

PLAN AND ZONING COMMISSION

PZ AF 06-08-2020

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:32 p.m. on Monday, June 8, 2020, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines. Members of the commission, several residents, applicants and staff participated electronically.

Roll Call: Andersen, Conlin, Costa, Crowley, Drake, Hatfield, Southworth.....Present Electronically

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of May 26, 2020

Chairperson Andersen asked for any comments or modifications to the May 26, 2020 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Drake, the Plan and Zoning Commission approved the May 26, 2020 meeting minutes.

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

Item 1b – Reordering of Agenda items

Chairperson Andersen stated there was a request to hear New Business item 4c immediately following corresponding public hearing item 2c, and to hear New Business item 4a immediately following corresponding public hearing item 2d.

Moved by Commissioner Hatfield, seconded by Commissioner Conlin, the Plan and Zoning Commission approved reordering the agenda items.

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

Item 2 – Public Hearings

There were 4 Public Hearing items.

Item 2a – Village on Jordan Creek located at the southwest corner of Jordan Creek Parkway and Ashworth Road (880, 910, 920, 970 Jordan Creek Parkway and 7450, 7520, 7550, 7580, 7630, 7660, 7710, 7750, 7760 Ashworth Road) – Amend Comprehensive Plan Land Use Map to designate Office (OF) land use and establish the Village on Jordan Creek Planned Unit Development – Czech Mate, LLC – CPA-004684-2020/ZC-004685-2020

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 May 29, 2020.

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 Crowley, 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.

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

Ed Arp, Civil Engineering Consultants, 2400 86th St #12, Urbandale, informed that he is representing Czech Mate, Ashworth Neighborhood, and Lutheran Church of Hope (LCOH) for a rezoning of 18 acres at the corner of Ashworth Road and Jordan Creek Parkway. Dan Stanbrough owns the south 10 acres of the area and a couple single family lots facing Jordan Creek. Seven acres face Ashworth Road. The last piece is a narrow lot on the west edge, one acre, owned by Lutheran Church of Hope, which has a rental home used for seasonal display storage. This use will continue. The developers have met with the neighbors with good attendance in person and on zoom. Mr. Arp provided a history of the process leading toward development of this parcel. There is interest in developing Parcels A and B at this time, however it became apparent that rezoning would be necessary, and a master plan developed. The senior housing area is ready for development following approval. The office area is being rezoned for future development. Mr. Arp provided more details regarding the orientation of the senior center to adjacent lots, and access with the completion of 76th Street. Access points as presented were based on recommendations of the traffic study. Mr. Arp noted that most of the office buildings would be one story, with similar look to residential. He recommended smaller offices along the south property line, which would allow the parking lot to be broken down next to the adjacent residential area. To the southwest, some of the adjacent lots are larger, with a large section of mature trees providing an existing buffer. A 40ft buffer would be created to the north, with a fence. The existing 35ft buffer along the Lutheran Church of Hope trees would remain undisturbed. Current drainage issues would be resolved with a detention pond in the southwest corner of the senior housing. He added that this is a concept of what the PUD could look like, noting that there is one developer at this time proposing the senior living area. The Stanbrough' s would like to develop the south office portion, thereby creating the south half of 76th street, and a lot would be created for sale to Ewing, the senior housing developer. An HOA or replatting would decide the remaining area. The staff report recommends 76th Street be continued and a private access drive to a southeast RI/RO on JCP prior to occupancy for the senior living, providing more than one access for that particular area. Future completion of the north side of 76th Street, would need to be developer driven later. Stanbrough and Czech Mate would not be able to complete 76th Street at this time, due to the cost of infrastructure. Mr. Arp understands staff's request; however, the current developers are not in a position to meet that condition. He then concluded his comments with concept sketches, and material and elevation examples from another senior project completed by Ewing similar to what could be developed in WDM. He noted the neighbors concern with increased traffic into the southern residential area.

