

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
Law Enforcement Large Training Room**

Monday, February 17, 2020

Attending:

Council Member Matt McKinney
Council Member Renee Hardman
City Manager Tom Hadden
Deputy City Manager Jamie Letzring
City Attorney Richard Scieszinski
Development Director Lynne Twedt
Fire Marshal Mike Whitsell

Development Coordinator Linda Schemmel
Assistant City Attorney Jessica Spoden
Principal Engineer Ben McAlister
Transportation Engineer Eric Petersen
Planner Brian Portz
Planner Kara Tragesser
Planner Karen Marren

Guests:

Item #1 – Daniel Willrich, Pelds Design Services
Jamie Myers, Premier Companies
Kim Norvell, Des Moines Register

Item #2 – Ed Arp, Civil Engineering Consultants
Jason Ledden, Snyder & Associates
Rick Stessman, resident
Landon Luchtel, resident
Dean Luchtel, resident
Kevin Johnson, resident
William Mabuice, resident
Dan Stanbrough, Stanbrough Company

The meeting of the Development and Planning City Council Subcommittee was called to order at 8:00 AM

1. 50th Street Tap Encroachment into setback/City property

Daniel Willrich, Pelds Design Services and Jamie Myers, Premier Companies, explained their proposal to enclose an existing patio space adjacent to the restaurant at 265 50th Street. The Southwoods East PUD would need to be amended to modify setbacks for the roof structure and enclosure. The existing structure meets the 20-foot setback currently required; however the existing patio extends to within 3 feet of the property line. Mr. Willrich noted they would like to include glass roll-up garage doors on the south so that the space can be open to the outdoors in warm weather.

Linda Schemmel, Development Coordinator, stated that the side yard setback for straight zoning would be 35'; the PUD modified that and allowed the 20' setback. Neighborhood Commercial zoning allows zero setback next to like zoning; this lot is next to the City's Jordan Creek Greenbelt but zoned Open Space. For an encroachment into a standard setback, we would go through the Board of Adjustment; however, because the setback was modified within the PUD, we are able further amend the setback by amending the PUD. Mr. Willrich noted that they will be amending the PUD for another item, so they would wrap this into that amendment.

Council Member McKinney asked whether the neighbors had any concerns. Development Director Lynne Twedt replied that there have been complaints of noise in the past, however a full enclosure with no or limited openings would help mitigate that issue. Staff has no concerns regarding a 3' or 1' setback next to the greenbelt area. Ms. Twedt noted that this would increase the size of the bar beyond what is typical in Neighborhood Commercial but City Code does not restrict size; changing the building size might expand occupancy.

Jamie Myers, Premier Companies, informed that the extra space would not all be used for seating. A game area is planned. Mr. Willrich noted that covering the existing space would allow

more use year-round. Council Member McKinney questioned whether the structure would be three-season. Mr. Myers responded that it would be 4-season with brick columns and enclosed walls. City Manager Hadden asked whether the space would have heating and cooling. Mr. Myers replied that there will be heat with portable units, but not A/C.

Council Member McKinney stated he had no concerns; Council Member Hardman expressed her support.

Director Twedt concluded that the PUD amendment would be written to restrict the restaurant from becoming an event venue due to parking limitations. Planner Kara Tragesser added that the PUD was currently very specific in stating how much of the site could be patio; the amendment would address the patio changing to building structure, and would not allow an additional 1,000sf for patio.

Transportation Engineer Eric Petersen noted that a traffic study still needs to be completed to look at impacts of more traffic being generated by a larger bar. This study may take a few weeks once it is started. Council Member McKinney asked if there would be the same kind of use. Director Twedt responded that more of a restaurant use than bar has been on this site. The proposal leans this to a similar site close to I-35 and 50th, in which it becomes more of a bar use after certain hours.

Direction: Council Members were supportive of the allowing the setback with the PUD amendment.

2. SWC Jordan Creek Parkway & Ashworth Road

Director Twedt summarized the topic and asked visitors to introduce themselves. Ms. Twedt stated that the area currently has a land use designation of medium density residential and is not zoned. Civil Engineering Consultant Ed Arp presented a proposal for feedback from the committee, noting that the only formal action taken so far has been to initiate a traffic study. He presented a sketch showing office and senior apartments for an area slightly less than 20 acres, with part of the site being ROW. He believes it would be advantageous to create a Master Plan for both parcels showing how redevelopment could work. There is a plan for 76th Street to go through to Ashworth Road. Land use on the east side could be office, land use on the west side could be multi-family. The northeast corner area of single family residential has continued to ask for office use. Office use to the south could be smaller buildings, which would be quieter at night and act as a buffer to the single-family area to the south. On the West side of 76th Street, Ewing Development is proposing Senior Housing. This would be quiet, residential in nature, with elevations that would look very residential. The NW quadrant could be medium density residential or office. The south portion of 76th Street would be constructed with the Stanbrough development, providing access to Aspen Road and to Jordan Creek Parkway on the southeast side. He believes it would be advantageous to get land use in place for the next developer of the parcel to the north. Mr. Arp commented that the neighbors are working together. There would be some traffic hurdles to overcome, however Mr. Arp stated that he believed by zoning the area, and developing the southern parcel, it would enable the redevelopment of the northern parcel.

City Attorney Scieszinski asked how many properties are involved. Mr. Arp replied that Dan Stanbrough has acquired the southern 10 acres already, and there are 9 acreages along Ashworth Road and one with a driveway to Jordan Creek Parkway. He stated that there was a neighborhood meeting in January with all neighbors participating except 2 western properties. The neighbors voiced support for Mr. Arp's proposal, and he is preparing an application for signatures.

Principal Engineer McAlister asked whether the intent was to build 76th Street in phases. Mr. Arp replied that the South half would be built first. Mr. McAlister clarified that 76th would not connect with Ashworth Road with the first phase. Mr. Arp responded it would not.

Director Twedt stated that this is one of the issues to resolve; building half of 76th Street would push traffic south through a lower intense use area. Without a developer on board, there is no timing for when 76th Street would be completed to Ashworth.

Deputy City Manager Letzring questioned the impact of detoured traffic during the widening of Ashworth Road. Principal Engineer McAlister responded that the route traffic took was not a posted detour, and that signs were put up to discourage this traffic. Ms. Letzring recommended considering that experience and adding congestion. She asked whether the neighbors requested the signs, or the City. Mr. McAlister stated that the neighbors had expressed concern about the speed and volume of traffic through their residential area on Aspen. Mr. Arp noted that visitors to Hope Church also route through Aspen when exiting south.

Mr. Scieszinski asked whether there was adequate space for a traffic signal to be located at 76th Street & Ashworth Road. Mr. Petersen responded that the intersection is planned to have a traffic signal at some point in the future when it becomes warranted.

