

PLAN AND ZONING COMMISSION MEETING

Direction: PZ_AF_05-21-2018

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:45 p.m. on Monday, May 21, 2018, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

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

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of May 7, 2018

Chairperson Erickson asked for any comments or modifications to the May 7, 2018, minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approved the May 7, 2018 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

2a – Hellickson Property, 7280 Eldorado Pt - Rezone the property from Residential Single Family (RS-20) to Residential Estate (RE-1A) zoning – Jeremy R. Hellickson Living Trust – ZC-003902-2018

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 May 18, 2018.

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 Southworth, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

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

Motion carried.

Michael Wahlert, Bishop Engineering, 3501 104th St, Des Moines, IA, stated that the applicant is requesting rezoning because they would like to construct a detached building with square footage exceeding what is allowed for current zoning. He noted that the detached building will not be a residence, it will be a gym.

Commissioner Drake questioned whether the gym is for personal use. Mr. Wahlert affirmed that it is.

Brian Portz, Development Services Planner, provided a zoning map, observing that Residential Single Family (RS-20) zoning only allows up to 1000sf accessory buildings. The proposed building is 6500sf. Residential Estate (RE-1A) zoning allows accessory structures up to 10% of the lot size. As this is a 7

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acre lot, rezoning would allow up to 30,492sf for an accessory building. Staff supports rezoning because adjacent lots have the same RE zoning.

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 Drake, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve rezoning 7280 Eldorado Point.

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

Motion carried.

2b- Amendment to City Code – Amend Title 9 (Zoning), Chapter 7 (Setback and Bulk Density Regulations) to update setback regulations pertaining to side yard setbacks for principal buildings in Single Family – Commerce (SF-CR) and Single Family-Valley Junction (SF-VJ) zoning districts – City Initiated – AO-003907-2018

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 May 18, 2018.

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 Southworth, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

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

Motion carried.

Linda Schemmel, Development Coordinator, stated that the request was generated by an applicant developing several lots in the Commerce Area. Upon review, staff decided this would fit the other Commerce area lots and also smaller lots in Valley Junction, therefore staff proposed reducing the side yard setbacks from a minimum of seven feet to five feet for one side yard for these two zoning districts. Chairperson Erickson commented that the purpose was to permit infill of smaller lots. Ms. Schemmel agreed.

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 Southworth, seconded by Commissioner Drake, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to approve updating setback regulations pertaining to side yard setbacks for principal buildings in SF-CR and SF-VJ zoning districts.

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

Motion carried.

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2c – Amendment to City Code – Title 9 (Zoning), Chapter 14 (Accessory Structures) to amend the maximum number of fuel pumps permitted in the Community Commercial (CMC) District – Hy-Vee, Inc. – AO-003879-2018

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 May 17, 2018.

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 Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

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

Kara Tragesser, Development Services Planner, stated that staff received a request from Hy-Vee to change the City Code to increase the maximum number of fuel pumps from 6 to 8 in the Community Commercial District. In staff’s review of the request, a comparison of the current number of fuel pumps across the different commercial zoning districts was done. It was determined that increasing the maximum number of pumps to 8 for Community Commercial zoning is appropriate as this district is intended for more intense commercial uses than the Neighborhood Commercial zoning district, which has a maximum of 6 fuel pumps.

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 Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve amending the maximum number of fuel pumps permitted in CMC districts.

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

2d- Amendment to City Code – Amend Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District) to allow within the general industrial zoning district uses related to Used Car Dealers – Reid Tamisiea - AO-003877-2018

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 May 17, 2018.

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 Southworth, seconded by Commissioner Drake, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

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

Reid Tamisiea, 3700 Hidden Creek Dr, West Des Moines, IA, stated he is seeking an amendment to allow indoor used car showrooms in General Industrial zoned districts as a permitted conditional use.

Kara Tragesser, Development Services Planner, noted that the use was being allowed as a permitted conditional use permit to allow the Board of Adjustment to add conditions of approval if needed.

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 Southworth, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending City Council adopt a resolution to allow uses related to used car dealers within Commercial, Office and Industrial Zoning Districts.

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

Item 3 – Old Business

3a – JM Commercial Storage, 901 S 50th Street – Matthew Gustafson – Approval of Site Plan to construct a 90,000 sq. ft. indoor storage building – SP-003787-2018 (Deferred from May 7, 2018)

Chairman Erickson recused himself, and Commissioner Hatfield led the meeting.

