

**CITY OF WEST DES MOINES
PLAN AND ZONING COMMISSION COMMUNICATION**

Meeting Date: August 24, 2020

Item: M&W Mini Storage, 2001 Grand Ave - Approval of Establishment of a Planned Unit Development (PUD) - MHC 80 (Des Moines, IA) LLC., d/b/a CubeSmart - ZC-004808-2020

Requested Action: Approval of New PUD Ordinance

Case Advisor: Lynne Twedt

Applicant's Request: The applicant, MHC 80 (Des Moines, IA) LLC., d/b/a CubeSmart, represented by Norm Kotoch with NAK Management and Consulting LLC and Joel Jackson, Bishop Engineering requests approval of a Planned Unit Development (PUD) Ordinance for that property located at 2001 Grand Avenue. The PUD encompasses the property that is home to the currently operating M&W Mini Storage business (aka CubeSmart).

History: The property is zoned Light Industrial (LI). Per the County Assessor, the mini storage buildings were constructed in 1981. Indoor storage was allowed by right within the zoning district. In 1997, a request to install a cell tower on the site was presented to the City. At that time, it was identified that outdoor storage was occurring on the site without the required approvals by the City. In conjunction with review of the cell tower, approval of the outdoor storage aspect was sought. The Council denied the cell tower but approved the outdoor storage with the following conditions of approval (case #SP-1999-26):

- 1) *Show the existing storm sewer facilities along the south side of Delavan Drive and the existing right-of-way along Grand Avenue and Delavan Drive on the site plan drawings;*
- 2) *Provide an intake and pipe in place of the Broad Crested Weir to transfer storm water into the public storm mains along Delavan Drive;*
- 3) *Dedicate ten feet (10') of additional right-of-way along Grand Avenue (totaling sixty feet (60') from the centerline), by easement, in accordance with the Comprehensive Plan;*
- 4) *Provide four foot (4') public sidewalks along Delavan Drive per City Code;*
- 5) *Waive the additional 745sq. ft. of required open space, and provide two (2) additional trees in lieu thereof, to provide additional screening;*
- 6) *Construct an eight foot (8') solid wood privacy fence to achieve the required screening of the outdoor storage;*
- 7) *Use evergreen trees in the northwest corner of the site to provide additional, year-round, screening of the outdoor storage;*
- 8) *No outdoor storage shall be permitted in areas which are not screened from public view. No outdoor storage shall be permitted to extend above the height of the screening fence. No outdoor storage shall be permitted in areas designated as open space; and,*
- 9) *Obtain a building permit prior to the construction of the site improvements.*

Recently, in anticipation of sale of the business/property, a zoning compliance letter was completed by the City's Zoning Administrator which identified that several of the above conditions were not complied with rendering the site plan approval void. The City's Legal Department determined that failure to complete required conditions of approval negates the grandfathering of existing site conditions and a new site plan consistent with current code would be needed, including the obtainment of variances from the Board of Adjustment for the non-compliant code requirements under their authority. The continuation of the outdoor storage on the site without city approval is a violation of city code.

City Council Subcommittee: This item was presented to the Development & Planning City Council Subcommittee at their April 20, 2020 meeting. Included in this report as Attachment B is a breakdown of the site issues as presented to the Subcommittee. Discussion focused on those aspects of the site that would be under the authority of the City Council; namely, installation of the sidewalk along Delavan Drive, dedication of Grand Avenue right-of-way, deferral of installation of required parking and deferral of preparation of a Stormwater Management Plan. The applicant requested to not install the sidewalk due to difficulties with topography along Delavan drive and anticipate limited use by pedestrians due to the industrial nature of the area. The Subcommittee indicated that the sidewalk along Delavan Drive needed to be installed but was willing to give the applicant one year to complete the work. The applicant was directed to work with staff regarding the design and location. Additionally, the Subcommittee was supportive of the applicant providing an Irrevocable Offer of Right of Way Dedication in lieu of providing Grand Avenue right of way by fee title.

Staff Review and Comment: This request was distributed to other City departments and other agencies for their review and comment. **Staff is requesting direction on the timing of installation of the Delavan Drive sidewalk and the form of dedication of Grand Avenue right-of-way.** Staff would summarize the following key points of interest:

- **Planned Unit Development:** As indicated above, due to the failure to fulfill the conditions of approval placed with the outdoor storage request, the previous outdoor storage site plan approval is void. The existing site conditions of the site are not grandfathered but instead must meet current code requirements or obtain approval of variances from the Board of Adjustment (BOA). The following identifies the current site aspects that are non-compliant with current city code requirements and which approval body has authority over determining whether to require, defer, or waive (see Attachment B for more details):
 - Lack of a sidewalk along Delavan Drive -- Council authority
 - Dedication of Grand Ave ROW -- Council authority
 - Outdoor storage within a front yard (Delavan Dr) -- BOA authority
 - Lack of screening of outdoor storage -- BOA authority if screening required: if screening is required, Council authority to allow 8' fence height in front yard
 - Open space deficient 745 sf -- BOA authority
 - Deficient open space vegetation -- BOA authority
 - Number of parking stall provided deficient -- BOA authority to permanently waive: Council authority to defer
 - Setback of outdoor storage -- BOA authority
 - Gravel surfacing of storage area -- BOA authority
 - Lack of curbing around gravel areas -- BOA authority
 - Lack of Stormwater Management Plan -- Council authority to defer

Staff firmly believes that under application of State Code requirements that the variances are an unnecessary hardship not of the property's own doing, the Board of Adjustment would not be able to grant the majority of the variances necessary to allow the site to remain in its existing condition. The mini storage use has been operating since the early 1980's with no known complaints about the facility. The only alternative to allow the business to keep operating as it has been is to establish a Planned Unit Development. The intent of this PUD is to formalize the allowance of the operating mini-storage use while providing for improvements to address as many of the non-compliant site elements as possible. In conjunction with the PUD, a new site plan illustrating existing conditions and improvements to be made to the site is under review.

- **Delavan Drive Sidewalk:** As indicated previously, a sidewalk is required along Delavan Drive. The applicant's engineer has indicated that topography and the presence of storm sewer intakes makes it difficult to install in the typical location from back-of-curb. The applicant has indicated that shifting the sidewalk entirely onto the private property also does not work due to topography issues. They are proposing to place the sidewalk adjacent to the street for a short section and then moving to four feet (4') off the street. The location of the sidewalk does not need to be determined in conjunction with this PUD adoption request but rather can be approved as part of the associated site plan that will document and reflect the improvements to be made. Staff does however seek direction in regard to the timing of installation for inclusion in the PUD. The Development and Planning Subcommittee suggested within one (1) year. **Staff has included language in the PUD indicating this; if an alternate deadline is desired, staff will need to be directed to modify the language in the PUD.**
- **Grand Avenue ROW:** Grand Avenue is deficient ten feet (10') of right-of-way. The original approval indicated dedication by easement. While easements are occasionally provided, execution of an Irrevocable Offer of Right of Way Dedication is more commonly used in situations in which it is questionable whether the City will ever need the right-of-way. A third alternative is dedication by fee title. **Staff has included a condition of approval requiring execution of an Irrevocable Offer of Dedication. If an alternative method is desired, direction to modify the condition of approval will be needed.**

Comprehensive Plan Consistency: The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

Noticing Information: On August 20, 2020, notice for the August 24, 2020, Plan and Zoning Commission and September 8, 2020, City Council Public Hearings on this project was published in the Des Moines Register Community Section. Notice of these public hearings was also mailed to all surrounding property owners within 370 feet of the subject property on August 19, 2020.

