

PLAN AND ZONING COMMISSION

PZ AF 09-23-2019

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, September 23, 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, Drake, Erickson, Hatfield, Southworth.....Present
Crowley..... Absent

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of September 9, 2019

Chairperson Andersen asked for any comments or modifications to the September 9, 2019 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission approved the September 9, 2019 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

There were 4 Public Hearing items.

Item 2a – Amendment to City Code, Title 9 (Zoning), Chapter 7 (Setback and Bulk Density Regulations) to update regulations pertaining to rear yard setback requirements for accessory structures in residential zoning districts – City Initiated AO-003581-2017

Chairperson Andersen 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 September 17, 2019.

Chairperson Andersen 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 Erickson, 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, Drake, Erickson, Hatfield, Southworth.....Yes
Crowley.....Absent

Motion carried.

Linda Schemmel, Development Coordinator, summarized the amendment to revise the rear yard setback requirements. Upon implementing changes to Bulk Regulations ordinance in May 2019, an unforeseen consequence occurred with currently platted single family lots. Staff propose a return to the 20 foot rear yard setback which builders rather than the recent change to the primary structure setback. The previous amendment was intended to reduce the impact of the bulk of a structure when residents add decks and 3-4 season rooms and to maintain a

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minimum yard space. Staff feels comfortable that bulk can be mitigated and yard space provided with the return to the 20 foot rear yard setback, while maintaining the 7-8' side yard setbacks of the primary structures to still protect the neighbors.

Chairperson Andersen 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 Southworth, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the amendment.

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

Motion carried.

Item 2b – Jordan West, Southwest corner of EP True Parkway and Jordan Creek Parkway – Amend the Jordan West Specific Plan Ordinance by rezoning the southern portion of PUD Parcel 7 from Support Commercial (SC) to Regional Commercial (RC) to allow for construction of an indoor family entertainment venue – Ryan Companies US, Inc. – ZCSP-004467-2019

Chairperson Andersen 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 September 18, 2019.

Chairperson Andersen 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 Erickson, 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, Drake, Erickson, Hatfield, Southworth.....Yes
Crowley.....Absent

Motion carried.

Paul Claussen, Civil Engineering Consultants, 2400 86th St #12, Des Moines, informed the Commission that their project did not fit the zoning for this location, therefore the applicant has been working with staff to rezone the site.

Brian Portz, Development Services Planner, stated that the request is to modify the PUD that regulates development within the Jordan West development. The applicant is proposing a family entertainment use for this site. He stated that the zoning currently is Support Commercial which does not allow family entertainment use, so the zoning is being amended to Regional Commercial to allow this specific use. The text was modified to allow this specific use only. This is basically an indoor use for bowling, laser tag, escape rooms, and a restaurant.

Commissioner Erickson questioned if there are any outdoor components. Planner Portz responded that they did propose an outdoor patio for the restaurant.

Chairperson Andersen 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.

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Moved by Commissioner Erickson, seconded by Commissioner Costa, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the zone change specific plan.

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

Item 2c – The Preserve, Generally south of Raccoon River adjacent to the future extension of SW Grand Prairie Parkway – Amend Comprehensive Plan Land Use Map to designate Single Family (SF), Medium Density Residential (MD) and Agricultural/Open Space (OS) land use and establish Agricultural/Open Space (OS) and The Preserve Planned Unit Development (PUD) zoning – Raccoon River Land Company, LLC – CPA-004077- 2018/ZC-004078-2018

Commissioners Costa and Erickson recused themselves from this item.

Chairperson Andersen 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 September 18, 2019

Chairperson Andersen 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 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, Drake, Hatfield, Southworth.....Yes
Costa, Erickson.....Abstained
Crowley.....Absent
Motion carried.

Paul Clausen, Civil Engineering Consultants, 2400 86th St #12, Des Moines, requested rezoning of approximately 304 acres along Grand Prairie Parkway. He informed that the applicant had been meeting with staff regarding signage, street lights, traffic controls, and general site layout.

Brian Portz, Development Services Planner, indicated the site on a land use map. He indicated the areas of development planned, including single family, medium density, neighborhood commercial, and open space that will be the location for a water tower and a park. Planner Portz also pointed out where a fire station is planned to exist in the future. He stated that the parcels designated to be Open Space are owned by the applicant however are restricted by a conservation easement owned by the National Heritage Foundation from development, therefore staff recommends changing the zoning for these parcels to Open Space. The PUD has specifics about the actual development of the Preserve site.

Chairperson Andersen asked if anyone from the audience would like to speak to this item.

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Misty Wittern Lee, 3117 115th St, Van Meter, stated she lives on the parcel immediately south of the proposed development, and that they own 1,000 acres which borders much of the new site. She stated she is not opposed to the concept, and has discussed it with Aimee Staudt and Jerry Nugent at Knapp. She requested a delay on the decision so that she would have more time to discuss the potential impact of the zoning changes to her adjacent property.