Mr. Arp responded that they were aware that there are traffic issues to be resolved. Mr. Petersen stated that the different land use proposals over time throughout this area have changed the projected levels of traffic. The projected traffic levels are used to determine the size of the roadways, length of turn lanes, placement of traffic signals, and other geometry. They are also used to forecast future areas of congestion, and congestion levels are forecasted to be over capacity at the intersection of Jordan Creek Parkway & Ashworth Road. Having land uses with greater intensity than what was planned for the site would only worsen the expected congestion. Some of the site could develop as office and still generate less traffic than planned, but if too much of the area is designated office use, the load would go over for that area. The traffic analysis was just started last week, but Mr. Petersen stated that if 76th Street does not connect to Ashworth Road, there are concerns on the impacts to having a significant amount of traffic routed to Aspen Drive, impacting residents on 76th Street and Aspen Drive, and possibly overloading the intersection of Jordan Creek Parkway & Aspen Drive.

Council Member Hardman asked if the neighbors support Mr. Arp's proposal. Mr. Landon Luchtel and Mr. Stessman affirmed that they do. Mr. Luchtel inserted that it is currently dangerous trying to exit his property. Mr. Stessman mentioned the history of the neighborhood group trying for the past 20 years to come to an agreement with the City regarding repurposing their residential area to office use. He noted that all the neighbors have signed an agreement with the exception of the western three lots. Those owners have expressed that they do not wish to be limited to medium density zoning and prefer office use. He noted that all of the owners are aging and would be agreeable to relocating.

City Attorney Scieszinski commented that in conversations the City has had with the neighborhood group, issues have remained unresolved regarding the traffic and the site being landlocked. Mr. Luchtel responded that he believes there is some momentum now and the group hopes to move this forward.

Director Twedt stated that the Plan & Zoning Commission had held a workshop on changing the land use and zoning this area. She commented that while the neighbor group to the north supports this land use, the adjacent residential area to the south would prefer single family next to them and were not supportive of a non-single-family proposal. Mr. Stessman replied that he felt their group had been held to the standards of the '93 Comp Plan for land use, which doesn't work for residential with driveways.

Director Twedt stated that she wasn't sure office use could be wrapped on all three sides of the proposed senior project ground, without tipping the traffic limit. Council Member Hardman asked what those neighbors prefer. Mr. Stessman responded that they would like office use. City

Manager Hadden pointed out that there would be more money offered if the use is office. Mr. Arp commented that the neighbor group is aware that they would not be getting astronomical values because their houses would have to be torn down. He noted that even without the three neighbors to the west in agreement, the eastern group could move forward.

Mr. Scieszinski clarified that with the west side, a payor is not currently available and that only half of the street would be developed.

Council Member McKinney asked if there are any plans to install a traffic signal at 76th Street & Ashworth Road. Director Twedt responded not immediately, but that eventually it will need a traffic signal.

Fire Marshal Mike Whitsell expressed concern regarding fire trucks trying to reach the area if 76th Street is not completed to Ashworth during the first phase. Because of the median on Jordan Creek Parkway, emergency vehicles coming from the south aren't able to make a left turn off Jordan Creek directly accessing the development. They would instead have to turn earlier and end up going through the residential area off Aspen which will slow response times. The residential streets in this neighborhood routinely have vehicles parked on them and this will greatly reduce widths and cause emergency vehicles to slow down and sometimes stop, especially if they meet oncoming vehicles. This issue will be significantly worse during winter months due to snow storage along the curbs. Aspen is a very curvy road in this area and the turn onto 76th going north could also be greatly reduced if vehicles park on it or there is oncoming traffic waiting to turn at the stop sign.

Council Member McKinney asked if the area is in a PUD. Director Twedt responded that it is not, however a PUD could be written for it. Mr. Arp inserted that the developer would be requesting that. Council Member McKinney noted he would like to see a balance struck between highest and best use of the area, with existing the residential. Through a PUD, buffering could be established. Director Twedt noted that a minimum 30' buffer will be required along the south and west parcels, but Council could require more through a PUD.

Director Twedt questioned whether residents to the north would be willing to help pay for 76th Street to go all the way through if required to go forward with the south development proposal. Mr. Arp responded this is the first sit down they've had with everybody, and that the plan is not perfect right off the bat, they are just trying to get things started.

Development Coordinator Schemmel inserted that with residential it can be difficult if all of the owners don't sell to one owner. Once its zoned office, the existing parcels would be considered non-conforming use which can create issues for banks and insurance if the property owners try to remodel or refinance. Council Member Hardman asked for additional explanation. Ms. Schemmel responded that with non-conforming use, the City would not restrict requests for expansion or remodeling, however financial institutions and insurance companies often contact the City to determine if a use is conforming and may deny the applicant if the use is not. Council Member Hardman commented that could be problematic. Mr. Arp noted that this is not uncommon; if a house burns down, it can't be rebuilt with this circumstance. City Attorney Scieszinski noted that the residential owners will not be selling to another single-family buyer.

Mr. Arp stated that developers are looking at this corner location and the time is right to do something. He believes if the southern parcel is developed, the northern parcel is likely to follow soon. Mr. Stanbrough added that he has been contacted by a bank watching the traffic study; they see this area as the front door to the Mall area and think this is a real opportunity, and the neighbors are great. Kevin Johnson stated that no one will want residential.

Ms. Twedt clarified that she wants the owners to be aware that they might not be able to refinance. Mr. Luchtel responded that they appreciate being made aware, but are motivated and

working together. Council Member Hardman questioned whether the three neighbors to the west would be holdouts. Mr. Stessman explained that the owners have been in agreement, however, have been out of town at the time of the neighborhood meeting and experiencing some serious health issues. He reiterated the group's unity and stated that if Mr. Arp put the proposal on paper, he believed all of the neighbors would sign.

Director Twedt stated staff would like to see a Master Plan and how traffic will work. Mr. Arp agreed and informed that there is a small strip of land on the west side of the parcel which is owned and will continue to be held by Lutheran Church of Hope. He stated this area adds a buffer, and continued that the proposed senior housing would be limited to two-story height, and the office areas restricted to 1-2 story to work with the surrounding residential.

Council Member McKinney stated a desire to see the plan for and drive toward completion of 76th Street. Mr. Arp stated that he didn't know if 76th Street would be completed in Phase 1 or 2. Council Member Hardman agreed that it would be helpful to see a Master Plan. Mr. Arp informed that the Plan before the committee today was created for Dan Stanbrough. With the neighbors on board, they could complete a Master Plan. Director Twedt stated the traffic study would need to be performed on the entire 20 acres, and depending on the findings of that study, Council would need to determine if office and phasing of 76th Street would be ok. Mr. Arp responded that if Ewing Development and Mr. Stanbrough bought both parcels, the whole area could be done at once.

Director Twedt questioned if Council members were comfortable with the project continuing forward, the traffic analysis being completed and determining if office would work on three sides, or medium density required for the west. Council Member Hardman agreed and stated her appreciation for the congenial arrangement. Council Member McKinney also expressed his support to continuing with the appropriate planning and studies.

Direction: Council Members were supportive of the project continuing forward, requesting a Master Plan including both parcels with accompanying traffic analysis.

3. Upcoming Projects – A map was provided with a brief description of each.

- a. The Pines (1000 and 1001 S 60th Street): Subdivide 10-acre property into 11 single family lots (PP-004630-2020) (formerly known as the DeYarmen Property). Director Twedt noted that the area is proposed for the 2021 Home Show. Concern has been expressed by current residents regarding the removal of trees, however the City does not have a tree preservation ordinance. The area will be affected by grading which means a large portion of the trees will be removed. Council Member McKinney questioned the status of the project. Director Twedt responded that the project was brought before Council for a first reading only, waiting for the plats to be finalized before completing the process, thereby controlling the number of buildable lots.
- b. Manchester Village (9076 Linda's Lane): Consistency zone the property from "Unzoned" to Residential Medium Density (RM-12) to align with the existing Medium Density Comprehensive Plan land use designation for the development of townhomes (ZC-004629-2020).