Staff Recommendation and Conditions of Approval: Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan, staff recommends the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Planned Unit Development (PUD) ordinance, subject to the applicant meeting all City Code requirements and the following:

1. The property owner executing an Irrevocable Offer of Right of Way Dedication for ten feet (10') of additional Grand Avenue right of way prior to City Council consideration of the associated site plan detailing site improvements.
2. Prior to publication of the PUD Ordinance, the applicant addressing all city comments on the associated site plan which reflects existing site conditions and all improvements to be made.

Property Owner/Applicant: MHC 80 (Des Moines, IA) LLC d/b/a CubeSmart
41 Flatbush Ave Ste 3c
Brooklyn, NY 11217
Attn: Steven Teixeira
assetmanagement@merithillcapital.com

Applicant's Representatives: NAK Management and Consulting LLC
7607 Ellington Place
Mentor, OH 44060
Attn: Norm Kotoch
norm@storageltd.com

Bishop Engineering
3501 104th Street
Des Moines, IA 50322
Attn: Joel Jackson
jjackson@bishopengr.com

Lillis O'Malley Olson Manning Pose Templeman LLP
317 6th Ave
Des Moines, IA 50309
Attn: Dan Manning
dmanning@lolaw.com

ATTACHMENTS:

Attachment A -	Location Map
Attachment B -	Details of site issues
Attachment C -	Sketch Plan
Attachment D -	Site Plan **
Attachment E -	Draft PUD Ordinance
Attachment F -	Plan and Zoning Commission Resolution
Exhibit A	- Conditions of Approval

**Plan included in staff report are for illustrative purposes only –
Approved plans on file with the City.



Issue: Construction of Sidewalk along Delavan Drive & Dedication of ROW for Grand Ave

<i>1999 Plan</i>	COA for deferral of 4' sidewalk along Delavan Drive until such time that the City deems it necessary
<i>Current Code</i>	Sidewalk constructed as part of site improvements
<i>Requested Action</i>	Deferral of sidewalk construction until such time that the City deems it necessary (grade issues that would make it difficult to install)
<i>Necessary Action</i>	Deferral of installation of sidewalks until built on adjacent properties or ordered through City Sidewalk Improvement Program
<i>Authority</i>	P&Z and Council consideration of sidewalk installation deferral

<i>1999 Plan</i>	COA for 10 ft. of ROW by easement along Grand Ave in compliance with the Comp Plan
<i>Current Code</i>	Grand Ave is deficient 10' of ROW
<i>Requested Action</i>	Deferral of the ROW dedication until necessary
<i>Necessary Action</i>	Deferral of dedication until City deems necessary -OR- take by easement as part of site plan approval
<i>Authority</i>	P&Z and Council consideration of ROW dedication deferral or provide by easement

Issue: Outdoor Storage in Front Yard

<i>1999 Plan</i>	COA allowed location in front yard if all outdoor storage areas are screened from public view with a fence and no outdoor storage, including vehicles extended above the height of the screening fence
<i>Current Code</i>	<p>9-10-4.A.8 only allows in side and rear yards</p> <p>Outdoor Storage Yards: Outdoor storage yards associated with service oriented businesses such as, but not limited to, construction contractors, plumbing companies, wholesale material suppliers, etc., and self-storage facilities shall only be allowed in rear and side yard areas within the Warehouse Retail (WR), Valley Junction Light Industrial (VLI), Light Industrial (LI) and General Industrial (GI) Zoning Districts unless noted otherwise elsewhere within this title. Areas of outside storage shall not occupy any portion of required yard areas, open space, required off street parking areas, etc., and shall be screened from views from the public streets, adjoining properties, especially those of a different zoning classification and any residential property through the use of opaque screening reviewed as part of the site plan submittal. The need for limited visibility for security reasons should be considered when determining appropriate screening levels. With the exception of business associated vehicles, equipment and trailers and recreational vehicles, no material being stored shall exceed the height of the screening structure. Appropriate security lighting shall be so arranged as to divert the light away from adjoining traveled roadway of public streets and adjoining properties. (Ord. 2274, 2-5-2018)</p>
<i>Requested Action</i>	Allow outdoor storage in front yard as have been doing
<i>Necessary Actions</i>	3 variance requests to BOA -- allow outdoor storage in required open space AND allowance for outdoor storage in front yard AND waiver of required screening (see screening section: CC would need to authorize an 8' opaque fence in the front yard IF the BOA does not waive required opaque screening)
<i>Authority</i>	BOA consideration of variances

Issue: Screening of Storage Yards

<i>1999 Plan</i>	COA for an 8 ft. solid fence and evergreen trees are planted at the NW corner of the site to provide additional year round screening Total screening from off site -- doesn't specify how: could be solid fence or landscaping or combo 9-10-4.A.8: Outdoor Storage Yards: Outdoor storage yards associated with service oriented businesses such as, but not limited to, construction contractors, plumbing companies, wholesale material suppliers, etc., and self-storage facilities shall only be allowed in rear and side yard areas within the Warehouse Retail (WR), Valley Junction Light Industrial (VLI), Light Industrial (LI) and General Industrial (GI) Zoning Districts unless noted otherwise elsewhere within this title. Areas of outside storage shall not occupy any portion of required yard areas, open space, required off street parking areas, etc., and shall be screened from views from the public streets, adjoining properties, especially those of a different zoning classification and any residential property through the use of opaque screening reviewed as part of the site plan submittal. The need for limited visibility for security reasons should be considered when determining appropriate screening levels. With the exception of business associated vehicles, equipment and trailers and recreational vehicles, no material being stored shall exceed the height of the screening structure. Appropriate security lighting shall be so arranged as to divert the light away from adjoining traveled roadway of public streets and adjoining properties. (Ord. 2274, 2-5-2018)
<i>Current Code</i>	9-14-11.C.2: Industrial Districts: Unless otherwise specified herein, fences and walls not exceeding eight feet (8') in height are allowed within the limits of side and rear yards. Fences may be allowed within the limits of the front yard if approved by the City Council through the site plan process. The use of barbed wire may be allowed, provided the barbed wire is not less than six feet (6') above the ground
<i>Requested Action</i>	Only install and 8 foot fence along Delavan Dr. If only screen from Delavan, variance to BOA to waive screening from west and south.
<i>Necessary Action</i>	Then, will need CC approval to locate an 8' solid fence in the front yard Recommend COA on site plan specifically prohibiting views of any outdoor storage from Grand Ave with the exception of views of vehicles and materials located along the west property line.
<i>Authority</i>	BOA review of variances; THEN P&Z and Council consideration of front yard fence

