CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: April 20, 2020

ITEM: Scheels Warehouse, 175 S. 9th St. Building 300 – Waiver of Code Requirement for Curbs – Scheels All Sports, Inc. – SP-004481-2019

RESOLUTION: **Approval of Waiver**

FINANCIAL IMPACT: Undetermined.

BACKGROUND: On November 4, 2019, the City Council approved a site plan for the construction of a 30,000 square foot warehouse building on that property located at 175 S 9th Street. Construction has been completed and a request for issuance of the Final Occupancy Permit was made to the City. Prior to issuance of the Final Occupancy Permit, the site is inspected be various City departments to ensure the site was developed in compliance with the approved site plan. During inspection by the Planning Division, it was noted that the curbing within the site was not constructed per the site plan and the following city code regulations:

> Title 9, Chapter 15, Section 6-G-2: "*Curbing: All off street parking areas and associated driveways, access roadways and frontage roads, except driveways for single-family residences, shall be constructed with permanent, integrally attached portland cement concrete curbing not less than four inches (4") high at any given time, or curbing of alternate height as approved by the city council.*"
>
> *And*
>
> Title 9, Chapter 15, Section J: "*Wheel Stops/Curbing: All off-street parking lots and associated drive aisles, access roadways and frontage roads, shall be constructed with permanent, integrally attached, continuous Portland cement concrete curbing of at least four inches (4") high and six inches (6") wide or of alternate height and width acceptable to the City.*"

The applicant constructed rolled curbs along the parking area.

RECOMMEDATION: The applicant, Reid Tamisiea of Next Phase Development, with permission from property owner Scheels All Sports, Inc., requests that the City Council accept the curbing as constructed and waive requirements for a minimum 4 inch curbing as stated in city code.

Lead Staff Member: Kara Tragesser, AICP

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Date(s) Published	
Letter sent to surrounding property owners	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes ☐	No ☐	Split ☐

ATTACHMENTS:

Exhibit I - Resolution
Exhibit II - Site Plan

EXHIBIT I

Prepared by: KTragesser City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320, 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, P. O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, ACCEPTING CONSTRUCTION AS IS AND WAIVING CITY CODE REQUIREMENTS FOR FOUR INCH INTEGRAL CURBS

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, Reid Tamisiea of Next Phase Development, in cooperation with the property owner Scheels All Sports, Inc., requests waiver of city code requirements as stated in the staff report and acceptance of the curbing as constructed thereby effectively revising the site plan (SP-004481-2019) to allow for rolled curbing:

Legal Description of Property

PARCEL '2019-163' OF THE PLAT OF SURVEY RECORDED IN BOOK 17463, PAGES 868-871, CITY OF WEST DES MOINES, POLK COUNTY IOWA.

WHEREAS, studies and investigations were made, and the staff report was submitted which is made a part of this record and herein incorporated by reference; and

WHEREAS, on April 20, 2020, this City Council held a duly-noticed meeting to consider the request for acceptance of rolled curbs effectively revising the previously approved site plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. City Code provisions stated in Title 9, Zoning, Chapter 15, Off-Street Parking, Section 6, Design Standards, Subsections 'G-2' and 'J' regarding four inch (4") curbs are waived in favor of installed rolled curbs, subject to compliance with all conditions in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A" is approved. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on April 20, 2020.