Karen Marren, Development Services Planner, summarized the rezoning requests. She noted that buffers were created to mitigate concerns from residents in the adjacent areas. Parcel E for the Lutheran Church of Hope will be restricted to the current single-family use and serve as a buffer for the residential to the west. The 76th Street extension is an outstanding issue. The senior center is a less intense traffic generator, so if 76th is extended to the north boundary, the second access to Jordan Creek Parkway would be sufficient for emergency services. Staff recommend that the building of the office areas not be allowed until 76th Street is completed through to Ashworth Road, which would reduce the burden on the residential neighborhood to the south. Ms. Marren detailed PUD inclusions such as building height restrictions, a 40 foot buffer along the full south PUD boundary which will require a 3 foot berm, and the buffer to the west which requires a fence. Platting will be required, and traffic will be reviewed with each separate site plan application. She noted comments have been received with concerns regarding traffic increasing through the Aspen neighborhood, building heights, and buffering.

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

Rick Stessman, 7450 Ashworth Rd, representing the Ashworth Road residents. He voiced their support of the project, and desire to see 76th Street go through to Ashworth Road.

Ashleigh Hackel, 861 76th Street, voiced her concern regarding additional traffic through their residential neighborhood to the south, which is filled with small children. She noted that the S-turn provides challenges already, people park on the curve and traffic is already heavy through the area. Ms. Hackel voiced support of enabling the Ashworth Road residents to sell their properties but felt this plan would not work for her neighborhood.

Kendra Meyer, 830 76th Street, also noted her concerns regarding additional traffic through their residential neighborhood. She thanked Mr. Arp for providing information in a neighborhood meeting which answered a lot of questions of residents. Recent development to the west has increased traffic in their neighborhood and they have asked the City to put up warning signs to get people to slow down. Residents have also posted warning signs. Ms. Meyer supported the concept of a senior living community, but concern about the location of the parking on the south side of the structure toward their neighborhood. She also noted concern about the office parcel and indicated preference for it to remain undeveloped. She expressed a hope that 76th could remain a cul de sac. She concluded that she was pleased that there would be effort to keep the existing tree line in place.

Shawn Leisinger, 7755 Aspen Drive, expressed his concern regarding traffic that would increase in their residential neighborhood, and noted that there already is a problem with speeding. He noted a four-way stop at 78th and Aspen, with recent non-stop traffic. Mr. Leisinger stated he did not feel this plan addresses the needs of their families with small children. He requested consideration of inclusion of a pocket park, and consideration of minimizing the traffic burden in their neighborhood.

Ajay Patel, 7652 Aspen Drive, expressed his concern about 76th Street being too small for the additional traffic burden in their neighborhood which is filled with small children.

Paul Kernes, 7815 Aspen Drive, noted his concerns about the traffic, and a request for a four-way stop. He questioned the setbacks as they appeared to have changed from 150 feet to 30 feet between the new development and the existing single-family neighborhood. He requested something more definite in writing regarding preserving the tree line. Planner Marren explained the difference between building setbacks and density mitigation. If a parcel changes from single-family to multi-family, there is a requirement to mitigate the building mass within a distance of 150 feet of the lower intensity use. Code sets restrictions within that 150 feet regarding building height, uses, and number of units. With the senior living parcel, the 150 ft separation could not be met, so additional mitigation measures such as limitations to building heights, buffers, fences, and berms were written into the PUD. Including the LCOH parcel in the PUD assists with the separation.

As there were no additional questions or comments, Chairperson Andersen closed the public hearing and asked for continued discussion or two motions.

Commissioner Hatfield stated he had several questions for Mr. Arp for future layout. He expressed concern about 76th through the neighborhood, and whether it might be possible to develop the site without it. He questioned whether the access could be routed over to Jordan Creek more directly. Commissioner Hatfield commented that reorienting the senior living so that

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the parking was to the north would bring the parking more central, creating 4 quadrants to the acreage. He felt this would help out the neighbor's concerns.

Commissioner Conley expressed support of addressing the neighbor's concerns and a hope that all parties concerned could come together to resolve the issues.

Commissioner Crowley noted that this site has come through at least twice in recent years and this is the first time the Ashworth neighbors have been in agreement.

Chairperson Andersen commended Mr. Arp for answering neighbor questions in a meeting prior to the meeting.