4. Minor Modifications & Grading Plans

- a. West Des Moines Schools (3650 Woodland Avenue): install LED lighting fixtures on the existing lights for the athletic fields (MML1-004628-2020)

5. Other Matters

- a. Update on First Street Redevelopment

City Attorney Dick Scieszinski supplied an update regarding property located at Grand and 1st

Avenue, noting which lots are owned by Mandelbaum Commercial Real Estate, and which are owned by Hurd Development. An agreement has been reached to fund a storm sewer at 1st St, with both parties paying \$3/sf for their portion of the storm sewer easement; and Mandelbaum purchasing the City-owned corner lot for \$1/sf. The Dollar Tree store will have access off 1st Street, coming into the project from the south. Council Member Hardman thanked Mr. Scieszinski for the update.

The meeting adjourned at 9:00 AM. The next regularly scheduled Development and Planning City Council Subcommittee is March 2, 2020.


Lynne Twedt, Development Services Director


Jennifer Canaday, Recording Secretary

SIGN-IN SHEET - DEVELOPMENT PLANNING SUB COMMITTEE MEETING

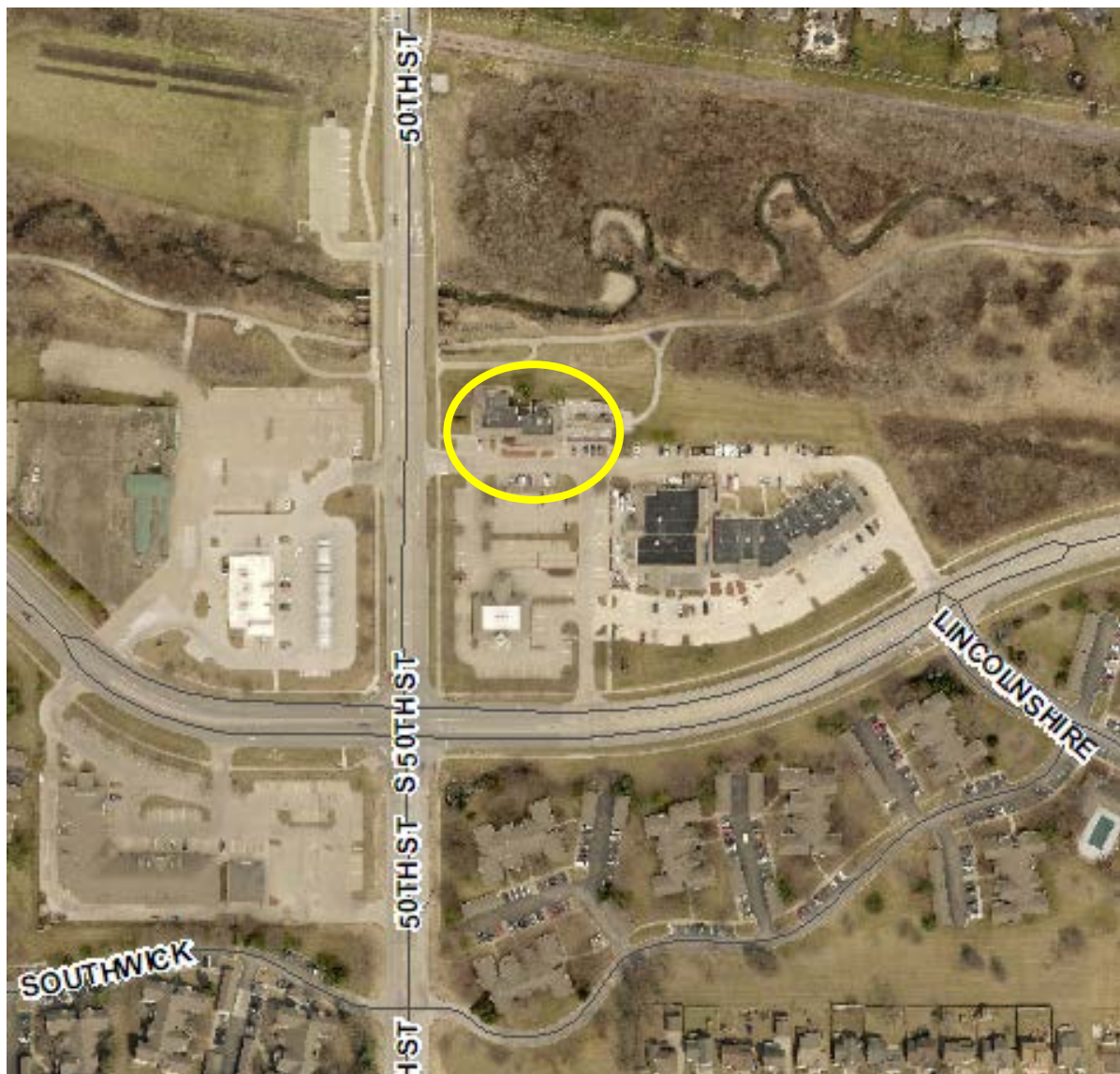
DATE 2-17-20

ITEM #	NAME	ORGANIZATION or CITY OF RESIDENCE	TELEPHONE NUMBER	EMAIL ADDRESS
1	DANIEL WILZICH	PULOS DESIGN SERVICES	515 777 2548	DANIEL@PULOS.COM
2	RICK STESSMAN		515 202 8123	RICK.STESSMAN @HOPEWATER.ORG
2	Landon Luchtel		515-225-2800	Landon.Luchtel@gmail.com
2	Dean Luchtel		515-505-2736	Don't have
2	KEVIN JOHNSON		515-868-8425	Johnson@lewerkeassoc.com
—	Kimi Norvell	DMP	284-8259	knorvell@dmp.org
2	William Mabuce	Resident of WDM	675-224-6225	william.mabuce@gmail.com
2	Paul Stevens	STANARDEN CO	515 444 7277	DAN STANBRO @CHAHOO.COM

