen responded he could fit a structure on the lot if it's simply a matter of showing they can park it.

Council Member Sandager posed what are the lesser required uses within office that would push this number down to which Director Twedt responded she would have to research that information.

Council Member Sandager noted even if we were lucky and cut the number in half we would still have a long way to go.

Ms. Twedt added we could park the average for that district which would probably bring it down; however, doubtfully any lower than what the Jordan Creek Business Park parking requirement is.

Council Member Sandager asked Mr. Thieuen in other areas where they've done this has it been light industrial or warehousing zoning. Mr. Thieuen responded commercial and office zoning.

Council Member Sandager then asked if they allow it to become a warehouse.

Mr. Thieuen clarified that is just where it fits, however it is not allowed to be warehousing in the sense of the use type. The description of it and the way it's built is so much different than traditional mini storage so it fits better in the code under warehousing because of the nature of the building and the way it's built.

Council Member Sandager commented that other cities have language to accommodate this use inside the office district.

Mr. Thieuen responded affirmatively adding that they put a special use permit over the top of it to control what it can be used for noting they had not run into reuse parking requirement before.

Council Member Sandager commented that he liked this mini-storage structure idea since it is all enclosed and heated adding it is essentially an apartments for our belongings.

Mr. Thieuen stated a lot of businesses use them to keep records and things especially when they want to keep things in a climate controlled environment which is why they like the area and they can work with local businesses to provide space that is relatively close.

Council Member Sandager commented he is surprised you can make the economics work but he guessed it was the size of the building that made the economics work.

Mr. Thieuen stated the construction isn't that of an office type construction so you save money by making it look like an office but the interior is more of an open warehouse.

Council Member Sandager stated he liked this kind of structure but thought Council Member Mickelson had a valid point. Council Member Sandager's concern was he didn't want to make a change for them that effects everybody.

Council Member Mickelson asked if there was anything from Lot 1 they might be able to use.

Director Twedt added their best option is asking Biolife if they have any excess, but they would run into the same thing if Biolife were to repurpose as they would have these same parking requirement problems.

Council Member Sandager wanted to know if they could revisit the topic at a later date or if they needed to make a decision today.

Daryl Leise, Heartland Storage, pointed out there are no other storage facilities within a 5 mile radius, in his opinion, because the City hasn't provided zoning for it. He stated this doesn't exist anywhere else in the United States, adding he hired a consultant who looked at this specific property. He continued, because of this they will be very successful noting it is a nice modern building, you can drive into the building and out of the elements, it is conveniently located in a nice traffic area. Mr. Leise stated it fits well with the environment because their use has an average traffic of 2-3 cars per hour. Mr. Leise commented it is a \$6,000,000 investment and they wouldn't put that kind of money into something if they didn't think it would be successful.

Council Member Sandager clarified he wasn't saying it won't be successful today, the question is the longevity. He indicated that he thought it would be very successful for the same reasons Mr. Leise pointed out. He commented that he liked the location because it wasn't where a retailer or gas station would want to go adding the location is tucked away. He stated they are more of a destination location where they don't need drive-by advertisement. He suggested staff take a look and see what they can come up with suggesting they get the names of other communities this type of mini storage is in and look at their code and what they are doing to repurpose the buildings.

Mr. Thieuen stated this is the first community they've worked in where repurposing has been brought up. He commented they are able to fit within other cities codes because the parking requirement for warehousing is so small. He added they meet the commercial zoning by a special use permit allowing the cities to control it. He concluded, he would provide staff with some locations and how they function.

Director Twedt stated she was not comfortable with manufacturing warehousing being in this district. She stated she would work with them to try and bring the parking numbers down.

Council Member Sandager asked if they would be allowing car storage, to which Mr. Thieuen responded negatively.

Mr. Leise pointed out some of the distinctions made in Omaha, NE regarding definitions of types of storage. Convenience storage is where you drive up to your door versus warehousing distribution because there is only one access point to the building and all storage doors are accessible only through that one entry point. He stated that is how they made the distinction between mini storage that is normally not allowed in these types of areas.

Director Twedt commented that is what our code is now, it is classified as indoor storage

Mr. Thieuen stated another community outside of Omaha changed their code exactly to indoor storage to meet this use type but the parking requirement for indoor storage was based on their warehouse parking requirements because of the less intense use.