_____
Steve Gaer, Mayor

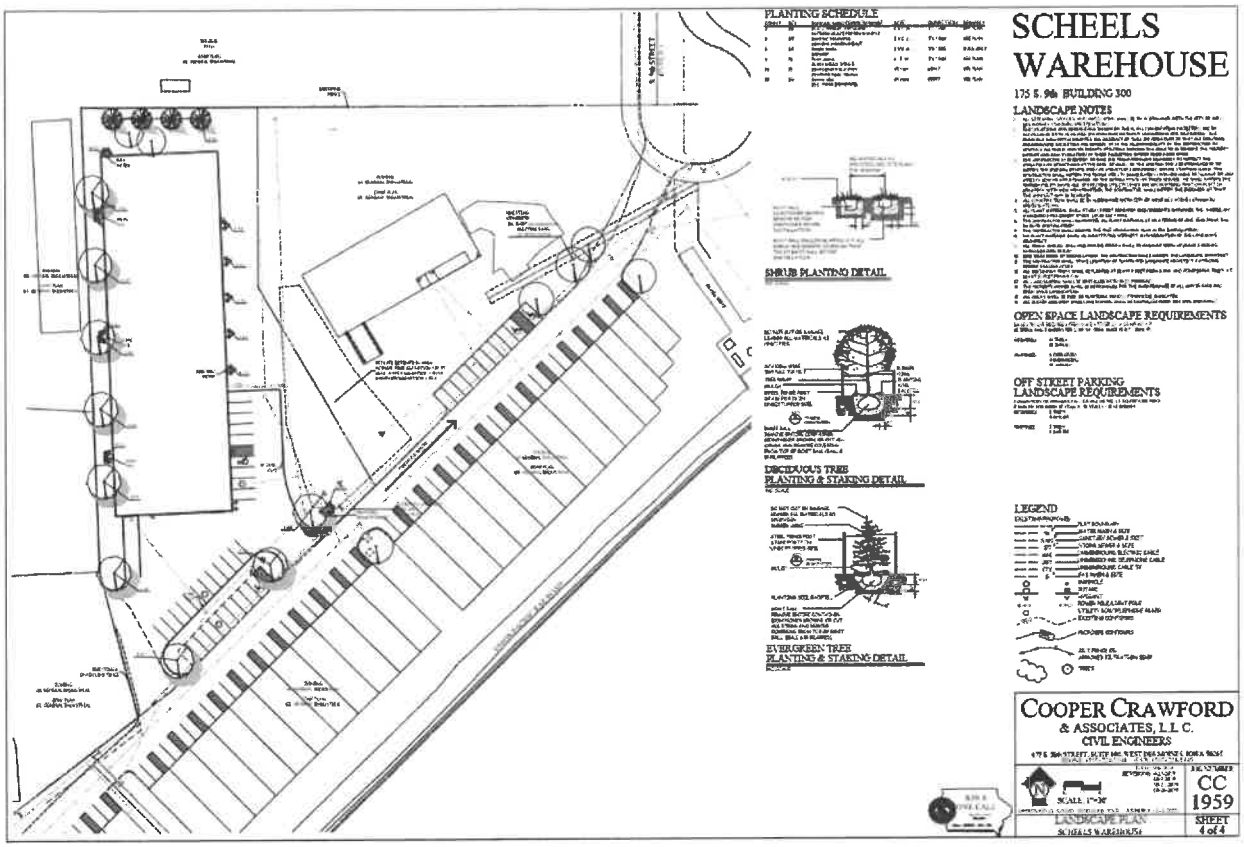
ATTEST:

_____
Ryan T. Jacobson
City Clerk

EXHIBIT "A"
CONDITIONS OF APPROVAL

None

EXHIBIT II


PLANTING SCHEDULE
SCHEELS WAREHOUSE
175 S. 96th BUILDING 300
LANDSCAPE NOTES
SHRUB PLANTING DETAIL
OPEN SPACE LANDSCAPE REQUIREMENTS
OFF STREET PARKING LANDSCAPE REQUIREMENTS
DECIDUOUS TREE PLANTING & STAKING DETAIL
LEGEND
EVERGREEN TREE PLANTING & STAKING DETAIL
COOPER CRAWFORD & ASSOCIATES, L.L.C.
CIVIL ENGINEERS
SCALE: 1"=30'
CC 1959
LANDSCAPE PLAN
SCHEELS WAREHOUSE
SHEET 4 of 4