Monica Converse, Shive-Hattery Inc., 4125 Westown Pkwy #100, West Des Moines, IA, showed the site plan for a 90,000sf indoor storage facility, noting this will be high end storage with a hotel-style lobby and all of the units will be accessed from the inside. The property will include two access drives, one off 50th Street and one off Fieldstone Drive, to be constructed with this project. She added that all outstanding items per staff recommendations have been addressed.

Kara Tragesser, Development Services Planner, showed an illustration of the architectural elevations of the building noting that it was designed to look like an office building in accordance with the regulations.

Ron Hinds, Shive-Hattery Inc., 4125 Westown Pkwy #100, West Des Moines, IA, noted that the design materials were chosen to make the building match other residential and businesses in the area with complementary materials.

Acting Chairman Hatfield 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 Drake, seconded by Commissioner Southworth, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the site plan for 901 S 50th Street subject to the applicant meeting all City Code requirements and the following:

1. If planned roof top mechanical equipment is installed and exceeds the planned parapet height, the applicant will be responsible for providing additional screening of the mechanical equipment with either an architectural solution or other method acceptable to the City.

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Likewise, any unanticipated ground mounted or building mounted mechanical, meters, utilities will need to be appropriately screened.

2. That site improvements proposed with the site plan are installed, inspected by the City, and determined complete, prior to final occupancy of the building.

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

Motion carried.

Chairman Erickson then resumed chairing the meeting.

Item 4 – New Business

4a – Covenant Cove, Southeast corner of Bishop Drive and 98th Street – Phased Site Plan Approval for Private Utilities – Covenant Cove – SP-003850-2018

Brent Culp, Snyder & Associates, 2727 SW Snyder Blvd, Ankeny, representing Covenant Cove LLC, presented an overall view of the project area involved. He noted that the site plan was in review, but the owner would like to start installing the private utilities.

Chairman Erickson observed that the Commission would see the applicant again when the architecture is completed. Mr. Culp affirmed that they would and also for the landscaping.

Kara Tragesser, Development Services Planner, reminded the Commission that this area was recently rezoned from manufactured housing to residential medium density. She noted that the applicant has a grading permit and Staff supported the phased site plan.

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 Drake, seconded by Commissioner Hatfield, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the phased site plan for private utilities subject to the applicant meeting all City Code requirements and the following:

1. The applicant will contact the railroad prior to any grading on their property to obtain the necessary permits. Documentation will need to be provided to the City when it becomes available. If the railroad denies access for the grading the applicant will need to have an alternate plan to alleviate the drainage issue caused by this development.
2. Installation of private utilities is 'at risk' until the full site plan is approved.
3. No construction of public utilities is allowed without approved construction plans.

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

4b – Microsoft DM04, 8855 Grand Avenue – Approval of a Major Modification to a Site Plan to construct approximately 121,000 square feet of data center buildings across 3 phases – Microsoft Corporation – MaM-003886-2018

John Widtfeldt, Microsoft Corporation, One Microsoft Way, Redmond, WA, stated they are looking to expand their existing jobsite in three phases, constructing three new buildings which will be identical to

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the one constructed during phase 1, adding 121,000sf of new data center space.

Brian Portz, Development Services Planner, observed that this is phases 2, 3, and 4. He added that the applicant is installing landscaping for screening along the south and west sides of the property.

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 Southworth, seconded by Commissioner Hatfield, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the modification to the site plan, subject to the applicant meeting all City Code requirements and the following:

- 1. Prior to the issuance of a final occupancy permit for the final building within this 41.95 acre site, if not otherwise addressed as part of a separate agreement with the City, the applicant shall install public street lights along Grand Avenue west of the entrance to the applicant’s property at such time that Grand Avenue is extended west. Additionally, prior to issuance of the last occupancy permit, public sidewalks shall be constructed along the north side of Grand Avenue from the intersection of Grand Avenue and S. 88th Street to the western boundary of the applicant’s property; and along the west side of S. 88th Street from the intersection of Grand Avenue and S. 88th Street to the applicant’s northern property boundary.

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

Motion carried.

4c – Alluvion Booster Station, 1385 SE Army Post Road – Approval of a Site Plan to construct an approximately 625 square foot utility building with back-up generator for a water booster pump station – City of West Des Moines – SP-002992-2016

Mark Duben, HDR Engineering, Inc., 300 E Locust St, Des Moines IA, informed the Commission that he was representing the City of West Des Moines and West Des Moines Water Works on this project. The application is to construct a utility building with a back-up generator for a water booster pump station, along with an electric transformer. This will supplement a station on SW 22nd Street, which is in pressure zone 5 of Water Works’ system.