Council Member Sandager asked Mr. Thieuen how many parking stalls they could get to. Mr. Thieuen responded they were at 97 parking stalls, but that is based on a portion of the site they thought was undevelopable.

Director Twedt clarified that area was developable.

Mr. Thieuen stated they were not as efficient as they could be because they didn't know they could use that area, but he could box out the parking getting closer to the parking requirement.

Council Member Sandager stated you don't have to tube it you just have to show that someone who was a future user would be able to tube it.

Director Twedt pointed out storm water is their responsibility but the City does have open space requirements so they are not able to just pave everything.

Council Member Sandager commented the City must maintain credibility for what they are doing so someone else doesn't say give us a break you gave them a break.

Direction: Council Members were in favor of the indoor storage but want developers to work with staff to meet the parking requirements to ensure the building can be repurposed in the future.

3. Premiere Shoppes Restaurant Addition

Director Twedt introduced Scott Snyder, formerly known as Paradise Pointe but currently Premiere Shoppes at Jordan Creek. Ms. Twedt noted the PUD has limitations on the number and square footage of drive-thru and sit down restaurants they can have. She stated they have a tenant that would like to move into the area that would put them over that allowed in the PUD by 451 square feet. Their PUD allows 6 sit down restaurants with a maximum 18,200 square feet and 3 drive-thru establishments with a maximum of 16,000 square feet.

Council Member Sandager inquired as to whether they were looking at adding a sit down or drive-thru restaurant. Mr. Snyder responded they want to add a sit down restaurant.

Director Twedt commented they only have 5 sit down restaurants so they are okay with that limitation but they can't quite meet the square footage allowed.

Council Member Mickelson asked if the rationale for the restrictions was traffic and/or parking.

Director Twedt responded she didn't see traffic being a problem, noting this is a self-imposed restriction back to the original PUD in an effort to keep a mix of tenants.

Council Member Sandager commented that he read the restaurant would be some sort of national deli. Mr.

Snyder responded that was correct and that he was authorized to share the name of the deli is McAlister's noting it is not currently in Iowa so this would be a new national chain in this area.

Director Twedt commented parking and traffic won't be an issue since they have shared parking. The only problems with parking would possibly be black Friday type days.

Council Member Sandager asked if this would be next to Kohl's and Five Guys. Mr. Snyder responded it would be right next to Five Guys. He added the remaining building is a little short of what they need so we would submit all the necessary information to put on an addition to meet their requirements.

Director Twedt stated they would need to submit a PUD Amendment and Minor Modification.

Direction: Council Members were in support of a minor modification to increase square footage.

4. Mill Ridge Plat 2 Temporary Roadways -

Director Twedt discussed the access of the Hubbell Mill Ridge development located at S. 88th Street & Stagecoach Drive. She stated the City requires two ways in and out and one of them has to be paved. She stated the issue is Stagecoach Drive which was supposed to be constructed by now but there has been a delay. She stated Principal Engineer McAlister could speak to the delay but her understanding was the dirt that needed to be moved by the developer hadn't been moved. She continued, the City is in a holding pattern with Stagecoach Drive and we don't know the timing of it and when that dirt will get moved and the road will be constructed.

Director Twedt stated Plat 1 is all single family lots and they've constructed the streets. A condition was placed on one allowing a shorter temporary gravel drive. The developer wants to move onto Plat 2 which is medium density. She stated with Plat 1 the City allowed six months to use a temporary gravel drive and if after six months the access was still required, then it needed to be paved. She continued the second temporary drive will be a little bit longer dead-end. Staff is proposing using the same restrictions with this second requested temporary drive. She stated the City needs some assurance that it won't have an indefinite gravel road sitting out there that people are using for access and she would also like to put a limit on which lots they can develop on.

Council Member Sandager wondered if we were helping or hurting the advancement of Stagecoach being finished by doing this.

Principal Engineer McAlister stated Stagecoach is currently under contract, it is a city project in which we had an agreement with Hubbell to move the excess dirt, but they have not accomplished that yet. He continued it is strictly on Hubbell to move the dirt and the City is ready to move forward once they move the dirt.

Council Member Sandager stated he understood Hubbell had some disagreements with that and wanted to know if that was the City position that Hubbell has to move the dirt.

Principal Engineer McAlister responded they have meet with Hubbell and they understand the City's position.

City Manager Hadden stated the City has met our contractual obligations.

Council Member Mickelson asked what the disagreement is specifically.