Aimee Staudt, Raccoon River Land Co, LLC, 5000 Westown Parkway #400, West Des Moines, responded that she has not heard from Ms. Wittern regarding this property, adding that it's been on the table for a long time and the information has been available from the City. She stated that Knapp Properties does own additional land south of there, and has worked with the Wittern family previously when Grand Prairie Parkway went through. Ms. Staudt concluded that the first development will be single family on the north end of the development and there will be plenty of time to work through the details with the platting process.

Paul Clausen, Civil Engineering Consultants, 2400 86th St, Ste 12, Des Moines, stated that a road is proposed to continue to exist on the southern end of the property which could serve as a buffer between the subject property and the Wittern property.

Planner Brian Portz pointed to the planned street location which is along a currently designated high density area, and that the Wittern parcel on the other side of the road is commercial/office. Planner Portz added that a buffer will be required at the time of platting the property, regardless of whether it is zoned high density or single family.

Chairperson Andersen asked whether there were any additional comments or questions from the audience; hearing none she 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 adopted a resolution recommending the City Council approve the comp plan amendment.

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

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the rezoning.

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

Commissioners Costa and Erickson returned to the Dais.

Item 2d – Amendment to City Code, Title 9 (Zoning), Chapter 6 (Commercial, Office and Industrial Zoning District), Section 5 (Use Codes), Subsection C, Table 6.1, to modify certain regulations as they pertain to physical fitness facilities – City Initiated – AO-004483-2019

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Chairperson Andersen 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 September 18, 2019.

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

Brad Munford, Development Services Planner, summarized the proposal to amend the Convenience Commercial District zoning to allow small physical fitness centers under 5,000sf, stating that there have been requests recently to the City for smaller fitness centers focusing on personal training and small group classes which would fit a small neighborhood setting. Convenience type uses are intended to support the residential area. Larger gyms such as the YMCA wouldn't fit in this zoning district. Staff are looking at allowing the smaller fitness centers in other zoning districts as well.

Chairperson Andersen asked if anyone from the audience would like to speak to this item.

Amy Buehrer, 8415 Mills Civic Parkway, informed the commission that she lives across the street from the Sammons Project and had a concern about the noise.

Commissioners Andersen and Erickson directed Ms. Buehrer to speak with Staff regarding her concerns as this did not pertain to Item 2d, and informed her of the opportunity to voice her concerns to Council during their open forum.

As there were no other comments, Chairperson Andersen closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Plan and Zoning Commission adopted a resolution recommending the City Council approve the amendment.

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

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There was 1 New Business item.

Item 4a - Woodsprings Suites, 7255 Lake Drive – Approval of Site Plant to develop a 4 story, 81 room hotel – VKB Management - SP-004413-2019

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Erin Ollendike, Civil Design Advantage, 3405 SE Crossroads Dr, Ste G, Grimes, summarized the project, noting the location, site elements, parking, access and utilities.

Commissioner Hatfield asked if they agree with all the staff conditions. Ms. Ollendike confirmed that they do.

Commissioner Erickson confirmed with Ms. Ollendike that this project will complete the site development for the parcel. Ms. Ollendike affirmed that it will.

Brad Munford, Development Services Planner, provided the architecture drawings for the hotel, pointed out the buildings across the two lot site, and noted that there will be a final plat to separate the two hotels into two pieces of property. This separation creates the need for the two conditions of approval for Woodsprings Suites. There exists a water easement which allows WaterWorks to get to meters, and there will be a shared parking agreement between Woodsprings Suites and Country Inn & Suites. These conditions of approval are required to be in place prior to occupancy, in case the final plat doesn't go through.

Commissioner Costa questioned whether are they going to make the cross access agreement so that it's easy to get back and forth from one hotel to the other to use the shared spaces, noting that the parking appears to be on the East side of the building.

Planner Munford indicated the location where the shared spaces would be, stating that they are reasonably close. He noted locations of drives and stated it would be easily accessible to use.

Chairperson Andersen 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 Erickson, seconded by Commissioner Southworth, 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 applicant acknowledging that the Shared Parking Agreement and Water Easement must be submitted to the City prior to issuance of any occupancy permits, including temporary occupancy permits for the building.
2. Prior to the initiation of any site activities, the applicant providing final architectural drawings that are acceptable to the City.

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

Item 5 – Staff Reports

The next meeting is scheduled for Monday, October 14, 2019.

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Item 6 – Adjournment

Chairperson Andersen adjourned the meeting at 5:58 p.m.

Erica Andersen, Chairperson

Jennifer Canaday, Administrative Secretary