May 4, 2015

West Des Moines City Council Proceedings
Monday, May 4, 2015

Mayor Steven K. Gaer opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, May 4, 2015 at 5:30 PM. Council members present were: J. Mickelson, R. Messerschmidt, J. Sandager, and K. Trevillyan.

Mayor Gaer welcomed the sixth grade students from Fairmeadows Elementary School participating in Student Government Day. The following students were introduced and the role they were playing: Zoe Swanson, Mayor; Caelen Thorn, Council member First Ward; Avery Redford, Council member Second Ward; Mary Deyev; Council member Third Ward; Jack Bork, Council member at Large; Veronica Wennerstrom, Council member at Large; Amy Scott, City Manager; Avi Kaufman, City Attorney; Alex Broughton, City Clerk; and Elijah Graham, Deputy City Clerk.

City Clerk Ryan Jacobson stated staff recommends an amendment to Item 4(o) License Agreement for Installation of Optical Fiber, as the agenda originally indicated the agreement was with "West Des Moines Water Works" but it should have read "Des Moines Water Works".

On Item 1. Agenda. It was moved by Messerschmidt, second by Sandager approve the agenda as amended.

Vote 15-153: Messerschmidt, Mickelson, Sandager, Trevillyan…4 yes
Motion carried.

On Item 2. Public Forum:

Jim Miller, Executive Director of the Historic Valley Junction Foundation, reported the Main Street Iowa Awards were held last Friday night, at which Historic Valley Junction was recognized for surpassing $20 million in private investment. He also stated the 11th annual Cinco de Mayo Festival was held on Saturday, and this Thursday, May 7th will be the first Valley Junction Farmers Market of the year. He also reported a group of volunteers will begin collecting unsold product from vendors at the end of the night of each Valley Junction Farmers Market to be donated to WDM Human Services.

Council member Trimble arrived at 5:34 p.m. The attendance was re-taken. Council members present were: R. Messerschmidt, J. Mickelson, J. Sandager, K. Trevillyan, and R. Trimble.

On Item 3. Council/Manager/Other Entities Reports:

Police Chief Shaun LaDue introduced Police Officers Blake Mills, Tim McConnell, and Clint Ray, who were then sworn in by Mayor Gaer.

Mayor Gaer read Proclamation - Police Officers Week.

Bret Hodne, Public Works Director, reported the City of West Des Moines was awarded the Best Intelligent Transportation System Project Award by ITS of the Heartland for the City's implementation of traffic adaptive signals. He commended Jim Dickinson, Transportation Engineer, for his efforts related to these projects.

Council member Trimble reported he attended the Art on the Campus reception and commended the Parks and Recreation Advisory Board and Public Art Advisory Commission for making that event a success.

Council Member Messerschmidt reported he will be a speaker at Thursday's annual West Des Moines Community School District staff recognition event.

City Manager Tom Hadden reported the City will be conducting a Special Census this summer, and if it shows a population increase from the 2010 Census, the City will receive more road use tax revenue, which would be used to pay for road maintenance. He also reported the City was awarded the 2015 Environmental Impact Award from the Metro Waste Authority.

On Item 4. Consent Agenda.

Council members pulled Items 4(f), 4(k)1, and 4(p) for discussion. It was moved by Messerschmidt, second by Sandager to approve the consent agenda as amended.

a. Approval of Minutes of April 20, 2015 Meeting
b. Approval of Bill Lists
c. Approval of Liquor Licenses:
    1. Biaggi's Ristorante Italiano, LLC d/b/a Biaggi's Ristorante Italiano, 5990 University Avenue - Class LC Liquor License with Carryout Wine, Sunday Sales and Catering Privileges - Renewal
    2. China Jade, Inc. d/b/a China Jade, 5002 EP True Parkway - Class BB Beer Permit with Sunday Sales - Renewal
    3. Fareway Stores, Inc. d/b/a Fareway Store #153, 329 Grand Avenue - Class LE Liquor License with Carryout Wine and Carryout Beer - New
    4. Kinseth Hotel Corporation d/b/a Hampton Inn, 6160 Mills Civic Parkway - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - New
    5. Kinseth Hotel Corporation d/b/a Homewood Suites, 6220 Stagecoach Drive - Class BW Permit with Carryout Wine, Sunday Sales, Living Quarters, and Outdoor Service - New
    6. Hy-Vee, Inc. d/b/a Hy-Vee Ankeny #2, 1415 28th Street (Simpson College Continuing Education Event) - 5-Day Class BW Permit - Effective May 14-18, 2015

