

Direction: CITY1625.DSS

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, August 1, 2016, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Brown, Costa, Crowley, Erickson, Hatfield, Southworth.....Present

**Item 1 - Consent Agenda**

**Item 1a - Minutes of the meeting of July 18, 2016**

Chairperson Erickson asked for any comments or modifications to the July 18, 2016 minutes.

Moved by Commissioner Costa, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved the July 18, 2016 meeting minutes.

Vote: Costa, Crowley, Erickson, Hatfield.....Yes  
Andersen, Brown, Southworth.....Abstain

Motion carried.

**Item 2 – Public Hearings**

**2a – Ordinance Amendment – Galleria Specific Plan Amendment, Generally the north and south sides of Mills Civic Parkway between S. 60<sup>th</sup> Street and S. 68<sup>th</sup> Street – Amend the Specific Plan Ordinance to allow a taller ground monument sign on the Red Robin parcel – S-J-Jordan LC – ZCSP-003140-2016**

Commissioner Costa recused himself from participation in this item due to a possible conflict of interest.

Chairperson Erickson opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on July 22, 2016.

Chairperson Erickson asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Andersen, Brown, Crowley, Erickson, Hatfield, Southworth.....Yes  
Costa.....Abstain

Motion carried.

Mike Simonson, Simonson & Associates Architects LLC, 1717 Ingersoll Avenue, Des Moines, requested approval to allow a multi-tenant monument sign to be located on the Red Robin parcel to be increased in height by two feet for tenant identification purposes. Mr. Simonson gave a brief overview of the development known as Galleria which was started over ten years ago. He provided that there is one lot left, Lot Y. Due to the lack of frontage from Mills Civic Parkway, it has made it difficult to secure a tenant or a buyer for this lot. With the approval of the PUD to allow the two foot signage

increase, the applicant would be willing to eliminate one approved sign which has not yet been constructed. Mr. Simonson provided a graphic of the existing sign and the one being proposed. He reiterated that there is limited visibility and this was the reason that they were unable to secure a tenant.

Mr. Wilde, Sign and Zoning Administrator, added that staff has worked on many different options with the applicant and this seemed the most viable solution. The proposal as presented will still be less than what has been allowed for certain signs in other developments. Thus, this would not be breaking new ground, but would be accommodating the applicant to identify the tenant with the most feasible option for this situation.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission adopt a resolution recommending the City Council approve an amendment to the Galleria Specific Plan to allow a taller ground monument sign on the Red Robin parcel on the northwest corner of the intersection of Mills Civic Parkway and the north extension of Stagecoach Drive (private).

Andersen, Brown, Crowley, Erickson, Hatfield, Southworth..... Yes  
Costa..... Abstain  
Motion carried.

**Item 3 – Old Business**

There were no Old Business items on the agenda.

**Item 4 – New Business**

**Item 4-a – Val-Gate, Southwest corner of Grand Avenue and 1<sup>st</sup> Street – Subdivide property into seven (7) lots and one (1) street lot for construction of a commercial development – First Street, LP – PP-002895-2015**

John Mandebaum, First Street LP, 4500 Westown Parkway, West Des Moines, requested approval to subdivide the property into seven lots which would make financing easier to obtain for the project. As the developer of the southwest corner of 1<sup>st</sup> Street and Grand Avenue, his interest was in having a significant and exciting development.

Chairperson Erickson commented that this was a project that had previously been reviewed, and that the Plan and Zoning Commission has acted on the Master Plan. The Dollar Tree has been constructed on Lot 7 and now the request is to subdivide the remainder of the development.

Chairperson Erickson asked Mr. Baumhover, Bishop Engineering, if the grading plan for Lot 7 was utilizing the parcel to the south and was the parcel currently owned by the City. Mr. Baumhover replied that the lot to the south was owned by the City, and he believed that an easement was obtained from the City to allow for grading.

John Mandelbaum expressed agreement with all staff recommendations and conditions of approval except for Item #2 which would require the applicant to install street lights along Grand Avenue and 1<sup>st</sup> Street adjacent to the applicant’s site at such time that overhead power was placed underground. Mr. Mandelbaum expressed that he was not in agreement with Item #2 at this time as his counsel has informed him that it was illegal for a property owner to pay for streetlights on a state highway. He would like to approve all other conditions until Mr. Mandelbaum’s attorney and the City’s attorney resolve this one issue.

Chairperson Erickson asked Mr. Mandelbaum if he wanted to suspend condition #2 in the approval. Mr. Mandelbaum stated yes.

Development Coordinator Schemmel explained that the streetlights would not have to be installed immediately, but eventually the City may request that the overhead electric along the streets on both sides of the plat be installed underground to clean-up the appearance of the City. At that time, the adjacent property owners would be responsible for reinstalling the streetlights because the wooden poles would go away that hold up the electrical lines. This is a typical requirement for every development within the City. Ms. Schemmel continued that once the property is subdivided, potentially seven property owners would have this responsibility and two of the property owners would not even have street frontages which would make it difficult to assign future responsibility. With Plan and Zoning Commission’s agreement, Staff would recommend forwarding Item #2 as written to the City Council for approval.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, asked for continued discussion or a motion.