SIGN-IN SHEET - DEVELOPMENT PLANNING SUB COMMITTEE MEETING

DATE _____

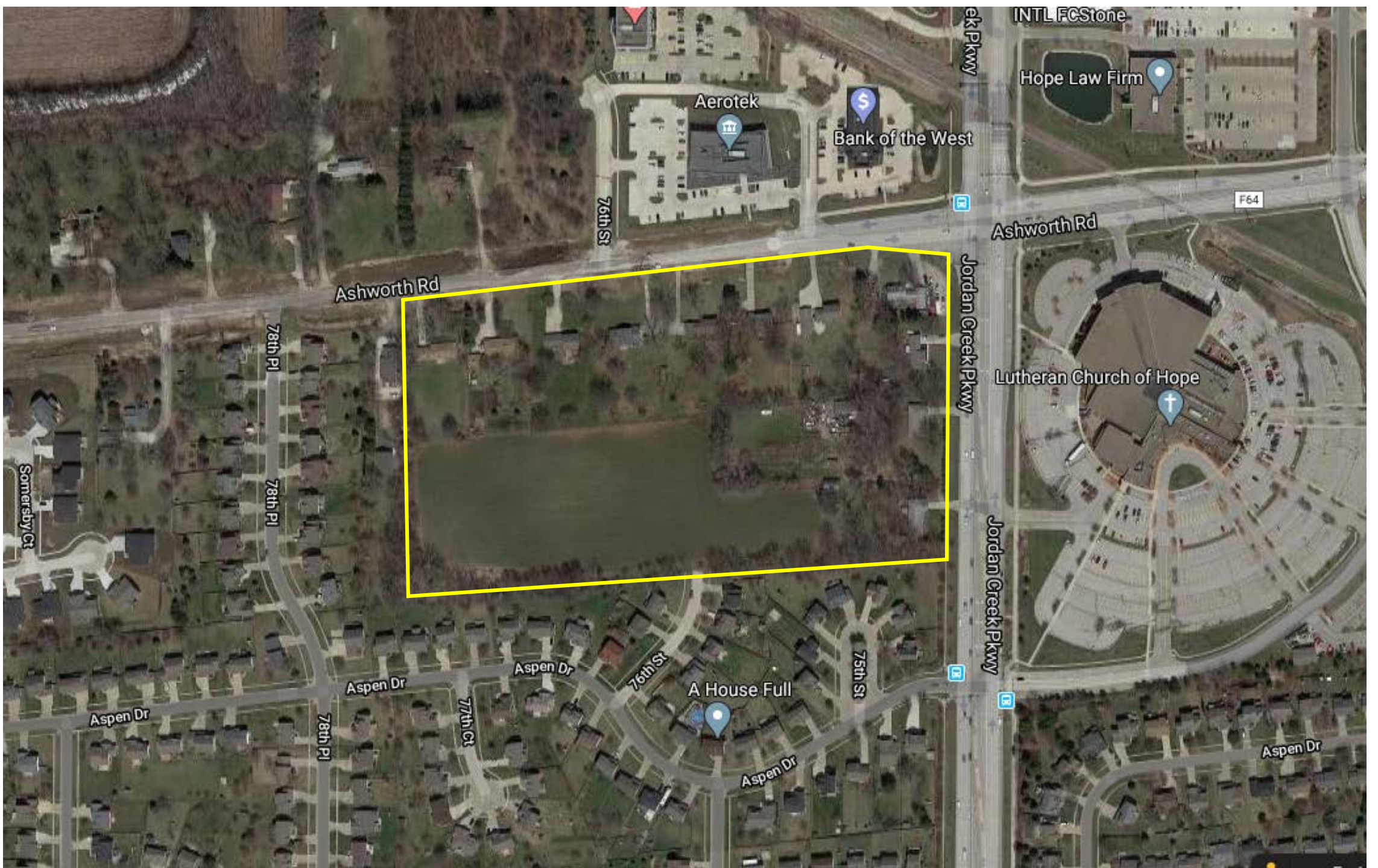
ITEM #	NAME	ORGANIZATION or CITY OF RESIDENCE	TELEPHONE NUMBER	EMAIL ADDRESS
2	ED ARRIZ	CFC	276-4884	ARRIZ@CFC.ORG
1	JAMIE WYERS	Premier Games	515-202-1000	JAMIE@PREMIER-MDWEST.COM
2	Jason Ledden	Snyder + Assoc	515-964-2020	jledden@snyder-associates.com





