

CITY OF WEST DES MOINES

COUNCIL AGENDA

date: April 18, 2022

time: 5:30 P.M.

MAYOR RUSS TRIMBLE
COUNCILMEMBER AT LARGE RENEE HARDMAN
COUNCILMEMBER AT LARGE MATTHEW MCKINNEY
COUNCILMEMBER 1ST WARD KEVIN L. TREVILLYAN
COUNCILMEMBER 2ND WARD GREG HUDSON
COUNCILMEMBER 3RD WARD DOUG LOOTS

CITY MANAGER.....TOM HADDEN
CITY ATTORNEY.....RICHARD SCIESZINSKI
CITY CLERK.....RYAN JACOBSON

West Des Moines City Hall - City Council Chambers 4200 Mills Civic Parkway

*Members of the public wishing to participate telephonically, may do so by calling:
515-207-8241, Enter Conference ID: 656 514 692#*

1. **Call to Order/Pledge of Allegiance/Roll Call/Approval of Agenda**
2. **Citizen Forum** (Pursuant to City Council Procedural Rules citizen remarks are limited to five minutes under this agenda category - if additional time is desired the Mayor/Council may allow continuation as part of the Other Matters portion of the agenda)
3. **Mayor/Council/Manager Report/Other Entities Update**
 - a. GreenState Credit Union - Presentation of Check for Historic West Des Moines Pilot Housing Programs
 - b. Rob Denson, President of Des Moines Area Community College
4. **Consent Agenda**
 - a. Motion - Approval of Minutes of April 4, 2022 Meeting
 - b. Motion - Approval of Bill Lists
 - c. Motion - Approval of Liquor Licenses:
 1. Master of None, LLC d/b/a Barn Town Brewing, 9500 University Avenue, Suite 1110 - Class BB Beer Permit Extension of Outdoor Service - May 28-29, 2022
 2. Tasting Station Restaurant Group, LLC d/b/a BeerStyles Gastropub & Taproom/SALT of the Hearth, 5513 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 3. Blazin Wings, Inc. d/b/a Buffalo Wild Wings Grill & Bar, 6925 Mills Civic Parkway, Suite #115 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 4. Revenge is a Dish, LLC d/b/a Club Envy, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal

Council Agenda

April 18, 2022

5. Restaurant & Partnership Group, LLC d/b/a El Muchacho Alegre, 4750 University Avenue - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - New
 6. Fareway Stores, Inc. d/b/a Fareway Store #153, 329 Grand Avenue - Class LE Liquor License with Carryout Wine and Carryout Beer - Renewal
 7. Hy-Vee, Inc. d/b/a Hy-Vee Market Cafe, 1700 Valley West Drive (Cafe Area) - Class LC Liquor License with Sunday Sales - Renewal
 8. City of West Des Moines d/b/a MidAmerican Energy RecPlex, 6500 Grand Avenue - Class BW Permit with Sunday Sales and Outdoor Service - Renewal
 9. Jai Jai, LLC d/b/a Mills Grocery & Liquor, 6630 Mills Civic Parkway, Suite 3110 - Class LE Liquor License with Carryout Beer, Carryout Beer, and Sunday Sales - New
 10. GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1146, 3600 Westown Parkway - Class LC Liquor License with Sunday Sales - Renewal
 11. St. Francis of Assisi Roman Catholic Church d/b/a St. Francis of Assisi Church, 7075 Ashworth Road - Class BW Permit with Sunday Sales - Renewal
 12. Boggs Properties, LLC d/b/a Sully's Irish Pub, 110 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
- d. Motion - Approval of Tobacco Permit
- e. Motion - Approval of Acknowledgment/Settlement Agreements - Violation of Tobacco Laws
- f. Motion - Approval of Appointments:
1. Human Services Advisory Board
 2. Due Diligence Committee
- g. Motion - Approval of Renewal Contract - Electrical Repair Services
- h. Motion - Approval of Change Orders:
1. Digital Enterprise Conduit Deployment Segment 5, Phase 2, #3
 2. MidAmerican Energy RecPlex - Site Improvements, #10
- i. Resolution - Approval of Compensation - City Manager
- j. Resolution - Approval and/or Ratification of Specific Fees and Charges - City Clerk's Office
- k. Resolution - Approval of Interfund Transfers
- l. Resolution - Order Construction:
1. SE County Line Road, Veterans Parkway to SE Orilla Road
 2. Valley Junction Alley Improvements, Phase 6
- m. Resolution - Approval of Policy for the Naming of Roadways and Addressing
- n. Resolution - Approval of Vacation Request and Acceptance of Public Utility Easement - Jordan Creek Tower
- o. Proclamation - Approval of Proclamations:
1. Minority Owned Business Day, April 22, 2022
 2. Earth Day, April 22, 2022
 3. Arbor Day, April 29, 2022
 4. Asian-American Heritage Month, May 2022

5. Old Business

- a. Westown Commons, 2501 Westown Parkway - Amend Comprehensive Plan Land Use Map Designation from Regional Commercial to Office, Repeal the Westown Commons Planned Unit Development, and Amend the Zoning Map to Establish Professional Commerce Park Zoning - CT Development
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption (Repeal PUD)
 - 2. Ordinance - Approval of Second, Third Readings and Final Adoption (Rezoning)

- b. King's Grove Townhomes, west of the intersection of Stark Drive and South 100th Street - Change Existing Townhome Addresses - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

- c. Amendment to City Code - Title 9 (Zoning) - Modify Regulations Pertaining to Operable Storefronts and Outdoor Activity Areas - City Initiated
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

- d. Amendment to City Code - Title 9 (Zoning)- Modify Regulations Pertaining to Requirements for Garages in Single-Family and Medium-Density Zoning Districts - City Initiated
 - 1. Ordinance - Approval of Second Reading

- e. Amendment to City Code - Title 9 (Zoning) - Modify Regulations Pertaining to Residential Building Form and Residential Uses - City Initiated
 - 1. Ordinance - Approval of Second Reading

- f. Jordan Creek Tower - Vacation of 40-foot Highway Easement Located Across 575 South 60th Street - Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005
 - 1. Ordinance - Approval of Second, Third Readings and Final Adoption

6. Public Hearings (5:35 p.m.)

- a. Glen Oaks Rowhomes, southwest corner of I-35 and Mills Civic Parkway - Amend Comprehensive Plan Land Use Map to Establish Medium Density Residential Land Use and Amend the Glen Oaks Planned Unit Development (PUD) to Add Parcel M and Add Regulations Governing the Development of Medium Density Residential - Paramount-Destination Homes, Inc. (Continued from April 4, 2022)
 - 1. Motion - Continue Public Hearing to May 2, 2022

- b. Galleria, 6255 Mills Civic Parkway - Amend the Specific Plan Ordinance to Allow a Bank on Parcel A-4 of the Specific Plan - I.H.W.O.P., LLC and WCKLC-RED ROBIN, L.C.
 - 1. Ordinance - Approval of First Reading

- c. Silverwood, northeast corner of Mills Civic Parkway and South 88th Street - Amend Comprehensive Plan Land Use Map to Designate Medium Density Residential and Amend the Planned Unit Development (PUD) Regulating Development of Medium Density Residential - Hurd Riverview, LLC
 - 1. Motion - Continue Public Hearing to May 2, 2022
- d. Suite Shots, southwest corner of Interstate 35 and Grand Avenue - Amend Comprehensive Plan Land Use Map to Designate Regional Commercial and Establish the Suite Shots Planned Unit Development (PUD) Regulating Development of a Variety of Commercial and Offices Uses - Des Moines ND, LLC
 - 1. Resolution - Approval of Comprehensive Plan Amendment
 - 2. Ordinance - Approval of First Reading
- e. Parcel 2021-217, located at the terminus of former SE Army Post Road - Conveyance of Property Interest to Des Moines Water Works - City Initiated
 - 1. Resolution - Approval of Conveyance of Property Interest
- f. Digital Enterprise Conduit Deployment Segment 4, Phase 4 - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Reject All Bids
- g. Valley View Park - Pickleball Courts and Ancillary Improvements - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract
- h. 2021 Concrete Trail Renovations - City Initiated
 - 1. Resolution - Approval of Plans and Specifications
 - 2. Motion - Receive and File Report of Bids
 - 3. Resolution - Award Contract
- 7. New Business**
 - a. Fareway Development Plat 1, 9080 Mills Civic Parkway - Approval of Final Plat to Create Two Lots for Commercial Development - Fareway Stores, Inc.
 - 1. Resolution - Approval and Release of Final Plat
 - b. 111 5th Street - Approval of Site Plan to Allow Construction of a 4,900 sq. ft. Restaurant and Office Building with Outside Patio - 111 5th Street, LLC
 - 1. Resolution - Approval of Site Plan
- 8. Receive, File and/or Refer**

- 9. **Other Matters**
 - a. Legislative Updates

CITY COUNCIL WORKSHOP

(immediately follows Council meeting)

- 1. Commerce Area Drainage Issue
- 2. Other Matters

The City of West Des Moines is pleased to provide accommodations to disabled individuals or groups and encourages their participation in city government. Should special accommodations be required please contact the Clerk's office at least 48 hours in advance, at 222-3600 to have accommodations provided.

April 4, 2022

West Des Moines City Council Proceedings
Monday, April 4, 2022

Mayor Russ Trimble opened the regularly scheduled meeting of the City Council of West Des Moines, Iowa, in the Council Chambers of the West Des Moines City Hall on Monday, April 4, 2022 at 5:30 PM. Council members present were: R. Hardman, G. Hudson, D. Loots, M. McKinney, and K. Trevillyan.

On Item 1. Agenda. It was moved by Hardman, second by McKinney approve the agenda as presented.

Vote 22-140: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 2. Public Forum:

Rachelle Long, President/CEO of Taste of the Junction, reported the organization has been awarded grant funding from Bravo Greater Des Moines for the upcoming Taste of the Junction Multi-cultural Festival.

Milton Cole-Duvall, 2001 South 40th Court, expressed appreciation to the Mayor and Council for supporting the proclamation for Day of Solidarity with Ukraine and the candlelight vigil held on that day. He also expressed his condolences for the passing of former Council member Bob Parks.

Loretta Sieman, 2414 160th Court, Clive, stated she served on the City Council with Bob Parks for many years, and he was a close friend to her. She stated he cared deeply for the city and the people of Ward 1, and she expressed her condolences for his passing.

Renae Johanningmeier, 612 Walnut Street, expressed concerns that the residents' perspective is not being heard in the Historic West Des Moines Master Plan Steering Committee meetings, as she noted there is more focus on the interests of the businesses than the residents.

Mayor Trimble stated it is important for the steering committee to have a balance between the businesses and the residents, and he believes there is an appropriate balance.

Council member Hardman stated she has attended most of the steering committee meetings, and there have been a lot of residents participating, and those residents have been given opportunities to speak, so she believes it has been a fair process.

Vicki Long-Hill, 136 10th Street, expressed concerns that the interests of the residents on the Historic West Des Moines Master Plan Steering Committee can be outweighed during votes because the business interests have a higher number of representatives.

April 4, 2022

Teena Shineflew, 107 10th Street, expressed concerns that the business behind her home frequently has a food truck in its parking lot, which she feels has a negative impact on her privacy and enjoyment of her property. She also expressed concerns about the possibility of a three-story building being constructed near her home, which she believes would also have a negative impact on her privacy and enjoyment of her property

On Item 3. Council/Manager/Other Entities Reports:

Don Nickerson, Regional CEO of Northwest Bank, and Travis Simpson, Regional Bank President of Northwest Bank, presented a check to the City for \$30,000 to support the Historic West Des Moines Pilot Housing Programs.

Council member Loots wished a happy belated birthday to Mayor Trimble. He also stated he is proud of the proclamation on tonight's agenda recognizing former Council member Bob Parks. He stated he never had the privilege of meeting Mr. Parks, but he understands he was a groundbreaking citizen and paved the way for many of the good things the City continues to strive after.

Council member Trevillyan expressed appreciation to Bob Parks for his contributions to the City during his time as the First Ward Council member. He stated Mr. Parks was a great representative for the First Ward, and he is trying to follow in his footsteps.

Council member Hardman expressed appreciation to the Human Rights Commission for their efforts in organizing the candlelight vigil for Ukraine. She reported she attended a meeting of the Public Safety Subcommittee, where discussion was held on a proposed honorary street naming policy, and she expressed appreciation to the citizens that were present and provided input during that discussion.

Council member McKinney expressed appreciation to Bob Parks for his leadership and service to the community, which helped make West Des Moines the great city it is today. He reported he attended a meeting of the Development and Planning Subcommittee, where discussion was held on a proposed multi-family housing development near the intersection of Mills Civic Parkway and I-35.

Council member Hudson stated Bob Parks broke new ground as the first African American person to serve on the West Des Moines City Council, which is worth honoring and celebrating. He also expressed appreciation to those involved with the candlelight vigil for Ukraine. He noted Milton Cole-Duvall was present during Martin Luther King Jr.'s "I Have a Dream" speech in Washington D.C. in 1963 and the Selma to Montgomery March in 1965. He expressed appreciation to Mr. Cole-Duvall for his unique historical perspective and his contributions as a member of the West Des Moines community. He also reported the Finance and Administration met and discussed proposed amendments to the property improvement fund and regulatory compliance fund.

April 4, 2022

City Manager Tom Hadden stated Bob Parks served on the Metro Waste Authority Board while he was the organization's Executive Director, and he stated he had great respect for Mr. Parks and enjoyed working with him. He reported the MidAmerican Energy RecPlex has hosted major youth sports tournaments in recent weekends, bringing in thousands of visitors to West Des Moines.

Mayor Trimble reported Captain Jim Barrett has retired from the West Des Moines Police Department. He expressed appreciation to Captain Barrett for his 38 years of service and stated he will be missed.

On Item 4. Consent Agenda.

Council members pulled Items 4(l)1 and 4(o) for discussion. It was moved by Hudson, second by Trevillyan to approve the consent agenda as amended.