7. Hy-Vee, Inc., d/b/a Hy-Vee Clubroom, 555 South 51st Street, Clubroom Area - Class BW Permit with Sunday Sales - Renewal
8. Hy-Vee, Inc. d/b/a Hy-Vee Meeting Room, 1725 Jordan Creek Parkway - Transfer Location Temporarily to 1236 Jordan Creek Parkway (SpringHill Suites) - May 20-21, 2015
9. St. Francis of Assisi Roman Catholic Church d/b/a St. Francis of Assisi Church, 7075 Ashworth Road - Class BW Permit with Sunday Sales - New
10. T-Bowl Investments Inc. d/b/a Val Lanes Recreation Center, 100 Ashworth Road - Class LC Liquor License with Sunday Sales - Renewal
11. Willow Creek Golf Course, Inc. d/b/a Willow Creek Golf Course, 140 Army Post Road - Class LC Liquor License with Sunday Sales, Living Quarters, and Outdoor Service Privileges - Renewal

d. Approval of Extended Sound Permit - Dowling Catholic High School Outdoor Concert, 1400 Buffalo Road

e. Approval of Grant Application - BRAVO Greater Des Moines

g. Approval of Consulting Services Agreement - Financial Software Implementation

h. Approval of Equipment Sharing Agreement

i. Approval of 2015-16 FY Non-Union Pay Plan

j. Order Construction - Grand Avenue Improvements, Phase 5 - Raccoon River Park to South 35th Street

k. Approval of Professional Services Agreements:
   2. South Area Trunk Sewer - Western Extension

l. Acceptance of Public Improvements:
   1. Rogers Farm
   2. South Maple Grove Plat 13

m. Authorize Construction of Public Improvements - West Lakes Office Park Plat 3, Lot 16 (Sanitary Sewer)

n. Establish Public Hearing Regarding the Final Design, Site Selection and Consideration of Acquiring Agricultural Property - South 8th Street - County Line Road to Pine Avenue

o. Approval of License Agreement for Installation of Optical Fiber - Des Moines Water Works

q. Approval of Amendment to Alluvion RISE Agreement

r. Approval of Phased Landscaping Plan - Alluvion

s. Approval of Proclamations:
   1. Drinking Water Week, May 3-9, 2015
   2. Police Officers Week, May 10-16, 2015
   3. Bike Month, May 2015

Vote 15-154: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 4(f) Approval of Agreement - Financial Software

Council member Trimble inquired why the travel costs for this contract amount to $48,000.

Tim Stiles, Finance Director, responded the travel costs are not to exceed the amount of $48,000 and the City will only pay for documented travel costs incurred, and he noted the contractor expects to make approximately 24 visits, each lasting one week.

It was moved by Trimble, second by Trevillyan to approve Item 4(f) Approval of Agreement - Financial Software.

Vote 15-155: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 4(k)1 Approval of Professional Services Agreement - Alluvion Booster Station

Council member Trevillyan stated he will abstain on this item due to a potential conflict of interest.

It was moved by Trimble, second by Sandager to approve Item 4(k)1 Approval of Professional Services Agreement - Alluvion Booster Station.

Vote 15-156: Messerschmidt, Mickelson, Sandager, Trimble…4 yes
Trevillyan… 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(p) Approval of 28E Agreement Regarding Funding and Operation of Aquifer Storage and Recovery Facility - West Des Moines Water Works

Council member Trevillyan stated he will abstain on this item due to a potential conflict of interest.

Council member Trimble requested clarification on this item.

City Manager Tom Hadden explained this agreement is a win-win situation, because Des Moines Waterworks will operate and maintain the facility, but West Des Moines Water Works will benefit by gaining additional capacity at a reduced rate.

Dianna Wilson, General Manager for West Des Moines Water Works, added that this agreement was vetted thoroughly, and the additional capacity will be needed as the area develops. She noted if additional capacity is needed in the future, a site has already been approved by the Iowa Department of Natural Resources for West Des Moines Water Works to construct its own Aquifer Storage and Recovery Facility.

It was moved by Trimble, second by Mickelson to approve Item 4(p) Approval of 28E Agreement Regarding Funding and Operation of Aquifer Storage and Recovery Facility - West Des Moines Water Works.

Vote 15-157: Messerschmidt, Mickelson, Sandager, Trimble…4 yes
Trevillyan… 1 abstain due to potential conflict of interest
Motion carried.

