CITY OF WEST DES MOINES PLAN AND ZONING COMMISSION COMMUNICATION

Meeting Date: May 8, 2017

Item: Hawthorne Centre East Patio – 9500 University Avenue – Install Patio on the East

Side of the Building – Hawthorne Plaza LLC – MML1-003448-2017

Requested Action: Approval of Minor Modification

Case Advisor: Kara Tragesser

<u>Applicant's Request</u>: Dave Hansen, represented by Bob Gibson of Civil Design Advantage, is requesting approval of a minor modification which allows the installation of a patio that is less than six feet from the curb of the head in parking on the east side of the building at Hawthorne Centre (see Attachment B – Location Map, Attachment C – Patio Plan).

<u>History</u>: In January 2015, the City Council approved the site plan for Hawthorne Centre to construct one 27,626 square foot building and one 27,391 square foot building on a 7.6 acres site south of University Avenue between 94th Street and 96th for office and retail uses. As part of this minor modification, a patio has been administratively approved for the west side of the building.

<u>City Council Subcommittee</u>: This project was not presented to the Development and Planning City Council Subcommittee.

<u>Staff Review and Comment</u>: This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key points of interest:

<u>Patio adjacent to head-in parking</u>: As part of the minor modification, another patio is proposed for the west side of the companion building on the site. That patio is meeting staff's recommendation to maintain the six foot sidewalk along the west side of the building adjacent to the head-in parking on that side. That patio has been administratively approved. The east building patio is subject to review by the Plan & Zoning Commission and City Council as the tenant wishes to extend the patio closer to the parking than staff's recommendation.

During the review of the patios proposed on the east and west sides of the Hawthorne Center building, staff recommended that the patio extend out from the building no closer than six feet from the back of the curb to the adjacent head-in parking. The sidewalk along the building is required to be six feet to allow for a four foot sidewalk and two feet of vehicle overhang from the head-in parking adjacent to the building (Title 9, Chapter 16, Section 6-F-2 provides for when the front of a parking stall abuts a sidewalk, the minimum width of the sidewalk shall be six feet). This building has at least a six foot sidewalk around the building and has areas that are larger for patio space. The Commission should notice that the parking adjacent to the building in the subject area is head-in parking.

The tenant has proposed a patio that is closer to the head-in parking leaving two feet for vehicle overhang and approximately two feet additional space between the parking and the patio. The tenant proposes to place planters in the approximately two foot area to discourage pedestrian access across the patio frontage. While an able-bodied individual may be able to maneuver between the bollards, a wheelchair bound individual would not and would be forced to turn – around and use a non-defined pathway within the parking lot. Staff would note that the proposed patio is 20' deep: a 2-foot reduction would not render the patio unuseable.

The representative for the project points out the patio attached to Jethro's in the Hawthorne Plaza building on the parcel to the east was approved with a patio that is located two feet from the curb of the head-in parking (see Attachment E- Jethro's patio), also the another patio for the Hawthorne Plaza building for Guttenburger's was approved through a minor modification with a $3\frac{1}{2}$ foot sidewalk adjacent to the head-in parking (see Attachment F- Guttenburger's Patio). While those patios were approved, staff feels that we should not compound the errors, which don't take into account the code provision, with the approval of patios for these and other developments.

<u>Comprehensive Plan Consistency</u>: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

<u>Findings</u>: This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

- 1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
- 2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
- 3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
- 4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
- 5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
- 6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

<u>Staff Recommendation And Conditions Of Approval</u>: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Minor Modification to install a patio on the east side of the building located at 9500 University Avenue, subject to the applicant meeting all City Code requirements and the following:

- 1. The applicant insuring that a minimum six foot sidewalk between the back of curb for the head-in parking on the east side of the building at 9500 University Avenue and the patio boundary is maintained at all times.
- 2. Providing final minor modification drawings which reflect such prior to installation of the patio

Owner Hawthorne Plaza LLC/Signature Real Estate Services

12035 University Avenue, Suite 101

Clive IA 50325 Dave Hansen

Applicant: Same as above.