- a. Approval of Minutes of March 21, 2022 Meeting
- b. Approval of Bill Lists
- c. Approval of Liquor Licenses:
 1. BDA3sons, LLC d/b/a 3 Sons Sports Bar & Grill, 5906 Ashworth Road - Class LC Liquor License with Sunday Sales - Renewal
 2. El Rey Corporation d/b/a El Rey Burritos, 1310 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
 3. LVP FFI Des Moines Holding Corp. d/b/a Fairfield Inn West Des Moines, 7225 Vista Drive - Class BC Permit with Carryout Wine and Sunday Sales - Renewal
 4. Fiesta West, Inc. d/b/a Fiesta Mexican Restaurant, 2025 Grand Avenue - Class LC Liquor License with Sunday Sales - Renewal
 5. Historic Valley Junction Foundation d/b/a Historic Valley Junction Foundation, 137 5th Street - Six-Month Class BB Beer Permit with Outdoor Service and Sunday Sales - New
 6. Hy-Vee, Inc. d/b/a Hy-Vee Drugstore #2, 1010 60th Street - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal
 7. Daniel & Phillip, Inc. d/b/a Irina's Steak & Seafood, 650 South Prairie View Drive, Suite 100 - Class LC Liquor License with Sunday Sales - New
 8. LEROY'S PLACE, LLC d/b/a LeRoy's Place, 4825 EP True Parkway, Suite 112 - Class LC Liquor License with Sunday Sales - New
 9. BDF, Inc. d/b/a The Longest Yard, 122 5th Street - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
 10. Hy-Vee, Inc. d/b/a The Ron Pearson Center, 5820 Westown Parkway - Class LC Liquor License with Carryout Wine, Sunday Sales, and Catering Privileges - Renewal
 11. Kumar and Singh, LLC d/b/a University Liquors, 9250 University Avenue, Unit 115 - Class LE Liquor License with Carryout Wine, Carryout Beer, and Sunday Sales - Renewal

April 4, 2022

12. T-Bowl Investments Inc. d/b/a Val Lanes Recreation Center, 100 Ashworth Road
- Class LC Liquor License with Sunday Sales - Renewal
- d. Approval of Tobacco Permit
- e. Approval of Extended Sound Permit - Glen Oaks Country Club, 1401 Glen Oaks Drive
- f. Approval of Special Event Lane Closures - Miscellaneous Events - Historic Valley
Junction Foundation
- g. Approval of Acknowledgment/Settlement Agreements - Violation of Tobacco Laws
- h. Approval of Water Infrastructure Grant Agreement - Woodland Hills Greenway Water
Quality Improvements
- i. Approval of License Agreement - Des Moines Bicycle Collective "BCycle" Bike Share
- j. Approval of Amendment No. 1 to Professional Services Agreement – Playground
Equipment Replacement - Peony Park, Scenic Valley Park, and Willow Springs Park
- k. Approval of Change Orders:
 1. 2021 Parking Lot Repairs Program, #1
 2. MidAmerican Energy RecPlex - General Construction, #28
- l. Order Construction:
 2. Valley Junction Business District Pavers and Sidewalk, Phase 2
 3. Woodland Hills Greenway - Trail Construction and Drainage Improvements
- m. Approval of Financing Agreement - Ginger East and Ginger West Infrastructure – West
Des Moines Water Works
- n. Approval and Acceptance of Property Interests - SE County Line Road, Veterans
Parkway to SE Orilla Road

Vote 22-141: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 4(l)1 Order Construction - Digital Enterprise Last Mile Conduit Deployment Segment 5,
Phase 3

Council member McKinney stated he will abstain on this item due to a potential conflict of
interest.

It was moved by Hudson, second by Hardman to approve Item 4(l)1 Order Construction - Digital
Enterprise Last Mile Conduit Deployment Segment 5, Phase 3.

Vote 22-142: Hardman, Hudson, Loots, Trevillyan ... 4 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 4(o) Proclamation - Recognition of Robert Parks

Mayor Trimble stated the city will be eternally grateful for the contributions of Bob Parks that
set the city up for its successes of today, and he will be missed. He stated he thinks it would be

April 4, 2022

fitting to have Council member Renee Hardman, the city's first African American female council member, read the proclamation recognizing Bob Parks, who was the city's first African American council member.

Council member Hardman expressed appreciation to Bob Parks, who was a trailblazer and embodied the spirit of public service. She then read Proclamation – Recognition of Robert Parks, and presented the proclamation to Mr. Parks' daughter, Suzanne Pulcher.

Suzanne Pulcher, 4012 Western Hills Drive, stated her father and mother made a big impact on West Des Moines, and she hopes she can do the same, which is why she moved back to the community. She thanked the Mayor and Council for the proclamation recognizing her father.

Vicki Long-Hill, 136 10th Street, stated Bob Parks played a very active role in the community for many years, representing the people and advocating for their best interests. She also stated he was a mentor to her, and she is thankful for the time she got to spend with him and learn from him. She expressed appreciation to the family of Mr. Parks for sharing him with the community.

Valerie James, 2900 Watrous Avenue, Des Moines, stated she remembers Mr. Parks continued to have an active role in the community even after his retirement from the City Council. She stated he left a legacy, and she expressed appreciation to the City for carrying on his legacy by continuing its efforts to promote diversity.

It was moved by Trevillyan, second by Hardman to approve Item 4(o) Proclamation - Recognition of Robert Parks.

Vote 22-143: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 5(a) Historic West Des Moines Commercial Redevelopment Funding - Approval of Amendment to the Property Improvement Fund and Regulatory Compliance Fund Programs, initiated by the City of West Des Moines (Continued from March 21, 2022)

Mayor Trimble described the changes included in these proposed amendments, and he expressed appreciation to the Finance and Administration Subcommittee for reviewing these programs and determining the changes to be recommended to the Council. He noted the intent of these amendments would be to incentivize the rehabilitation of existing buildings over demolishing them.

Clyde Evans, Community and Economic Development Director, reported he has spoken with the Historic Valley Junction Foundation about the Main Street Sign Program, and they agreed that the Foundation would develop the program guidelines, which would be reviewed by the Finance and Administration Subcommittee prior to the anticipated start of that program on July 1, 2022.

April 4, 2022

He also explained that the Foundation would coordinate the reimbursement process, and the City would be making payment for any reimbursements to the Foundation.

It was moved by Trevillyan, second by Hardman to adopt Resolution - Approval of Amendment.

Vote 22-144: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(a) Mayor Trimble indicated this was the time and place for a public hearing to consider Glen Oaks Rowhomes, southwest corner of I-35 and Mills Civic Parkway - Amend Comprehensive Plan Land Use Map to Establish Medium Density Residential Land Use, initiated by Paramount-Destination Homes, Inc. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 6-1, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment, and there were several citizen correspondences received which are included with the council communication.

Mayor Trimble asked if there were any public comments.

Robert Burns, 844 Glen Oaks Terrace, spoke in opposition to the proposed development, citing concerns the location is not a good fit for a medium density residential development. He noted the notice was mailed to the homeowners association, and the residents did not receive it until a few days later, so they have not had much time to review the proposed development. He expressed concerns that the backyards of these homes would be very close to the entrance ramp for I-35, so the noise from vehicles accelerating would be a nuisance to any residents that might live there. He also expressed concerns that the applicant for this development does not currently own all the land needed for it. He suggested the proper land use for this property should be parks and greenway or open space. He requested the Council continue this item to allow more for the neighboring residents to review the proposal and discuss their concerns.

Mayor Trimble asked if there were any additional public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by Hudson to adopt Motion - Continue Public Hearing Item 6(a) to April 18, 2022.

Mayor Trimble inquired if continuing the comprehensive plan amendment along with the rezoning would impact the timeline for the project.

Jamie Meyers, Paramount-Destination Homes, 2540 73rd Street, Urbandale, stated they are trying to get approval as soon as possible to complete the project during the 2022 construction season, so he is hoping the continuation would not delay the project.

April 4, 2022

Lynne Twedt, Development Services Director, responded since the Plan and Zoning Commission has already continued the rezoning to their April 11th meeting, the rezoning ordinance would be scheduled to come to the City Council for the first reading until the April 18th meeting, so continuing the comprehensive plan amendment to April 18th as well would not delay the project.

Vote 22-145: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(b) Mayor Trimble indicated this was the time and place for a public hearing to consider Westown Commons, 2501 Westown Parkway - Amend Comprehensive Plan Land Use Map Designation from Regional Commercial to Office, Repeal the Westown Commons Planned Unit Development (PUD), and Amend the Zoning Map to Establish Professional Commerce Park Zoning, initiated by CT Development. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 6-0, with one member abstaining, the Plan and Zoning Commission recommended City Council approval of the comprehensive plan amendment, ordinance repealing the PUD, and rezoning request.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Loots, second by McKinney to adopt Resolution - Approval of Comprehensive Plan Amendment.

Vote 22-146: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

It was moved by Loots, second by McKinney to consider the first reading of the ordinance (Repeal PUD).

Vote 22-147: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Loots, second by McKinney to approve the first reading of the ordinance (Repeal PUD).

Vote 22-148: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

April 4, 2022

It was moved by Hardman, second by Loots to consider the first reading of the ordinance (Rezoning).

Vote 22-149: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Hardman, second by Loots to approve the first reading of the ordinance (Rezoning).

Vote 22-150: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(c) Mayor Trimble indicated this was the time and place for a public hearing to consider King's Grove Townhomes, west of the intersection of Stark Drive and South 100th Street - Change Existing Townhome Addresses, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated there was one citizen correspondence received, copies of which have been placed on the dais this evening.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hardman, second by Hudson to consider the first reading of the ordinance.

Council member McKinney noted the citizen correspondence expressed opposition to this proposed readdressing and suggested a counter proposal. He inquired if staff has reviewed the counter proposal.

Lynne Twedt, Development Services Director, presented information on how the current addresses for the King's Grove Townhomes are out of alignment with the addressing gridlines, and the proposal suggested by the resident would not correct that issue. She stated the resident's proposal was shared with the City's public safety departments, and they expressed support for the readdressing as originally proposed by staff, because it would bring the addresses in alignment with the addressing gridlines and allow for more logical wayfinding for any emergency responders trying to locate the addresses.

The Mayor and Council expressed appreciation to the resident for suggesting an alternative solution, however they expressed support for the original proposal as recommended by staff, because it makes the most sense from a public safety perspective.

April 4, 2022

Vote 22-151: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Loots, second by Trevillyan to approve the first reading of the ordinance.

Vote 22-152: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(d) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning) - Modify Regulations Pertaining to Operable Storefronts and Outdoor Activity Areas, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 7-0, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Trevillyan, second by McKinney to consider the first reading of the ordinance.

Vote 22-153: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Trevillyan, second by McKinney to approve the first reading of the ordinance.

Vote 22-154: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(e) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning) - Modify Regulations Pertaining to Requirements for Garages in Single-Family and Medium-Density Zoning Districts, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 5-2, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

April 4, 2022

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by McKinney, second by Hardman to consider the first reading of the ordinance.

Council member Trevillyan inquired what is driving this ordinance amendment.

Lynne Twedt, Development Services Director, responded there is a new development concept being proposed with a combination of detached and bi-attached rental dwellings included on one large common lot, but the current City Code requires all single-family detached dwellings to have a garage. This ordinance amendment would instead require all single-family zoned properties to have a garage. Since this type of a concept would be zoned as medium density, it would not be subject to that requirement. She noted the ordinance would still require some type of garage, storage facility, or screening to reduce any visual clutter.

Vote 22-155: Hardman, Hudson, Loots, McKinney ... 4 yes
Trevillyan ... 1 no

Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by McKinney second by Loots to approve the first reading of the ordinance.

Vote 22-156: Hardman, Hudson, Loots, McKinney ... 4 yes
Trevillyan ... 1 no

Motion carried.

On Item 6(f) Mayor Trimble indicated this was the time and place for a public hearing to consider Amendment to City Code - Title 9 (Zoning) - Modify Regulations Pertaining to Residential Building Form and Residential Uses, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 18, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated on a vote of 6-1, the Plan and Zoning Commission recommended City Council approval of the ordinance amendment.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by McKinney, second by Loots to consider the first reading of the ordinance.

Vote 22-157: Hardman, Hudson, Loots, McKinney ... 4 yes
Trevillyan ... 1 no

Motion carried.

April 4, 2022

The City Clerk read the preamble to the ordinance.

It was moved by McKinney, second by Loots to approve the first reading of the ordinance.

Vote 22-158: Hardman, Hudson, Loots, McKinney ... 4 yes
Trevillyan ... 1 no

Motion carried.

On Item 6(g) Mayor Trimble indicated this was the time and place for a public hearing to consider Jordan Creek Tower - Vacation of 40-foot Highway Easement Located Across 575 South 60th Street, initiated by Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 23, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hudson, second by McKinney to consider the first reading of the ordinance.

Vote 22-159: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

The City Clerk read the preamble to the ordinance.

It was moved by Hudson, second by McKinney to approve the first reading of the ordinance.

Vote 22-160: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(h) Mayor Trimble indicated this was the time and place for a public hearing to consider Lot 1, Jordan Grove Plat 3 - Conveyance of Permanent Public Access Easement to KC Real Estate L.C., initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 29, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hudson, second by McKinney to adopt Resolution - Approval of Conveyance of Permanent Easement.

April 4, 2022

Vote 22-161: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(i) Mayor Trimble indicated this was the time and place for a public hearing to consider Digital Enterprise Conduit Deployment Segment 4, Phase 3, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hardman, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Kramer Service Group.

Council member McKinney stated he will abstain on this item due to a potential conflict of interest.

Vote 22-162: Hardman, Hudson, Loots, Trevillyan ... 4 yes
McKinney ... 1 abstain due to potential conflict of interest
Motion carried.

On Item 6(j) Mayor Trimble indicated this was the time and place for a public hearing to consider South Service Area Segment 3 Sewer, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hudson, second by McKinney to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to S.M. Hentges & Sons, Inc.

Vote 22-163: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(k) Mayor Trimble indicated this was the time and place for a public hearing to consider Holiday Park Youth Baseball Field 3 and 4 Improvements, Phase 7, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated

April 4, 2022

the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by McKinney, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Iowa Athletic Field.