50th Street Tap

Enclosed Patio



INTL FCStone

Hope Law Firm

Aerotek

Bank of the West

76th St

F64

Ashworth Rd

Ashworth Rd

Jordan Creek Pkwy

Lutheran Church of Hope

78th Pl

78th Pl

Somersby Ct

Jordan Creek Pkwy

Aspen Dr

76th St

A House Full

75th St

Aspen Dr

78th Pl

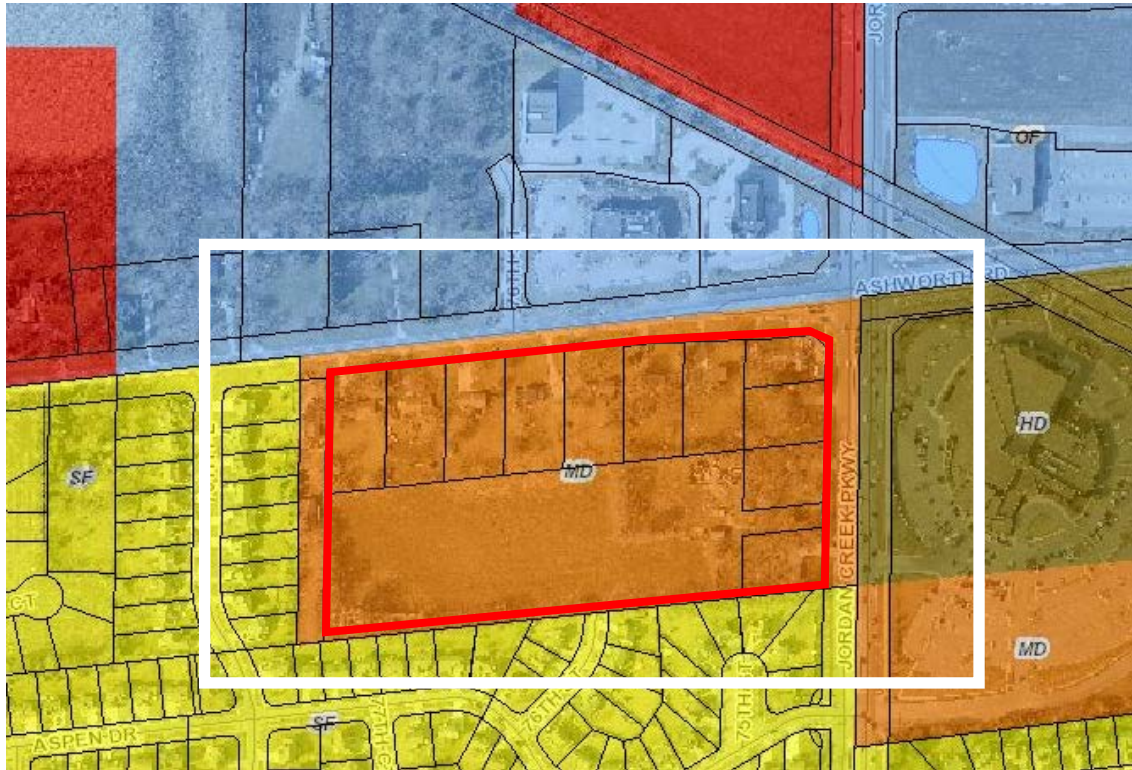
Aspen Dr

77th Ct

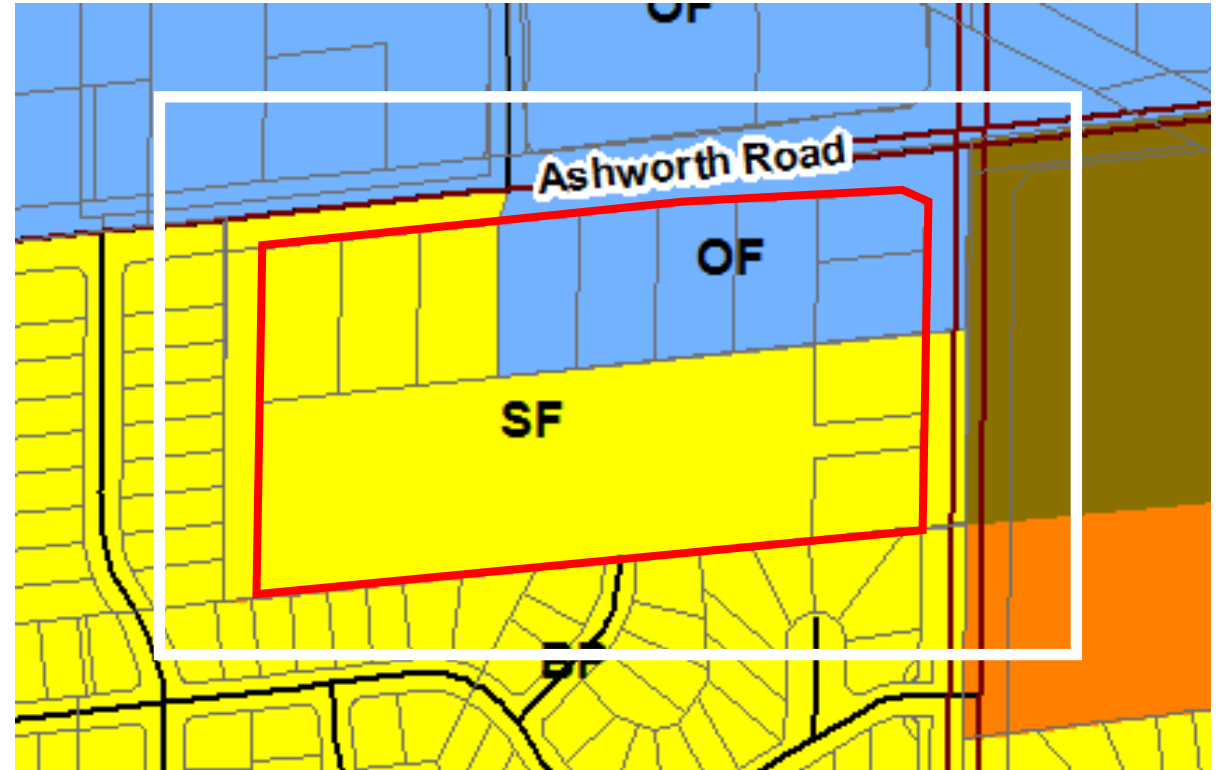
Aspen Dr

Aspen Dr

Existing Land Use: Medium Density
Currently Unzoned



Previous Staff Proposal: 5 Acres of office at the corner of JCP and Ashworth with the balance of the property as Single Family Residential

