

PLAN AND ZONING COMMISSION MEETING

PZ_AF_01-14-2019

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, January 14, 2019, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

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

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of December 17, 2018

Chairperson Erickson asked for any comments or modifications to the December 17, 2018 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approved the December 17, 2018 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

2a – Whisper Rock at Quail Cove, North of Cherrywood Drive at Whisper Rock Court – Change zoning from Single Family (R-1) to Medium Density (RM-8) – Quail Cove LLC – ZC-004171-2018

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 January 4, 2019.

Commissioner Drake arrived at 5:31 pm and roll call was taken again. All members present.

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, Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes
Motion carried.

Dave Albright, Quail Cove LLC, 3100 White Pine Ct, Waukee, presented a request to change the zoning of property at Cherrywood Drive and Whisper Rock Court (AKA Whisper Rock at Quail Cove) from Single Family Residential (R-1) to Medium Density residential (RM-8). The change is requested in order for the development of the property to resemble a plan to construct townhomes that was approved in 2007.

The previous owner installed the majority of the infrastructure for 30 townhome units. In 2014, Mr. Albright had the opportunity to buy the property, and planned to change the site plan to 22 single family homes. Rezoning was requested and approved, but preliminary plat construction drawings were never finalized or approved. They found through extensive geotechnical surveys, due to grading already taken place and extensive shale, that it would be problematic to build single family on the site. They could do detached single family homes but it wouldn't be benefitting the existing utilities.

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Mr. Albright stated he was asking now for approval but would continue to dialogue with neighbors regarding the adjacent detention pond which the neighbors have been allowed to use and would like to continue to use. He added that Quail Cove will install a landscape buffer to benefit the neighbors, and create a trail system to benefit the neighborhood. Mr. Albright pointed out that there would be a density of 2.10 living units on 10.46 acres to develop the ground as single family residential and that going to 27 living units for townhome development would increase the density to 2.5 units per acre, which is still in single family density range. He believes the highest and best use of the site is to build out what was previously approved in 2007. Mr. Albright stated they would modify slightly the original site plan which had 7 and 8 unit structures and they would reduce the number of units in each structure; decreasing building size to 2-unit or 3-living unit buildings, and with two 4-unit buildings.

Commissioner Crowley asked if the units would be 2 story or 1 story units. Mr. Albright responded that they would be 2 story. He added that they will be similar in size to what was approved for Covenant Cove at 98th and Bishop Drive.

Commissioner Hatfield asked if the applicant concurred with all of staff's recommendations. Mr. Albright affirmed that they do.

Kara Tragesser, Development Services Planner, stated she had only one thing to add. Quail Cove was platted in 2001, at the time of platting it was zoned medium density, the Comprehensive Plan Land Use map has not been changed since that time, and the land use has been designated as medium density residential. In 2015, the zoning was change to residential single family, but no development plans were approved. She addressed the concern about traffic, stating she had checked with the City traffic engineer and was informed that a townhome produces less traffic than a single family home on a one-to-one comparison.

Chairperson Erickson asked if anyone from the audience would like to speak to this item;

Mike Heller, 1621 S 50th Place, stated he was respectfully asking the Commission to reject the request. He indicated that in 2004, the property was approved for 5 condominium buildings. In the last change, it was for 18 single family lots. He noted the area is completely surrounded by single family lots and voiced concerns about traffic, potentially decreasing property values and erosion control. He provided a petition with 30 signatures.

Eric Weiland, 5106 Cherrywood Drive, voiced concern regarding increased traffic, referencing the loss of a roadway connection through the Boone Farm property. He also mentioned a recent increase in property assessments in the neighborhood.

As there were no further comments, Chair Erickson closed the public hearing and asked for continued discussion or a motion.

Commissioner Hatfield stated that the detention pond is a real asset to the area, adding that he didn't see anything that prohibits the surrounding neighbors from using it. He added that with the proximity of the site to the interstate, the Commission would typically view it for more dense zoning to separate single family from interstate noise.

Chairman Erickson stated he would have more concern if there were a significant increase in units, but the applicant is going from 22-27. He noted that these type of developments are throughout West Des Moines and he didn't see significant traffic from these more than single family; which was confirmed by the traffic model. Regarding the implication that multi-family residents drive faster or are unsafe, he didn't know if there is actual evidence to support that. Increasing from 22-27 units won't impact the neighborhood.

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Commissioner Costa agreed that having a buffer so close to the interstate is better than single family.

Chairman Erickson added that having the density at 2.5 per acre rather than up to 4 or 4.25 per acre seems very reasonable, and he appreciated the developer's making that gesture.

