

Direction: CITY.1697.DSS

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, December 5, 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, Crowley, Erickson, Hatfield.....Present  
Brown, Costa, Southworth.....Absent

**Item 1 - Consent Agenda**

**Item 1a - Minutes of the meeting of November 21, 2016**

Chairperson Erickson asked for any comments or modifications to the November 21, 2016 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved the November 21, 2016 meeting minutes.

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

Motion carried.

**Item 2 – Public Hearings**

**2a - Munro et al, 2480, 2580, 2640, and 2720 SE 11st Street – Change the Comprehensive Land Use Map and Change the Zoning Designation of part of the properties from Medium Density (RM-8) to Single Family Residential Estate (RE-1A) – Margaret Munro – CPA-03277-2016/ZC-003278-2016**

A memo from staff was provided to the Commissioners at the dais noting that additional written public comment had been received from a property owner stating his opposition to the proposed rezoning.

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 November 25, 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 Andersen, seconded by Commissioner Crowley, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

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

Motion carried.

Margaret Munro, 2480 S. 11<sup>th</sup> Street, West Des Moines, stated that she and her husband owned three lots which she identified on a location map. When their land was purchased in 1998, it was zoned RE 1-A. In 2005 when the Southwest Connector was proposed (now Veterans Highway), a public notice was received indicating that there would be a road built behind the property owners and that there would be some zone changes. The Public Notice was very generic and never mentioned that their personal land would be rezoned. When attending the public hearing, the new road was discussed, but the rezoning

was never mentioned. The Munro’s and the neighbors just realized that a portion of their land had been changed from an RE 1-A designation to Medium density. All four property owners would like the properties changed back to the original RE 1-A designation.

Chairperson Erickson asked if this was an issue in terms of consistency or are there plans for the properties that are being impacted. As long as you choose to own homes and keep the properties as they are today, the current zoning and land use map would have no impact on the property unless there were plans for future development.

Ms. Munro responded that none of the property owners were planning any changes, but were only interested in property protection and that the surrounding development would respect their property.

Chairperson Erickson stated that if you were to choose to redevelop, the City would not determine the zoning for the property owner, and that the zoning does not predispose what happens on the property.

Planner Tragesser mentioned the memo provided on the dais from Mr. John Paulson, a property owner immediately adjacent to the proposed rezoning area, regarding opposition to the rezoning. Mr. Paulson’s property was pointed out on a location map, and Ms. Tragesser informed the Commissioners that Mr. Paulson’s property was recently rezoned as part of the Browns Woods Estates. Staff supports the rezoning and land use change and recommends approval.

Chairperson Erickson commented on Mr. Paulson’s concern about applying the buffering requirement from one property to another. Ms. Tragesser responded that with this action, Mr. Paulson’s property would have the responsibility for a buffer according to current Code.

Commissioner Andersen asked if the rezoning took place when the road was built. Ms. Tragesser stated that she did not recall if the rezoning was in conjunction with the road being constructed, but that the rezoning was based on the ultimate streets map which included the Southwest Connector.

Chairperson Erickson commented that the applicant’s original request, included a request for the refunding of the fee which will not be part of the Plan and Zoning deliberations, but would be a City Council matter.

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.

Comprehensive Plan Land Use Amendment

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission approve a resolution recommending the City Council approve a Comprehensive Plan Land Use Map change as part of the property for 2480, 2580, 2640, and 2720 SE 11<sup>th</sup> Street from Medium Density to Low Density Residential illustrated in staff report Attachment A - Residential, subject to the applicant meeting all City Code requirements.

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

Zoning Map Amendment

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approve a resolution recommending the City Council approve a zone change for the property at 2480, 2580, 2640, and 2720 SE 11<sup>th</sup> Street Residential Medium Density (RM-8) to

Residential Single Family (RE-1A) as illustrated in the staff report Attached B, Exhibit C – Zoning Maps, subject to the applicant meeting all City Code requirements.

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

**Item 2b - Mills Crossing, 5901 Mills Civic Parkway – Amend Mills Crossing Specific Plan to add acceptable Site Amenities for the Development – ZCSP-003288-2016**

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 November 25, 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 Hatfield, 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.

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

Ed Arp, Civil Engineering Consultants, Inc., 2400 8<sup>th</sup> Street, Des Moines, representing the applicant, requested approval to add an element to the amenities for the Mills Crossing development. When applying for the final occupancy permit, it was realized that the bench element was not represented on the proposed illustration. All seating was to consist of monumental stone which has been modified during the course of construction. An illustration of the bench was provided.

Planner Tragesser had nothing to add but recommended approval.

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 Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the first reading of the Mills Crossing Specific Plan Ordinance Amendment to include acceptable site amenities for use within the development, subject to the applicant meeting all City Code requirements.

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

**Item 3 – Old Business**

There were no old items to address.

**Item 4 – New Business**

**Item 4a – Westfield Office Building, 1080 Jordan Creek Parkway – Phased Site Plan Approval for Footings and Foundations – Dallas County Partners – SP-003238-2016**

Commissioner Hatfield recused himself due to a potential conflict of interest.

Tom Rupprecht, R&R Realty Group, 1225 Jordan Creek Parkway, West Des Moines, representing the applicant, requested phased site plan approval to construct footings and foundations for the Westfield Building located at 1080 Jordan Creek Parkway.

Mr. Rupprecht expressed agreement with all staff recommendations and conditions of approval.

Planner Tragesser recommended approval and added that the Site Plan for the project has been received and was under review.

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

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve a Phased Site Plan for Footings and Foundations for the site at 1080 Jordan Creek Parkway, subject to the applicant meeting all City Code requirements and the following:

1. That only footings and foundations for the buildings has been approved. No private utility or other construction on the site is approved with the Phased Site Plan for footings and foundations.
2. That a building permit be applied for the footings and foundations prior to commencing work on the site.

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

Motion carried.

**Item 5 – Staff Reports**

Chairperson Erickson asked if there were any comments or changes to the proposed 2017 Plan and Zoning Commission Meeting Schedule.

Commissioner Andersen requested that the Commission cancel the July 3, 2016 meeting since this is when West Des Moines celebrates the 4<sup>th</sup> of July with a parade. Chairperson Erickson agreed that it would be reasonable to remove the July 3 date from the 2017 Plan and Zoning schedule. Development Coordinator Schemmel stated if there was a time sensitive project request during this timeframe, another date could be identified.

Moved by Commissioner Andersen, seconded by Commissioner Crowley, the Plan and Zoning Commission approve the 2017 Plan and Zoning Commission meeting schedule with the July 3<sup>rd</sup> meeting cancelled.

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

Motion carried.

**Item 6 - Adjournment**

Chairman Erickson asked for a motion to adjourn the meeting.

Motion by Commissioner Crowley, seconded by Commissioner Andersen, to adjourn the meeting.

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

Motion carried.

The meeting adjourned at 5:45 p.m.

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Craig Erickson, Chairman

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Kimberly Taylor, Recording Secretary