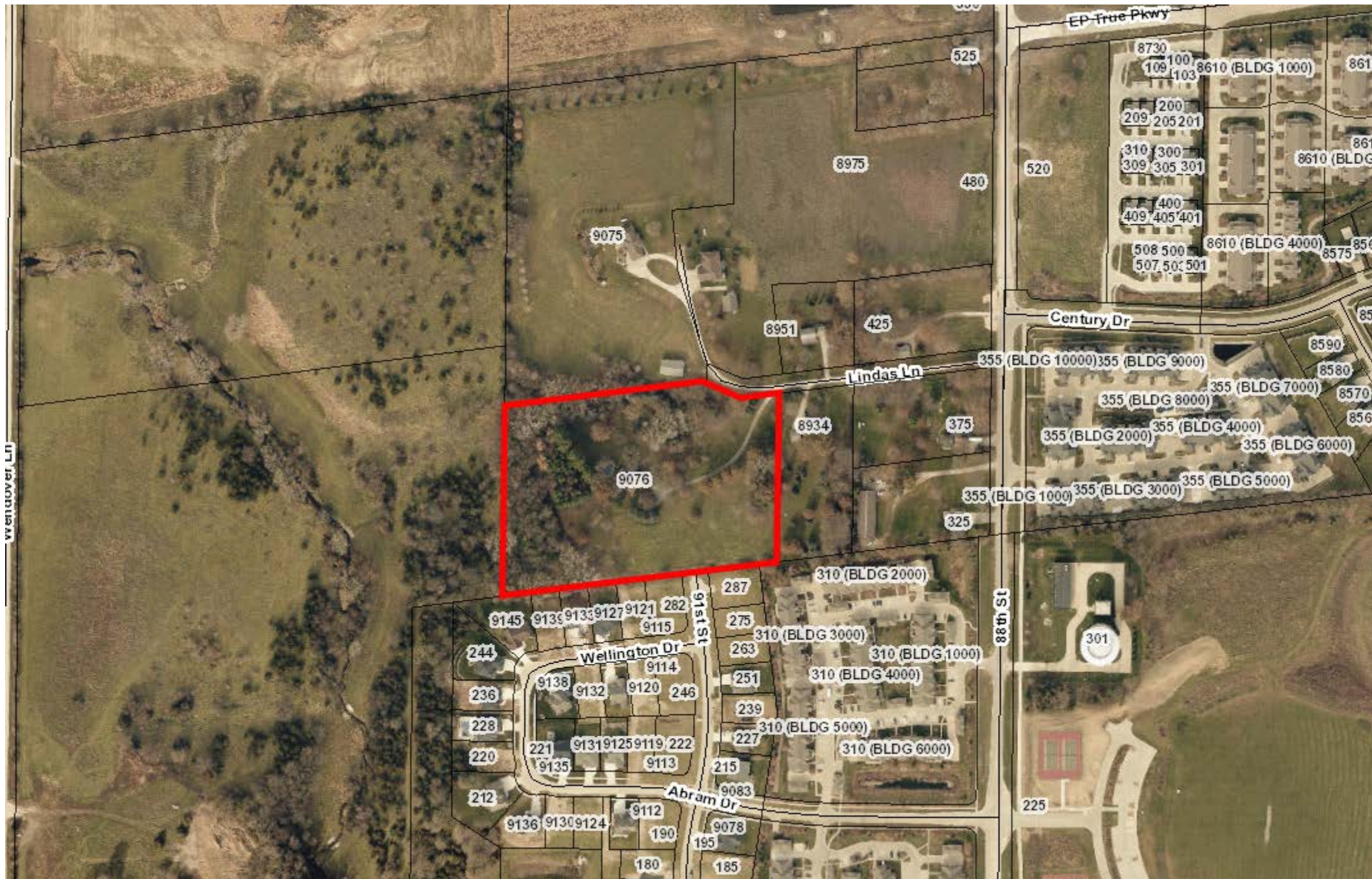


SWC Jordan Creek Parkway and Ashworth Road Proposal

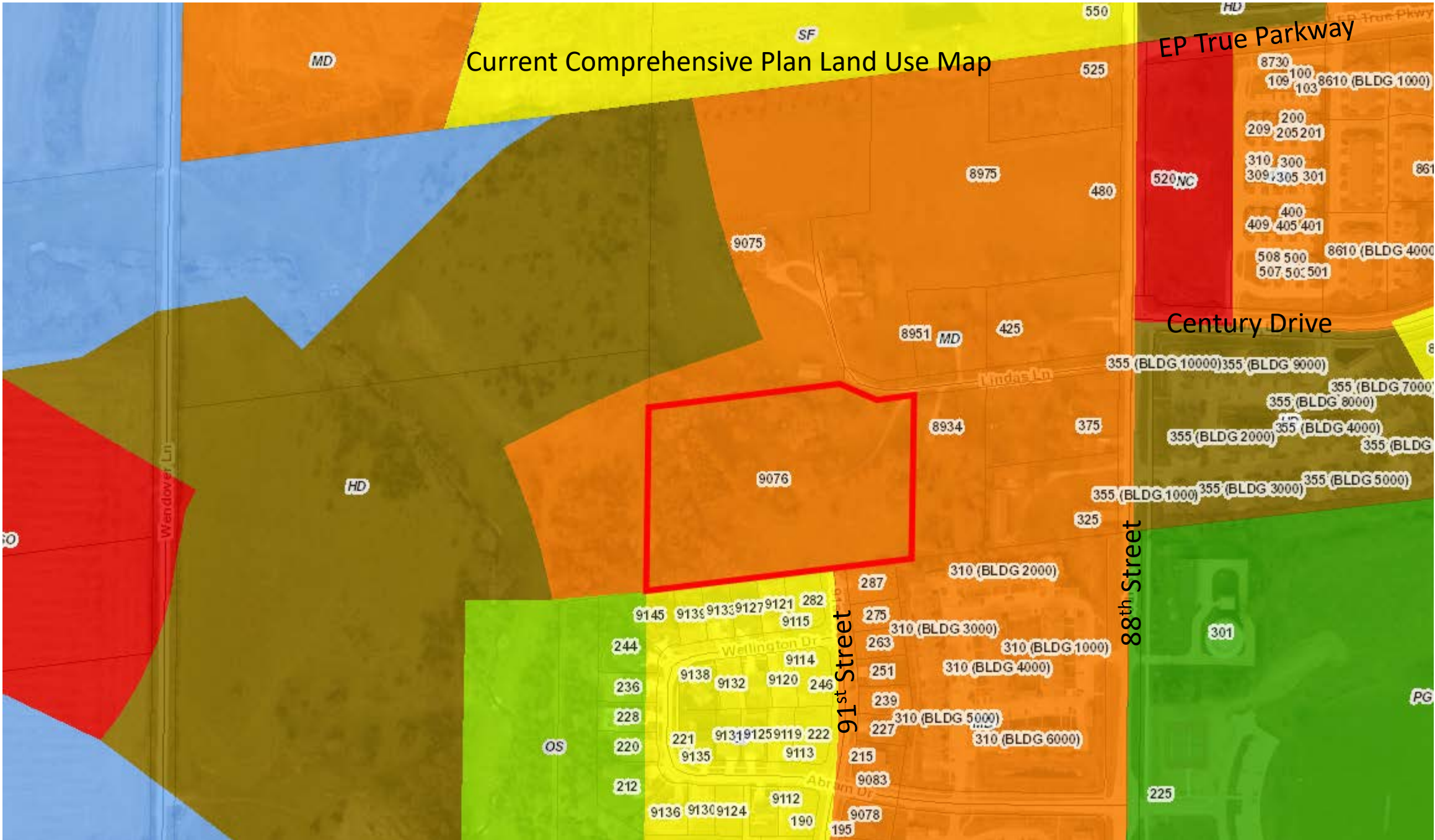


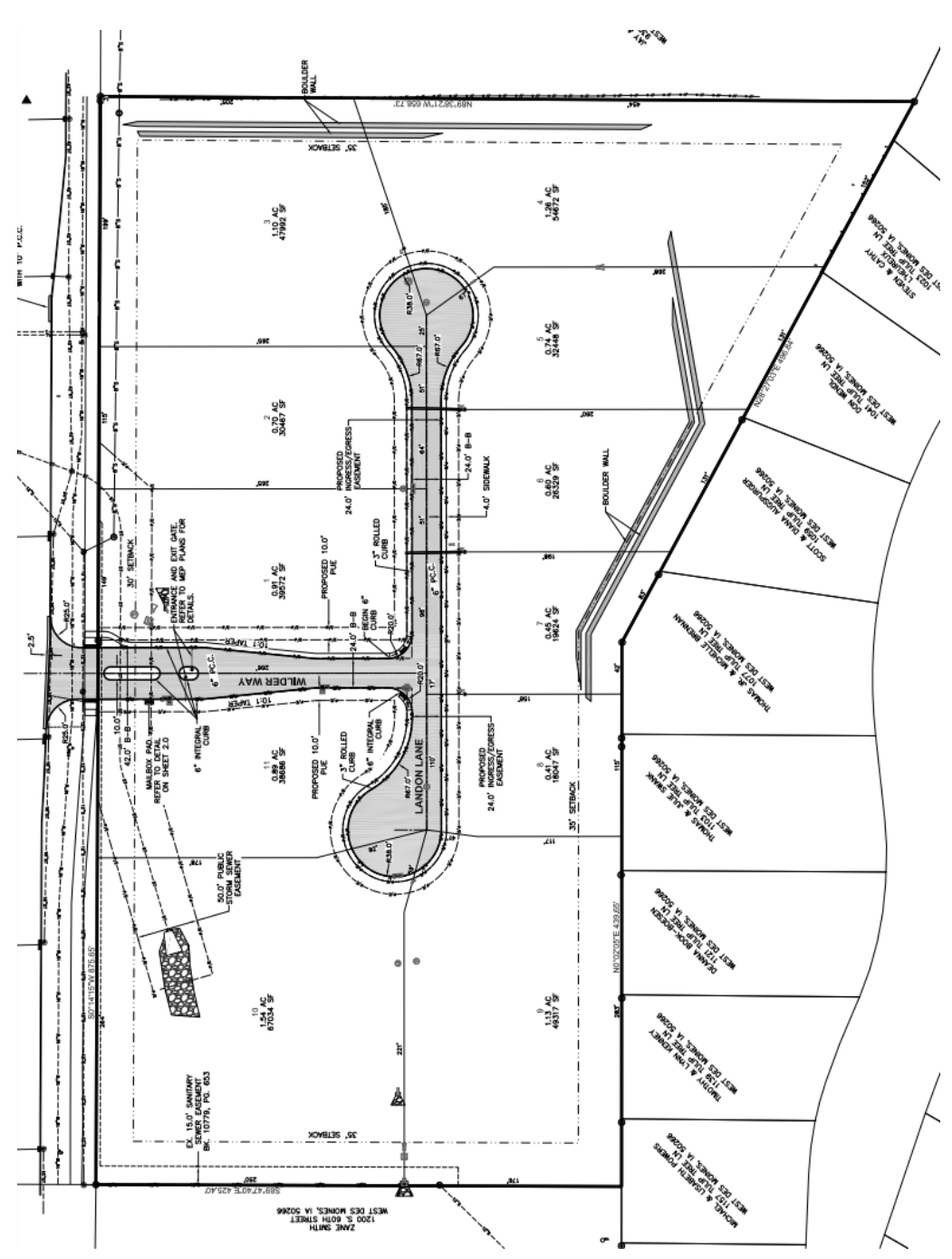
CONCEPT PUD WEST DES MOINES, IOWA CONCEPTUAL PLAN		DATE: 12/21/16 REV/SIGS NO. 1 DATE OF SURVEY: 11/18/16 DESIGNED BY: [Signature] DRAWN BY: [Signature]	CEC Civil Engineering