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending the City Council approve the comp plan amendment.

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

Moved by Commissioner Crowley, seconded by Commissioner Conlin, the Plan and Zoning Commission approved a resolution recommending the City Council approve the PUD.

Commissioner Drake clarified that the motion was to approve the amendment as requested by staff, not as requested by the applicant. Chairperson Andersen confirmed.

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

Item 2b – Tallyn's Reach, Northwest corner of the intersection of S 88th Street and Booneville Road – Amend Comprehensive Plan Land Use Map to change approximately 12.5 acres of Neighborhood Commercial (NC) to Single Family (SF) and Medium Density Residential (MD) land use and amend the Tallyn's Reach Planned Unit Development (PUD) to change the Parcel I from Neighborhood Commercial (NC) to Parcel J - Residential Single Family (RS-5) and Parcel G - Medium Density Residential (RM-12) and establish regulations to accommodate development of 36 rowhouses and 27 single family homes – Clark Family Investors – CPA-004674-2020 and ZC-004675-2020 Continued from May 8, 2020 and May 26, 2020

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 May 2, 2020.

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 Crowley, seconded by Commissioner Hatfield, 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, Conlin, Costa, Crowley, Drake, Hatfield, Southworth.....Yes
Motion carried.

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Ed Arp, Civil Engineering Consultants, 2400 36th St #12, Des Moines, representing Cannon Clark Investors, current owners of the project. He provided a brief history of the property, asking to amend the PUD and extend the zoning. By downzoning to a multi-family parcel, it would follow the requirements for the other multi-family lots within the PUD. He noted an extension of Sugar Creek Drive (S 91st St) to Booneville Road which would provide a natural division line between single family and multi-family. He concluded that they agree with staff recommendations.

Bryce Johnson, Development Services Planner, noted that the PUD and comp plan were both being changed. He informed that there was a comment from a property owner to the west who had questions about the project, which Staff reviewed with them.

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 two motions.

Moved by Commissioner Drake, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending the City Council approve the Comp Plan Amendment.

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

Moved by Commissioner Southworth, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending the City Council approve the PUD.

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

Item 2c – Linnwill Hy-Vee, 210, 220, & 300 Grand Avenue – Amend Comprehensive Plan Land Use Map from Light Industrial to Community Commercial and establish the Linnwill Hy-Vee Planned Unit Development – Hurd Indianola, LLC and Delavan, Inc. – CPA-004663-2020/ZC-004664-2020.

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 June 2, 2020.

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

John Brehm, Hy-Vee Inc., 5820 Westown Pkwy, West Des Moines, stated that they are in agreement with staff comments and asked if there were questions. There were none.

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Brian Portz, Development Services Planner, summarized the proposal, noting that the Val-Gate area requires a PUD with any new development.

Commissioner Hatfield questioned the access to True Value's parking lot, asking how these two accesses would work side by side. Planner Portz stated it would be shared drive, and an access easement was being developed.

Commissioner Crowley clarified that there has been an access agreement for years for a group of businesses in the area, including Sully's. Development Coordinator Schemmel noted that part of it was an access, part was an informal drive.

Commissioner Hatfield asked Staff to speak to that access, stating that for those traveling west on Grand, there would be a raised median. Development Coordinator Schemmel noted on a map the location of the full access at a break in the median, the right in/right out access, and the shared drive.

Commissioner Hatfield commented that there might be more traffic through Sully's lot if there was no access to the new Hy-Vee from the west. Commissioner Crowley stated they would have to go behind the Hy-Vee store or share through the front as shared access. Commissioner Hatfield stated he believed it would create a traffic problem by having a raised median in an area with so many accesses.

Commissioner Crowley asked where the north bank driveway would line up. Development Coordinator Schemmel responded that the intent is that a new north/south road would align with the west Hy-Vee access and there would be a back connection to the north through a second east/west drive from Fareway to behind the Casey's store.