Issue: Deficient Open Space

<p><i>1999 Plan</i></p>	<p>20% of site + 10% of paved areas for total required of 29,673 : 28,928sf provided COA waived 745 sq. ft. of open space with the caveat that 2 additional trees are added to screen the storage area 20% open space required (24,401 sf.) -- the proposed open space is 23,656 (19.4%) or a deficiency of 745 sf.</p>
<p><i>Current Code</i></p>	<p>9-19-8.1: On each lot there shall be a minimum percentage of open space unencumbered by buildings, off street parking areas, and other vehicle use areas as required in chapter 7, "Setback And Bulk Density Regulations", of this title. Open space areas may include landscaped areas, buffers, pedestrian sidewalks/trails, athletic fields, water features, open air plazas, pedestrian courtyards, etc. A minimum of two (2) trees and three (3) shrubs shall be required per three thousand (3,000) square feet of required open space; however, in no case shall less than two (2) trees and six (6) shrubs be provided. Of the required trees, fifty percent (50%) of the trees must be of an overstory or evergreen variety unless otherwise done for design intent and specifically approved by the appropriate reviewing body. Additional landscaped beds, ground covers, and ornamental grasses may be provided but are not required. Open space landscaping shall be in addition to any landscaping required for off street parking areas, buffer areas, or screening.</p>
<p><i>Requested Action</i></p>	<p>Waiver of the original 745sf of open space</p>
<p><i>Necessary Action</i></p>	<p>Variance of portion of required open space (max 745sf) ** Allowance of outdoor storage in required yards affects consideration of this AND Variance of minimum required open space vegetation: req. 16 trees & 25 shrubs – existing 4 trees & unknown shrubs</p>
<p><i>Authority</i></p>	<p>Recommend a BOA condition of approval that requires installation within site of minimum open space vegetation required per code for 20% of the site area regardless of if portion of open space is waived BOA consideration of variances</p>

Issue: Parking Setbacks & Minimum # of Stalls Required

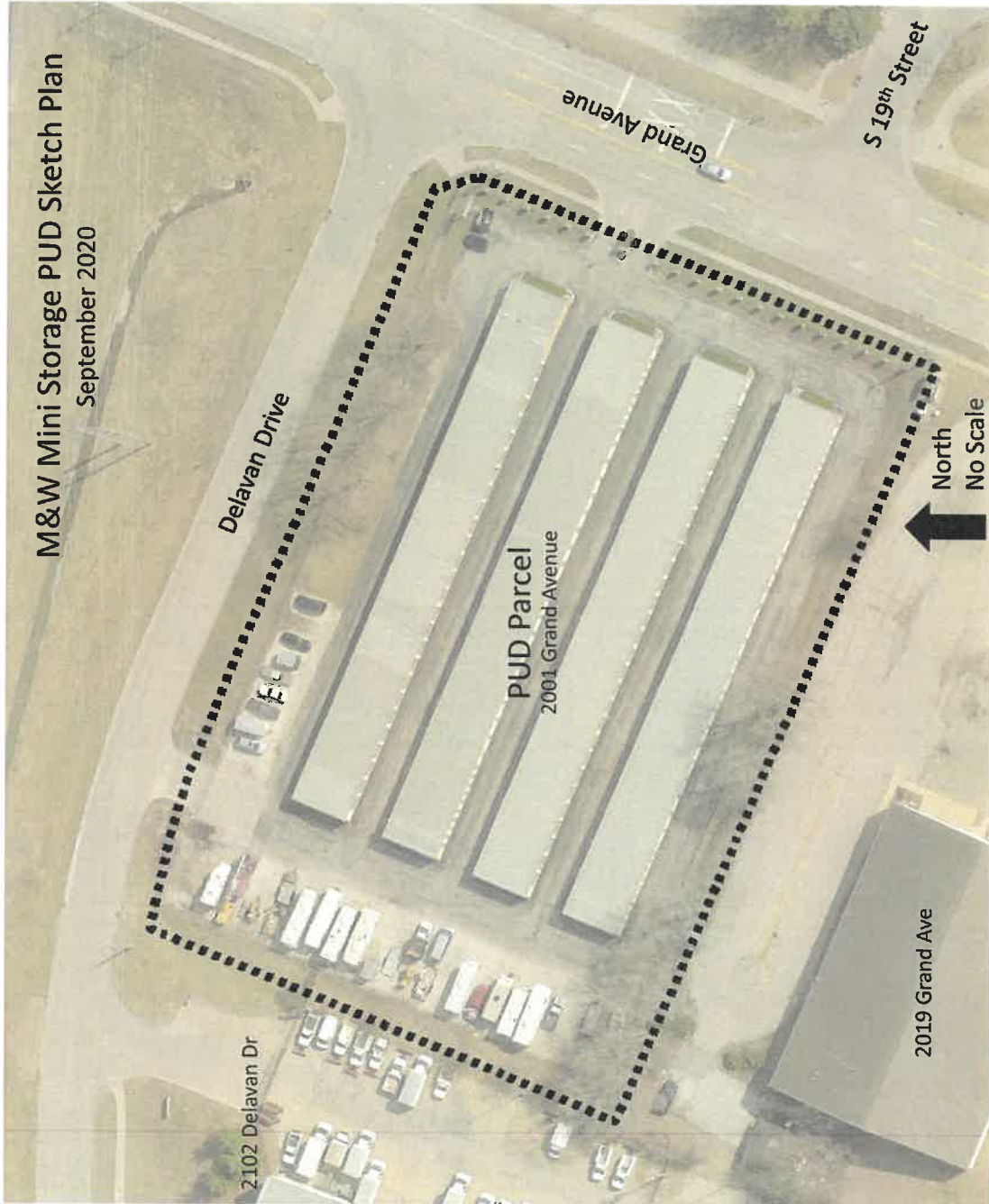
<i>1999 Plan</i>	10 ft. setback: provided minimum off-street parking for patron vehicles: vehicle storage parking encroaches into 10' setback at west end along Delavan Dr Required 3 stalls: provided 7 stalls
<i>Current Code</i>	10 ft. setback 0.5 spaces per 1,000 GFA -- requires 18 stalls within site
<i>Requested Action</i>	Allow current parking setback of west end of outdoor storage area Accept current number of parking stalls provided
<i>Necessary Action</i>	If front yard storage variance is approved, also need variance to minimum front yard storage parking lot setback for far west end Council defer minimum parking required until such time additional patron parking need is demonstrated – COA stating once demonstrated, require they repurpose portion of outdoor storage yard to patron parking and pave and stripe consistent with code Include specific COAs on site plan: * allowing only temporary vehicle parking within the drive aisles adjacent to the buildings for the purpose of loading and unloading items: once loading and unloading completed, vehicles should be moved to designated patron parking. * restricting patron parking areas from being utilized for outdoor storage
<i>Authority</i>	BOA consideration of variances; THEN P&Z and Council consideration of patron parking deferral