Consultants, Inc. 2400 86th Street, Unit 12 - Des Moines, Iowa 50322 515.276-4854 - Fax: 515.276-7884 - mail@cecinc.com
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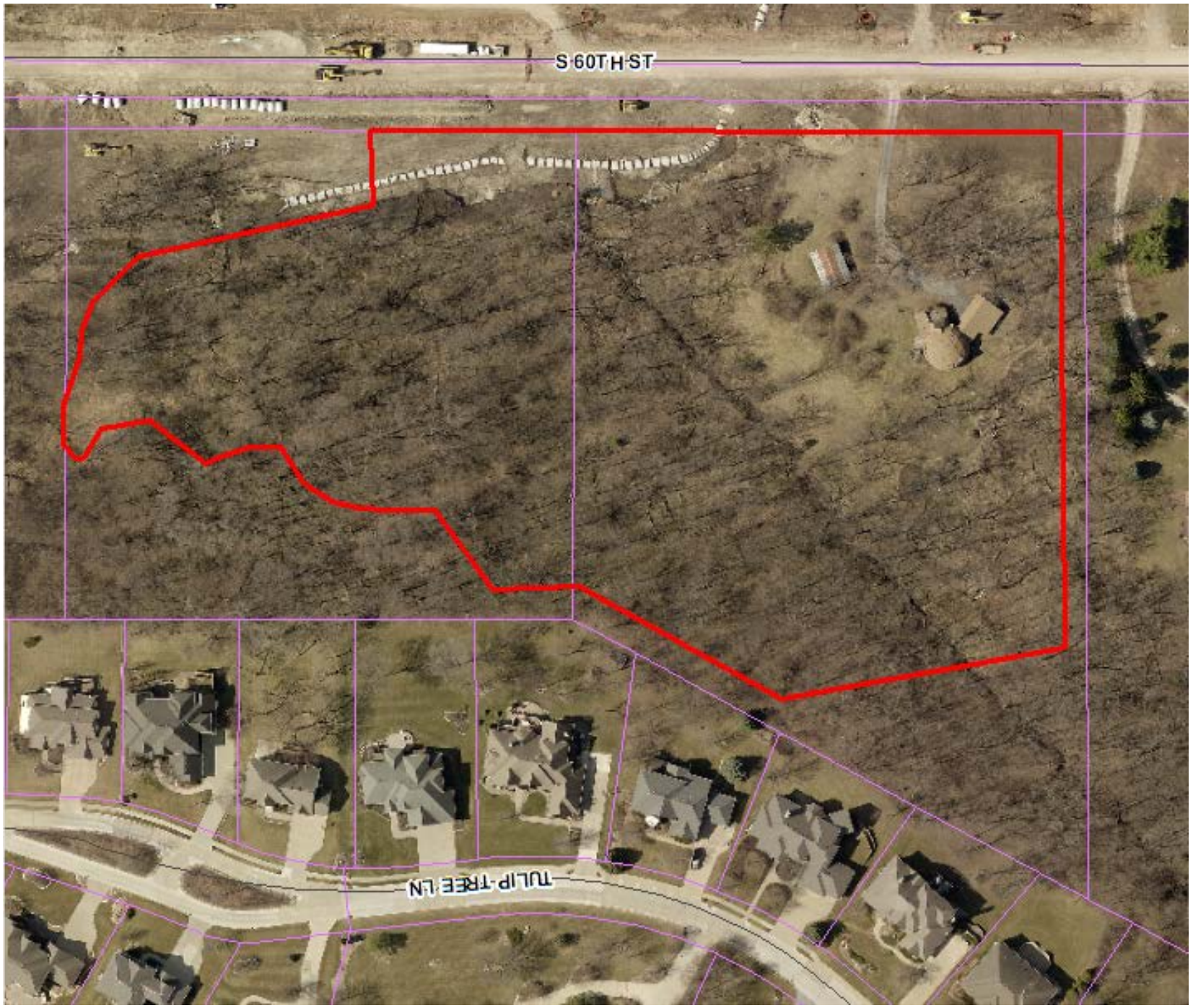


Current Comprehensive Plan Land Use Map





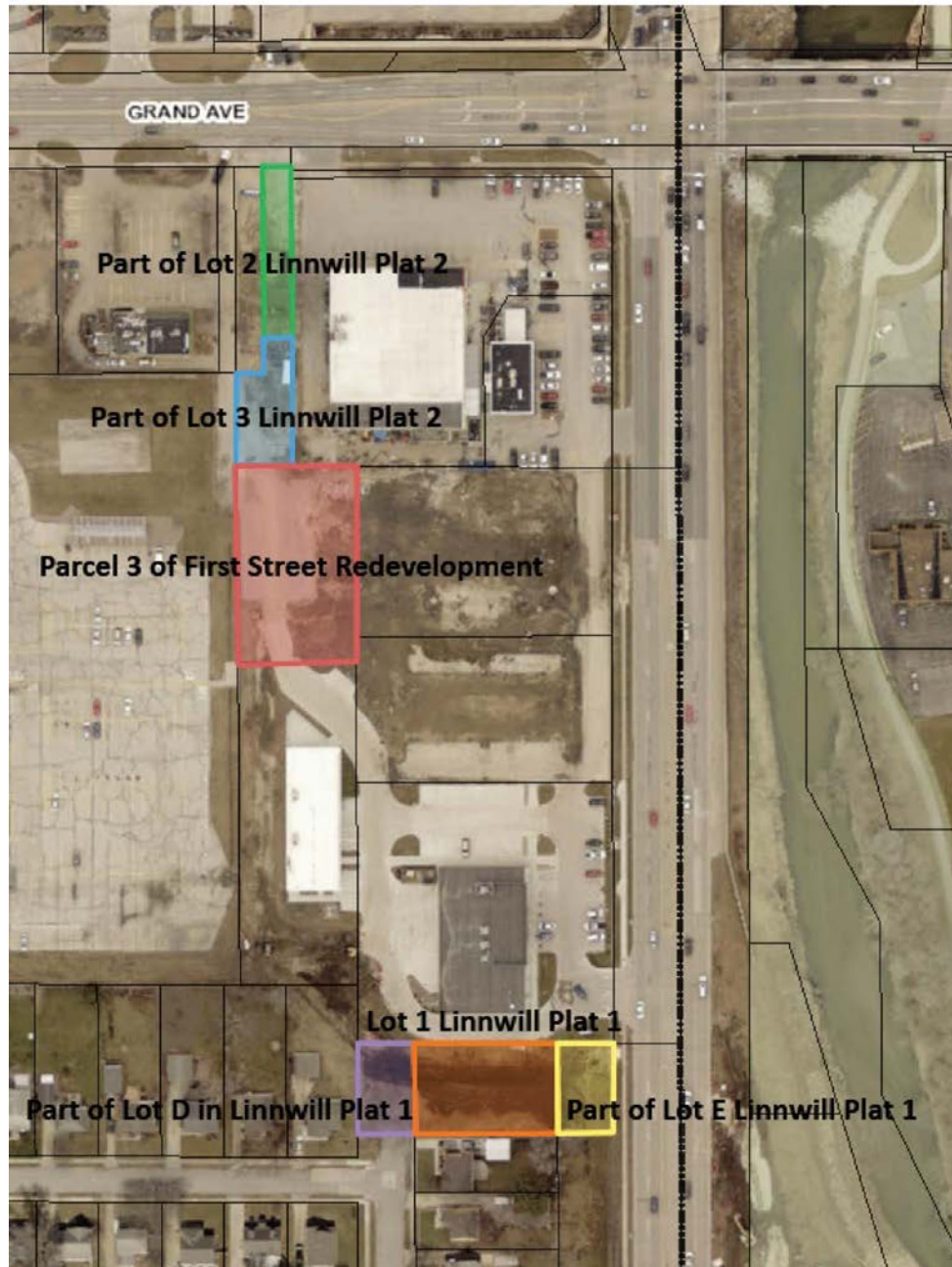
9.74 ac
 424,187 sf ÷ 40,000sf =
 10.6 lots