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

Mitchell Callahan, 804 4th Street, voiced concern about the additional cross-sidewalk traffic, impacting the nearby bike trail and pedestrians. He also questioned the need for another gas station, as there are 6 already within a half-mile. As the owner of an electric car, he questions the need for another gas station in the future. Mr. Callahan concluded that he's also concerned about lines forming for the car wash and feels this is a low additional value given the number of local small grocery options. He requested bollards and similar for separation of high traffic areas from pedestrians. He noted that sidewalks are narrow along Grand and its not pedestrian or bike friendly, especially during times of high traffic, so a good compromise might be to widen sidewalks in that area.

As there were no further questions or comments, Chairperson Andersen closed the public hearing and asked for continued discussion or two motions.

Moved by Commissioner Crowley, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending the City Council amend the comp plan land use map.

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

Moved by Commissioner Drake, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending the City Council establish the PUD.

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

Commissioner Costa left the meeting at 6:54 pm.

Item 4c – Linnwill Hy-Vee Fast & Fresh Preliminary Plat, 210, 220, & 300 Grand Avenue – Subdivide property into one lot for commercial development and one street lot – Hurd Indianola, LLC and Delavan, Inc.– PP-004662-2020

John Brehm, Hy-Vee Inc., 5820 Westown Pkwy, West Des Moines, noted that they are seeking to combine three lots for commercial development.

Brian Portz, Development Services Planner, added that this is a preliminary plat, and noted that the site plan will be a separate submittal at a later date. He noted locations of the car wash and drive connection to the Dairy Queen site to facilitate traffic wanting to go west on Grand Avenue as a temporary measure and hinged on future redevelopment of the Dairy Queen site. He pointed out where the long-range access to the west would be located. He noted all site elements will be looked at in more detail with the site plan submittal.

Chairperson Andersen asked if anyone from the audience would like to speak to this item, seeing none, asked for continued discussion or two motions.

Moved by Commissioner Crowley, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending approval of the preliminary plat subject to the following conditions:

- 1. The City reserves the right to provide additional comments on the site plan that may require revisions to the site as a part of the final site plan approval.

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

Item 2d – Mills Landing, Southeast corner of South 60th Street and Mills Civic Parkway – Approve a Comprehensive Plan Land Use Amendment, an amendment to an Area Development Pan, and establish the Zone Change Specific Plan (rezoning) for the intended development – Shree Ram Development LLC CPA-004167-2018/ACP-004166-2018/ZCSP-004354-2020

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 May 30, 2020.

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.

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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, Conlin, Crowley, Drake, Hatfield, Southworth.....Yes
Costa.....Absent
Motion carried.

Doug Mandernach, Civil Design Advantage, 3405 SE Crossroads Dr, Ste G, Grimes, represented the applicant. He summarized the proposal to amendment to the Comprehensive Plan Land Use Map, the amendment to the Area Development Plan, and the proposed Mills Landing Specific Plan, noting that a part of their project will be for a senior living development. Mr. Mandernach noted access points on Mills Civic Parkway and S 60th Street. He mentioned adjustments made to the proposal in response to concerns voiced by neighbors at several neighborhood meetings held during the past year. Elevations were provided. There will be mixed use commercial and retail space.

Kara Tragesser, Development Services Planner, reviewed the various aspects of the applications and reviewed with the Commission the citizen comments that has been received and that were included in a memorandum to the Commission. Regarding the specific plan, staff found recommended a few modifications to the ordinance and reviewed those with the Commission. The modifications were provided to the Commission by a memorandum.

Commissioner Hatfield commended them for an excellent overview of the project, stating he's excited to see this corner developed.

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 three motions.

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending the City Council amend the comp plan land use map.

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

Moved by Commissioner Southworth for approval per recommendations of Staff, seconded by Commissioner Drake, the Plan and Zoning Commission approved a resolution recommending the City Council amend the area development plan.

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

Moved by Commissioner Drake, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending the City Council establish the zone change specific plan.

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

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Motion carried.

Item 4a – Mills Landing Plat 1, Southwest Corner of S 60th Street and Mills Civic Parkway – Subdivide the Property into Three Lots for Commercial Development, One Lot for High Density Residential development, and One Outlot for Storm Water Detention – Shree Ram Development LLC – PP-0044169-2018

Doug Mandernach, Civil Design Advantage, 3405 SE Crossroads Dr, Ste G, Grimes, summarized the proposed preliminary plat, indicating landscaping and buffers, noting the sewer and water connections, easements being prepared, and construction plans approved pending approval of the preliminary plat.