Issue: Use of Gravel Surfacing for Storage Areas

<i>1999 Plan</i>	Gravel allowed on property as part of site plan approval. (code applicable in 99' did not allow the use of gravel in any situation: a 2010 amendment provided for gravel in storage yards if compliant with certain criteria)
<i>Current Code</i>	<p>Gravel only allowed in rear-yard for storage if meets that below:</p> <p>9-10-4.A.8 Outdoor Storage Yards: ...</p> <p>That portion of a site indicated and identified as an outdoor storage yard on a City approved site plan associated with a business and self-storage facilities shall be exempt from off street parking regulations stated in chapter 15 of this title for striping, dimensions, surfacing and curbing. Gravel shall be a prohibited surfacing material for storage yards unless all of the following conditions are met:</p> <ul style="list-style-type: none"> a. The property is located within a General Industrial (GI) zoned district; and b. The parcel upon which the storage yard is located does not share a common property line with any residentially used or zoned property; and c. The storage yard is located within the rear yard of the parcel; and d. A defined permanent edge or curbing is installed to confine the granular material; and e. Appropriate dust mitigation measures are implemented to control dust.
<i>Requested Action</i>	Allow gravel to remain where it is currently located
<i>Necessary Action</i>	Variance to allow use of gravel in front and side yards AND variance to required curbing to contain gravel
<i>Authority</i>	BOA consideration of variances

Issue: Storm Water Detention

<i>1999 Plan</i>	Defer storm water facilities until such time that the sidewalk along Delavan Dr is installed
<i>Current Code</i>	Prepare Storm Water Management Study and Install storm water facilities as part of site development
<i>Requested Action</i>	Defer storm water facilities until such time that the sidewalk along Delavan Dr is installed
<i>Necessary Action</i>	Defer storm water facilities until such time that the sidewalk along Delavan Dr is installed
<i>Authority</i>	P&Z and Council consideration of storm water deferrals



CUBESMART STORAGE, WEST DES MOINES

SITE PLAN

SHEET INDEX:
 C0.1 COVER SHEET
 C2.1 LAYOUT PLAN
 C3.1 LANDSCAPE PLAN

PROPERTY DESCRIPTION:
 PARCEL 1 - GRAND AVENUE SITE (BOOK 6993, PAGE 864-866)

ADDRESS:
 2001 GRAND AVENUE
 WEST DES MOINES, IA 50255

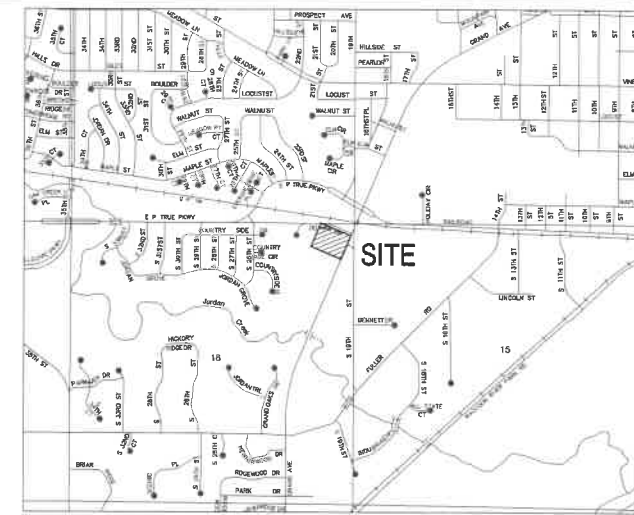
OWNER/PREPARED FOR:
 MHC 80 (DES MOINES, IA) LLC
 5 OLD LANCASTER ROAD
 MALVERN, PA 19355

ZONING:
 LI - LIGHT INDUSTRIAL DISTRICT

PARKING REQUIREMENTS:
 PARKING SPACES REQUIRED
 0.50 SPACES PER 1,000 SF OF GFA (36,000) = 18 SPACES
 PARKING PROVIDED = 5 SPACES

OPEN SPACE REQUIREMENTS:
 SITE AREA = 122,005 S.F. (2.81 ACRES)
 REQUIRED OPEN SPACE (20%) = 24,401 S.F.
 OPEN SPACE PROVIDED (19.4%) = 23,656 S.F.

IMPERVIOUS SURFACE:
 EXISTING IMPERVIOUS SURFACE = 98,349 SF
 IMPERVIOUS SURFACE REMOVED = 0 SF
 IMPERVIOUS SURFACE ADDED = 0 SF
 TOTAL PROPOSED IMPERVIOUS = NO CHANGE



VICINITY MAP
 SCALE: 1" = 1,000'

LEGEND:	
— SAN —	SANITARY SEWER
— ST —	STORM SEWER
— W —	WATER LINE
— G —	GAS LINE
— U/E —	UNDERGROUND ELECTRIC
— O/E —	OVERHEAD ELECTRIC
— TELE —	TELEPHONE LINE
— F/O —	FIBER OPTIC
— CATV —	CABLE TV
⊙	STORM MANHOLE
⊞	CURB INTAKE
⊞	SURFACE INTAKE
⊞	FLARED END SECTION
⊞	SANITARY MANHOLE
⊞	CLEANOUT
⊞	FIRE HYDRANT
⊞	SPRINKLER
⊞	IRRIGATION CONTROL VALVE
⊞	WATER MANHOLE
⊞	WELL
⊞	WATER VALVE
⊞	WATER SHUT OFF
⊞	YARD HYDRANT
⊞	ELECTRIC MANHOLE
⊞	ELECTRIC METER
⊞	ELECTRIC RISER
⊞	ELECTRIC VAULT
⊞	POWER POLE
⊞	TRANSFORMER POLE
⊞	LIGHT POLE
⊞	ELECTRIC JUNCTION BOX
⊞	ELECTRIC PANEL
⊞	TRANSFORMER
⊞	GROUND LIGHT
⊞	GUY WIRE
⊞	ELECTRIC HANDHOLE
⊞	GAS METER
⊞	GAS VALVE
⊞	AIR CONDITIONING UNIT
⊞	TELEPHONE RISER
⊞	TELEPHONE VAULT
⊞	TELEPHONE MANHOLE
⊞	TRAFFIC SIGNAL MANHOLE
⊞	FIBER OPTIC RISER
⊞	FIBER OPTIC FAULT
⊞	CABLE TV RISER
—	SIGN
⊞	DENOTES NUMBER OF PARKING STALLS
⊞	PROPERTY CORNER - FOUND AS NOTED
⊞	PROPERTY CORNER - PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID #14775
⊞	SECTION CORNER - FOUND AS NOTED

SURVEY NOTES:

1. SURVEY WORK WAS COMPLETED BY BISHOP ENGINEERING ON 02/11/2018. SEE SITE SURVEY PROVIDED AS PART OF THIS SET OF PLANS FOR EXISTING SITE CONDITIONS AND BOUNDARY INFORMATION.