Applicant Rep: Bob Gibson

Civil Design Advantage

3405 SE Crossroads Drive Suite G

Grimes IA 50111

ATTACHMENTS:

Attachment A - Plan and Zoning Commission Resolution

Attachment B - Location Map
Attachment C - Site Plan
Attachment D - Jethro's Patio

Attachment E - Guttenburger's Patio

RESOLUTION NO. PZC-17-044

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, IOWA, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE MINOR MODIFICATION (MM1-003448-2017) FOR THE PATIO ON THE EAST SIDE OF THE EAST BUILDNIG AT 9500 UNIVERSITY AVENUE SUBJECT TO MODIFICATIONS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, Dave Hansen, requests approval of a minor modification to a site plan to allow a patio less than six feet from the aback of curb of adjacent head-in parking at 9500 University Avenue;

WHEREAS, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

WHEREAS, staff recommends that the sidewalk in this area remain at least six feet wide from the back of curb of the parking to the patio edge;

WHEREAS, on February 27, 2017, this Commission held a duly-noticed meeting to consider the minor modification application;

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated May 8, 2017, or as amended orally at the Plan and Zoning Commission meeting of May 8, 2017, are adopted.

SECTION 2. The Minor Modification (MML1-003448-2017) to allow a patio to be constructed at 9500 University on the east side of the ease building is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated May 8, 2017, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 8, 2017.

Craig Erickson, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

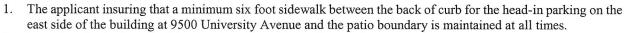
I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on May 8, 2017.

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

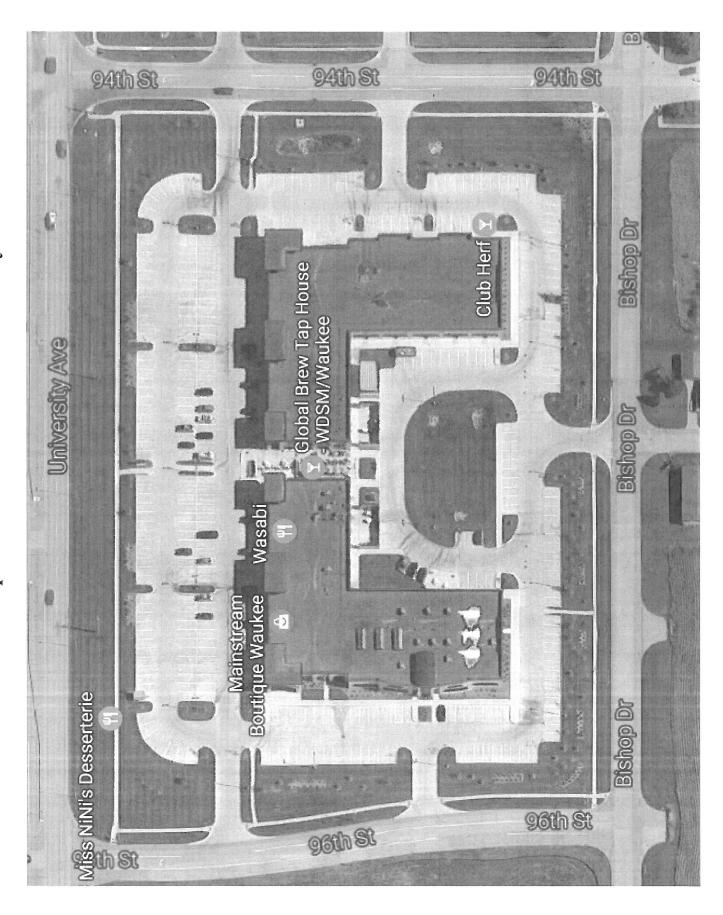
ATTEST:

Recording Secretary

Exhbit AConditions of Approval



2. Providing final minor modification drawings which reflect such prior to installation of the patio.



HAWTHORNE CENTRE - 1407.383

MINOR MODIFICATION FOR:

HAWTHORNE CENTRE

WEST DES MOINES, IOWA

CITY OF WIDE

RECEIVED

Ĺ		
5	SHEETS	NO E CIGOCOTA
ņ	K OF	00000
ב	INDEX	
ハロハ		

NO. DESCRIPTI	

VICINITY MAP

CD.1 COVER SHEET
CI.1 TOPOGRAPHIC SURVEY/ DEJOLITION PLAN
C2.1-C2.4 DIMENSION PLAN
C3.1-C3.4 GRADING PLAN

SALCINA	SANITARY MANHOLE	WATER VALVE BOX	FIRE HYDRANT	WATER CITY STOW	130	S SUBJECT CORES I	TAKE	STORM SEWER DOUBLE INTAKE	FLARED END SECTION	ROOF DRAM/ BONNSPOUT	DECIDIOUS TREE	CONFEROUS TREE		ER POLE	CUY ANCHOR	5	POWER POLE W/ TRANSFORMER	w∕ uchT ₽		ELECTRIC TRANSFORMER	ELECTRIC MANHOLE OR VAULT (E)	TRAFFIC SIGN	TELEPHONE JUNCTION BOX [7]	TELEPHONE WANHOLE/VAULT (T)	TELEPHONE POLE	GAS VALVE BOX	CABLE TV JUNCTION BOX	CABLE TV WANHOLE/VAULT	MAL BOX	BENCHMARK 0**	SOIL BORING	UNDERGROUND TV CABLE	CAS MAIN	FIBER OPTIC	UNDERGROUND TELEPHONE	ONEBHEAD SI ECTRIC	Jid	1	32	11	WATER MAN W/ SIZE
GENERAL LEGEND	PROJECT BOUNDARY	LOT UNE	SECTION LINE	SWI BELLEVILLE	ATM 30 LINES	- Longon	1	TYPE SW-501 STORM INTAKE	SOUTH HEATS TO BE SOUTH		TYPE SW-505 STORM INTAKE	TYPE SW-506 STORM INTAKE	TYPE SW-513 STORM INTAKE	TYPE SW-401 STORM MANHOLE	TOPIC CON- NO SECTION NAMED IN THE SECTION OF SECTION O		TYPE SW-301 SANITARY MANHOLE (S)	CTOBU /CANTADY CI FANCRIT	THE PROPERTY OF THE PARTY OF TH	THE THOUSANT ADDRESS OF THE PARTY AND THE PA	FIRE ILITIONAL ASSESSMENT	Control Control of the Control		STORM SEWER STRUCTURE NO. (ST-)		SIDNA SEMEN PPE NO.	SANITARY SEMER STRUCTURE NO. (S-)		SANITARY SEMER PIPE NO.	CANTARY GUER MIN SIZE	1	-	TOTAL STATE OF THE PARTY OF THE				SAWOUT (FULL DEPTH)	SLT FRICE			

ALL COSTINCTION IN TRANSPORTED CONCRETED IN HURS OF SHALM IN THE ALL COSTINCTION IN TRANSPORTED CONCRETE SO WHITE THE ALL CONCRETE SO WHITE THE ALL CONCRETE SO WHITE THE ALL CONCRETE SO WHITE SO WE WILL SHALL CONCRETE SO WHITE SO WE WILL CONCRETE SO WHITE CONCRETE SO WHITE SO WE WILL CONCRETE SO WHITE SO WE WENT OF THE SOURCE OF THESE DRAWNES NOW HERE THE SOURCE OF THESE DRAWNES NOW HERE THE SOURCE SOURCE OF THESE DRAWNES NOW HERE THE SOURCE SOUR



NY LICENSE ROLEMAL DATE IS DECOMED 31, 2015
PACES OF SPECIA GOVERN BY THE SEAL.
CO.1, Cl.1, C2.1—C2.4, C3.1—C3.4, C4.1, C4.2 NI SERVICE SER

EMLY N. HARDING, P.E.