Kara Tragesser, Development Services Planner recommended approval.

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 Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approved a resolution recommending approval of the preliminary plat, subject to the following conditions:

1. The applicant providing final drawings of the preliminary plat which address staff comments, prior to the construction of any improvements on the site.
2. That only one building permit will be allowed until the Final Plat is approved and recorded with the County.

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

Motion carried.

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There were four New Business items. Two were addressed with their corresponding Public Hearing item.

Item 4b – 329 5th Street Renovation – 329 5th Street – Approval of a Site Plan for 15,600sf 3-story mixed used building – Junction House 329 LLC – SP-004699-2020

Tim Rypma, Junction House 329 LLC, 512 ½ East Grand Ave., Des Moines, requested the presentation provided to Staff be viewed on the screen. Mr. Rypma introduced himself, noting he has most recently worked on the St. Kilda’s project in Valley Junction. He then provided a background of meetings held with staff and in the neighborhood, concluding that they are ready to start construction on Junction House once approved by Council.

Tim Hickman, Substance Architecture, 1300 Walnut Street, St 201, Des Moines, provided a summary of this project which they feel is significant. They sought to provide clear design goals with neighbors of their intent to create a building that would fit in the context of the neighborhood and in the spirit of Historic Valley Junction. He noted their application of a more open space on

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the first floor with more closed on the second floor and using materials that would tie into the neighborhood. He noted the abundant use of masonry nearby, and their desire to mimic that with a patina from the weathered steel. The first floor will be retail; entry to the residential area will be on the south side, a pocket park is included on the side of the building with landscaping. This is a 50x150' lot with zero lot line. Mr. Hickman went on to detail sewer and water connections, and power. He provided a layout of the building and units. Mr. Hickman then explained the choice of exterior materials, providing elevations and renderings.

Tim Rypma cited other locations which are successful examples where weathered steel has been used. Mr. Hickman added further examples and commented on staff concerns and plans to address those concerns. As the material weathers, runoff will go into grates installed below the siding. Landscaping stone will prevent the runoff from staining the adjacent sidewalk. Thicker panels with the correct steel alloy will be used to prevent micro perforations in the siding and will be installed by experienced installers.

Brad Munford, Development Services Planner, informed that there are four areas of concern. Regarding the landscaping buffer, the applicant is asking Council for a waiver on the 30-foot buffer required at the rear of the lot. Staff agree that the 30-foot landscape buffer would be out of context for Valley Junction. Staff also support a hold harmless agreement for an awning which will hang over the sidewalk on 5th Street. Recreational amenities would normally be required including a parkland dedication for residential development. Staff are including a condition of approval for parkland dedication to be in place before full building permits are issued. The applicant is intending use of a shared dumpster participating in a Valley Junction trash program designed to help businesses with setbacks for trash dumpsters and enclosures. Use of this program has not been worked out to the satisfaction of those managing the trash program. A temporary verbal agreement has been established to share another dumpster. Staff recommend that the applicant choose between four options: enclosing a dumpster on the site, continuing discussions with Valley Junction Business District, entering into a permanent agreement with another business on 5th Street to share their dumpster, or to come up with another plan or method that is acceptable to the city. Staff recommend approval with recommendation that one of the methods be selected prior to issuance of temporary occupancy permits. Planner Munford concluded with remarks about the exterior building materials, and the precedent that could be set. He provided options regarding the staff conditions, for the Commission to provide direction regarding the materials.

Commissioner Hatfield asked about the property directly to the north, pertaining to the garbage from that property. Planner Munford stated that at approval of a minor mod, they were using the Valley Junction trash program, but with changes in leadership, some issues have arisen.