Mayor Gaer read Proclamation - Drinking Water Week.

On Item 5(a) Platinum Pointe Townhomes (f/k/a Whisper Ridge Townhomes), southwest corner of Bridgewood Boulevard and South 88th Street - Rezone approximately 13.3 acres from Residential Medium Density to a Planned Unit Development (PUD) to Allow Construction of a Townhome Development, initiated by Hale Development Company, LLC

It was moved by Trevillyan, second by Sandager to consider the second reading of the ordinance.

Vote 15-158: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Sandager to approve the second reading of the ordinance.

Vote 15-159: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

It was moved by Trevillyan, second by Messerschmidt to waive the third reading and adopt the ordinance in final form.

Vote 15-160: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 5(b) Alluvion Urban Renewal Area TIF Ordinance, initiated by the City of West Des Moines

It was moved by Trevillyan, second by Sandager to consider the second reading of the ordinance.

Vote 15-161: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by Sandager to approve the second reading of the ordinance.

Vote 15-162: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

It was moved by Sandager, second by Trevillyan to waive the third reading and adopt the ordinance in final form.

Vote 15-163: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(a) Mayor Gaer indicated this was the time and place for a public hearing to consider Aspire, south side of Stagecoach Drive approximately 680 feet west of South 68th Street - Vacate a Portion of Public Street Right-of-Way Associated with the Driveway Turnouts Constructed along the South Side of Stagecoach Drive, initiated by Aspire Residential, LLC. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the proposed vacation.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager second by Messerschmidt to consider the first reading of the ordinance.

Vote 15-164: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trimble, second by Mickelson to approve the first reading of the ordinance.

Vote 15-165: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(b) Mayor Gaer indicated this was the time and place for a public hearing to consider Barnes Heights Sanitary Sewer Connection Fee District, generally located south of Ashworth Road and west of 60th Street, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 and April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated one correspondence was received and is included with the Council communication.

Mayor Gaer asked if there were any public comments.

Karen Lonsdale, 6160 Ashworth Road, inquired about what property owners will be required to do with septic tanks after discontinuing their use, where the sewer connections will be, how the $7,700 shall be paid to the City, who will be doing the project, and how did they get the contract.

Ed Bowden, 6220 Brookview Drive, inquired if the City surveyed the 18 property owners, and if so, how many were in favor of establishing a sewer district. He also inquired if the residents would have input regarding what kind of system will be installed, how it will be installed, and if there are options being considered other than a low pressure system. He also inquired how the $7,700 cost was determined. He stated he feels the City has fallen short by planning the areas around the Barnes Heights development without taking it into consideration.

Kristopher Buldhaupt, 6008 Ashworth Road, spoke in opposition to the proposed sanitary sewer connection fee district, stating he bought his home because he wanted a septic system. He inquired what is the driving force behind the proposed sanitary sewer connection fee district and how would it benefit the property owners.

Terry Pearce, 6010 Ashworth Road, stated he believes the cost for this sewer line could have been much less had it been designed for a gravity sewer line when the surrounding developments were constructed.

Carrie Mineck, 6275 Brookview Drive, inquired if the property owners are obligated to participate and inquired what the City's financial responsibility will be. She also requested information about how the cost would increase for property owners that don't hook onto the sewer immediately and asked what the City participation would be and if any additional aid was available.

Ron Williams, 6250 Ashworth Road, stated he bought his home because he wanted a septic system rather than sewer service. He inquired what the City's motivation is for the proposed sanitary sewer connection fee district.

Harry Alley, 6140 Ashworth Road, stated his understanding is that if a property owner chooses to not hook onto the sewer at this time, they would be required to when they try to sell their house. He also stated many of the property owners in this development are not able to easily afford the cost of hooking onto the sewer.

Mayor Gaer asked if there were any additional public comments; hearing none he declared the public hearing closed.