Moved by Commissioner Costa, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve an amendment to the

Vote: Andersen, Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes
Motion carried. (5:53 pm)

2b - 5940 PUD, Southeast corner of University Avenue and 60th Street – Amend 5940 PUD to allow additional building height on Parcel D within the PUD – Iowa Clinic West Lakes 1, LLC – ZC-004159-2018

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 January 4, 2019.

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

Naura Godar, RDG Planning & Design, 301 Grand Ave, Des Moines, present to request to extend the height allowed for a future parking garage and medical building addition onto the Iowa Clinic building. The current planned structure will be a three story medical office building and four story parking structure. In the future the clinic plans to build an additional level onto the parking structure and two additional floors of the medical office building. This will exceed the PUD limit by 15 feet 2 inches, therefore they are requesting an amendment in preparation of future development.

Commissioner Crowley asked the difference in elevation between the Iowa Clinic and the Mercy facility to the south. Ms. Godar responded that she didn't know. Commissioner Hatfield stated he thought it was in the packet, approximately 80 some feet. Chairman Erickson added that it was a logical transition.

Commissioner Hatfield asked if the applicant concurred with all staff recommendations. Ms. Godar stated they do.

Brian Portz, Development Services Planner, stated that the Mercy building is allowed to go up to 135 feet. He added that there will be a little cleanup of the ordinance with this request. The ordinance refers to four parcels within the PUD, but there are actually only four. Chairman Erickson asked if this was merely an administrative change. Mr. Portz affirmed that it's just a text change to the PUD Ordinance.

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 Crowley, the Plan and Zoning Commission adopted a resolution recommending the City Council approve an amendment to the PUD.

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

2c - Amendment to City Code – Amend Title 9 (Zoning), Chapter 12 (Floodplain Management) to align city regulations with intended Federal Emergency Management Agency (FEMA) changes – AO-004195-2019

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 January 4, 2019.

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 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, Costa, Crowley, Drake, Erickson, Hatfield, Southworth.....Yes
Motion carried.

Building Official Rod Van Genderen presented an amendment to update the City's current floodplain management regulations by formally adopting the latest FEMA flood insurance rate maps and also bringing into compliance our current flood management ordinance by adjusting some basic definitions and language.

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 Costa, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve an amendment to the

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

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

4a – Grand Valley Plat 2, Northeast corner of S. 35th Street and Grand Avenue – Subdivide property into 10 single family lots, 11 outlots, and 1 street lot– Engel Associates. Inc. – PP-004189-2019

Bob Gibson, Civil Design Advantage, 3405 SE Crossroads Dr Suite G, Grimes, informed that the preliminary plat brought today is exactly as it was when approved by Council two years ago. The ten lots to the east were constructed. They didn't get the plat to Council within the year, exceeding the time frame; therefore he was asking to renew the approval.

Brad Munford, Development Services Planner, stated he had nothing to add but was present for questions. There were none.

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

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Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the preliminary plat, subject to the applicant meeting all City Code requirements and the following:

1. During the final plat the applicant shall execute the appropriate legal documents requiring the sale of the associated outlot adjacent to Lot 1 and lots 6 through 10 with the main dwelling lot, restricting the sale of the main lot separate from the outlot, and binding responsibilities for maintenance to the associated lot or an established association.
2. The applicant shall include a note on the Final Plat indicating that no structures which could impact storm water management measures of the outlot or impede water flow/drainage, including but not limited to, sheds, gazebos, solid fences, and play structures, be located within the outlot.
3. The final plat shall be approved and recorded prior to the issuance of any building permits

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

4b – Urban Renewal Plan Amendment No. 6 - Jordan Creek Urban Renewal Plan for Conformity with the Comprehensive Plan

Community and Economic Development Department, Business Development Coordinator Katie Hernandez presented a request for review and finding of consistency with the Comprehensive Plan for Amendment No. 6 of the Urban Renewal Plan for Jordan Creek Urban Renewal Area. Staff has proposed to add Right of Way into this area which creates a TIF eligible Funding for the completion of the road widening at EP True Parkway. She designated the area on a visual, noting they now have TIF funding available for project.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve amendment No. 6 with a finding of consistency with the comprehensive plan, subject to the applicant meeting all City Code requirements.

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

Item 5 – Staff Reports

There were no staff reports.

Item 6 - Adjournment

Chairperson Erickson adjourned the meeting at 6:03 p.m.

Craig Erickson, Chairperson

Recording Secretary