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

Matt Hauge, Historic Valley Junction Foundation director, voiced concerns regarding the adequacy of the proposed shared dumpster based on the increase in usage with the building. He noted that St. Kilda has not entered into an agreement to use the trash program. He informed that there is no dumpster on the same block as the new building, and that the program was designed to serve existing businesses. With the addition of the residential units and a proposed project in the same area within the next year, he didn't believe their capacity would be large enough. The Foundation has concerns about the precedent being set and impact of future projects. He expressed his overall support of the project and requested that the dumpster proposal be re-evaluated prior to occupancy and an agreement be decided.

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Tim Rypma responded that they will resolve this over the coming year prior to occupancy.

As there were no additional questions or comments, Chairperson Andersen asked for continued discussion or a motion.

Commissioner Southworth questioned whether there is an architectural review board that is monitored by the Valley Junction Association. Planner Munford responded that there is not, and the City does not have detailed design regulations; there are some federal guidelines for the area designated as Historic; the Development and Planning Council Subcommittee does provide review, however they did not review the architecture due to the timeline the project is trying to meet. Commissioner Southworth stated she had looked at the site location and believes there will be a looming presence there from this building, it will be quite dark with the steel with an unrelieved façade not seen on 5th Street. Planner Munford responded that the mass the applicant has requested is within code, there just haven't been developers over the years who were willing to come in and build this size. A three-story building is allowed, but no developer has had the money to remove a building and replace it with this size, however the market is changing, and Staff expects more of this to follow.

Commissioner Hatfield noted the differences to be recognized between each block along 5th Street as the character changes pretty dramatically along the 3rd block. He believes this particular project is one of the finest infill projects he's ever seen. He informed that he had no concerns regarding the steel, as it is well detailed, and noted that he is in favor of the use of this material. He noted that they all likely shared a concern about the dumpster and proposed considering a spot on the alley to meet the residential and commercial demand.

Moved by Commissioner Hatfield to support the proposal with inclusion of conditions 1-5, but eliminating condition 6 regarding the building design, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending approval of the site plan, subject to the following conditions:

1. The City Council waiving the 30-foot buffer and six-foot (6') fence requirement along the east side of the property; however, the applicant shall be required to provide screening of mechanical equipment and trash enclosure, if such is implemented within this site.
2. The City Council approving and accepting the Hold Harmless Agreement for the awning to be located over the City's sidewalk.
3. The applicant acknowledging and agreeing that occupancy permits, including temporary occupancy for either the commercial space or dwelling units shall not be issued until such time that a plan for refuse is in place that is acceptable to the City, including provision of written document upon city request.
4. The applicant acknowledging and agreeing that execution of the Parkland Agreement shall occur prior to the issuance of a building permit for above ground construction and that implementation of the agreed upon improvements prior to the issuance of occupancy permits, including temporary occupancy for either the commercial space or dwelling units.
5. The applicant executing an agreement placing maintenance and repair responsibilities on the developer should the 'weathering steel' material impact either City owned properties or the properties directly adjacent to the subject property prior to the granting of any occupancy of the building.

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

Item 4d – Browns Woods Hollow, West Side of Veterans Parkway South of SE Browns Woods Drive – Subdivide the Property into 43 Single Family Lots, One Outlot for Park Use, Two Outlots for Detention, and Four Public Street Lots – Browns Woods, LLC. – PP-003770-2018

Keven Crawford, Cooper Crawford and Associates, 475 S 50th St, Ste 800, West Des Moines, representing Browns Woods LLC, presented their project begun a year ago with 42 single family lots. Over the year, working with the Parks Department, they had decided to add one lot and are still able to meet the Park requirements.

Kara Tragesser, Development Services Planner, recommended approval.

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 Southworth, seconded by Commissioner Drake, the Plan and Zoning Commission approved a resolution recommending approval of the revised preliminary plat, subject to the following conditions:

- 1. Applicant acknowledging that the associated Final plat must be approved and released for recordation by the City and recorded with the County prior to the issuance of any building permits, including footing and foundation permits for any lot within the plat'

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

Item 5 – Staff Reports

The next meeting is scheduled for Monday, June 27, 2020.

Item 6 – Adjournment

Chairperson Andersen adjourned the meeting at 8:42 p.m.

Erica Andersen, Chairperson

Jennifer Canaday, Recording Secretary