

# PLAN AND ZONING COMMISSION

PZ AF 07-12-2021

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, July 12, 2021, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, and Electronically through Zoom.

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

## **Item 1- Consent Agenda**

Item 1a – Minutes of the meeting of June 28, 2021

Chairperson Andersen asked for any comments or modifications to the June 28, 2021 minutes.

Moved by Commissioner Drake, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved the June 28, 2021 meeting minutes.

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

## **Item 2 – Public Hearings**

There were no Public Hearing items.

## **Item 3 – Old Business**

There was one Old Business item to address.

### **Item 3a – Westowne Shopping Center Planned Unit Development, west side of 22<sup>nd</sup> Street between I-235 and Westown Parkway – Establish the Westowne Center Planned Unit Development Ordinance to govern development of the existing shopping center – Westowne Center Associates – ZC-00569-2021 (Continued from June 28, 2021)**

Chairperson Andersen continued the public hearing and asked the applicant to provide an update on this proposal.

Aaron Mesmer, Block Real Estate Services, 4622 Pennsylvania Avenue Suite 700, Kansas City, MO, provided a review of the project. Mr. Mesmer summarized the areas where they are agreeing to Staff requests and the challenges specific to the situation. He noted the two areas still being discussed include the size of the monument sign and the second access road connecting to the office area. He proposed language which could be adopted to help limit the volume of additional requests for exceeding sign code limitations. Mr. Mesmer emphasized that they are willing to continue to work with Staff to finalize this project.

Bryce Johnson, Development Services Planner, provided an aerial showing the west street connector and a slide showing the sign being requested by the applicant.

Commissioner Costa asked what the benefit is to connect the two area with the secondary access road. Ben McAlister, Principal Engineer, responded that in this particular case, the

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connection already exists and has been shown on site plans for this site since 1990. The purpose is to provide an efficient route for office users who may want access to the restaurants and retailers within Westowne Center. This area is being evaluated for redevelopment, should the office building be redeveloped into residential, this would provide a natural connection for pedestrians and cyclists.

Commissioner Costa expressed appreciation for the great improvements to the shopping center and the area. He stated the issue of the signage is a challenging one, because once you approve that, you open floodgates. He expressed his disapproval of the request for signage over and above what's allowed by code. Regarding the street connection, Commissioner Costa noted he understood the applicants' concerns, however he recognized that it would present difficulties for the City in the future if it were not required now. He indicated he would move approval, supporting the City's position on the size of the monument sign and requiring the SW access drive.

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 Costa, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending the City Council approve the Rezoning Request, supporting City staff's recommendation on interstate signage compliance with current code requirements, requiring the SW access drive and the applicant meeting all other applicable City Code requirements.

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

### **Item 4 – New Business**

There were four New Business items.

#### **Item 4a – Mill Ridge Plat 5, South of Harper Lane along S 92<sup>nd</sup> St and S Radley St – Approve A Preliminary Plat to create thirty-one lots for Single Family Residential development, one outlot and two street lots – Mill Ridge Homes, LLC – PP-005206-2021**

Josh Trygstad, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, summarized the proposal to create a preliminary plat for single family development, noting the location, size of lots, and street extensions. He noted that this layout was approved in 2016, with the addition of two lots. There were no questions for Mr. Trygstad.

Bryce Johnson, Development Services Planner, had no additional comments.

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 Crowley, seconded by Commissioner Costa, the Plan and Zoning Commission approved a resolution recommending approval of the Preliminary Plat, subject to the applicant meeting all City Code requirements.

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

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### **Item 4b – West Glen Village North, 450 S Prairie View Drive – Approve a Preliminary Plat to create 184 footprint lots for development, one outlot for common ground, one lot for storm water management and one lot for parkland – WD Real Estate Holdings, Inc – PP-004964-2021**

Ed Arp, Civil Engineering Consultants, 2400 86<sup>th</sup> Street, Suite 12, Des Moines, on behalf of WD Real Estate Holdings, Inc, introduced the proposal. He stated that this parcel was rezoned earlier to medium density. This site shared detention with West Glen, therefore there is plenty of greenspace. A private park will be part of this development. Public access will be to Prairie View Drive, with private streets connecting to West Glen. Mr. Arp noted that the site plan will be approved administratively, and briefly summarized that the buildings will be a mix of two- and three-story units with rooftop patios and very nice architecture.

Kara Tragesser, Development Services Planner, pointed out that the single condition of approval listed on the staff report requiring revised elevations has been met, therefore there are no conditions of approval. This is an overlay district site plan which will be reviewed and approved administratively. With approval of the preliminary plat, the applicant will be able to begin grading and doing utility work onsite.

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 Drake, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending approval of the Preliminary Plat.

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

### **Item 4c – Fox Ridge Townhomes, South of Veterans Parkway and west of Fox Valley development – Approve Site Plan to allow construction of 136 townhome units – Forestar USA Real Estate Group, Inc – SP-004925-2020**

Branden Stubbs, Stubbs Engineering, 431 NE 72<sup>nd</sup> Street, Pleasant Hill, on behalf of DR Horton and Forestar (USA) Real Estate Group, Inc, summarized the project involving 4-, 5- and 6-plexes, noting the location. He stated this would partially be completed with a single-family development to the South and would include the SE 26<sup>th</sup> Street Extension connecting to Veterans Parkway. Mr. Stubbs added that there would be discussion about the townhome elevations and that there were representatives of DR Horton online to respond to any questions.

