

PLAN AND ZONING COMMISSION

PZ AF 09-14-2020

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:31 p.m. on Monday, September 14, 2020, as a Zoom electronic meeting, with residents also able to attend in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

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

**Item 1- Consent Agenda**

Item 1a – Minutes of the meeting of August 24, 2020

Chairperson Andersen asked for any comments or modifications to the August 24, 2020 minutes.

Moved by Commissioner Drake, seconded by Commissioner Southworth, the Plan and Zoning Commission approved the August 24, 2020 meeting minutes.

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

**Item 2 – Public Hearings**

There were two (2) Public Hearing items.

**Item 2a – Erik’s Bikes PUD, 950 1<sup>st</sup> Street – Establish the Erik’s Bikes Planned Unit Development – EBS Property Iowa, LLC – ZC-004771-2020**

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 September 4, 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 Southworth, seconded by Commissioner Conlin, 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, Drake, Hatfield, Southworth..... Yes  
Crowley.....Absent  
Motion Carried.

Ben Peters, Appro Development, 21476 Grenada Ave, Lakeville, MN, representing Erik’s Bikes in their application stated they are moving their location to accommodate

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the City in a street widening project. Their new site is challenging due to underground utilities and abandoned road right-of-way. The Val-gate redevelopment district has interesting requirements for Doo-Wop architecture. He believes they have worked out the issues and have developed a good project for the district.

Brian Portz, Development Services Planner, presented a view of the site plan, noting that it is a difficult site with railroad tracks going through on the north side. Access will be provided from 1<sup>st</sup> Street and Ashworth Rd. The City will construct the southern street as part of the Grand Avenue road widening. There will be a shared access/parking agreement with Val-Lanes. The PUD sketch was provided, and building architecture shown. Streetscape is required in Val-gate and will be installed along 1<sup>st</sup> Street and Ashworth Road, including ornamental aluminum stones to solidify the look in the area. The site plan is under review and will be moving forward to the Plan & Zoning Commission within a month.

Chairperson Andersen asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

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

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

**Item 2b – Amendment to City Code – Title 9, Zoning, Chapter 6, Commercial and Office and Industrial use Regulations, and Title 9, Zoning, Chapter 15, Off Street Parking and Loading, to allow SIC 7922 Theatrical Producers (except Motion Picture) and Miscellaneous Theatrical Services in the General Industrial and Light Industrial Zoning Districts – City Initiated – AO-004795-2020**

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 September 4, 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 Conlin, 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, Drake, Hatfield, Southworth..... Yes  
Crowley.....Absent

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Motion Carried.

Kara Tragesser, Development Services Planner stated Staff have not received any written comments on the project. She stated the City has received a proposal from Tallgrass Theatre Company as they seek a new location within West Des Moines for a theatre use in a light industrial area. Staff reviewed and decided it would be appropriate also for general industrial as well as light industrial areas. It was agreed that this type of building with high ceilings and large interior spaces would accommodate the use well. Staff are recommending that it be a permitted conditional use so that parking could be reviewed as some areas may have less parking or require restriping. This amendment includes a parking code change to 1 parking space for 2 guests, plus 1 parking space for each person associated with the production. The site being proposed by Tallgrass has adequate parking for their needs.

Chairperson Andersen asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

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

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

**Item 3 – Old Business**

There were no Old Business items to address.

**Item 4 – New Business**

There was one (1) New Business item.

**Item 4a – M&W Mini Storage, 2001 Grand Ave – Approval of site improvement plan compliant with Planned Unit Development (PUD) requirements – MHC 80 (Des Moines, IA) LLC., d/b/a/ CubeSmart – ZC-004808-2020**

Dan Manning, Lillis O’Malley Olson Manning Pose Templeman LLP, 317 6<sup>th</sup> Ave, Des Moines, stated he was representing the applicant and summarized the request. He noted this is a site plan to address some compliance issues and that they have worked with staff extensively and have addressed all issues through rezoning the property to a PUD and meeting the site plan requirements. He concluded that Norm Kotoch was present representing the owner, if the Commission had any questions.

Lynne Twedt, Development Services Director, stated that Mr. Manning had summed it up well. She informed that a key improvement included a sidewalk along Delavan Dr that must be completed within a year. Dedication of right away would be via irrevocable

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offer of right of way and would need to occur before the site plan comes before City Council on Monday. Screening would be put in place along Delavan Drive and the west property line to screen the outdoor storage. She stated additional shrubbery was being planted to meet open space and parking lot screening and curbing is being installed in gravel storage areas to keep the gravel from migrating into grass areas. Staff recommends approval to bring the site into compliance.

Chairperson Andersen asked if anyone from the audience would like to speak to this item. Norm Kotoch, NAK Management and Consulting LLC, 7607 Ellington Place, Mentor, OH, thanked Staff and the Commission for working with them to resolve the issues.

Chair Andersen asked for continued discussion or a motion.

Moved by Commissioner Drake, seconded by Commissioner Costa, the Plan and Zoning Commission approved a resolution recommending approval of the site plan, subject to the following conditions:

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 the 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 improvement plan.
3. Applicant will need to certify sidewalk design and construction is in conformance with the requirements of the Public ROW Accessibility Guidelines (PROWAG). Chapter 12 of the 2013 edition of the Statewide Urban Design Standards (SUDAS) is the most current design reference material available for construction of public sidewalks in Iowa. After the sidewalk is constructed as-builts will need to be provided certifying said construction is in conformance with PROWAG.
4. Upon implementation of storm water management facilities, the applicant shall execute a Storm Water Management Facility Maintenance Agreement (SWMFMA). In addition to the agreement, the applicant shall cause to be provided a letter certifying the detention facility is in conformance with the approved SWMP and provide as-built drawings of the detention facilities. Both the letter and as-builts will need to be signed/sealed in accordance with Chapter 6, 193C-6.1(542B) of the Iowa Code.

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

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**Item 5 – Staff Reports**

The next meeting is scheduled for Monday, September 28, 2020.

**Item 6 – Adjournment**

Chairperson Andersen adjourned the meeting at 5:52 p.m.

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Erica Andersen, Chairperson

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Jennifer Canaday, Recording Secretary