Council member Trevillyan inquired if the fields at Holiday Park that had already been renovated have remained in good condition.

Sally Ortgies, Parks and Recreation Director, responded the fields have remained in good condition thanks to the work of the contractor that has been hired to maintain them.

Vote 22-164: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(l) Mayor Trimble indicated this was the time and place for a public hearing to consider South 64th Street and Mills Civic Parkway Intersection Improvements, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hudson, second by Hardman to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Absolute Concrete Construction, Inc.

Vote 22-165: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(m) Mayor Trimble indicated this was the time and place for a public hearing to consider Park Parking Lot and Sidewalk Improvements, American Legion Park and Meadowview Park, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

April 4, 2022

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by McKinney, second by Loots to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Concrete Connection, LLC.

Vote 22-166: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(n) Mayor Trimble indicated this was the time and place for a public hearing to consider 2021 Stormwater Intake Repair Program, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Loots, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Mid Iowa Contracting, LLC.

Vote 22-167: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 6(o) Mayor Trimble indicated this was the time and place for a public hearing to consider Pedestrian Hybrid Beacon - 52nd Street and EP True Parkway, initiated by the City of West Des Moines. He asked for the date the notice was published and the City Clerk indicated the notice was published on March 25, 2022 in the Des Moines Register. Mayor Trimble asked if any written comments had been received. The City Clerk stated none had been received.

Mayor Trimble asked if there were any public comments; hearing none he declared the public hearing closed.

It was moved by Hudson, second by Trevillyan to adopt Resolution - Approval of Plans and Specifications, Motion to Receive and File Report of Bids, and Resolution - Award Contract to Iowa Signal, Inc.

Vote 22-168: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

April 4, 2022

On Item 7(a) Kings Grove Plat 1, west and south of the intersection of Stark Drive and South 100th Street - Approval of a Final Plat to Create 25 Lots for Detached Single-Family Residential Development and Three Outlots for Common Area, initiated by King's Grove, LLC

It was moved by McKinney, second by Loots to adopt Resolution - Approval and Release of Final Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-169: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(b) Stonewood Plat 1, northeast corner of future South Grand Prairie Parkway and Booneville Road - Approval of a Preliminary Plat to Create 40 Lots for Single Family Residential Development, Four Outlots, and Four Street Lots, initiated by Stonewood, Inc.

It was moved by Hudson, second by Loots to adopt Resolution - Approval of Preliminary Plat, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-170: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(c) Jordan Creek Point, southwest corner of 68th Street and EP True Parkway - Approval of a Preliminary Plat to Create Two Lots for Commercial Development and Approval of a Site Plan to Allow Construction of Two 17,000 sq. ft. Retail Buildings, initiated by Jordan Creek Point, LLC

It was moved by Trevillyan, second by McKinney to adopt Resolution - Approval of Preliminary Plat and Site Plan, subject to the applicant complying with all applicable City Code requirements.

Vote 22-171: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(d) 275 South 11th Street Plat of Survey - Approval of Plat of Survey to Create a 2.9-acre Parcel for the Transfer of Ownership for Future Development, initiated by Dave Steffes

It was moved by Hudson, second by Trevillyan to adopt Resolution - Approval and Release of Plat of Survey, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-172: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

April 4, 2022

On Item 7(e) 3120 and 3124 Jordan Grove Plat of Survey - Approval of Plat of Survey to Create Four Parcels for Transfer of Ownership, initiated by Tyler Marsh

It was moved by Hudson, second by Loots to adopt Resolution - Approval and Release of Plat of Survey, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-173: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(f) Landauer Plat of Survey, 12251 Maffitt Lake Road - Approval of Plat of Survey for Parcel "2021-205" to Create a 1.4-acre Parcel for Transfer of Ownership, initiated by Jeramy Landauer

It was moved by Hudson, second by Trevillyan to adopt Resolution - Approval and Release of Plat of Survey, subject to the applicant complying with all applicable City Code requirements and the conditions of approval listed in the Resolution.

Vote 22-174: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 7(g) Early Redemption of Outstanding General Obligation Bonds, Series 2013A, dated August 21, 2013 and General Obligation Bonds, Series 2014A, dated September 11, 2014, initiated by the City of West Des Moines

It was moved by Hudson, second by Loots to adopt Resolution - Authorizing Redemption (Series 2013A) and Resolution - Authorizing Redemption (Series 2014A).

Ivan Webber, 1275 16th Street, inquired if this redemption is already preapproved in the current fiscal year budget or if the City will transfer funds from another source.

Tim Stiles, Finance Director, responded the City will pay for the redemption with existing funds already in the debt service levy fund.

Vote 22-175: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

On Item 8(a) Jami Schnoebelen Resignation - Human Services Advisory Board Budget - Received and Filed

April 4, 2022

On Item 9 - Other Matters:

Council member Trevillyan stated he saw concrete being poured on the south side of Railroad Avenue near South 11th Street, and he inquired what project is being constructed.

Ben McAlister, Principal Engineer, responded that is a trail connection being constructed by the Parks and Recreation Department.

On Item 9(a) Legislative Updates

City Manager Tom Hadden reported the Senate Ways and Means Committee has struck several divisions from SF 2361, the workforce and housing omnibus.

Council member McKinney reported that Division 10 was removed from the Senate version, but it is still included in the House version. He noted the City has changed its registration on the Senate version to undecided, but it remains registered as opposed to the House version.

Council member Hardman commended Fire Marshal Mike Whitsell for his efforts in working with the Legislature to advocate for the City and its public safety by opposing the negative aspects of SF 2361.

Mr. Hadden reported there is also proposed legislation that would prohibit cities from regulating the location of the sale of consumer fireworks..

Council member Hardman expressed concerns that it seems the State Legislature is continually making attempts to defy home rule for cities.

The regular meeting was adjourned at 7:39 p.m. and a Council Workshop followed.

It was moved by Trevillyan, second by Loots to go into Executive Session per Chapter 21 of the Iowa Code, to discuss pending/threatened litigation and performance evaluation.

Vote 22-176: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

Entered Executive Session at 8:19 p.m. with the following persons present in the Council Chambers of City Hall: Mayor Trimble, Council members Hardman, Hudson, Loots, McKinney, and Trevillyan; City Manager, City Attorney, City Clerk, and Human Resources Director.

City Manager, City Attorney, and City Clerk left the executive session at 9:07 p.m.

City Clerk reentered the executive session at 9:17 p.m.

April 4, 2022

It was moved by Hudson, second by Loots to adjourn from Executive Session.

Vote 22-177: Hardman, Hudson, Loots, McKinney, Trevillyan...5 yes
Motion carried.

Executive Session was adjourned at 9:17 p.m.

Respectfully submitted,

Ryan T. Jacobson, CMC
City Clerk

ATTEST:

Russ Trimble, Mayor

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Motion – Approval of Bill Lists

DATE: April 18, 2022

FINANCIAL IMPACT: Section 1-10-3(b) of the West Des Moines City Code provides that no disbursement shall be made from a fund unless such disbursement is authorized by law, ordinance or resolution, was properly budgeted, and supported by a claim approved by the City Council. The following list(s) of municipal expenditures, all of which have been reviewed and authorized by the respective departments as being justified and properly due and the listing of which have been prepared by Finance staff, are, with this agenda item, being submitted to the City Council for approval:

Regular Bi-Weekly Claims	04/18/2022	\$ 2,276,380.93
EFT Claims	04/18/2022	\$ 4,266,199.77
Control Pay	04/18/2022	\$ 164,565.47
Microsoft Escrow Checks	04/18/2022	\$ 0.00
Microsoft Escrow EFT	04/18/2022	\$ 0.00
End of Month & Off-Cycle	03/22/2022 to 05/01/2022	\$ 0.00

RECOMMENDATION: Move to approve Bill Lists as presented.

Lead Staff Member: Tim Stiles, Finance Director

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	
Recommendation	

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
Bank Account: WB VENDOR DISB - WB Vendor Disbursement					
Check	04/18/2022	324477	Accounts Payable	ABSOLUTE CONCRETE CONSTRUCTION INC	322,591.46
Check	04/18/2022	324478	Accounts Payable	ACTION ELECTRIC	40.64
Check	04/18/2022	324479	Accounts Payable	AGNEW , JOSALYNN	1,934.40
Check	04/18/2022	324480	Accounts Payable	ALLEN OCCUPATIONAL HEALTH SERVICES	148.00
Check	04/18/2022	324481	Accounts Payable	ALWAN , MAYADA	71.50
Check	04/18/2022	324482	Accounts Payable	ASCHEMAN , PHILIP	1,240.00
Check	04/18/2022	324483	Accounts Payable	BOUND TREE MEDICAL LLC	5,712.87
Check	04/18/2022	324484	Accounts Payable	BRIGHT & CLEAR SOLUTIONS INC	750.00
Check	04/18/2022	324485	Accounts Payable	BUELOW , LISA	432.00
Check	04/18/2022	324486	Accounts Payable	BUSINESS FURNITURE WAREHOUSE	345.00
Check	04/18/2022	324487	Accounts Payable	CAHILL , BRADLEY	2,000.00
Check	04/18/2022	324488	Accounts Payable	CAMPBELL , MEREDITH	168.00
Check	04/18/2022	324489	Accounts Payable	CAPITAL CITY FRUIT INC	135.50
Check	04/18/2022	324490	Accounts Payable	CAPPEL'S ACE HARDWARE	271.56
Check	04/18/2022	324491	Accounts Payable	CGM LLC	5,000.00
Check	04/18/2022	324492	Accounts Payable	CHAD TORSTENSON EMS MEDIC	3,000.00
Check	04/18/2022	324493	Accounts Payable	CINTAS CORP FIRST AID & SAFETY	247.51
Check	04/18/2022	324494	Accounts Payable	CITY OF DES MOINES	516,747.72
Check	04/18/2022	324495	Accounts Payable	CONCRETE TECHNOLOGIES INC	30,006.86
Check	04/18/2022	324496	Accounts Payable	CONSTRUCTION & AGGREGATE PRODUCTS INC	53.00
Check	04/18/2022	324497	Accounts Payable	CORELL CONTRACTOR INC	17,242.43
Check	04/18/2022	324498	Accounts Payable	CTI READY MIX LLC	2,236.25
Check	04/18/2022	324499	Accounts Payable	DALLAS COUNTY RECORDER	826.00
Check	04/18/2022	324500	Accounts Payable	DE LAGE LANDEN	2,795.00
Check	04/18/2022	324501	Accounts Payable	DOUWE BLUMBERG STUDIOS	14,900.00
Check	04/18/2022	324502	Accounts Payable	EMSLRC	56.00
Check	04/18/2022	324503	Accounts Payable	FACTORY MOTOR PARTS COMPANY	36.22
Check	04/18/2022	324504	Accounts Payable	FARRIS , DAMIAN	40.00
Check	04/18/2022	324505	Accounts Payable	FASTENAL COMPANY	1,041.70
Check	04/18/2022	324506	Accounts Payable	FEDEX	79.09
Check	04/18/2022	324507	Accounts Payable	FERGUSON , JULIE	480.00
Check	04/18/2022	324508	Accounts Payable	FILTA	180.00

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number Source	Payee Name	Transaction Amount
Check	04/18/2022	324509	FITCH & ASSOCIATES LLC	2,475.00
Check	04/18/2022	324510	FORTERRA CONCRETE PRODUCTS, INC	90.00
Check	04/18/2022	324511	FRETTE, JONI	428.95
Check	04/18/2022	324512	FRONTLINE WARNING SYSTEMS	1,800.00
Check	04/18/2022	324513	GARNANT, KRISTEN	2,000.00
Check	04/18/2022	324514	GILCREST JEWETT LUMBER COMPANY	4,137.08
Check	04/18/2022	324515	GOLDEN VALLEY SUPPLY OF IA	164.45
Check	04/18/2022	324516	GRAFF EXCAVATING INC	296,884.02
Check	04/18/2022	324517	GREATER DES MOINES PARTNERSHIP	7,500.00
Check	04/18/2022	324518	HAWKEYE TRUCK EQUIPMENT	286.63
Check	04/18/2022	324519	HAYNES, JERRON	18.75
Check	04/18/2022	324520	HDR ENGINEERING INC	176,402.13
Check	04/18/2022	324521	HEALEY, DR HOLLY	1,000.00
Check	04/18/2022	324522	HI TOUCH BUSINESS SERVICES LLC	627.77
Check	04/18/2022	324523	HY VEE INC	30.00
Check	04/18/2022	324524	INTERNATIONAL ASSOCIATION OF FIRE CHIEFS	240.00
Check	04/18/2022	324525	INTERSTATE ALL BATTERY CENTER	27.30
Check	04/18/2022	324526	IOWA ASSOCIATION OF WOMEN POLICE	40.00
Check	04/18/2022	324527	IOWA AUTO TOP	500.00
Check	04/18/2022	324528	IOWA ONE CALL	649.80
Check	04/18/2022	324529	IOWA PRISON INDUSTRIES	3,051.50
Check	04/18/2022	324530	IOWA SIGNAL INC	114,355.10
Check	04/18/2022	324531	ISOLVED BENEFIT SERVICES- WDM	1,163.80
Check	04/18/2022	324532	JOHNSON CONTROLS FIRE PROTECTION LP- IL	1,801.65
Check	04/18/2022	324533	JORDAN CREEK ANIMAL HOSPITAL	167.33
Check	04/18/2022	324534	KEYSTONE TRUCKING	6,097.86
Check	04/18/2022	324535	KINGMAN ROW ENTERTAINMENT LLC	72.00
Check	04/18/2022	324536	KLAHN, RICHARD	192.00
Check	04/18/2022	324537	LACINA, WENDY	552.00
Check	04/18/2022	324538	LASHIER GRAPHICS AND SIGNS	316.26
Check	04/18/2022	324539	LINDE GAS & EQUIPMENT INC	827.87
Check	04/18/2022	324540	LINDEMAN, DEAN	590.00