Brian Portz, Development Services Planner, informed that one of the conditions of approval is that the developer obtain North South access through this site. The City is still working with Warren County to allow that, as the Great Western Trail goes through the site. Access to Veterans Parkway and the final plat will need to be approved prior to any building permits being issued. Regarding the building design, Planner Portz outlined the deficiencies and City expectations in the Staff Report and stated that Karen Marren was present to answer any questions.

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

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Seth Moulton, DR Horton, 1910 Plaza Shoppes Lane, Ankeny, commented on the building elevations and noted that architect Jenny Meyer was also present on the call. He explained that there is a lack of clarity regarding the City expectations for the design standards, and that they have not been able to obtain anything in writing. He noted that they have provided 8 or 9 reiterations and have been requesting feedback. Mr. Moulton emphasized their intent to work with staff to resolve the issue. Jenny Meyer agreed, saying she had asked for red-lined feedback.

Karen Marren, Development Services Planner, responded to the comments. She noted there have been multiple meetings to try to resolve this issue. Ms. Marren agreed that there are not written design standards, but standard practices. She noted Staff try to guide but avoid designing the project for an applicant. Ms. Marren said she has not received an elevation of the proposed 6-unit building for review. She concluded that they are happy to continue to work with the applicant.

Mr. Moulton asserted they would like to continue to work with staff to iron out the differences. He commented that this is their first time building a townhome in West Des Moines, and not having a written guide has been a challenge. He agreed to provide elevations for the 6-plex, which would be similar to those provided for the 4- and 5-plex buildings.

Ms. Marren stated Staff would work with the applicant to clarify the issues.

Commissioner Davis asked how close the City is to working out the situation with Warren County with the Great Western Trail, noting when it was proposed to move the highway in, that became a battle. She questioned whether this might stop the project.

Ben McAlister, Principal Engineer, responded that he did not believe this issue would stop the project. In the agreement with Warren County, when Veterans Parkway was constructed, an access was allowed at this location. He stated what the City is working on now with the County Attorney's office is how that ground is going to be conveyed, whether it's a fee titled right of way, an easement or access agreement, that sort of detail is being worked out.

Mr. Moulton inserted that this is the same information they have been provided by Warren County as well, that there's not a pushback from Warren County or Warren County Conservation Board, there are just details to be worked out.

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

Commissioner Costa commented that there are lots of multi-family developments in West Des Moines and he believed two reasonable parties would be able to come to an accommodation on the elevation challenges that they're having. Commissioner Crowley agreed and asked if the Board should defer or ask them to work with Staff. Chair Andersen observed that the three options were to defer, recommend they work with staff, or accept the proposal as shown.

Moved by Commissioner Costa, seconded by Commissioner Davis, the Plan and Zoning Commission approved a resolution recommending that the Applicant work with Staff, and approving of the site plan, subject to the following conditions:

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1. The applicant continuing to work with staff on the exterior design of the townhome buildings and resolving the design prior to the issue of any building permits for the townhome buildings.
2. The applicant acknowledging that construction within the Warren County property shall not occur until the City and developer obtain access rights through the property from Warren County.
3. The applicant acknowledging that the Fox Ridge final plat(s) shall not be approved, nor any building permits issued for Fox Ridge Townhomes until the connection to Veterans Parkway is complete or an alternate secondary access provided. Any infrastructure work completed within the Fox Ridge development as allowed by the approval of the Fox Ridge Townhomes Site Plan will be at the developer's own risk in the event that an access can't be obtained through the County property.

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

Mr. Moulton requested a face-to-face meeting with Staff. Development Coordinator Schemmel stated he could reach out to Planner Portz and a meeting could be scheduled.

### **Item 4d – Microsoft DSM 12, 5855 SW Kerry Street – Approve Major Modification to Site Plan to allow construction of a 250,000 square foot cold shell building for future data center – Microsoft Corporation – MaM-005167-2021**

Ryan Hardisty, Civil Design Advantage, 3405 SE Crossroads Drive, Suite G, Grimes, on behalf of Microsoft Corporation, informed that he is the lead project engineer for this data center addition. He noted that this will be the fourth building at the Osmium campus. This will be a cold shell, which will be a pre-engineering steel building which will be identical to the others on the site. In the future, they will return with a modification to address the parking and utility work around the building.

Brian Portz, Development Services Planner, recommended approval.

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

Ed Arp, 3385 Cumming Road, informed that he lives just southwest site, and he expressed concerns about the lighting and the impact on residents of Madison County. Mr. Arp noted that some of it is due to temporary construction lighting, however the permanent lighting isn't as cut off as it could be, and they do get quite a glow coming from the northeast. He thought it would be a shame, as it's such a visible site, to have it glowing all the time.

As there were no further comments, Chair Andersen asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission approved a resolution recommending approval of the major modification, subject to the following conditions:

1. The applicant acknowledging and agreeing that a Major Modification to Site Plan application and associated drawings will be required to be submitted and approved by the City prior to installation of any site development improvements associated with the Microsoft DSM 12 building.

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2. The applicant acknowledging and agreeing that no building permit shall be issued for interior improvements made to the building shell until the associated Major Modification to Site Plan is approved by the City.

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

**Item 5 – Staff Reports**

The next meeting is scheduled for Monday, July 26, 2021.

**Item 6 – Adjournment**

Chairperson Andersen adjourned the meeting at 6:14 p.m.

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Erica Andersen, Chairperson

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Jennifer Canaday, Recording Secretary