

**PLAN AND ZONING COMMISSION MEETING**

Direction: PZ\_AF\_06-18-2018

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, June 18, 2018, 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  
Costa, Drake, Southworth.....Absent

**Item 1 - Consent Agenda**

**Item 1a - Minutes of the meeting of June 4, 2018**

Chairperson Erickson asked for any comments or modifications to the June 4, 2018 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Andersen, the Plan and Zoning Commission approved the June 4, 2018 meeting minutes.

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

Motion carried.

**Item 2 – Public Hearings**

**2a – The Shoppes at Valley West, 3330 Westown Parkway – Establish a Planned Unit Development (PUD) Ordinance to replace the Valley South/Watson Center PUD – Shoppes at Valley West LLC – ZC-003678-20017**

Chairperson Erickson stated that the applicant has requested to defer this Public Hearing until July 2, 2018.

Commissioner Hatfield made a motion, seconded by Commissioner Andersen, to defer Item 2a to July 2, 2018. The Plan and Zoning Commission approved the deferment.

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

Motion carried.

**2b- Greenway Crossing PUD – Southwest Corner of 92<sup>nd</sup> Street and University Avenue – Hy-Vee, Inc. Amend the Greenway Crossing PUD for Number of Fuel Pumps Allowed – ZC-003915-2018**

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 June 8, 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 Crowley, seconded by Commissioner Andersen, 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: Andersen, Crowley, Erickson, Hatfield.....Yes  
Costa, Drake, Southworth.....Absent

Motion carried.

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Randy Downs, Hy-Vee, 5820 Westown Parkway, West Des Moines, presented his application to amend the GreenWay Crossing Planned Unit Development (PUD) regarding the number of fuel pumps allowed. He stated that the current PUD restricts the number of fuel pumps to a maximum of 6 double-sided pumps. The City has amended the city code to allow a maximum of 8 pumps in community commercial zoning districts; Hy-Vee is requested an amendment of the PUD to match the community commercial district provisions.

Kara Tragesser, Development Services Planner, noted there is a correction to the language in Attachment B – Item #2. The wording should read “One convenience store with eight (8) fuel pumps and gasoline canopy with a maximum size of nine thousand (9,000 square feet) shall be a permitted use within parcel C. She indicated the motion should include that change.

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 approved the resolution as corrected, recommending City Council adopt a resolution to approve amending the PUD to allow eight fuel pumps.

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

### **Item 3 – Old Business**

There were no Old Business items to address.

### **Item 4 – New Business**

#### **4a – Furry Friends Refuge, 3505 Mills Civic Parkway – Approval of a site plan to construct an animal shelter – Furry Friends Refuge – SP-003587-2017**

Rick Baumhover, Bishop Engineering, 3501 104<sup>th</sup> St, Des Moines, stated he was here to request site plan approval for a proposed Furry Friends Refuge site at 3505 Mills Civic Parkway. He mentioned that the Director of Furry Friends Refuge, Britt Gagne, was also present. He detailed the site plan, noting utility easements, underground pipeline, and noted they had worked out a grading easement with the adjacent utility site owned by MidAmerican Energy. Storm water will be managed onsite with a detention basin and dry pond. They are requesting a deferral of two parking spaces due to the easement for the pipeline through the site and the 60’ buffer along Mills Civic Parkway. The sidewalk will be extended along the property to connect with the existing sidewalk to the east. The applicant agrees with staff comments.

Chairman Erickson questioned ownership of the southeast corner of the property. Mr. Baumhover indicated which parcels were owned by Furry Friends and which by MidAmerican Energy. Chairman Erickson questioned the potential for commercial development on that side. Mr. Baumhover indicated it would not be large enough to develop without purchasing additional land from MidAmerican.

Brian Portz, Development Services Planner, noted that within the conditions of approval, there is the allowance of an encroachment of the connecting driveway into the 60’ buffer along Mills Civic Parkway. This is required because of the location of the pipeline and the very specific guidelines for how the drive could cross the easement. He also stated that the second connection is required by the Fire Dept. to provide two accesses to the site. Another condition of approval allows for a waiver of 2 parking spaces on the site for a total of 41 spaces on site instead of the required 43 spaces. Staff supports the parking waiver request.