SITE CONTROL AND BENCHMARKS:

BASIS OF BEARING OBTAINED FROM GPS OBSERVATIONS DATUM = NAD 83,
 IOWA SOUTH
 BENCHMARK DATUM = CITY OF WEST DES MOINES DATUM

POINT #9000
 NORTHING = 571855.01
 EASTING = 1576699.00
 ELEVATION = 72.53
 DESCRIPTION: SET CUT 'X'

POINT #9001
 NORTHING = 571763.84
 EASTING = 1576856.88
 ELEVATION = 72.78
 DESCRIPTION: SET CUT 'X'

POINT #9002
 NORTHING = 571947.21
 EASTING = 1576316.02
 ELEVATION = 74.06
 DESCRIPTION: SET CUT 'X'

POINT #9003
 NORTHING = 571998.28
 EASTING = 1576367.76
 ELEVATION = 71.42
 DESCRIPTION: SET CUT 'X'

POINT #9004
 NORTHING = 571951.18
 EASTING = 1576348.20
 ELEVATION = 71.89
 DESCRIPTION: SET CUT 'X'

POINT #9005
 NORTHING = 571933.07
 EASTING = 1576698.63
 ELEVATION = 71.62
 DESCRIPTION: SET CUT 'X'

POINT #9006
 NORTHING = 572014.85
 EASTING = 1576772.07
 ELEVATION = 69.32
 DESCRIPTION: SET CUT 'X'

POINT #9007
 NORTHING = 572106.60
 EASTING = 1576400.85
 ELEVATION = 72.79
 DESCRIPTION: SET CUT 'X'

ON SITE TBM:
 BURY BOLT ON HYDRANT LOCATED 40' +/- NORTHEASTLY OF MAIN ENTRANCE
 ELEVATION=72.36

OFF SITE TBM:
 BURY BOLT ON HYDRANT LOCATED 100' +/- WEST OF NW FENCE CORNER OF SITE
 ELEVATION=75.37

ABBREVIATIONS:

AC	ACRES
ASPH	ASPHALT
BK	BOOK
CONC	CONCRETE
D	DEEDED DISTANCE
EX	EXISTING
ENCL	ENCLOSURE
FF	FINISHED FLOOR
FL	FLOW LINE
FRAC	FRACTIONAL
M	MEASURED DISTANCE
MH	MANHOLE
OPC	ORANGE PLASTIC CAP
P	PLATTED DISTANCE
PG	PAGE
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
PRA	PREVIOUSLY RECORDED AS
PUE	PUBLIC UTILITY EASEMENT
ROW	RIGHT OF WAY
RPC	RED PLASTIC CAP
SF	SQUARE FEET
SAN	SANITARY
TYP	TYPICAL
YPC	YELLOW PLASTIC CAP
N	NORTH
S	SOUTH
E	EAST
W	WEST

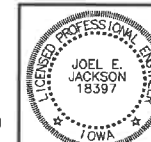
UTILITY NOTE:

THE LOCATION OF THE UTILITIES INDICATED ON THE PLANS HAVE BEEN TAKEN FROM THE FIELD SURVEY, EXISTING PUBLIC RECORDS, AND PLANS PROVIDED BY OTHERS. SURFACE UTILITY LOCATIONS HAVE BEEN FIELD LOCATED BY BISHOP ENGINEERING, UNLESS OTHERWISE NOTED. ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE LOCATIONS ONLY. BISHOP ENGINEERING DOES NOT GUARANTEE THE UNDERGROUND LOCATION OF ANY UTILITIES SHOWN. IT SHALL BE THE DUTY OF THE CONTRACTOR TO DETERMINE THE LOCATION AND DEPTH OF ANY UNDERGROUND UTILITIES SHOWN AND IF ANY ADDITIONAL UTILITIES, OTHER THAN THOSE SHOWN ON THE PLANS, MAY BE PRESENT. A REQUEST WAS MADE TO IOWA ONE CALL FOR UTILITY PROVIDERS TO VERIFY, LOCATE, AND MARK THEIR UTILITIES IN THE FIELD.



UTILITY MAPS PROVIDED BY:

- ELECTRIC (MIDAM / 515-252-6632)
- STORM AND SANITARY (CITY OF WDM / 515-222-3482)
- FIBER OPTIC (CENTURYLINK / 726-278-8090)
- CABLE (MEDACOM / 515-346-2252)
- GAS (MIDAM / 515-252-6632)
- WATER (WEST DES MOINES WATER WORKS / 515-222-3482)
- OTHERS (PROVIDER / CONTACT INFO)



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: JOEL E. JACKSON, P.E. 18397 DATE: _____
 LICENSE RENEWAL DATE: DEC. 31, 2020
 PAGES OR SHEETS COVERED BY THIS SEAL:

Bishop Engineering
 "Planning Your Successful Development"
 3501 104th Street
 Des Moines, Iowa 50322-5825
 Phone: (515)726-0467 Fax: (515)726-0217
 Civil Engineering & Land Surveying Established 1959

M & W MINI STORAGE
2001 GRAND AVE, WEST DES MOINES, IA
COVER SHEET

REFERENCE NUMBER:

DRAWN BY:
 BSK

CHECKED BY:
 JEJ

REVISION DATE:
 4/14/20 CITY#1

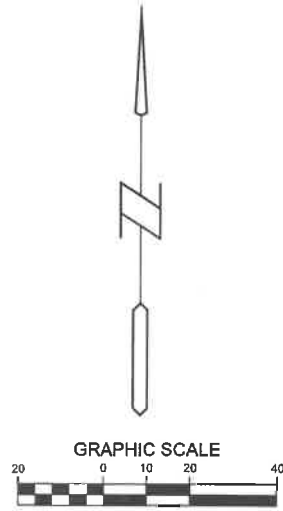
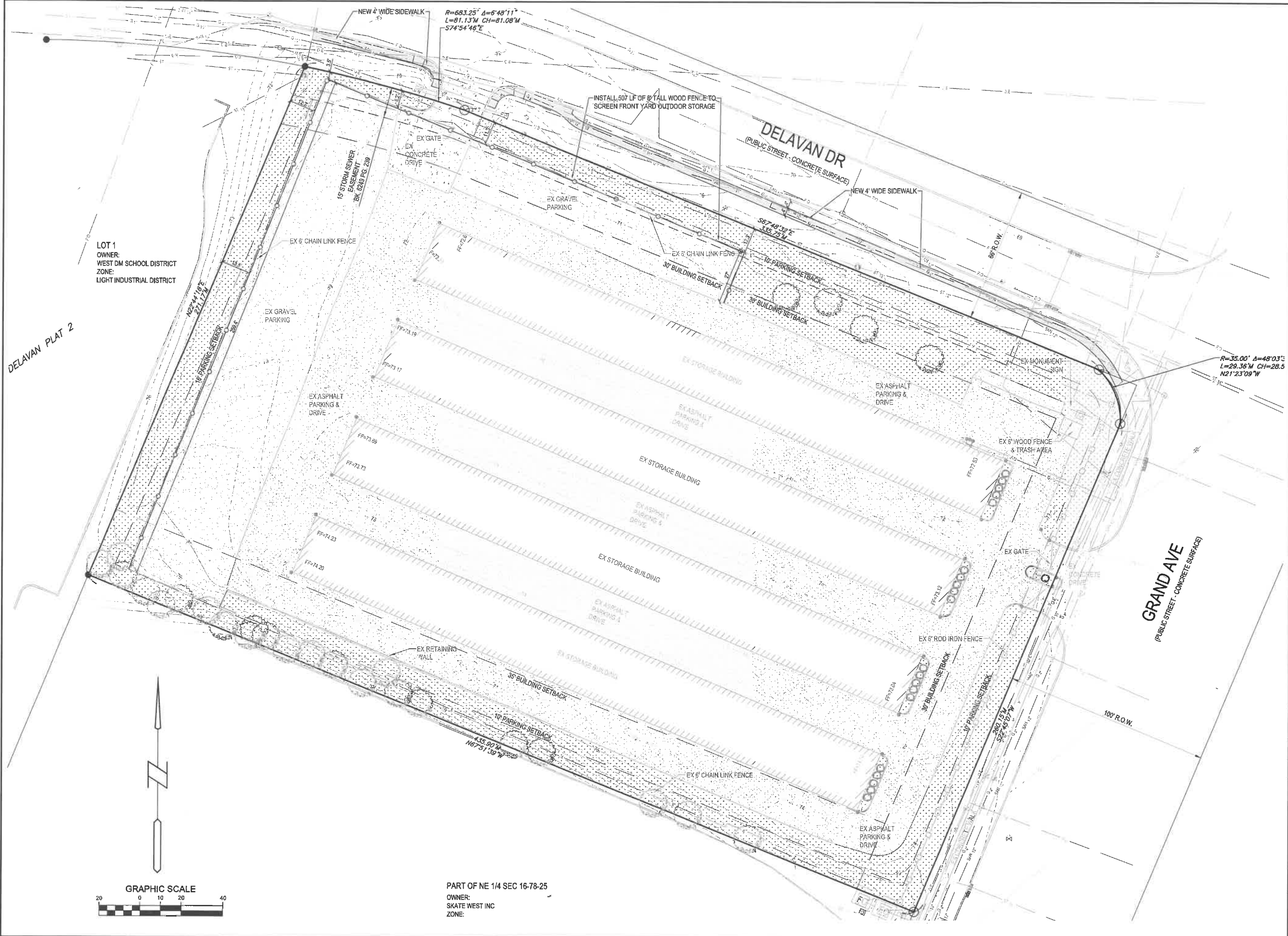
PROJECT NUMBER:
200206

SHEET NUMBER:

C0.1

PRELIMINARY - NOT FOR CONSTRUCTION

8/11/2020 11:12:30 AM L:\LAND PROJECTS 2020\200206\DWG\C2.1 LAYOUT.DWG



PART OF NE 1/4 SEC 16-78-25
 OWNER: SKATE WEST INC
 ZONE:

Bishop Engineering
 "Planning Your Successful Development"
 3501 104th Street
 Des Moines, Iowa 50322-3825
 Phone: (515)726-0467 Fax: (515)726-0217
 Civil Engineering & Land Surveying
 Established 1959

M & W MINI STORAGE
 2001 GRAND AVE, WEST DES MOINES, IA
LAYOUT PLAN

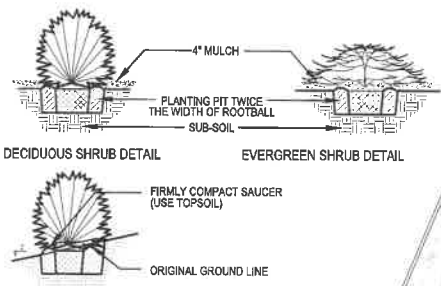
REFERENCE NUMBER:	
DRAWN BY:	BGK
CHECKED BY:	JEU
REVISION DATE:	4/14/20 CITY#1
PROJECT NUMBER:	200206
SHEET NUMBER:	C2.1

PRELIMINARY - NOT FOR CONSTRUCTION

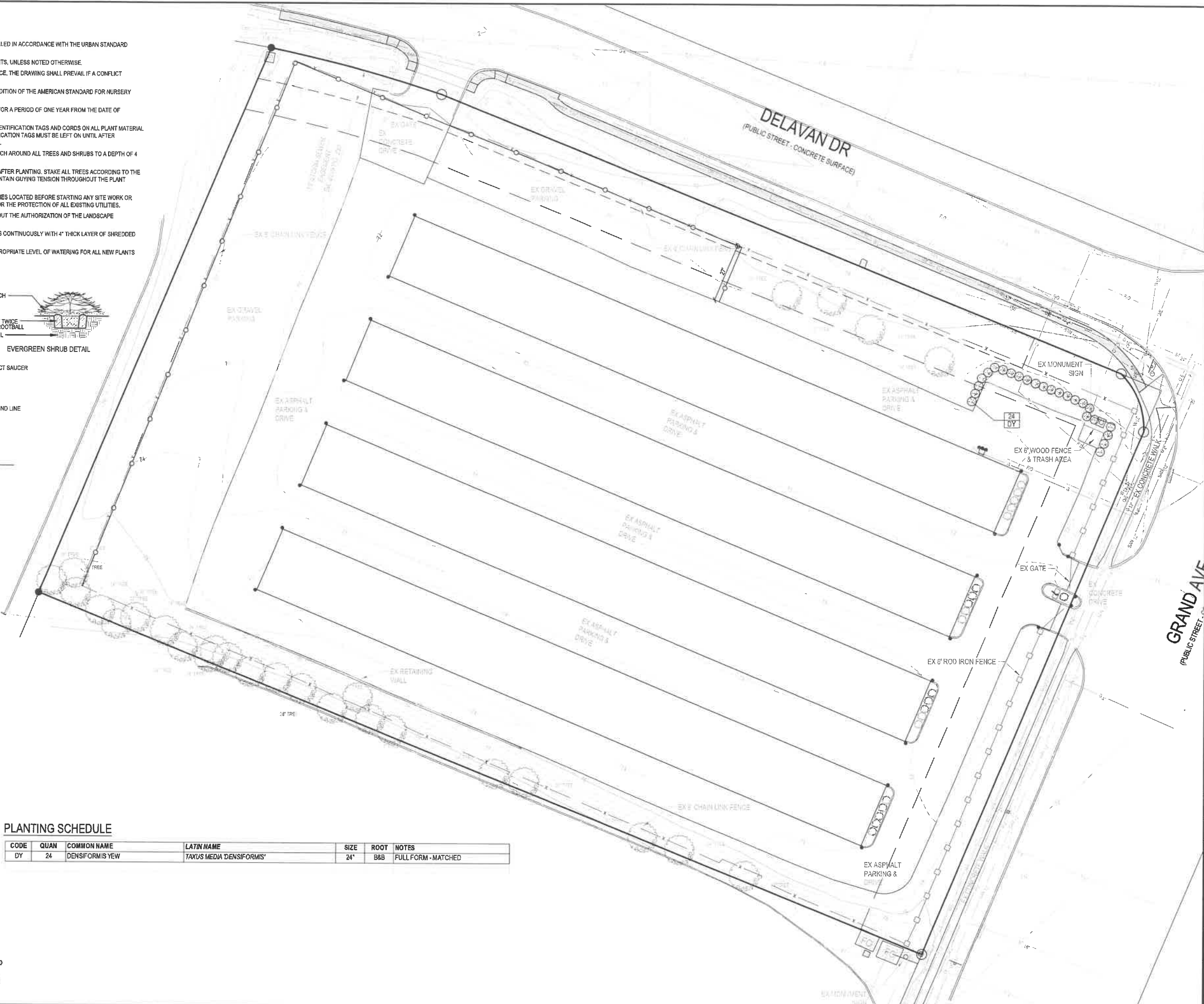
8/11/2020 11:02:00 AM L:\LAND PROJECTS\200206\DWG\C3.1.LANDSCAPE.DWG