Duane Wittstock, City Engineer, responded to the public hearing questions, stating under the proposed sanitary sewer connection fee district the City won't require anybody to hook onto the sewer unless Dallas County sends a notice of a failed septic system to the property owner. The

purpose for the district is to give property owners a place to hook onto the public sewer if their septic systems should fail and cannot be fixed. The property owner's responsibility for discontinued septic systems will be determined by the Dallas County Sanitarian, but they are generally required to have the septic tank pumped and then filled with sand. At the public meetings, the property owners in attendance have been split evenly between those in favor of the proposed sanitary sewer connection fee district and those opposed to it. A consensus was reached by the attendees at the last public meeting that if a sewer is to be constructed, a low pressure system would be the best alternative because it is the most economical option in this case, and it would involve the sewer line being constructed in the street right-of-way, to which property owners could connect by installing a sewer line from their home to the sewer line at their expense. Mr. Wittstock noted, although it is not an issue with the city or county, there have been reports of mortgage companies at the time of sale requiring homes to be connected to the public sewer system if one is available. The sewer district fee would be due and payable when a property owner requires service, and the fee would need to be paid in full, as the Council has not authorized any option of a payment plan. The fee will inflate annually with the Engineering News Record Construction Price Index. The $7,700 fee is based on the cost estimate prepared by Veenstra & Kimm, and if the project cost exceeds the estimate, the City will bear the responsibility for the excess cost. Mr. Wittstock responded to additional questions, stating the gravity sewer option would have caused more disruption to the backyards of homes because the trench would need to be dug much deeper and wider than for a low pressure system. The driving force behind the proposed sanitary sewer connection fee district was a directive from the Council to identify areas of the city without sewer service and to provide opportunities for property owners with failing septic systems to connect to a sewer. The obligations of property owners, at the time they connect to the sewer, would be to abandon the septic system, install the pit, pump, and service line to the public sewer line, provide the electrical service and plumbing permit, and pay the fee in advance. The City's participation has been facilitating the process to create the sewer fee district, but no further participation has been approved by the Council. Mr. Wittstock recommended this item be continued and sent to the Public Works Subcommittee to be vetted again and to see if any new information comes up.

It was moved by Messerschmidt, second by Trevillyan to continue Item 6(b) Barnes Heights Sanitary Sewer Connection Fee District indefinitely and to refer the item to the Public Works Subcommittee.

Vote 15-166: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(c) Mayor Gaer indicated this was the time and place for a public hearing to consider Amendment #3 to the Westown V Urban Renewal Area, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 17, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Sandager, second by Trimble to adopt Resolution - Approval of Urban Renewal Plan Amendment.

Vote 15-167: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(d) Mayor Gaer indicated this was the time and place for a public hearing to consider Grand Avenue Improvements Project - Phase 6, South 35th Street to South 50th Street, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Corell Contractors, Inc. Subject to Concurrence from the Iowa Department of Transportation

Vote 15-168: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(e) Mayor Gaer indicated this was the time and place for a public hearing to consider Alluvion Blue Fiber Route, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trimble, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to TD&I Cable Maintenance, Inc.

Vote 15-169: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(f) Mayor Gaer indicated this was the time and place for a public hearing to consider 2015 PCC Reconstruction Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Messerschmidt, second by Mickelson to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Alliance Construction Group, LLC.

Vote 15-170: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 6(g) Mayor Gaer indicated this was the time and place for a public hearing to consider 2015 Sewer Rehabilitation Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on April 24, 2015 in the Des Moines Register. Mayor Gaer asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Gaer asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Neuvirth Construction, Inc.

Vote 15-171: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(a) Village of Ponderosa Plat 6, northeast corner of South Ridgefield Way and Flagstone Way - Replat Lot 46, Village of Ponderosa Plat 1 into Seven Single-Family Detached Lots, initiated by Homes by DePhillips

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 15-172: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(b) Village of Ponderosa Plat 7, northeast corner of Stagecoach Drive and South Crescent Way - Subdivide Property into 14 Lots and One Outlot, initiated by East Towne, LLC

It was moved by Trevillyan, second by Mickelson to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements.

Vote 15-173: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(c) Village of Ponderosa Plat 8, 419, 423, 437, 439, 441, 443, and 445 South Crescent Way - Replat Lot 21, Village of Ponderosa Plat 1 into Seven Singl-Family Detached Lots and One Private Driveway Lot, initiated by Homes by DePhillips

It was moved by Sandager, second by Messerschmidt to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. Any new retaining walls constructed within any of the lots included within Village of Ponderosa Plat 8 will need to abide by the City Code which requires one foot of setback from the lot line for every one foot of above-grade wall height.

Vote 15-174: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(d) Lindsey Farm Plat 1, 1001 Timberbrook Avenue - Subdivide Property into Nine Single Family Lots, initiated by Frank Lindsey

It was moved by Trevillyan, second by Sandager to adopt Resolution - Approval of Preliminary Plat, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. That a note be formulated by the property owner or representative of the property with regard to potential future assessments for public infrastructure improvements and placed on the preliminary and final plats, after City review of said note.