City of West Des Moines, IA
City Council Report
Bank Account: WB VENDOR DISB - WB Vendor Disbursement
Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	04/18/2022	324541	Accounts Payable	LOGOED APPAREL & PROMOTIONS	550.93
Check	04/18/2022	324542	Accounts Payable	LOUNSBURY LANDSCAPING SAND & GRAVEL	2,010.52
Check	04/18/2022	324543	Accounts Payable	LOWE'S HOME CENTER INC	1,738.31
Check	04/18/2022	324544	Accounts Payable	MARTIN'S FLAG COMPANY LLC	695.60
Check	04/18/2022	324545	Accounts Payable	MEDIACOM	136.90
Check	04/18/2022	324546	Accounts Payable	MENARDS- CLIVE	54.87
Check	04/18/2022	324547	Accounts Payable	MERCY WEST PHARMACY	3,599.84
Check	04/18/2022	324548	Accounts Payable	MERCYONE NORTH IOWA OCCUPATIONAL HEALTH	147.00
Check	04/18/2022	324549	Accounts Payable	MITTERA GROUP	8,914.36
Check	04/18/2022	324550	Accounts Payable	MOTOROLA	175.00
Check	04/18/2022	324551	Accounts Payable	MOYER, MATTHEW	2,000.00
Check	04/18/2022	324552	Accounts Payable	MTI DISTRIBUTING, INC.	357.75
Check	04/18/2022	324553	Accounts Payable	MUNICIPAL COLLECTIONS OF AMERICA INC	330.30
Check	04/18/2022	324554	Accounts Payable	NATIONWIDE OFFICE CLEANERS LLC	1,584.00
Check	04/18/2022	324555	Accounts Payable	NEBRASKA GENERATOR SERVICE LLC	464.50
Check	04/18/2022	324556	Accounts Payable	NOBLE- IOWA CHAPTER	100.00
Check	04/18/2022	324557	Accounts Payable	OBERFOELL, STEPHANIE	216.00
Check	04/18/2022	324558	Accounts Payable	ON TRACK CONSTRUCTION LLC	106,808.26
Check	04/18/2022	324559	Accounts Payable	PEPSI BEVERAGES COMPANY	2,776.30
Check	04/18/2022	324560	Accounts Payable	PETERSON CONTRACTORS INC	39,335.97
Check	04/18/2022	324561	Accounts Payable	POLK COUNTY RECORDER	87.00
Check	04/18/2022	324562	Accounts Payable	POWERPLAN	158.63
Check	04/18/2022	324563	Accounts Payable	RAY O'HERRON CO INC	117.60
Check	04/18/2022	324564	Accounts Payable	RESOURCE CONSULTING ENGINEERS	9,442.50
Check	04/18/2022	324565	Accounts Payable	RHEA FINE ARTS	2,000.00
Check	04/18/2022	324566	Accounts Payable	RIEMAN MUSIC INC	1,329.58
Check	04/18/2022	324567	Accounts Payable	RINK-TEC INTERNATIONAL INC	127,879.22
Check	04/18/2022	324568	Accounts Payable	ROBERT HALF TECHNOLOGY	8,269.95
Check	04/18/2022	324569	Accounts Payable	SAFARILAND, LLC	143.00
Check	04/18/2022	324570	Accounts Payable	SAN, ANTHONY	1,088.00
Check	04/18/2022	324571	Accounts Payable	SCHEELS ALL SPORTS INC	561.95
Check	04/18/2022	324572	Accounts Payable	SECURITY EQUIPMENT CORP	279.75
Check	04/18/2022	324573	Accounts Payable	SKOLD DOOR & FLOOR CO	1,911.39

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	04/18/2022	324574	Accounts Payable	SMITH'S SEWER SERVICE INC	90.00
Check	04/18/2022	324575	Accounts Payable	SNAP-ON TOOLS- MARK STUCHEL	166.00
Check	04/18/2022	324576	Accounts Payable	SPORTSFIELD SPECIALTIES INC	7,785.00
Check	04/18/2022	324577	Accounts Payable	STRATEGIC AMERICA INC	700.00
Check	04/18/2022	324578	Accounts Payable	SYNERGY FIRE & SAFETY	75.00
Check	04/18/2022	324579	Accounts Payable	TANNATT , KAY	1,472.50
Check	04/18/2022	324580	Accounts Payable	TD&I CABLE MAINTENANCE INC	18,209.41
Check	04/18/2022	324581	Accounts Payable	TEAM SIDELINE	3,198.00
Check	04/18/2022	324582	Accounts Payable	TECHNIMOUNT SYSTEM	144.00
Check	04/18/2022	324583	Accounts Payable	TERRACON CONSULTANTS INC	16,470.99
Check	04/18/2022	324584	Accounts Payable	TRAFFIC CONTROL CORP	5,380.00
Check	04/18/2022	324585	Accounts Payable	TRAFFIC SAFETY WAREHOUSE	1,787.75
Check	04/18/2022	324586	Accounts Payable	TRIPLETT COMPANIES	85.98
Check	04/18/2022	324587	Accounts Payable	TRUE VALUE & V&S VARIETY STORE	24.96
Check	04/18/2022	324588	Accounts Payable	UNIFIRST CORPORATION	736.15
Check	04/18/2022	324589	Accounts Payable	UNITED SEEDS INC	1,675.00
Check	04/18/2022	324590	Accounts Payable	UNITYPOINT CLINIC- OCCUPATIONAL MEDICINE	84.00
Check	04/18/2022	324591	Accounts Payable	UNPLUGGED WIRELESS COMMUNICATIONS LLC	7,182.00
Check	04/18/2022	324592	Accounts Payable	VANDERPOOL CONSTRUCTION INC	49,450.40
Check	04/18/2022	324593	Accounts Payable	VAUDT MD , CORY	1,000.00
Check	04/18/2022	324594	Accounts Payable	VEENSTRA & KIMM INC	12,024.22
Check	04/18/2022	324595	Accounts Payable	VETTER EQUIPMENT	38.75
Check	04/18/2022	324596	Accounts Payable	VISION SERVICE PLAN	1,625.10
Check	04/18/2022	324597	Accounts Payable	VIVID IMPRESSIONS INC	28.85
Check	04/18/2022	324598	Accounts Payable	VOIANCE LANGUAGE SERVICES LLC	25.00
Check	04/18/2022	324599	Accounts Payable	W&G MCKINNEY FARMS LC	6,640.55
Check	04/18/2022	324600	Accounts Payable	WALSH DOOR & SECURITY	1,498.07
Check	04/18/2022	324601	Accounts Payable	WASTE CONNECTIONS INC	270.00
Check	04/18/2022	324602	Accounts Payable	WEX BANK	1,255.11
Check	04/18/2022	324603	Accounts Payable	WILHELM , TERRY	200.00
Check	04/18/2022	324604	Accounts Payable	WILLIAMS , RYAN	144.00
Check	04/18/2022	324605	Accounts Payable	WILLITS , VERNON	2,000.00
Check	04/18/2022	324606	Accounts Payable	YBA SHIRTS	3,018.00
Check	04/18/2022	324607	Accounts Payable	ZOLL MEDICAL- NY	34,204.68

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
Check	04/18/2022	324608	Accounts Payable	PETTY CASH	609.88
Check	04/18/2022	324609	Accounts Payable	BROADWATER, KEVEON WAUNEZ	1,552.50
Check	04/18/2022	324610	Accounts Payable	MURRAY, KODY	12.84
Check	04/18/2022	324611	Accounts Payable	SHINEFLEW, AARON	59.00
Check	04/18/2022	324612	Accounts Payable	WEIS, CURTIS	30.00
Check	04/18/2022	324613	Accounts Payable	AT&T MOBILITY	165.08
Check	04/18/2022	324614	Accounts Payable	AT&T MOBILITY	82.54
Check	04/18/2022	324615	Accounts Payable	CENTURYLINK	4,036.46
Check	04/18/2022	324616	Accounts Payable	CENTURYLINK	63,333.00
Check	04/18/2022	324617	Accounts Payable	CENTURYLINK	282.95
Check	04/18/2022	324618	Accounts Payable	HY VEE INC	968.00
Check	04/18/2022	324619	Accounts Payable	MIDAMERICAN ENERGY	3,566.96
Check	04/18/2022	324620	Accounts Payable	MIDAMERICAN ENERGY	3,814.67
Check	04/18/2022	324621	Accounts Payable	MIDAMERICAN ENERGY	77,228.54
Check	04/18/2022	324622	Accounts Payable	MIDAMERICAN ENERGY	1,213.04
Check	04/18/2022	324623	Accounts Payable	MIDAMERICAN ENERGY	59,320.32
Check	04/18/2022	324624	Accounts Payable	MIDAMERICAN-CLIVE-WDM TL	687.79
Check	04/18/2022	324625	Accounts Payable	MIDAMERICAN-WDM-WAUKEE TL	164.95
EFT	04/18/2022	8119	Accounts Payable	A TECH INC	236.85
EFT	04/18/2022	8120	Accounts Payable	ABC ELECTRICAL- BAKER MECHANICAL INC	508.18
EFT	04/18/2022	8121	Accounts Payable	AHLERS & COONEY PC	8,414.00
EFT	04/18/2022	8122	Accounts Payable	ALL CITY MANAGEMENT SERVICES INC	3,355.56
EFT	04/18/2022	8123	Accounts Payable	AMERICAN SECURITY LLC	367.71
EFT	04/18/2022	8124	Accounts Payable	ARMOR UP AMERICA	1,572.00
EFT	04/18/2022	8125	Accounts Payable	ARNOLD MOTOR SUPPLY LLP	2,122.68
EFT	04/18/2022	8126	Accounts Payable	ATO BUILDERS LLC	610,505.61
EFT	04/18/2022	8127	Accounts Payable	AUREON NETWORK SERVICES	5,465.01
EFT	04/18/2022	8128	Accounts Payable	BAUER BUILT	490.44
EFT	04/18/2022	8129	Accounts Payable	BECKER ARENA PRODUCTS INC	54,423.43
EFT	04/18/2022	8130	Accounts Payable	BENZ, RALEIGH	379.50
EFT	04/18/2022	8131	Accounts Payable	BOOT BARN INC	304.21
EFT	04/18/2022	8132	Accounts Payable	BREWICK, MARK	124.02
EFT	04/18/2022	8133	Accounts Payable	CDW GOVERNMENT INC	40,032.62
EFT	04/18/2022	8134	Accounts Payable	CENTRAL IOWA TOWING- ROY'S TOWING	100.00

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number Source	Payee Name	Transaction Amount
EFT	04/18/2022	8135 Accounts Payable	CHRISTIAN EDWARDS PRINT & GRAPHICS	1,502.19
EFT	04/18/2022	8136 Accounts Payable	CITY OF CLIVE	428,852.00
EFT	04/18/2022	8137 Accounts Payable	COMMUNICATION DATA LINK LLC	41,433.17
EFT	04/18/2022	8138 Accounts Payable	CONFLUENCE INC	2,533.50
EFT	04/18/2022	8139 Accounts Payable	CONFLUENCE INC	1,450.50
EFT	04/18/2022	8140 Accounts Payable	CONTRACTOR SALES AND SERVICE LLC	637.50
EFT	04/18/2022	8141 Accounts Payable	CUSTOM AWARDS & EMBROIDERY INC	20.00
EFT	04/18/2022	8142 Accounts Payable	DELATI ITS LLC	3,773.63
EFT	04/18/2022	8143 Accounts Payable	DOWLING , CONNIE	520.00
EFT	04/18/2022	8144 Accounts Payable	ELDER CORPORATION	1,368,281.54
EFT	04/18/2022	8145 Accounts Payable	ELSTON , DEBORAH	379.50
EFT	04/18/2022	8146 Accounts Payable	EMC RISK SERVICES	17,636.17
EFT	04/18/2022	8147 Accounts Payable	ENTENMANN ROVIN CO	272.50
EFT	04/18/2022	8148 Accounts Payable	EXCEL MECHANICAL INC	24,664.84
EFT	04/18/2022	8149 Accounts Payable	FOTH INFRASTRUCTURE & ENVIRONMENT LLC	49,297.46
EFT	04/18/2022	8150 Accounts Payable	GENUS LANDSCAPE ARCHITECTS	27,052.30
EFT	04/18/2022	8151 Accounts Payable	HAHN , JENNIFER	4,098.28
EFT	04/18/2022	8152 Accounts Payable	HAMILTON MEDICAL INC	570.00
EFT	04/18/2022	8153 Accounts Payable	HENNING , CLAUDIA	500.00
EFT	04/18/2022	8154 Accounts Payable	HOME INC	20,569.46
EFT	04/18/2022	8155 Accounts Payable	IMAGETEK OPERATIONS LLC	6,861.00
EFT	04/18/2022	8156 Accounts Payable	ISG	35,224.25
EFT	04/18/2022	8157 Accounts Payable	ITSAVVY LLC	826.20
EFT	04/18/2022	8158 Accounts Payable	JACOBSEN , CODY	147.50
EFT	04/18/2022	8159 Accounts Payable	KELTEK INC	239.77
EFT	04/18/2022	8160 Accounts Payable	KRAMER SERVICE GROUP	57,111.15
EFT	04/18/2022	8161 Accounts Payable	LARSON , DENA	379.50
EFT	04/18/2022	8162 Accounts Payable	LETZRING , JAMIE	239.00
EFT	04/18/2022	8163 Accounts Payable	LUNNING COACHING & CONSULTING	560.00
EFT	04/18/2022	8164 Accounts Payable	MACQUEEN EQUIPMENT LLC	140.28
EFT	04/18/2022	8165 Accounts Payable	MAHASKA BOTTLING COMPANY	42.18
EFT	04/18/2022	8166 Accounts Payable	MARTIN BROTHERS	12,079.41
EFT	04/18/2022	8167 Accounts Payable	MAYROSE , ASHLEY	147.50