S 60TH ST

TULIP-TREE LN

NORTH



Project History:

- March 2016: Council Subcommittee
 - Discussion as to appropriate use in light of City acquisition of ROW for Ashworth widening. Neighbors want office – indicated previous P&Z agreement but delayed due to JCTC. Option of east as office and west as medium-density (traffic analysis not believed to have been done). Direction was to wait until pending development.
- August-September 2017: Council Subcommittee and P&Z reviewed a request to zone the area to Medium Density Residential consistent with the existing land use on the site (designated in 1993). Property owners had same request as in March 2016: same direction to wait for a development proposal.
- February 2018: Council Subcommittee
 - After a discussion with residents and review of the preliminary traffic capacity and access for the area it was determined the area could accommodate approximately 5 acres of office with the remaining approximately 12 acres of land as single family residential. Due to access limitation for the overall site, the office use is designated at the corner to allow for potential future access from both the future south extension of 76th Street and from Jordan Creek Parkway via a frontage road connection.
- November 2018: P&Z Commission Hearing
 - Due to concerns for the area from surrounding residents, the Commission requested a workshop to discuss and understand better the site restraints and concerns from the residents.
- February 2019: P&Z Commission Workshop
 - The Commission heard from residents within the development area and surrounding residents and determined the proposal to comp plan and zone the property to office and single family was premature without a development proposal. It was noted to the residents that they need to work together to assemble the properties to a potential redevelopment opportunity.



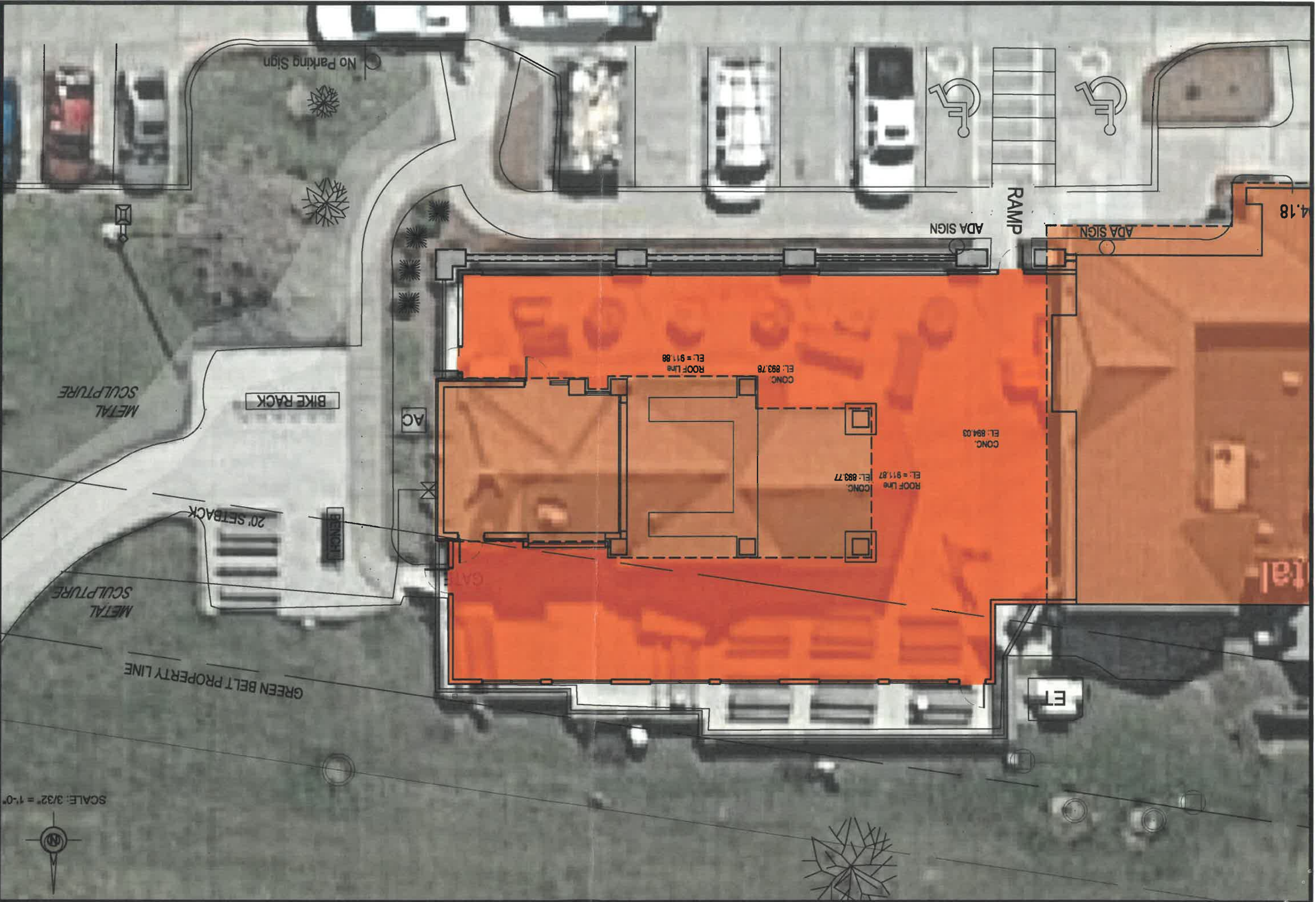
PROJECT NAME:
50TH STREET TAP
WEST DES MOINES, IOWA

SHEET TITLE:
EXISTING
SITE PLAN

ISSUE DATE: FEBRUARY 17, 2020

SHEET NUMBER:
C100

SCALE: 3/32" = 1'-0"



PROJECT NAME:
50TH STREET TAP
 WEST DES MOINES, IOWA
 ISSUE DATE: FEBRUARY 17, 2020

SHEET TITLE:
PROPOSED
SITE PLAN
 SHEET NUMBER:
C100



CLOSE UP VIEW OF NORTH SIDE OF EXISTING STRUCTRE



VIEW OF NORTH SIDE OF EXISTING STRUCTRE