LANDSCAPE NOTES:

1. ALL SEEDING & LANDSCAPE PLANTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE URBAN STANDARD SPECIFICATIONS, UNLESS SPECIFIED OTHERWISE.
2. SEED ALL DISTURBED AREAS WITHIN THE CONTRACT LIMITS, UNLESS NOTED OTHERWISE.
3. PLANT QUANTITIES ARE FOR CONTRACTORS CONVENIENCE. THE DRAWING SHALL PREVAIL IF A CONFLICT OCCURS.
4. ALL PLANT MATERIAL SHALL CONFORM TO THE LATEST EDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1).
5. CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE YEAR FROM THE DATE OF ACCEPTANCE.
6. IT IS THE CONTRACTORS RESPONSIBILITY TO REMOVE IDENTIFICATION TAGS AND CORDS ON ALL PLANT MATERIAL PRIOR TO THE COMPLETION OF THE CONTRACT. IDENTIFICATION TAGS MUST BE LEFT ON UNTIL AFTER ACCEPTANCE BY OWNER OR OWNER'S REPRESENTATIVE.
7. CONTRACTOR SHALL SHREDDED HARDWOOD MULCH AROUND ALL TREES AND SHRUBS TO A DEPTH OF 4 INCHES, UNLESS NOTED.
8. STAKE AND WRAP ALL DECIDUOUS TREES IMMEDIATELY AFTER PLANTING. STAKE ALL TREES ACCORDING TO THE STAKING DETAILS, CONTRACTOR SHALL ADJUST AND MAINTAIN GUYING TENSION THROUGHOUT THE PLANT ESTABLISHMENT PERIOD.
9. THE LANDSCAPING CONTRACTOR SHALL HAVE ALL UTILITIES LOCATED BEFORE STARTING ANY SITE WORK OR PLANTING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
10. NO LANDSCAPE MATERIAL SHALL BE SUBSTITUTED WITHOUT THE AUTHORIZATION OF THE LANDSCAPE ARCHITECT.
11. SPADE CUT EDGE ALONG NEW SHRUB BEDS. MULCH BEDS CONTINUOUSLY WITH 4" THICK LAYER OF SHREDDED HARDWOOD MULCH.
12. CONTRACTOR SHALL BE RESPONSIBLE MAINTAINING APPROPRIATE LEVEL OF WATERING FOR ALL NEW PLANTS FOR A PERIOD OF 30 DAYS.

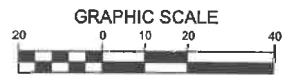


SHRUB PLANTING (TYP)
SCALE: NOT TO SCALE



PLANTING SCHEDULE

CODE	QUAN	COMMON NAME	LATIN NAME	SIZE	ROOT	NOTES
DY	24	DENSIFORMIS YEW	TAXUS MEDIA 'DENSIFORMIS'	24"	B&B	FULL FORM - MATCHED



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M & W MINI STORAGE
2001 GRAND AVE, WEST DES MOINES, IA
LANDSCAPE PLAN

REFERENCE NUMBER:
DRAWN BY: BGK
CHECKED BY: JEJ
REVISION DATE: 4/14/20 CITY#1
PROJECT NUMBER: 200206
SHEET NUMBER: C3.1

ORDINANCE NO.

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AND THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA 2019, BY AMENDING TITLE 9, ZONING, CHAPTER 9, PLANNED UNIT DEVELOPMENT DISTRICT, PERTAINING TO P.U.D. (PLANNED UNIT DEVELOPMENT) DISTRICT REGULATIONS AND GUIDELINES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. AMENDMENT: Amend the Zoning Map of the City of West Des Moines, Iowa, to change the zoning of the following legally described property from Light Industrial (LI) to **M&W Mini Storage** Planned Unit Development (PUD):

LEGAL DESCRIPTION:

Parcel 1 - Grand Avenue Site (Book 6693, Page 864-866)

SECTION 2. INTENT. The intent of this PUD is to formalize the allowance of an operating mini-storage use within the PUD property while providing for improvements of non-compliant city code site elements.

SECTION 3. SKETCH PLAN. Attached hereto and made a part of this rezoning approval, for concept description and delineation is the Sketch Plan Document for the **M&W Mini Storage PUD** marked Exhibit "A". The PUD is comprised of one developed parcel as legally described herein. On file with the city is a site plan documenting current conditions and improvements to be implemented as outlined in this ordinance (referred to as '2020 Site Plan'). Wherever conflict occurs between the written text in this document and the notations on the Sketch Plan or associated Site Plan, the written text shall prevail.

SECTION 4. COMPLIANCE WITH CODE. Any regulation, standard, provision, or requirement that is not specifically addressed within this document that is regulated elsewhere in the City Code of West Des Moines, the requirements of the City Code are applicable and shall be enforced.

All improvements within and adjacent to the property contained within this PUD shall adhere to the standards and design criteria set forth in the West Des Moines City Code and Subdivision Ordinance pertaining thereto, unless otherwise stated within this Ordinance.

The Developer, their successors, and assigns, if any, shall pay all construction and engineering costs for all improvements within and adjacent to the property contained within this PUD required per this ordinance and the West Des Moines City Code.

SECTION 5. SITE IMPROVEMENTS.

- A. **SIDEWALKS**. Public sidewalks shall be constructed along any and all of the property frontages adjacent to a public roadway. The design and location of the sidewalk shall be approved by the City as part of Public Improvement Plans or Site Plan, whichever is deemed applicable by the City Engineer, prior to installation. If deemed necessary, in conjunction with sidewalk improvement plans, a Stormwater Management Plan detailing and addressing the impacts of additional impervious surfacing shall be prepared at the

developer's expense, by a professional engineer licensed in the state of Iowa. Any deviations in design or location from standard sidewalk improvements will require the approval of the City Council. All required sidewalks shall be installed within one (1) year of the adoption of this ordinance unless the City Council requires or approves an alternate timeline.