Brian Portz, Development Services Planner, added that landscape screening will be placed on the north, east and south sides of the building to screen it from Veteran’s Parkway.

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 Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the site plan, subject to the applicant meeting all City Code requirements and the following:

- 1. The City Council granting a deferral of access road paving requirements until such time that the surrounding properties develop.

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

Motion carried.

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4d – Wolfe Clinic Surgery Center, 6100 Westown Parkway – Approval of a Phased Major Modification to a Site Plan to construct a surgery center building with site modifications – Wolfe Eye Clinic – MaM-003821-2018

Jim Host, Confluence, 525 17th St, Des Moines, IA, representing Wolfe Eye Clinic stated that they are in the site plan approval process, and still have some items to be hashed out architecturally and a couple cross-access agreements to work out. However, they have contractors ready to begin and earthworks ready to go, therefore they are coming to the Commission with this request. He asked for consideration by the Commission of the condition of approval stating they were not allowed temporary access off Westown Parkway. He then introduced Chris Schweers with the Weitz Company, to address the access concern.

Chris Schweers, Weitz Company, 5901 Court Ave., Des Moines, noted that existing entrance to Wolfe Eye Clinic parking lot is wide enough for regular traffic, and has a right in, left out egress. He stated this entrance is not wide enough to get construction deliveries through using semi-trucks, concrete trucks. The applicant would like to add a rock temporary access which would allow them to drive equipment, deliveries etc. to the new building construction area. Utilizing the existing entrance causes issues with maintaining existing parking for customer use on both the north and south ends. Additionally, he was concerned with sharing construction traffic with clinic traffic. He pointed out that understanding the type of clientele they have with vision issues, they were concerned with trying to minimize that interaction.

Commissioner Drake asked how close the proposed temporary access would be to the neighbor on the east. Mr. Schweers stated it would be close to 200 feet.

Mackenzie Locey, Development Services Staff, noted that the main issue with the temporary access drive is that zoning requires a minimum spacing of 300 feet for access drives on arterial streets, and this temporary access would be 200 feet. She added that for the rest of the site plan, staff were working with the architect to make sure the building complements the surrounding structures, and also working on landscaping. The applicant was just pursuing grading and utilities for now.

Commissioner Hatfield commented that the architecture and landscaping would be presented later. Ms. Locey agreed.

Chairman Erickson addressed Mr. Schweers, asking how long the access road would be active. Mr. Schweers responded that it would be close to 10-11 months.

Brian Michael, PCP Partners, 317 6th Ave, Des Moines, IA, stated he was drafting the project. Regarding the construction access concern, he pointed out that the clientele were coming to a surgery center; that emergency vehicles need access to the back of the building. The setup is similar to quadrants. The current parking is very tight, right now they are in negotiations with neighbors to get some temporary parking during construction. He pointed out where employees will be parking and crossing during construction; adding that replacing the center aisle will create more confusion. He suggested using signage to help alleviate some of the confusion but asserted that the request is more than for convenience, it's also for safety employees, patients and emergency vehicles.

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

Chairperson Erickson commented that the request was pretty straight forward. Commissioner Hatfield stated that he understands staff desire to maintain a greater drive separation distance, but also understand that the hazards of using an existing entrance with patients takes precedence.

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Commissioner Drake agreed, saying that it makes sense for construction access to be separate during a temporary period of time, utilizing signage for safety concerns.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the phased modified site plan subject to the applicant meeting all City Code requirements and the following:

With exception of striking condition (1),

- 1. ~~The City Council would not allow additional permanent or access onto Westtown Parkway.~~
- 2. The applicant acknowledging and agreeing that this approval is for underground utility, grading, footing and foundation work only.
- 3. The applicant agreeing that any grading utility work and footing and foundation work done prior to approval of the full site plan is at their own risk, and that final building and site design will need to comply with any changes that are deemed necessary as part of that approval.
- 4. The applicant agreeing that any work done on the installation of the retaining wall on the southeast corner of the lot is at their own risk, and that the City Council must approve the waiving of the terracing as part of the final site plan approval.
- 5. The applicant continuing to work with staff on outstanding building and site design elements.

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

Motion carried.

Item 5 – Staff Reports

There were no staff reports.

Item 6 - Adjournment

Chairperson Erickson adjourned the meeting at 6:16 p.m.

Craig Erickson, Chairperson

Jennifer Canaday, Recording Secretary