2. The applicant providing final drawings of the preliminary plat which addresses staff comments prior to the final plat proceeding to the City Council for approval.

3. That the City Council waive the requirement for an agreement and waiver for public improvements including but not limited to the reconstruction of Timberbrook Avenue, the installation of public sidewalks, and the installation of street lights along public streets adjacent to this development.

4. That the west roadway be allowed which exceeds the City's maximum dead end length until such time that the roadway can be extended to connect to a secondary roadway as shown on the City's Ultimate Streets Plan. In the interim, access roads should be 20 feet in width, constructed and surfaced with materials that will withstand 75,000 pounds of gross vehicle weight, and maintain a vertical clearance of 14 feet.

5. That the City Council waive the requirement for the installation of dry sewers.

Vote 15-175: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(e) Tallyn's Reach, generally located at the southwest corner of Cascade Avenue and South 91st Street - Subdivide Property into 19 Lots for Construction of a Detached Townhome Development, initiated by Jerry Bussanmas

It was moved by Sandager, second by Trevillyan to adopt Resolution - Approval of Preliminary Plat/Site Plan, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. The applicant acknowledging that there shall be consistency in architectural style and compatibility in materials and colors between all homes. At the time of Building Permit submittal, should a home design be determined by staff to be is inconsistent to the approved images provided with this site plan, staff approval of a Level 1 Minor Modification Permit Application will be necessary prior to the issuance of a building permit, including footing and foundation permit; and

2. A minimum of five feet (5') as measured from the lot line of the postage stamp lot to the closest element of the dwelling building, including roof overhangs, bump-outs, bay windows, etc. shall be provided.

Vote 15-176: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 7(f) Aspire, south side of Stagecoach Drive approximately 680 feet west of South 68th Street - Construction of a 222-unit Condominium Development, initiated by Aspire Residential, LLC

It was moved by Trevillyan, second by Messerschmidt to adopt Resolution - Approval of Site Plan, subject to the applicant complying with all applicable City Code requirements and the following conditions of approval:

1. The applicant acknowledging that appropriate access drives, acceptable to the Fire Marshal must be in place prior to issuance of building permits.

2. The applicant acknowledging that useable roadways necessary to access a dwelling building as determined by the Fire Marshal will need to be available prior to issuance of any occupancy permits within the building, including temporary occupancy permits.

3. The applicant acknowledging that if future phases are not constructed, or not constructed in a timely fashion, the assigned building numbering may need to be adjusted. Said adjustments may affect buildings already occupied which will result in address changes for the residents.

4. The applicant agreeing that they will continue to work with staff on the design of the visible end elevation of the 3-story buildings to address the building mass of the end units.

5. The City Council approving the associated drive turnout right-of-way vacation request and completion of the disposition of the property prior to the issuance of a building permit, including footing and foundation permits for any building located within the subject vacation areas.

Council member Trimble inquired if staff has heard any comments from the Pheasant Ridge residents regarding this development.

Lynne Twedt, Director of Development Services, responded the developer did meet with the Pheasant Ridge residents regarding this development, and the biggest concerns they expressed related to the neighborhood park. Knapp Properties had agreed to allow the Pheasant Ridge residents to construct a fence along the property line at their expense, and that agreement still stands.

Vote 15-177: Messerschmidt, Mickelson, Sandager, Trevillyan, Trimble…5 yes
Motion carried.

On Item 8(a) Village of Ponderosa, east of South 60th Street at Village View Drive - Amend Village of Ponderosa Specific Plan Ordinance to Modify Land Uses, Development Regulations, and Proposed Architectural Concepts - LENC, LLC and LEWF, LLC - Referred to Plan and Zoning Commission

On Item 8(b) Jordan West, southwest corner of EP True Parkway and Jordan Creek Parkway - Amend the Specific Plan Ordinance to Allow Mix of Uses Including Retail, Office, Restaurants, Hotel, Convenience Store, and Medium Density Residential - Ryan Companies - Referred to Plan and Zoning Commission

On Item 8(c) WDM Water Works Audit - 2014 - Received and Filed

On Item 9 - Other Matters: none

The meeting was adjourned at 7:11 p.m.

Respectfully submitted,

_____
Ryan T. Jacobson, CMC
City Clerk

ATTEST:

_____
Steven K. Gaer, Mayor