B. OPEN SPACE. 19.4% (23,656 square feet) of the site shall be maintained as open space. Open Space shall be considered those areas unencumbered by structures, off-street parking, outdoor storage areas, and vehicle use drives, loading and other areas. A minimum of two (2) trees and three (3) shrubs shall be provided for every 3,000sf of open space based on 20% of the site. Minimum vegetation requirements for one category or landscaping purpose are in addition to another (i.e. open space vegetation is in addition to vegetation implemented for screening of parking or outdoor storage).

C. PARKING and CIRCULATION DRIVES.

1. A minimum of five (5) patron parking spaces shall be provided within the site. If additional parking is determined to be needed by evidence of patron vehicles parking on grass areas or adjacent to storage units beyond the time necessary to load and unload, additional parking, up to a maximum of eighteen (18) stalls will be required to be implemented. A portion of the allowed outdoor storage areas will need to be converted to provide the additional parking so as to not further decrease the percentage of open space provided within the site. Said converted parking areas will need to comply with all of the provisions stated within this section, including being paved.
2. Off-street parking areas shall be setback a minimum of ten feet (10') from property boundaries.
3. Patron parking shall occur on paved surfaces only. No curbing shall be required along the perimeter of off-street parking areas.
4. Vehicle circulation pathways within the site shall be paved in accordance with city code, except no curbing shall be required.
5. Views of patron parking areas from adjoining public roadways shall be screened to a height of three feet (3') through the use of topography, maximum three-foot (3') fencing or wall or vegetation of a coniferous variety.
6. Patron parking areas shall be marked in accordance with the Manual on Uniform Traffic Control Devices (MUTCD, Federal Highway Administration) standards.
7. Patron parking shall not be used for storage of vehicles or other.
8. To ensure the ability of emergency response vehicles to circulate within the site, patron vehicles shall not be parked adjacent to storage units longer than the time necessary to load or unload items to/from the storage unit.

D. DUMPSTER ENCLOSURE. At such time that the existing dumpster enclosure warrants rebuilding due to deterioration of materials, the dumpster shall be relocated to the northwest corner or within the western outdoor storage area. The dumpster enclosure will need to comply with current city code regulations regarding materials and access.

E. OUTDOOR STORAGE. Outdoor storage areas shall not be expanded beyond what exist at the time of adoption of this ordinance. The outdoor storage of vehicles and materials shall be allowed along the western boundary of the site and the western 240 feet of the northern boundary under the following conditions:

1. An eight-foot (8') tall, opaque fence is erected adjacent to all outdoor storage areas at a minimum ten-foot (10') setback from all property boundaries.
2. No vehicles, including recreational vehicles or materials stored along the northern

boundary shall be visible above the fence.

3. Views of the western storage area from the adjoining property to the south shall be mitigated through topography and/or implementation of vegetation. Any existing vegetation currently located along the southern boundary (indicated on the 2020 site plan on file with the City) removed that results in views of the western storage area shall be replaced with equal caliper inches of diameter at breast height (dbh) (i.e. a 4" tree removed shall be replaced with the equivalent of 4" of trees, that is four 1" trees, two 2" trees, etc.).
4. Screening of views of the western outdoor storage area from the Grand Avenue frontage shall not be required.
5. Gravel surfacing shall be allowed when bounded by either a solid fence or a minimum six inch (6") wide curb to contain the gravel and prevent migration of the gravel material into grass areas. Said curb shall be comprised of a material capable of withstanding the weight of maintenance equipment without crumbling such as, wood, asphalt, concrete, or other suitable material approved by the City. Asphalt or concrete pavement shall be required when the above fence and curbing parameters are not provided.
6. No outdoor storage shall be allowed within drive aisles associated with the covered storage units or at the terminus ends of the buildings.

SECTION 6. TIMING OF IMPROVEMENTS. Unless an alternative timeline is specified here within, or approved by the City Council, the following improvements shall be installed within six (6) months of the adoption of this ordinance, unless an extension of time is specifically granted by the City Council. Failure to complete said improvements or comply with provisions stated above (such as, but not limited to E-5) will forever render the site void of the opportunity to have an outdoor storage component as part of the mini storage operation. Upon determination of failure to comply with the requirements stated above, the property owner shall have thirty (30) days to remove all outdoor storage areas and return the areas to grass. Failure to comply within thirty (30) days will result in the violations and penalties as stated in Section 9 of this ordinance.

SECTION 7. REPEALER: All ordinances or parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

SECTION 8. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of the Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 9. VIOLATIONS AND PENALTIES. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Title 1, Chapter 4, Section 1 of the City Code of the City of West Des Moines, Iowa.

SECTION 10. OTHER REMEDIES. In addition to the provisions set out in the Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 11. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2020, and approved this _____ day of _____, 2020.

Steve Gaer, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the _____ day of _____, 2020.

Ryan Jacobson, City Clerk

RESOLUTION NO. PZC-20-059

A RESOLUTION OF THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES, IOWA, RECOMMENDING TO THE CITY COUNCIL THAT IT APPROVE THE REZONING REQUEST TO ESTABLISH THE M&W MINI STORAGE PLANNED UNIT DEVELOPMENT ORDINANCE FOR THAT PROPERTY LOCATED AT 2001 GRAND AVENUE

WHEREAS, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the property owner and applicant, MHC 80 (Des Moines, IA) LLC d/b/a CubeSmart, has requested approval of a Planned Unit Development (PUD) ordinance to formalize the allowance of an operating mini-storage use on that property located at 2001 Grand Ave; and

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

WHEREAS, on August 24, 2020, this Commission held a duly-noticed hearing to consider the Rezoning Request to establish the M&W Mini Storage Planned Unit Development (PUD) ordinance (ZC-004808-2020).

NOW, THEREFORE, THE PLAN AND ZONING COMMISSION OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1. The findings, for approval, in the staff report, dated August 24, 2020, or as amended orally at the Plan and Zoning Commission hearing of August 24, 2020, are adopted.

SECTION 2. REZONING REQUEST (ZC-004808-2020) to establish the M&W Mini Storage PUD ordinance is recommended to the City Council for approval, subject to compliance with all the conditions in the staff report, dated August 24, 2020, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation of any such conditions shall be grounds for revocation of the permit, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on August 24, 2020.

Erica Andersen, Chair
Plan and Zoning Commission

ATTEST:

Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on August 24, 2020, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

Exhibit A
Conditions of Approval

1. The property owner executing an Irrevocable Offer of Right of Way Dedication for ten feet (10') of additional Grand Avenue right of way prior to City Council consideration of the associated site plan detailing site improvements.
2. Prior to publication of the PUD Ordinance, the applicant addressing all city comments on the associated site plan which reflects existing site conditions and all improvements to be made.