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
EFT	04/18/2022	8168	Accounts Payable	MCANINCH CORPORATION	308,363.31
EFT	04/18/2022	8169	Accounts Payable	MCCLURE ENGINEERING COMPANY	125,258.50
EFT	04/18/2022	8170	Accounts Payable	McKESSON MEDICAL SURGICAL GOVERNMENT SOLUTIONS LLC	302.66
EFT	04/18/2022	8171	Accounts Payable	MENKE, JOE	240.97
EFT	04/18/2022	8172	Accounts Payable	MID-IOWA SOLID WASTE EQUIPMENT	203,379.62
EFT	04/18/2022	8173	Accounts Payable	MIDWEST WHEEL	2,776.82
EFT	04/18/2022	8174	Accounts Payable	MONTGOMERY, LESLEY	224.28
EFT	04/18/2022	8175	Accounts Payable	NAPA	45.99
EFT	04/18/2022	8176	Accounts Payable	NESTINGEN INC	20,580.00
EFT	04/18/2022	8177	Accounts Payable	NEWCOM TECHNOLOGIES INC	95,266.70
EFT	04/18/2022	8178	Accounts Payable	NORTHLAND PRODUCTS- NORSOLV SYSTEMS	1,409.32
EFT	04/18/2022	8179	Accounts Payable	O'HALLORAN INTERNATIONAL INC	438,364.97
EFT	04/18/2022	8180	Accounts Payable	OCCUPATIONAL SAFETY CONSULTANTS LLC	3,280.00
EFT	04/18/2022	8181	Accounts Payable	OUTDOOR RECREATION PRODUCTS PERRY, MELANIE	2,183.00
EFT	04/18/2022	8182	Accounts Payable	PERRY, MELANIE	78.98
EFT	04/18/2022	8183	Accounts Payable	QUESTCDN.COM	390.00
EFT	04/18/2022	8184	Accounts Payable	RAMAKER & ASSOCIATES, INC	2,150.00
EFT	04/18/2022	8185	Accounts Payable	RELANT FIRE APPARATUS INC	108.63
EFT	04/18/2022	8186	Accounts Payable	RENEWABLE ENERGY GROUP INC	17,475.05
EFT	04/18/2022	8187	Accounts Payable	RHYTHM ENGINEERING LLC	3,781.00
EFT	04/18/2022	8188	Accounts Payable	ROGNES CORPORATION	114,303.30
EFT	04/18/2022	8189	Accounts Payable	SANCHEZ, GREYNA	352.00
EFT	04/18/2022	8190	Accounts Payable	SHIVE-HATTERY INC	18,276.45
EFT	04/18/2022	8191	Accounts Payable	SIKICH LLP	483.00
EFT	04/18/2022	8192	Accounts Payable	SPONG, JULIE	175.00
EFT	04/18/2022	8193	Accounts Payable	SPRAYER SPECIALTIES INC	47.47
EFT	04/18/2022	8194	Accounts Payable	STICKEL, JOE	70.79
EFT	04/18/2022	8195	Accounts Payable	STIVERS FORD	47,144.91
EFT	04/18/2022	8196	Accounts Payable	SWINTON, ASHLEE	1,824.00
EFT	04/18/2022	8197	Accounts Payable	TARGET SOLUTIONS LEARNING-VECTOR SOLUTIONS	127.50
EFT	04/18/2022	8198	Accounts Payable	TELLO ITS LLC	4,324.00
EFT	04/18/2022	8199	Accounts Payable	TSCHUDIN, JODI	1,126.23

City of West Des Moines, IA
City Council Report
 Bank Account: WB VENDOR DISB - WB Vendor Disbursement
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
EFT	04/18/2022	8200	Accounts Payable	UKG- KRONOS	8,616.97
EFT	04/18/2022	8201	Accounts Payable	UPS STORE	26.72
EFT	04/18/2022	8202	Accounts Payable	VENDNOVATION LLC	4,800.00
EFT	04/18/2022	8203	Accounts Payable	WALLACE , TYLER	50.00
EFT	04/18/2022	8204	Accounts Payable	WEST DES MOINES WATER WORKS	4.97
EFT	04/18/2022	8205	Accounts Payable	YEAGER ENTERPRISES LLC	1,737.00
EFT	04/18/2022	8206	Accounts Payable	ZIEGLER INC	605.56
WB VENDOR DISB WB Vendor Disbursement Totals:					\$6,542,580.70

Checks: 149 \$2,276,350.93
 EFTs: 88 \$4,266,199.77

City of West Des Moines, IA
City Council Report
 Bank Account: WB CONTROLPAY - WB ControlPay
 Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
Bank Account: WB CONTROLPAY - WB ControlPay					
EFT	04/18/2022	7100	Accounts Payable	ADVENTURE LIGHTING	63.00
EFT	04/18/2022	7101	Accounts Payable	ARAMARK UNIFORM SERVICES	282.36
EFT	04/18/2022	7102	Accounts Payable	ARROWHEAD FORENSICS	279.58
EFT	04/18/2022	7103	Accounts Payable	BOMGAARS SUPPLY INC	174.99
EFT	04/18/2022	7104	Accounts Payable	CAPITAL SANITARY SUPPLY CO INC	7,605.04
EFT	04/18/2022	7105	Accounts Payable	CLIVE POWER EQUIPMENT	402.26
EFT	04/18/2022	7106	Accounts Payable	CORN STATES METAL FABRICATORS INC	440.00
EFT	04/18/2022	7107	Accounts Payable	ELECTRONIC ENGINEERING	32.00
EFT	04/18/2022	7108	Accounts Payable	FELD FIRE	1,313.05
EFT	04/18/2022	7109	Accounts Payable	FERGUSON ENTERPRISES INC 226	101.06
EFT	04/18/2022	7110	Accounts Payable	FREEDOM TIRE & AUTO- AMES	829.76
EFT	04/18/2022	7111	Accounts Payable	GALLS LLC	1,384.63
EFT	04/18/2022	7112	Accounts Payable	HEALTH CARE LOGISTICS INC	43.86
EFT	04/18/2022	7113	Accounts Payable	HOTSY CLEANING SYSTEMS INC	294.96
EFT	04/18/2022	7114	Accounts Payable	IOWA WATER MANAGEMENT CORP	688.07
EFT	04/18/2022	7115	Accounts Payable	LEXISNEXIS RISK SOLUTIONS	150.00
EFT	04/18/2022	7116	Accounts Payable	LIGHTEDGE SOLUTIONS INC	1,868.00
EFT	04/18/2022	7117	Accounts Payable	LOGAN CONTRACTORS SUPPLY INC	373.69
EFT	04/18/2022	7118	Accounts Payable	METRO WASTE AUTHORITY	74,545.64
EFT	04/18/2022	7119	Accounts Payable	MUNICIPAL SUPPLY INC	7,980.00
EFT	04/18/2022	7120	Accounts Payable	O'REILLY AUTOMOTIVE INC	170.83
EFT	04/18/2022	7121	Accounts Payable	PREFERRED PEST CONTROL	1,330.15
EFT	04/18/2022	7122	Accounts Payable	SITEONE LANDSCAPE SUPPLY LLC	598.65
EFT	04/18/2022	7123	Accounts Payable	SNYDER & ASSOCIATES	34,870.02
EFT	04/18/2022	7124	Accounts Payable	SPINDUSTRY SYSTEMS INC	1,387.50
EFT	04/18/2022	7125	Accounts Payable	THOMSON REUTERS-WEST PAYMENT	335.98
EFT	04/18/2022	7126	Accounts Payable	TOMPKINS INDUSTRIES INC	35.62
EFT	04/18/2022	7127	Accounts Payable	ULINE INC	7,048.66
EFT	04/18/2022	7128	Accounts Payable	UPHDM OCCUPATIONAL MEDICINE	3,499.25
EFT	04/18/2022	7129	Accounts Payable	VAISALA INC	2,980.00
EFT	04/18/2022	7130	Accounts Payable	ZIMCO SUPPLY CO	11,239.00
EFT	04/18/2022	7131	Accounts Payable	ZOLL DATA- CO	2,217.86
WB CONTROLPAY WB ControlPay Totals:					\$164,565.47

Transactions: 32

City of West Des Moines, IA
City Council Report
Bank Account: WB CONTROLPAY - WB ControlPay
Batch Date: 04/18/2022

Type	Date	Number	Source	Payee Name	Transaction Amount
------	------	--------	--------	------------	--------------------

EFTs: 32 \$164,565.47

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Liquor Licenses

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND: In accordance with the Iowa Code Section 123.1 and the West Des Moines City Code Title 3, Business and Licensing, Chapter 2, Beer and Liquor Control, the following licenses have been investigated and reviewed by the WDM Police Department and, when necessary, by Building Inspection and/or Fire Department staff, and are presented to the City Council for approval. Copies of license applications are available, for your review, in the Office of the City Clerk.

1. Master of None, LLC d/b/a Barn Town Brewing, 9500 University Avenue, Suite 1110 - Class BB Beer Permit Extension of Outdoor Service - May 28-29, 2022
2. Tasting Station Restaurant Group, LLC d/b/a BeerStyles Gastropub & Taproom/SALT of the Hearth, 5513 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
3. Blazin Wings, Inc. d/b/a Buffalo Wild Wings Grill & Bar, 6925 Mills Civic Parkway, Suite #115 - Class LC Liquor License with Sunday Sales and Outdoor Service Privileges - Renewal
4. Revenge is a Dish, LLC d/b/a Club Envy, 5485 Mills Civic Parkway - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal
5. Restaurant & Partnership Group, LLC d/b/a El Muchacho Alegre, 4750 University Avenue - Class LC Liquor License with Sunday Sales, Outdoor Service, and Catering Privileges - New
6. Fareway Stores, Inc. d/b/a Fareway Store #153, 329 Grand Avenue - Class LE Liquor License with Carryout Wine and Carryout Beer - Renewal
7. Hy-Vee, Inc. d/b/a Hy-Vee Market Cafe, 1700 Valley West Drive (Cafe Area) - Class LC Liquor License with Sunday Sales - Renewal
8. City of West Des Moines d/b/a MidAmerican Energy RecPlex, 6500 Grand Avenue - Class BW Permit with Sunday Sales and Outdoor Service - Renewal
9. Jai Jai, LLC d/b/a Mills Grocery & Liquor, 6630 Mills Civic Parkway, Suite 3110 - Class LE Liquor License with Carryout Beer, Carryout Beer, and Sunday Sales - New
10. GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1146, 3600 Westown Parkway - Class LC Liquor License with Sunday Sales - Renewal
11. St. Francis of Assisi Roman Catholic Church d/b/a St. Francis of Assisi Church, 7075 Ashworth Road - Class BW Permit with Sunday Sales - Renewal
12. Boggs Properties, LLC d/b/a Sully's Irish Pub, 110 Grand Avenue - Class LC Liquor License with Sunday Sales and Outdoor Service - Renewal

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion to approve the issuance of liquor licenses in the City of West Des Moines.

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

ITEM: Approval of Cigarette/Tobacco Licenses

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND: Under Title III - Chapter 10, Cigarette Sales, the Council has the authority to issue cigarette permits for establishments located within the city limits of West Des Moines. All cigarette permits expire on June 30 of each year. Applications from the following establishments are on file in the City Clerk's office for review:

1. Atomic Cloud Vapor, LLC, d/b/a Atomic Cloud Vapor, 411 Railroad Place

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: Motion to approve the issuance of a cigarette/tobacco permit in the City of West Des Moines.

Lead Staff Member: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	Tim Stiles, Finance Director
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Motion - Approval of Acknowledgment / Settlement Agreements
for Violation of Tobacco Laws

DATE: April 18, 2022

FINANCIAL IMPACT: \$2,100.00 (positive impact to City)

BACKGROUND:

Pursuant to state law, a civil penalty is assessed against a tobacco permittee who sells tobacco products to a person less than 18 years of age at their respective place of business.

On or about the date referenced on attached Exhibit "A", employees of the permittees, also referenced on Exhibit "A", were cited for selling tobacco products to persons under 18 years of age. The City of West Des Moines Legal Department sent a notice of the violation to the permittees. Since that time, said permittees acknowledged the order and returned payment of the fine for its tobacco violation.

RECOMMENDATION:

It is recommended that the City Council approve the Acknowledgment / Settlement Agreements and accept payment of the fines regarding the above-referenced violations of tobacco laws.

Lead Staff Member: Jessica Spoden, Assistant City Attorney

STAFF REVIEWS

Department Director	Richard Scieszinski, City Attorney
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

EXHIBIT "A"

<u>Licensee</u>	<u>D/B/A</u>	<u>Date of Violation</u>	<u>#Violation</u>
Kum & Go, LC	Kum & Go #66 5308 University Avenue West Des Moines, IA	01/28/2022	1 st (minors) – paid \$300 civil penalty
Kum & Go, LC	Kum & Go #3035 7265 Vista Drive West Des Moines, IA	01/28/2022	2 nd (minors) – paid \$1,500 civil penalty
IA Trade, Inc.	Greenleaf Tobacco 1960 Grand Avenue, Suite #5 West Des Moines, IA	01/28/2022	1st (minors) – paid \$300 civil penalty

BEFORE THE WEST DES MOINES CITY COUNCIL

Kum & Go, LC 1459 Grand Avenue Des Moines, IA 50309 Tobacco Permit No. 22-031	d/b/a Kum & Go #66 5308 University Avenue West Des Moines, IA 50266
--	---

**ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT
FIRST VIOLATION**

On the 18th day of April 2022, the West Des Moines City Council has before it the attached Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on January 28, 2022, and that the mandatory sanction for this violation is a \$300 civil penalty. The permit holder has submitted a check in the amount of \$300 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgment/Settlement Agreement must be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

Mayor

BEFORE THE WEST DES MOINES CITY COUNCIL

Kum & Go, LC 1459 Grand Avenue Des Moines, IA 50309 Tobacco Permit No. 22-031	d/b/a Kum & Go #3035 7265 Vista Drive West Des Moines, IA 50266
--	---

**ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT
SECOND VIOLATION**

On the 18th day of April 2022, the West Des Moines City Council has before it the attached Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a second violation of Iowa Code section 453A.2 occurred on January 28, 2022, and that the mandatory sanction for this violation is a \$1,500 civil penalty. The permit holder has submitted a check in the amount of \$1,500 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgment/Settlement Agreement must be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a second violation of Iowa Code section 453A.2(1).

