

PLAN AND ZONING COMMISSION

PZ AF 11-22-2021

Vice Chair Drake called the regular meeting of the Plan and Zoning Commission to order at 5:35 p.m. on Monday, November 22, 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: Crowley, Davis, Drake, Hatfield.....Present
Andersen, Conlin, Costa.....Absent

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of November 8, 2021

Vice Chair Drake asked for any comments or modifications to the November 8, 2021 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Davis, the Plan and Zoning Commission approved the November 8, 2021 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

There was 1 Public Hearing item.

Item 2a – Ordinance Amendment, Amend Title 9 (Zoning) to modify regulations pertaining to Solar Energy Systems – City Initiated – AO-005387-2021

Vice Chair Drake 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 November 16, 2021.

Vice Chair Drake 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 Hatfield, seconded by Commissioner Crowley, 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: Crowley, Davis, Drake, Hatfield.....Yes
Andersen, Conlin, Costa.....Absent

Motion carried.

Linda Schemmel, Development Coordinator, presented a summary of updates to the ordinance, including regulating capacity and bulk regulations. One change involves allowing townhomes to be processed similar to single family residences, reducing permit costs and review time. The second change has to do with Building mounted systems will no longer need to stay below the generating capacity of 15 KW, allowing most systems to increase in size, however, they are still

PLAN AND ZONING COMMISSION

limited by roof size. Ms. Schemmel noted a recent discussion with the Development and Planning Subcommittee which led to plans for a broader future discussion with the full City Council regarding additional changes to the ordinance.

Commissioner Crowley asked whether Staff had pictures illustrating what would be allowed versus what is allowed now. Ms. Schemmel stated she did not have visuals at this time, but would after additional review. Changes are being restricted to roof-mounted systems and are therefore governed by roof size. She noted there have been no complaints about roof-mounted systems in the past 5 years since permits for solar systems began to be issued. All applications for roof-mounted systems have been flush-mounted, although the ordinance allows up to 18 inches from roof.

Vice Chair Drake 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 Crowley, the Plan and Zoning Commission approved a resolution recommending the City Council approve the ordinance amendment.

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

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There were two New Business items.

Item 4a – Fox Ridge, South of Veterans Parkway and west of Fox Valley development – Approve a Revised Preliminary Plat to create 192 lots for Single Family Residential and 136 footprint lots for Medium Density Residential development, 9 outlots and 9 street lots – Forestar (USA) Real Estate Group, Inc. and Charles I. Colby and Ruth Colby Investment Trust – PP-005329-2021

Brian Portz, Development Services Planner, provided a brief overview of the project in the absence of the applicant. He stated the preliminary plat is being revised to add one lot, with a few minor changes such as changes to street names. Mr. Portz pointed out that one of the conditions of approval states that an easement granting access through the Great Western Trail property to Veteran's Parkway will need to be executed prior to final plat approval.

Vice Chair Drake 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 Davis, the Plan and Zoning Commission approved a resolution recommending approval of the revised Preliminary Plat subject to the applicant meeting all City Code requirements and the following conditions of approval:

1. The applicant acknowledging that no approval of a final plat for any property within the development shall occur until access rights from Warren County through the Great

PLAN AND ZONING COMMISSION

Western Trail property, or an alternate secondary access acceptable to the City is secured. Any infrastructure work completed within the Fox Ridge development as allowed by the approval of the original Fox Ridge preliminary plat or this revised preliminary plat is at the developer's own risk in the event that an access agreement/easement through the County property cannot be obtained or an alternate acceptable secondary access is secured.

2. No building permit, including footing and foundation permits for any dwelling within the development shall be issued until the appropriate accesses acceptable to the City are constructed and useable.

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

Item 4b – Pavilion Park Phase 1, West of 9075 & 9076 Lindas Lane – Approve a Preliminary Plat to create 62 lots for Single Family Residential development – Pavilion Park, LC & Della Vita, LLC – PP 005096-2021

Erin Ollendike, Civil Design Advantage, 3405 SE Crossroads Dr, Suite G, Grimes, presented the application for 52 lots, 1 outlot for detention and 1 outlot for parks which will include a trail system along the floodplain.

Vice Chair Drake asked if the applicant was in agreement with Staff conditions. Ms. Ollendike responded that she didn't believe she had seen a copy of those conditions.

Brian Portz, Development Services Planner, read through the conditions. Ms. Ollendike inserted that the applicant is in agreement with all of them.

Vice Chair Drake 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 Davis, the Plan and Zoning Commission approved a resolution recommending approval of the preliminary plat, subject to the applicant meeting all City Code requirements and the following conditions of approval:
approval:

1. The City Council approving the waiver request to allow the placement of public utility easements in the front yard of Lots 48-58, Pavilion Park Phase 1 Preliminary Plat.
2. The applicant acknowledging that appropriate secondary access to Venice Avenue from EP True Parkway and Wendover Lane, acceptable to the Fire Marshal, shall be in place prior to issuance of building permits, including footing and foundation permits for any lots within the development.
3. The applicant acknowledging that the gravel extension of EP True Parkway to Wendover Lane be constructed so that it supports 75,000 lbs. of gross vehicle weight and be maintained at all times, including snow removal.
4. The applicant acknowledging that no additional building permits beyond Pavilion Park Phase 1 Preliminary Plat will be allowed within the larger Pavilion Park development until EP True Parkway is fully paved from its existing terminus to Wendover Lane.

PLAN AND ZONING COMMISSION

- 5. The applicant acknowledging that the Pavilion Park Phase 1 Final Plat shall be approved by the City Council prior to the issuance of any building permits, including footing and foundation permits for lots within the site.

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

Item 5 – Staff Reports

The next meeting is scheduled for Monday, December 13, 2021.

Item 6 – Adjournment

Vice Chair Drake adjourned the meeting at 5:49 p.m.

Jennifer Drake, Vice Chair

Jennifer Canaday, Recording Secretary