Commissioner Crowley moved to approve subject to Mr. Mandelbaum’s attorney and the City’s attorney working out Item #2 regarding the streetlight issue.

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create seven (7) lots for commercial development and one (1) street lot to be dedicated to the City as right-of-way, subject to the applicant meeting all City Code requirements and the following: working out condition #2.

1. The applicant receiving City Council approval of the associated Final Plat prior to issuance of any building permit for any lot within the subject plat, including the execution of the appropriate ingress/egress and cross parking agreement.
2. Prior to approval and release for recordation of the Final Plat associated with the property, the applicant shall submit the required street light agreement which requires the Applicant to install street lights along Grand Avenue and 1<sup>st</sup> Street adjacent to the applicant’s site at such time that overhead power is placed underground.
3. Public improvements on the site shall be accepted by the City or surety provided for their completion prior to the approval and release for recordation of the Final Plat.

Vote: Andersen, Brown, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes  
Motion carried.

**Item 4-b – 820 1<sup>st</sup> Street – Approval of an approximately 5,100 sq. ft. retail building – First Street, LP – SP-003083-2016**

Jamie Malloy, Studio Melee Architects, 820 1<sup>st</sup> Street, West Des Moines, representing the applicant, requested approval to construct an approximately 5,100 sq. ft. one-story retail building. The proposed building would replace the two-story building that was recently demolished. The site plan was provided indicating the building would be located behind the Dollar Tree store and that there would be parking on both sides of the building. One of the conditions of approval recognizes that the parking lot to the west and south of the building would not be built until the City storm sewer was constructed. Because of this, the applicant has agreed to work with staff on interim parking for the building tenants.

Mr. Malloy provided elevations stating that the architecture would fit with the retro style of the area with a distinctive profile for the front of the building and that the building would mimic the iconic look of the area, i.e., the Dairy Queen. The materials to be used will be 100% cement board siding with

different patterns to resemble concrete, metal, and wood. Christal’s retail store will be relocating to the south portion of the building; the north space tenant has not yet been identified.

Chairperson Erickson stated that the renderings show a totally clean roof scape, and he inquired if there would be any mechanicals that needed to be screened. Mr. Malloy stated that there would be a small parapet around the roof that was not shown on the rendering as it was set-back and not visible. There will be some screening to the back of the roof for the two relatively small roof-top units which will match the side of the building.

Chairperson Erickson asked if the 30 ft buffer yard mentioned in the staff report that is to be deferred until installation of the storm sewer was the same one shown on the site plan which shows a 15 ft buffer yard. Mr. Malloy responded that yes this is the area located to the south and is the same.

Planner Portz explained that the buffer requirement in the PUD was written to allow the 15 ft, but they have to provide plantings for a 30 ft buffer. If approved, the deferral of the plantings would be allowed until the storm sewer was installed.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Plan and Zoning Commission the Plan and Zoning Commission adopt a resolution recommending the City Council approve the 820 1<sup>st</sup> Street Site Plan to allow the construction of an approximately 5,100sf retail building and related site improvements, subject to the applicant meeting all City Code requirements and the following:

1. The City Council granting a deferral for the installation of the trees and shrubs required of a 30’ buffer park and a 6’ solid fence along the south side of the site until such time that the proposed storm water infrastructure within the subject area along the south portion of the site is installed; and,
2. Site plan approval is contingent upon approval of the Val-Gate Preliminary and Final Plat. Upon approval of the Val-Gate Preliminary Plat, site grading and public utility installation may occur on the site. Building construction cannot occur on the site until City Council approval of the Val-Gate Final Plat, including the execution of the appropriate ingress/egress and cross parking agreement; and,
3. The applicant submitting an interim parking plan for the 820 1<sup>st</sup> Street building and the overall 1<sup>st</sup> Street Redevelopment PUD demonstrating adequate parking facilities are available while construction of the different projects are occurring on the site. Based on the actual number of parking spaces available, occupancy of the remaining portion of the 820 1<sup>st</sup> Street building (not housed by Chrystal’s) may be limited.

Vote: Andersen, Brown, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes  
Motion carried.

**Item 5 – Staff Reports**

There were no staff reports.

**Item 6 - Adjournment**

Chairperson Erickson asked for a motion to adjourn the meeting.

Motion by Commissioner Costa, seconded by Commissioner Hatfield, to adjourn the meeting.

Vote: Andersen, Brown, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes  
Motion carried.

The meeting adjourned at 5:54 p.m.

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Craig Erickson, Chairman

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Kimberly Taylor, Recording Secretary

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