Mayor

BEFORE THE WEST DES MOINES CITY COUNCIL

IA Trade, Inc. 1960 Grand Avenue, Suite #5 West Des Moines, IA 50265 Tobacco Permit No. 22-056	d/b/a Green Leaf Tobacco 1960 Grand Avenue, Suite #5 West Des Moines, IA 50265
---	--

**ORDER ACCEPTING ACKNOWLEDGMENT/SETTLEMENT AGREEMENT
FIRST VIOLATION**

On the 18th day of April 2022, the West Des Moines City Council has before it the attached Acknowledgment/Settlement Agreement signed by the above-captioned permit holder. The City FINDS that the permit holder acknowledged in the Agreement that a first violation of Iowa Code section 453A.2 occurred on January 28, 2022, and that the mandatory sanction for this violation is a \$300 civil penalty. The permit holder has submitted a check in the amount of \$300 with the Agreement.

IT IS THEREFORE ORDERED that the Acknowledgment/Settlement Agreement must be approved. This sanction is consistent with Iowa Code section 453A.22(2)(a) for a first violation of Iowa Code section 453A.2(1).

Mayor

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(f)1

ITEM: Approval of Appointment
Human Services Advisory Board

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND:

Jami Schnoebelen has served on the Human Services Advisory Board since July 2018, and the Mayor and City Council thank her for her service to the community. Mayor Trimble would like to appoint DeAnn Howard to serve the remainder of the three-year term on the Human Services Advisory Board with an expiration of June 30, 2024.

DeAnn Howard 108 South 33rd Street 491-8484 (h)

RECOMMENDATION:

Motion – Approve Mayor’s recommendation for appointment to the Human Services Advisory Board.

LEAD STAFF MEMBER: Ryan T. Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	Ryan T. Jacobson, City Clerk
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO BOARDS AND COMMISSIONS

The City of West Des Moines appreciates your interest in serving the community and welcomes your application. Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Please indicate those Boards and/or Commissions on which you would be willing to serve by checking below:

- Board of Adjustment
- Civil Service Commission
- Library Board of Trustees
- Plan & Zoning Commission
- Sister Cities Commission
- Bicycle Advisory Commission

- Water Works Board of Trustees
- Human Services Advisory Board
- Human Rights Commission
- Public Arts Advisory Commission
- Valley Junction Events Committee
- Parks & Recreation Advisory Board

Name: **Howard** **DeAnn**
Last First Middle

Address: **108 S 33rd St** **West Des Moines** **IA** **50265**
Street City State Zip

Occupation: **Retired, Pharmacist, Business Owner, Population Health and Policy Executive**

Employer's Name & Address
Medicap Pharmacy, Abbott Labs, AbbVie Biopharmaceuticals

Work Phone: _____ When can you be reached at this number?: _____

Home Phone: **515.491.8484** When can you be reached at this number?: **anytime**

E-mail address: **deann.howardrph@gmail.com**

Length of residence in West Des Moines: **9 years**

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:
Saint Francis Pastoral Council, at-large and chair, Iowa Pharmacist Association, Health Systems sub committee,
Boy Scouts of America , Cub Master, training coaching and development task force @ AbbVie,

Please indicate below the reasons why you would like to be appointed to a Board or Commission and any specific skills or experience that you believe support your application.

I am a problem solver by nature, over 40 years health care experience, including health care policy,
first hand knowledge of domestic and international adoption, experience in the challenges of elder care
and finding resources that help, appreciate the value of community support, understand how social
determinants affect health care and mental health, 2 mission trips to South Africa with Blessman International

Please list two references other than a family member:

Name: Doug Loots Relationship: friend Phone: 515.205.3755
Name: Jim Blessman Relationship: friend Phone: 515.343.5920

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list: _____

Have you ever been employed by the City? No If so, please list dates of employment and positions held.

Do you have relatives working for the City? No If so, please give name and relationship.

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: _____ Contact: _____

Phone Number: _____ Email: _____

Iowa Code Section 69.16A requires City boards/commissions to be gender balanced. Please indicate whether you are male or female.

Male Female

Applicant Signature: [Signature] Date: 1-11-2022

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines
P.O. Box 65320
West Des Moines, Iowa 50265-0320
ATTN: Ryan Jacobson

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Appointments to the Due Diligence Committee

DATE: April 18, 2022

MOTION: Approve Appointments to the Due Diligence Committee

FINANCIAL IMPACT: None

BACKKGROUND: At the April 4, 2022, City Council meeting, the Council directed staff to commence another round of funding for the Property Improvement Fund (PIF) and the Regulatory Compliance Fund (RCF) Programs. As part of the review of funding requests, the City has created the nine-member Due Diligence Committee (DDC) to review funding requests and to make recommendations to the Finance and Administration (F&A) City Council Subcommittee on those requests.

In accordance with the adopted guidelines for the programs, the DDC shall be made up of three members suggested by the West Des Moines Chamber of Commerce, three representatives from the Historic West Des Moines study area, and three representatives from the City at-large. Currently, there are two vacancies on the Committee. One is for a recommendation from the West Des Moines Chamber and the other is the replacement for the former director of the Historic Valley Junction Foundation. The West Des Moines Chamber is suggesting that Tom Florian replace the position formerly held by Matt McKinney. The Historic Valley Junction Foundation is suggesting the Foundation Director Steve Frevert be named to replace the former director, Matt Hauge.

OUTSTANDING ISSUES: There are no outstanding issues.

RECOMMENDATION: Staff is recommending that the City Council approve the appointments to the Due Diligence Committee.

Lead Staff Member: Clyde E. Evans, AICP

STAFF REVIEWS

Department Director	Clyde E. Evans, Director, Community and Economic Development <i>CE</i>
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	N/A

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

ATTACHMENTS:

Exhibit I

Application of Tom Florian and Steve Frevert

CITY OF WEST DES MOINES, IOWA

APPLICATION FOR APPOINTMENT TO DUE DILIGENCE COMMITTEE

As part of the City of West Des Moines' initiative to provide economic development assistance in the Historic West Des Moines area, the Mayor and City Council have called for the establishment of a Due Diligence Committee to score project applications and make recommendations to the Finance & Administration (F&A) Subcommittee on project awards. The committee will also report back to the F&A Subcommittee on the status of the financing programs and their milestones. The City of West Des Moines appreciates your interest in serving the community on the Due Diligence Committee and welcomes your application.

Please complete all sections of this application. If you have any questions, please contact the City Clerk's Office at (515) 222-3600 or TDD (Hearing Impaired) (515) 222-3334. The City of West Des Moines is committed to providing equal opportunity for citizen involvement.

Name: Frevert, Steven John
Last First Middle

Address: 137 Fifth St., West Des Moines, IA 50265
Street City State Zip

Occupation: Main Street program Executive Director

Employer's Name & Address

Historic Valley Junction Foundation
137 Fifth St., West Des Moines, IA 50265

Work Phone: 515-222-3642 When can you be reached at this number?: Weekdays 9-5

Home Phone: 319-750-6580 When can you be reached at this number?: any time

E-mail address: steve@valleyjunction.com

Length of residence in West Des Moines: 8 months

Please list any previous Board membership positions (City, Church, School, Professional, etc.) and dates of service:
Executive Director, Downtown Partners, Inc. Burlington IA, 2008-2020; Officer, Burlington Heritage Trust, Burlington IA, 2002-2021;
Chair, Burlington Historic Preservation Commission, 2004-2021; Board member, Capitol Theater Foundation, 2009-2021

Please indicate below the reasons why you would like to be appointed to the Due Diligence Committee and any specific skills or experience that you believe support your application.

I have several decades of experience in the planning, funding, and implementation of historic preservation and downtown development projects, including assessing and awarding grants. As Executive Director of the Historic Valley Junction Foundation, I believe my experience and knowledge would benefit the City in considering applications for building projects in the district.

Please list two references other than a family member:

Name: Hal Morton Relationship: past fellow commissioner Phone: 319-759-9566
Name: Janine Clover Relationship: past Main St. board chair Phone: 319-208-5381

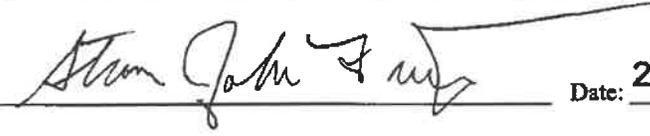
Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? no If so, please list: _____

Have you ever been employed by the City? no If so, please list dates of employment and positions held. _____

Do you have relatives working for the City? no If so, please give name and relationship. _____

Are you being sponsored by a community organization(s)? yes If so, please list the following and attach a confirmation letter from said organization:

Organization: Historic Valley Junction Foundation Contact: Meredith Wells
Phone Number: 515-720-9467 Email: meredith@momere.com

Applicant Signature:  Date: 29 March 2022

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines
ATTN: City Clerk
P.O. Box 65320
West Des Moines, Iowa 50265-0320



137 Fifth St.
West Des Moines, IA 50265

March 30, 2022

City of West Des Moines
Attn: City Clerk
P.O. Box 65320
West Des Moines, IA 50265

At our March 29, 2022 meeting, the Historic Valley Junction Foundation board approved sponsoring the application of Executive Director Steve Frevert to the City's Due Diligence Committee. We look forward to participating in the continued revitalization of the district.

Sincerely,

A handwritten signature in cursive script that reads "Meredith Wells".

Meredith Wells, President
Historic Valley Junction Foundation Board of Directors

Please indicate below the reasons why you would like to be appointed to the Due Diligence Committee and any specific skills or experience that you believe support your application.

As a resident of WDM and staff member of the WDM Chamber, I am committed to bettering our collective community.

As a board member for the Historic Valley Junction Foundation, I am committed to developing strong neighborhoods and supporting our local merchants and businesses.

My experience as the Director of Membership and Growth with the WDM Chamber provides me the opportunity to listen and learn from the collective business and residential communities, thus providing me a wide range of information on ways we can continually strengthen and improve West Des Moines and its overall wellbeing.

Please list two references other than a family member:

Name: Katherine Harrington Relationship: Supervisor Phone: 515-689-4447

Name: Josh Fleming Relationship: Friend Phone: 515-865-7217

Do you sell to, or are you in any manner a part to, any contract to furnish supplies, material, or labor to the City of West Des Moines? No If so, please list: _____

Have you ever been employed by the City? No If so, please list dates of employment and positions held.

Do you have relatives working for the City? No If so, please give name and relationship.

Are you being sponsored by a community organization(s)? No If so, please list the following and attach a confirmation letter from said organization:

Organization: _____ Contact: _____

Phone Number: _____ Email: _____

Applicant Signature: Thomas J Florian Date: 4/5/2022

Please mail completed application to the office of the City Clerk at the following address:

City of West Des Moines
ATTN: City Clerk
P.O. Box 65320
West Des Moines, Iowa 50265-0320

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

ITEM:

Motion – Approval of Renewal Contract Agreement – Electrical Repair Services
ABC Electrical Services, LLC

FINANCIAL IMPACT:

This is a renewal contract agreement with ABC Electrical Services, LLC, to provide electrical repair services to various City facilities for the City of West Des Moines. The average annual amount of electrical repair services for various City facilities is approximately \$140,000.00. The costs for these services will be paid from each respective facility’s building maintenance account.

BACKGROUND:

The electrical repair services contract was bid on March 11, 2020 with the option to renew after the initial contract term on an annual basis. The contract agreement provides labor and material rates for requested electrical repair services required on an as-needed basis at various City facilities. Each year the contract is renewed, a 2% cost of services increase is applied to the contract pricing.

A copy of the contract terms and specifications is attached for reference.

OUTSTANDING ISSUES: None

RECOMMENDATION:

- That the City Council approve the renewal contract agreement with ABC Electrical Services, LLC.

Lead Staff Member: Chuck Thomas, Facilities Manager *CT*

STAFF REVIEWS

Department Director	Bret Hodne, Public Services Director
Appropriations/Finance	Tim Stiles, Finance Director <i>TS</i>
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Works		
Date Reviewed			
Recommendation	Yes	No	Split

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(h)1

DATE: April 18, 2022

ITEM:

Motion – Approving Change Order #3
Digital Enterprise Last Mile Conduit Deployment Segment 5 Phase 2
0510-067-2020

FINANCIAL IMPACT:

Contract Summary:

Description	Amount	Date Approved	Remarks
Construction Contract	\$2,331,368.50	March 15, 2021	
Change Order #1	\$321,882.00	May 17, 2021	
Change Order #2	\$54,805.00	August 16, 2021	
Change Order #3	\$16,362.75	Pending	
Total	\$2,724,418.25		

Costs for these change order items will be paid from account no. 670.000.000.5250.490 with the ultimate funding intended to come from General Obligation Bonds.

BACKGROUND:

The West Des Moines Digital Enterprise Last Mile Conduit Deployment Segment 5 Phase 2 project includes the installation of a multi-user fiber conduit network within public right-of-way to support the connection of every residence and business wishing to connect from Raccoon River to Grand Ave and Grand Ave to 1st St in West Des Moines.

Change Order #3 includes additional flaggers and insurance requirements requested by the railroad that were not identified prior to bidding. This change order also includes additional work to relocate two vaults in conflict with trail construction along S 9th St.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Change Order #3 for Digital Enterprise Last Mile Conduit Deployment Segment 5 Phase 2.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTG</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed			
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES

Engineering Services
 4200 Mills Civic Parkway, Suite 2D
 West Des Moines, IA 50265-0320
 (515) 222-3475 Fax (515) 273-0603

CHANGE ORDER

Distribution:
 Owner X
 Engineer X
 Contractor X
 Other

Contractor: Communication Data Link
 1305 SW 37th St
 Grimes, Iowa 50111

Project Title	Digital Enterprise Last Mile Conduit Deployment Segment 5 Phase 2	
WDM Project File Number	0510-067-2020	
Purchase Order Number		
Orig. Contract Amount & Date	\$2,331,368.50	March 15, 2021
Change Order Number	3	
Date	March 29, 2022	

THE CONTRACT IS CHANGED AS FOLLOWS: CO3.1 is being requested due to unforeseen railroad (RR) flagger and insurance requirements that weren't identified during the initial bidding of the project. CO3.2 is being requested because 2 vaults that were recently placed along Railroad from 8th to 9th are now in the direct path of a new City trail project and will need to be relocated out of the trail path. This includes all the labor/equipment/material to relocate the 2 vaults outside of the City trail project.