City Manager Hadden stated Hubbell misinterpreted or miscalculated and they thought in the agreement the dirt that had to be removed was enough to get ready for paving, but it wasn't. The City reviewed it with Engineering and provided documents noting the City actually removed a significant amount more than we had to contractually.

Council Member Sandager wanted to know how they miscalculated.

City Engineer Wittstock stated their engineers knew the numbers he was unsure how they miscalculated.

City Attorney Scieszinski stated there is no longer any disagreement they know that they aren't right and what we are saying is true.

City Engineer Wittstock stated we don't have any projects pending right now and the closest place that could use the materials is the Stagecoach crossing of Sugar Creek to build the embankment on each side. He continued, part of the problem is timing, it got late enough in the season that they couldn't get the dirt moved. They know they need Stagecoach to make this development work, the question is where they are going to move the dirt to as they don't want to pay to move it twice.

Council Member Sandager stated it sounded like this temporary drive from Mill Ridge Plat 2 would not affect progress on Stagecoach Drive.

Director Twedt commented without allowing the temporary road, there is more incentive to get the dirt out of the way. By allowing the road, construction can occur, which will not press the issue to remove the dirt. She continued the City can also limit it to a portion of the lots and those are the only ones we allow to be developed until Stagecoach is constructed.

Council Member Mickelson asked for Fire Marshall Whitsell's input and noted it made sense to him to limit the lots we allow to be developed until Stagecoach is finished.

Fire Marshall Whitsell stated that this had happened before, not with this particular developer, but in this area it happened with temporary roads and they never finished out what they were supposed to finish out.

Council Member Sandager asked if he was referring to the northwest corner. Fire Marshall Whitsell responded affirmatively, noting it was terrible and lasted over 2 ½ years.

Council Member Sandager commented that occurred during the recession.

Fire Marshall Whitsell noted asphalt was used in the northwest corner and this would be gravel. He added, while we can work with it if it is maintained, it is not optimum. The gravel road would be allowed to go in temporarily until Stagecoach Drive is done.

Director Twedt stated they would put in the conditions that it can go in as gravel and maintain it, but if after six months they still need the road, they would have to put in and maintain a paved surface that can handle the fire trucks. She continued, getting them to do it when the time comes is the problem. If the City wants to go down that path she recommended limiting the lots that are buildable upon until such time that secondary access from Stagecoach Drive is constructed.

Council Member Mickelson agreed that was reasonable as we are asking them to do what they have said they are going to do.

Direction: Council members in support of allowing temporary gravel access roadways with conditions. The first condition being after 6 months if roadways are still needed they must be paved and meet Fire Marshall Whitsell's access standards. The second condition is limiting the lots than can be developed until Stagecoach Drive is constructed.

5. Upcoming Projects - A map was provided for each project with a brief description provided by the case planner.

- a. Appeal of Zoning Interpretation (1100 50th Street, Unit 1102): Appeal of interpretation of 'animals wild by nature': applicant believes quail should not be included (VAR-003248-2016)

The City sent Jeremy Christiani, 1100 50th Street #1102, a violation letter because he has quail on the

patio of his condo in a medium density zoning district that doesn't allow for chickens, quail or anything to that affect. Director Twedt stated the zoning interpretation is that quail are wild by nature, therefore not allowed.

Council Member Mickelson asked Mr. Christiani if any of his neighbors have complained.

Mr. Christiani stated the comments in the staff report are from a neighbor whose bedroom abuts his aviary. The neighbor said the birds are well taken care of and Mr. Christiani is a very good neighbor. He stated all comments he was aware of had been very positive and in favor.

Development Coordinator Schemmel pointed out this is an informational item for the Council Members and the Board of Adjustment will determine the appeal. She stated a few of Mr. Christiani's neighbors couldn't attend the meeting Wednesday so staff put together comments from their conversation. She noted that was not encompassing of all the comments as there will be a public hearing so there may be more comments provided.

Mr. Christiani stated he did not come to present he saw it was on the agenda and wanted to hear what the City was going to say. He stated his only comment is he wished the city would put this kind of attention to accessory uses of convenience stores which actually have a huge impact on the health and public safety.

6. Minor Modifications

There were no minor modifications to discuss.

7. Other Matters

There were no other matters to discuss.

The meeting adjourned at 9:03 a.m. The next regularly scheduled Development and Planning City Council Subcommittee is January 9, 2017.

Lynne Twedt, Development Services Director

Juanita Greer, Secretary