CIVIL DESIGN ADVANTAGE 3405 SE CROSSROADS DR. SUITE G, GRIMES, IOWA 50111 PH: (515) 369-4400 Fax: (515) 389-4410 PROJECT NO, 1407-383

LEGAL DESCRIPTION

LOT 2, WEST PARK PLAT 1, AN OFFICIAL PLAT, NOW INCLUDED M

AND TORNING A PART OF THE CONT OF WEST DEST MOMES. DIALLS

COUNT, DIAN CONTINING 7,80 ACRES (331,908 87)

WATER & SANITARY SEWER UTILITY PLAN

THE MEST FOR THE OF KNOWN WHILE THE STORM A THE MEST FOR THE THE THE STORM A STORM

ZONING SET STREET PLANKED UNT DEVELOPMENT (PUD) (COMMUNITY COMMERCAL)

COMPREHENSIVE PLAN

PROJECTION CONTRACTOR OF THE PROJECTION CONTR

PROJECT SITE ADDRESS
BEGO WINFESTY AVE

OWNER/ APPLICANT
HAWTHOSHE PLAZA, LLC
CONTACTI DAVE HAWSEN
TOODS UMMERSTER ANS. SAITE 101
GLINE, 1004N 50325
PH. (515) 3004–4280

AND USE OFFICE/RETAL BULDING

LANDSCAPE PLAN 642 E3

STORM WATER UTILITY PLAN

100'
SO' (UNLESS ABUTS PROPERTY WITH
SAME ZONNO)
SO' (UNLESS ABUTS PROPERTY WITH
SAME ZONNO)

FRONT SOE REAR

MAPLE GROVE NORTH PLANNED UNIT DEVELOPMENT (PUD) (COMMUNITY COMMERCIAL)

1,60 ACRES (331,056 SF)

DEVELOPMENT SUMMARY
ABEA
ZOMNIG

ENGINEER/ SURVEYOR
CM. DESON MONTING, LIC
CONTINIO: RRESET GESSON
GONES, LON SOTH TO
FINE STONS SOTH
FILE STONS
FILE S

UTILITY WARNING
INTERPRETATION OF THE PROPERTY ONE CALL
1-B00-292-8989 | W

144,308 SF (NOLLIDES ADDED PATIO AREA) 56,702 SF (NOLLIDES ADDED PATIO AREA) 234,070 SF

MPERVIOLS
DRIVEWAYS /PARIGING
SIDEWALK
BUILDINGS BULLDING #1 BUILDING #2

BLAE. WEST DES MONES BH \$995, INTERSECTION OF UNIVERSITY ARE AND 98TH ST., 30° EAST OF E. 98TH ST., AND 147 SOUTH OF C. UNIVERSITY REV-272.57

BENCHMARKS

BIMAD: NW BURY BOLT ON HYDRANT AT THE SW CORNER OF 94TH ST. AND UNIVERSITY AVE. 12Pw-261-45

SUBMITTAL DATES
PRST SUBMITAL 4-20-2017 DATE OF SURVEY

BMAZ, NE BURY BOLT ON HYDRANT AT THE NE CORNER OF 96TH ST. AND BISHOP DR. ELEV-263.28

CONSTRUCTION SCHEDULE
ANTICPATE STAT DATE = 10-30-2014
ANTICPATE PRISH DATE = 6-30-2016

ONSTE. SOLUTIONS CONTINCT: MARTY BARKLEY 4825 EP TRUE PARKWAY, SUITE 102 WEST DES MONES, IOWA 50265 PH. (515) 333–5164 FX. (515) 225–4864

ARCHITECT

27,975 SF 27,772 SF 55,707 SF

82,764 SF (25%) 98,411 SF (29,7%) 14,431 SF (10%) 22,863 SF (16%)

OPEN, SPACE REQUIRED
OPEN, SPACE REQUIRED
TOTAL, OPEN SPACE PRONDED
PARKHIG AREA OPENSPACE
PARKHIG AREA OPENSPACE

7 SPACES (5+2 W/ VAN TAGS) 10 SPACES (4+6 W/ VAN TAGS)

ACCESSIBLE PARKING REQUIRED ACCESSIBLE PARKING PROVIDED

PAREMED BASED ON TRUMNT MX AS OF JUPRIL, 2017;
16,404 S.F. BASED ON TRUMNT MX AS OF JUPRIL, 2017;
RESTAURANT (NICLUDES PARTOS) 11,800 S.F. 130 SPACES
PARMED COMMERCIAL, CENTER 12,739 S.F. 33 SPACES
PARMED COMMERCIAL, CENTER 12,739 S.F. 35 SPACES

DWCZTE C DDW WDWL-CECTOL/ END-MOD WR 612 TASK-VST- 92TD-S JAG ZMG WWW. 612