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
CO3.1	Additional RR Crossing (Flaggers and Insurance)	LS	\$ 9,673.75	1	\$ 9,673.75
CO3.2	8th & 9th Street Vault Relocations	LS	\$ 6,689.00	1	\$ 6,689.00
TOTAL					\$ 16,362.75

CHANGE ORDER SUMMARY	
The Original Contract Sum was	\$2,331,368.50
Net Change by previously authorized Change Orders	\$ 376,687.00
The Contract Sum prior to This Change Order was	\$2,708,055.50
The Contract Sum will be revised by this Change Order in the amount of	\$16,362.75
The new Contract Sum including this Change Order will be	\$2,724,418.25
Aggregate Change Order as a percent of Original Contract (if greater than 10% of the original contract, Council Subcommittee recommendation and all signatures through the full Council are required)	16.86%
The Contract Time will be changed by	0 Days
The date of Final Completion as of the date of this Change Order therefore is	December 31, 2021

NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE (if applicable) AND OWNER

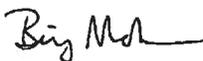
Contractor: Communication Data Link Signature: <u>Christopher J. Suedmeier</u> <small>Christopher J. Suedmeier (Mar 31, 2022 08:31 CST)</small> Name: Christopher J Suedmeier Title: VP Date: Mar 31, 2022	Recommended By: OLSSON Signature: <u>Ryan Meints</u> <small>Ryan Meints (Mar 31, 2022 08:47 CST)</small> Name: Ryan Meints Title: Project Manager Date: Mar 31, 2022	Checked By: <u>KS</u> <u>BJM</u> <small>KS</small> <small>BJM</small> City of West Des Moines Signature: <u>Brian Hemesath</u> Name: Brian Hemesath Title: City Engineer Date: Mar 31, 2022
---	---	---

Owner: City of West Des Moines

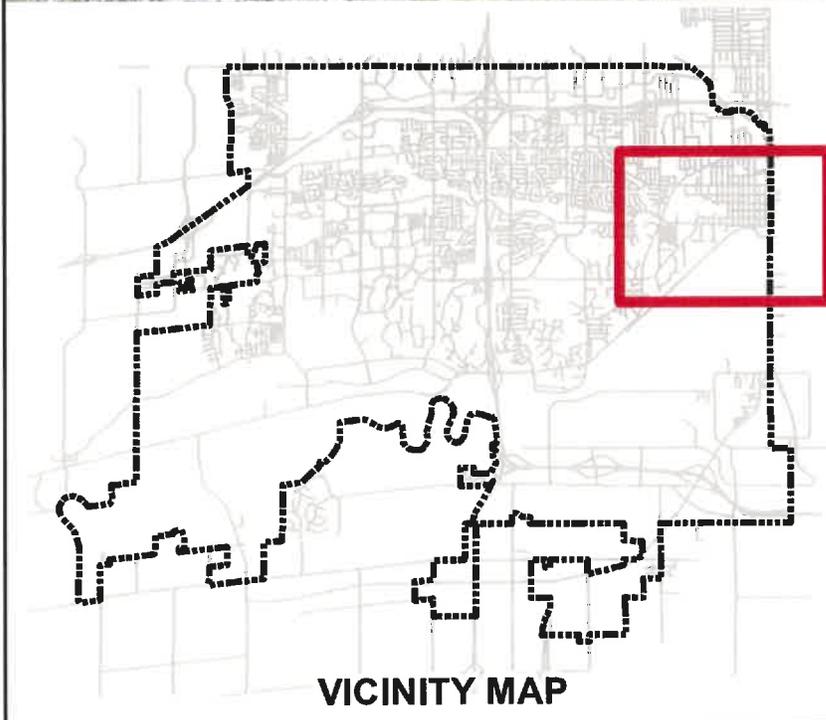
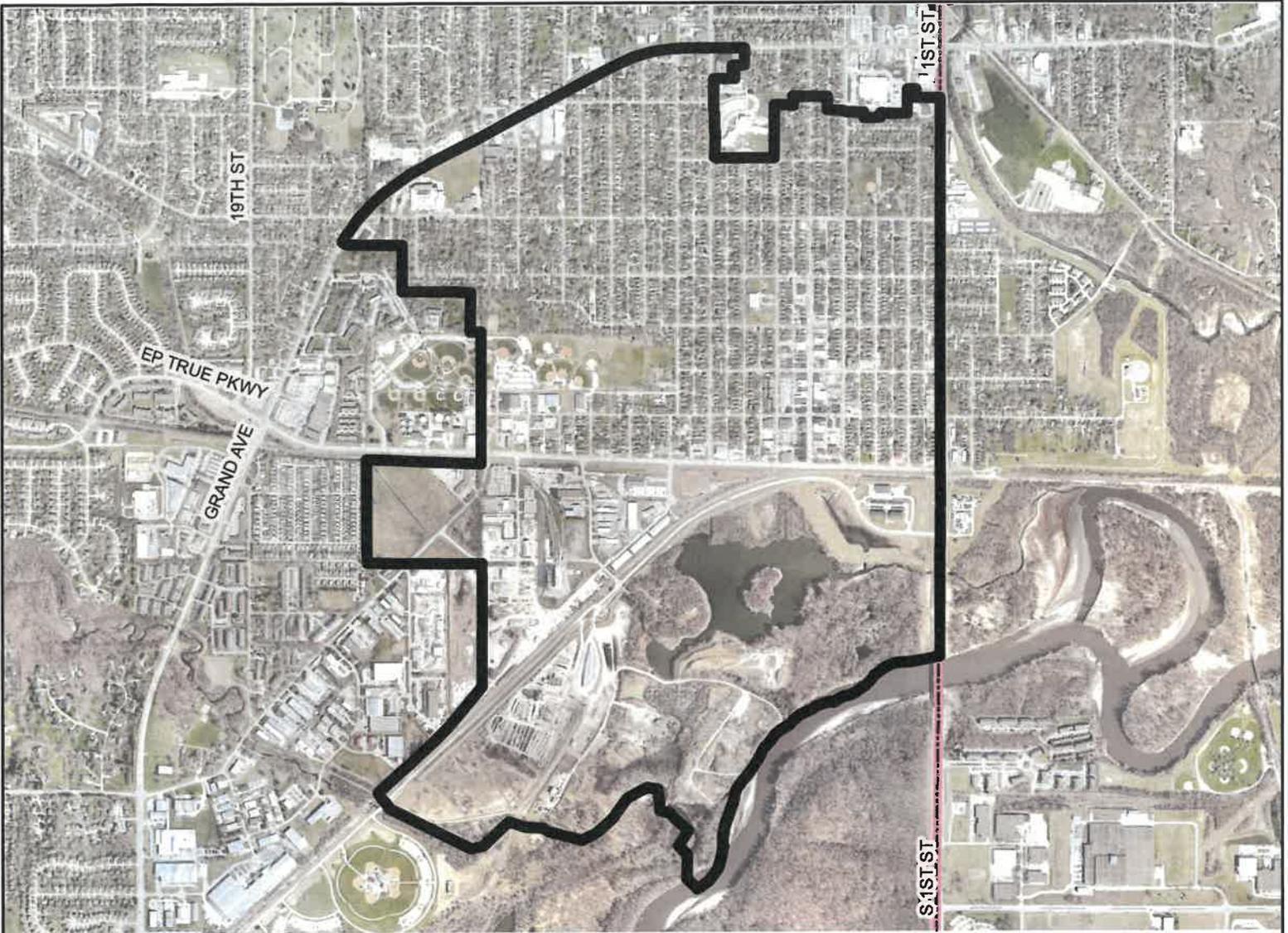
<input type="checkbox"/> ≤	\$24,999.99 City Engineer (≤ 10% original contract)	x _____	Date _____
<input type="checkbox"/> ≥	\$25,000 to \$50,000 City Council approved or ratified at Council		Date _____

Signature: 
Sand, Kelly (M, 31, 2022 08:53 CDT)

Email: kelly.sand@wdm.iowa.gov

Signature: 

Email: ben.mcalister@wdm.iowa.gov



LEGEND

PROJECT LOCATION



VICINITY MAP

	PROJECT: West Des Moines Digital Enterprise Conduit Deployment Segment 5 Phase 2		
	LOCATION: Exhibit "A"		
DRAWN BY: BJM	DATE: 2/10/2021	PROJECT NUMBER/NAME: 0510-067-2020	SHT. 1 of 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(h)2

DATE: April 18, 2022

ITEM:

Motion – Approving Change Order #10
MidAmerican Energy RecPlex – Site Improvements

FINANCIAL IMPACT:

Contract Summary:

Description	Amount	Date Approved	Remarks
Construction Contract	\$4,242,769.75		
Change Order #1	\$24,200.00	August 17, 2020	Miscellaneous
Change Order #2	\$4,805.10	August 17, 2020	Additional site electrical
Change Order #3	\$102,528.50	December 7, 2020	Miscellaneous
Change Order #4	\$78,750.00	December 7, 2020	Cold weather protection
Change Order #5	\$14,815.47	April 19, 2021	Miscellaneous
Change Order #6	\$9,312.19	April 19, 2021	Miscellaneous
Change Order #7	\$1,430.00	May 17, 2021	Bollards
Change Order #8	\$167,970.00	October 18, 2021	Concrete perimeter strip
Change Order #9	\$8,702.77	January 3, 2022	Pavement markings
Change Order #10	\$36,570.40	Pending	Building foundation items
Total	\$4,691,854.18		

Costs for these change order items will be paid from account no. 692.400.700.5250.490 with the ultimate funding intended to come from General Obligation Bonds backed by Local Option Sales Taxes.

BACKGROUND:

The project consists of the Site Improvements at the MidAmerican Energy RecPlex including drive accesses, parking lot, shared use path, sidewalk, minor adjustments of sanitary and storm sewer structures, water fixture adjustments, topsoil respreads, landscape plantings, seeding, site lighting, and miscellaneous work to complete the project. This phase of the project is substantially complete. The Grand Opening for the MidAmerican Energy RecPlex was held on October 3, 2021.

Change Order #10 includes additional concrete banding around the perimeter of the building where perimeter curb was installed in place of landscaping rock adjacent to a sidewalk. Some modifications to the building foundation insulation were also necessary to accommodate this additional perimeter concrete band. City Staff recommends approval of Change Order #10.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Change Order #10 for MidAmerican Energy RecPlex – Site Improvements.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTg</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split



CITY OF WEST DES MOINES

Department of Engineering Services
 4200 Mills Civic Parkway, Ste 2E
 West Des Moines, IA 50265-0320
 (515) 222-3475 Fax (515) 273-0603

CHANGE ORDER

Distribution:

Owner X
 Engineer X
 Contractor X
 Owner's Rep X

Contractor: **Absolute Concrete Construction, Inc.**
P.O. Box 148
Slater, IA

Project Title	MidAmerican Energy Company RecPlex Site Improvements	
WDM Project File Number	0510-055-2018	
Purchase Order Number	2020-0000842	
Orig. Contract Amount & Date	\$4,242,769.75	April 6, 2020
Change Order Number	10	
Date	April 1, 2022	

THE CONTRACT IS CHANGED AS FOLLOWS:

ITEM CO10-7.08A: In areas where the perimeter curb was installed in place of landscaping rock adjacent to a sidewalk, additional concrete was needed in order to integrate the perimeter curb with the sidewalk in place of the landscaping rock. A second concrete pour was required as well to accommodate the extra width and the curb required to protect the building foundation insulation.

CO10-11.11-11.13: In order to install the perimeter concrete band flush against the foundation insulation, multiple locations require replacement and/or maintenance where pieces are missing or damaged. In areas a second layer of insulation is needed to fur out to the edge of the metal panel building wall for the edge of the perimeter concrete band. Lastly, in order to cover the foundation insulation in locations where the face of the metal panel building wall is behind the face of the 2" insulation an extension of the flashing is required.