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Chairman Erickson questioned the number of parking spaces required for the site and why only two were being waived. Mr. Portz responded that code requires one space for every 200 sf of building. Chairman Erickson stated that over the last few years we've been more mindful of installing less hard surface and allowing waiver of spaces based on expected use, with more parking to be added as needed. Mr. Portz acknowledged that Staff are considering amending the parking ordinance to reduce paving of parking and adding additional landscaping areas, however, City Code currently requires 43 spaces on the site.

Commissioner Hatfield asked if staff were interested in looking at it specifically on this property; could the four stalls on the petroleum pipeline easement be deferred. Mr. Portz affirmed that is a possibility, adding we would have to then do away with six spaces on the site. Development Coordinator Linda Schemmel inserted that the planned parking is for both phases of construction. Once Phase 2 is complete, there will be more employees and fleet vehicles onsite.

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 Andersen, 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:

### Conditions of Approval

1. The City Council granting a waiver from the parking requirements to allow 41 parking spaces on the site instead of the required 43 spaces due to the constraints on the site from the location of a petroleum pipeline through the site and a 60' buffer along Mills Civic Parkway.
2. The City Council allowing a driveway encroachment into the 60' Buffer along Mills Civic Parkway to connect to the property to the north.
3. Phase 2 elevations are not approved at this time and additional brick will be required for the phase 2 portion of the building to compensate for the amount of wood and metal approved with phase 1 of the project. Full phase 2 elevations will be required to be submitted for architectural review to verify compliance with the PUD allowances for exterior building materials.
4. The applicant shall continue to work with staff on the type and design of the material used to screen roof top mounted mechanical units.
5. The applicant limiting outside activities to only that necessary for playtime and bathroom breaks and agreeing that the dogs shall not be outside unsupervised.
6. The courtyard areas shall be enclosed with a 6' solid fence on the east and south sides to limit views into and out of the courtyards to attempt to diminish dog barking.
7. The applicant identifying a plan for animal waste elimination and providing a proposed maintenance schedule for the cleaning and removal of animal waste.

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

### **4b – Benchmark Midtown Office Building, 1021 Office Park Rd – Approval of a Site Plan to allow construction of a 2 story 40,000 sf office building – Jarcor LLC – SP-003751-2018**

As there was no applicant present, Chairman Erickson requested that Staff introduce the application.

Brad Munford, Development Services Planner, summarized the application for Benchmark Office Building, to be located between I-235 and Office Park Road. There are two 18,000sf buildings onsite now. The applicants plans to build this 40,000sf two story building at the back of the property. Paving ends at the midpoint of the site. Architecturally, it will be a modern building. Staff has worked with the

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applicant to work out a plan. Storm water management does not meet current standards; there will be some site constraints and financial hardship to retrofit some of the necessary storm water. The applicant is willing to do a phased installation of storm water management as noted on this site plan. Phase 1 would include improvements to the immediate property, utilizing a detention basin in the north. During Phase 2, a detention basin would be installed at the south part of the parking lot. Staff is willing to approve the plan with two conditions: The applicant will install an underground detention basin when replacing the parking lot or within 10 years. Commissioner Crowley asked if that would require a bond for that or just their word. Mr. Munford replied that it would not require a bond, however it would be a stipulation; no building permit would be issued without an agreement in hand. The applicant was also required to provide information on site lighting and material samples.

Chairman Erickson asked if there were any issues still not fully resolved. Mr. Munford stated there were not, just completion of the two conditions of approval. Chairman Erickson questioned whether Mr. Munford believed the item should be deferred until the applicant was present. Mr. Munford stated he did not.

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 Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the site plan subject to the applicant meeting all City Code requirements and the following:

**Conditions of Approval**

1. Prior to the issuance of building permits, the applicant shall execute the Development Agreement for phased storm water management implementation.
2. The applicant shall provide product information on the proposed building lighting and color samples for the metal panel system and flashing for staff review and approval prior to the issuance of building permits.

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

**Item 5 – Staff Reports**

There were no staff reports.

**Item 6 - Adjournment**

Chairperson Erickson adjourned the meeting at 5:48 p.m.

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Craig Erickson, Chairperson

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Jennifer Canaday, Recording Secretary