Item	Description	Unit	Unit Price	Quantity Adjustment	Value Adjustment
DIVISION 7 - STREETS AND RELATED WORK					
CO10 - 7.08A	PERIMETER CONCRETE BAND WITH MODIFIED SUBASE - EXTRA WIDTH	SY	\$330.00	70.0	\$23,100.00
DIVISION 11 - MISCELLANEOUS					
CO10 - 11.11	BUILDING FOUNDATION INSULATION REPLACEMENT	LS	\$1,821.60	1.00	\$1,821.60
CO10 - 11.12	BUILDING FOUNDATION INSULATION FURRING	LS	\$5,863.00	1.00	\$5,863.00
CO10 - 11.13	BUILDING FOUNDATION INSULATION COVER STRIPS/FLASHING EXTENSION	LS	\$5,785.80	1.0	\$5,785.80
TOTAL					\$36,570.40

CHANGE ORDER SUMMARY	
The Original Contract Sum was	\$4,242,769.75
Net Change by previously authorized Change Orders	\$412,514.03
The Contract Sum prior to This Change Order was	\$4,655,283.78
The Contract Sum will be revised by this Change Order in the amount of	\$36,570.40
The new Contract Sum including this Change Order will be	\$4,691,854.18
Aggregate Change Order as a percent of Original Contract (if greater than 10% of the original contract, Council Subcommittee recommendation and all signatures through the full Council are required)	10.58%
The Contract Time will be changed by	10 Days
The date of Final Completion as of the date of this Change Order therefore is	May 14th, 2021

NOT VALID UNTIL SIGNED BY THE CONTRACTOR, OWNER'S REPRESENTATIVE (if applicable) AND OWNER

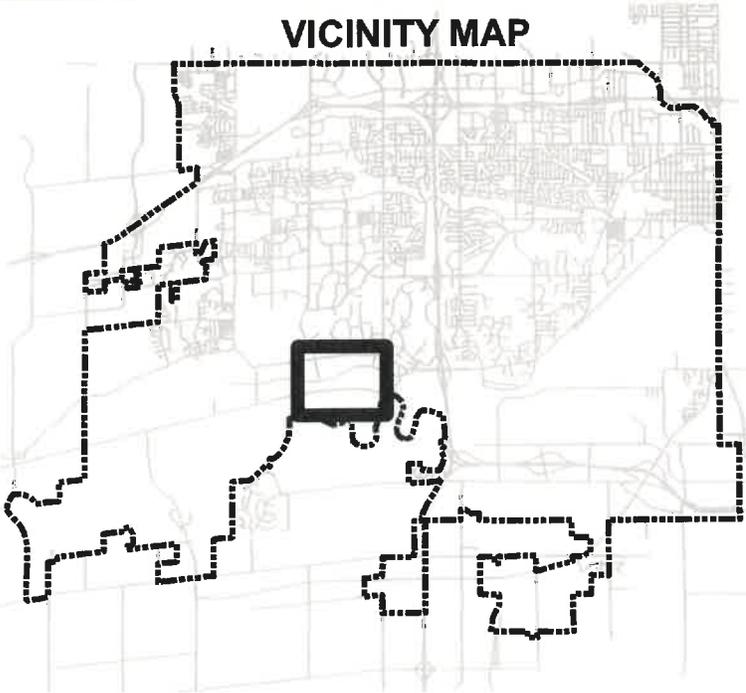
Contractor: Absolute Concrete Construction, Inc.	Recommended By: Civil Design Advantage (CDA)	Checked By: AJH City of West Des Moines
Signature: Drew Roberts <small>Digitally signed by Drew Roberts Date: 2022.04.01 15:34:50 -05'00'</small>	Signature: <i>Josh Trygstad</i> <small>Digitally signed by Josh Trygstad Date: 2022.04.04 11:47:23 -05'00'</small>	Signature: Brian Hemesath <small>Digitally signed by Brian Hemesath Date: 2022.04.05 11:54:27 -05'00'</small>
Name: Drew Roberts	Name: Josh Trygstad, P.E.	Name: Brian J. Hemesath, P.E.
Title: Project Manager	Title: Project Manager	Title: City Engineer
Date:	Date:	Date:

Owner: City of West Des Moines

<input type="checkbox"/> I	\$24,999.99 City Engineer (≤ 10% original contract)	x _____	Date _____
<input type="checkbox"/> IV	\$25,000 to \$50,000 City Council approved or ratified at Council		Date _____



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

MidAmerican Energy RecPlex

LOCATION:

Exhibit "A"

DRAWN BY: JPM

DATE: 10/13/2021

PROJECT NUMBER/NAME: 0510-055-2018

SHT. 1 of 1

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Resolution to Approve Compensation
- City Manager

DATE: April 18, 2022

FINANCIAL IMPACT: Funds have been included in the current budget to cover the cost of this pay increase.

BACKGROUND:

An evaluation form was distributed to the Mayor and City Council and the results clearly indicate a strong degree of confidence in the City Manager. In addition, a salary survey of comparable cities was also obtained and evaluated. The City has been very well served by the capable and dedicated efforts of the City Manager, Tom Hadden.

Based on a current salary of \$219,552/year, this resolution authorizes a new salary of \$227,920/year and an additional contribution of \$2,929 (total of \$61,000) to deferred compensation (the maximum allowed for 2022). This represents a total cash compensation increase of 4.0%. (Note that the City does not make any contributions to IPERS.) In addition, this resolution amends Section 2, D of the City Manager Employment Agreement to extend the employment agreement for one more year for a total of three years (to May 1, 2025). These changes are effective on the review date of May 1, 2022.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION: City Council Adopt the Resolution approving the increase in compensation for the City Manager

Lead Staff Member: Jane Pauba Dodge, Human Resources Director

STAFF REVIEWS

Department Director	Jane Pauba Dodge, Human Resources Director <i>JPDodge</i>
Appropriations/Finance	<i>AS</i>
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	Yes		
Date Reviewed	Executive Session: 04/04/2022		
Recommendation	Yes	No	Split

RESOLUTION

WHEREAS, on May 1, 2014 the City Manager began employment with the City of West Des Moines, and

WHEREAS, an annual performance evaluation is to occur on or about the anniversary of the City Manager's hire date, and

WHEREAS, in conjunction with the annual evaluation a compensation adjustment may be made; and,

WHEREAS, the annual performance evaluation of the City Manager has been completed and a compensation increase has been recommended;

WHEREAS, pursuant to West Des Moines City Code, Title 7, Article B-2, the City Council is to establish by resolution the compensation of the City Manager.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to West Des Moines City Code Title 7, Article B-2 the annual compensation of the City Manager shall be increased from \$219,552 per year to \$227,920 per year; that an additional \$2,929 per year be contributed to the City Manager's deferred compensation pension plan for a total of \$61,000 (the maximum allowed per the IRS).
2. The effective date of the compensation increases shall be May 1, 2022.
3. Pursuant to the City Manager Employment Agreement, Section 2, D be amended that the employee agrees to remain in the exclusive employ of the City until the 1st day of May, 2025.

PASSED AND APPROVED this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Resolution Approving and Ratifying Specific Fees and Charges
City Clerk's Office - Pawnbrokers & Secondhand Dealers

DATE: April 18, 2022

FINANCIAL IMPACT: The addition of this license fee should have a small increase to revenue. All fees collected will be recorded towards the City's General Fund.

BACKGROUND: On February 21, 2022, the City Council adopted Ordinance No. 2503, which established a licensing requirement for pawnbrokers and secondhand good dealers in the City of West Des Moines. Staff has since developed an application form and process and is recommending the City Council approve a license fee of \$100 per year. This would be consistent with massage therapy business licenses.

RECOMMENDATION: Approve and ratify the updated list of City Fees and Charges

Lead Staff Member: Ryan Jacobson, City Clerk *RTJ*

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	
Date Reviewed	
Recommendation	

RESOLUTION NO. _____

RESOLUTION UPDATING CERTAIN FEES REQUESTED BY STAFF OR AS REQUIRED BY CITY POLICY AND IOWA CODE.

WHEREAS, effort has been made to consolidate all fees, rates, and charges into one reference document to be ratified by Council, and

WHEREAS, various updates to rates are proposed by staff and where applicable, recommended by the West Des Moines Parks Board,

NOW, THEREFORE, BE IT RESOLVED

BY THE COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the attached schedule of charges and fees are ratified and approved as of July 1, 2021, and

BE IT FURTHER RESOLVED, that previous resolutions in conflict with this resolution are hereby repealed.

PASSED AND APPROVED, this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

City of West Des Moines, Iowa
 Schedule of Rates, Fees and Charges
 As of July 1, 2021

Description	Fee	Last Change (Approval Date)
A. Administrative / City Clerk's Office / Finance		
I. Responses to Open Records Requests		
a. Staff Services	First 15 minutes free, then Employee Hourly Rate x Number of Hours Required (rounded to nearest quarter hour)	
b. Deposit for Large Records Requests (estimated cost of \$200.00 or more)	25% of estimated total cost	Resolution (06/21/2021)
c. Files copied to CD or USB	\$5.00 per CD or USB	
d. Paper Copies (8 ½ x 11 or Legal Size)		
a. Black & White	\$0.25 per page	
b. Color	\$0.35 per page	
e. City Street Map	FREE	
f. All Other Maps (ex. B XV(h))	\$5.00 per map	
II. Alarms		
a. Installation License (Annual)	\$ 100.00	Ordinance (02/02/2004)
i. Additional License	25.00	Ordinance (02/02/2004)
b. System Registration	\$ 10.00	Ordinance (02/02/2004)
c. Monitoring Fee – Residential (Monthly)	1.00	Ordinance (02/02/2004)
d. Monitoring Fee – Commercial (Annual)	2.00	Ordinance (02/02/2004)
e. False Alarms 1 st -3 rd *	FREE	Ordinance (02/02/2004)
f. False Alarm 4 th *	50.00	Ordinance (02/02/2004)
g. False Alarm Each Occurrence after 4 th *	100.00	Ordinance (02/02/2004)
	*Recorded in a Calendar Year Starting with 1 st False Alarm	
III. Annual Permits		
a. Auction	\$ 5.00	Resolution (06/30/2014)
b. Cigarette/Tobacco Business	100.00	State of Iowa Code
c. Massage Therapy Business	100.00	Resolution (12/27/2017)
d. Pawnbrokers & Secondhand Dealers	100.00	Resolution (4/18/2022)
IV. Block Parties	No Charge	Resolution (12/09/2013)
V. Miscellaneous Fees		
a. Non-Sufficient Funds (NSF) Fee	\$ 25.00	Resolution (06/30/2014)
b. Conduit Financing – Fee for City as Issuer	\$ 2,000.00 / issuance	Resolution (12/28/2015)
VI. Solicitor / Transient Merchant		
a. Solicitor Fees		
i. Applicant Fee	\$ 100.00	Ordinance (04/01/2013)
ii. Permit Fee (30-day license)	50.00	Ordinance (04/01/2013)
iii. Permit Fee (90-day license)	100.00	Ordinance (04/01/2013)
iv. Surety Bond	1,000.00	Ordinance (04/01/2013)

City of West Des Moines, Iowa
 Schedule of Rates, Fees and Charges
 As of July 1, 2021

Description	Fee	Last Change (Approval Date)
b. Transient Merchant Fees		
i. License Application	\$ 100.00	Ordinance (04/01/2013)
ii. 1-Day License	20.00	Ordinance (04/01/2013)
iii. 7-Day License	100.00	Ordinance (04/01/2013)
VII. Special Events		
a. Events Not Requiring Council Approval	\$ 225.00	Resolution (12/09/2013)
b. Events Requiring Council Approval	325.00	Resolution (12/09/2013)
<p>Note: Special Events also require liability insurance coverage of not less than \$500,000 / person and accident coverage of not less than \$1,000,000 / person.</p>		
VIII. Sound Permit (Live Amplified Outdoors)		
a. One – 48 Hour Event	\$ 22.00	Resolution (01/28/2008)
b. 2 – 7 Consecutive Days	44.00	Resolution (01/28/2008)
c. One calendar year	82.50	Resolution (01/28/2008)

CITY OF WEST DES MOINES CITY COUNCIL MEETING COMMUNICATION

ITEM: Approving Interfund Transfers

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND: Effective April 13, 2019, an update to the Iowa Administrative Rules Code 545-2 now requires greater disclosures for all interfund transfers including the amount, purpose, and originating and receiving fund. The Finance Department continually reviews the status of the City's General, Road Use Tax, Tax Increment Financing, Capital Project, Debt Service, Local Option Sales Tax and Enterprise Funds.

The City of West Des Moines did adopt transfer amounts in the FY 21-22 Budget and Exhibit A represents transfers to be authorized as of June 30, 2022.

RECOMMENDATION: Approval of Resolution Authorizing Transfer of Funds.

Lead Staff Member: Lesley Montgomery, Accounting Manager *LM*

STAFF REVIEWS

Department Director	Tim Stiles
Appropriations/Finance	
Legal	
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	Not required
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed	N/A		
Recommendation	Yes	No	Split

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

WHEREAS, the City of West Des Moines did adopt transfer amounts in the FY 2021-2022 Budget; and

WHEREAS, Exhibit A represents the transfers to be authorized at this time.

THEREFORE, BE IT RESOLVED BY THE CITY OF WEST DES MOINES, IOWA, that the Accounting Manager be instructed to transfer the appropriate amounts to each fund for the purpose stated in Exhibit A attached.

PASSED AND APPROVED this 18th day of April, 2022.

Steven K. Gaer, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

EXHIBIT A

	From	Fund #	To	Fund #	Amount	Purpose
1	Capital Projects-2021B Bond Proceeds	532	Debt Service-Capitalized Interest 2021B	214	\$1,152,751.11	Establish capitalized interest fund 2021B on 9/23/21
2	Capital Projects-2021C Bond Proceeds	533	Debt Service-Capitalized Interest 2021C	215	\$159,600.00	Establish capitalized interest fund 2021C on 9/23/21
3	General	100	Metro Home Improvement	115	\$8,208.00	FY22 City Contribution to MHIP
4	General	100	Dallas County Local Housing Trust Fund	460	\$4,950.00	FY22 City Contribution to DCLHTF
5	General	100	Technology Replacement Fund	740	\$300,000.00	FY21 Annual contribution
6	Microsoft Alluvion TIF	330	Debt Service	200	\$227,243.75	2015A 12-21 Interest Payment
7	Microsoft Alluvion TIF	330	Debt Service	200	\$83,218.75	2015B 12-21 Interest Payment
8	Mills TIF	341	Debt Service	200	\$69,375.00	2016B 12-21 Interest Payment
9	Mills TIF-Microsoft Sub #7	351	Debt Service	200	\$89,612.50	2016B 12-21 Interest Payment
10	Microsoft Alluvion TIF	330	Debt Service	200	\$126,950.00	2016D 12-21 Interest Payment
11	Mills TIF	341	Debt Service	200	\$38,625.00	2017B 12-21 Interest Payment
12	Microsoft Osmium TIF	360	Debt Service	200	\$141,421.88	2017C 12-21 Interest Payment
13	Microsoft Osmium TIF	360	Debt Service	200	\$428,506.25	2017D 12-21 Interest Payment
14	Mills TIF-Microsoft Sub #7	351	Debt Service	200	\$47,806.25	2017E 12-21 Interest Payment

15	Ashworth Road TIF	355	Debt Service	200	\$234,171.88	2018B 12-21 Interest Payment
16	Coachlight TIF	356	Debt Service	200	\$106,503.13	2018C 12-21 Interest Payment
17	Microsoft Osmium TIF	360	Debt Service	200	\$274,191.25	2018D 12-21 Interest Payment
18	Microsoft Osmium TIF	360	Debt Service	200	\$158,746.88	2018E 12-21 Interest Payment
19	Microsoft Osmium TIF	360	Debt Service	200	\$175,350.00	2019A 12-21 Interest Payment
20	8300 Mills Sammons TIF	357	Debt Service	200	\$123,625.00	2019B 12-21 Interest Payment
21	Coachlight TIF	356	Debt Service	200	\$94,600.00	2019C 12-21 Interest Payment
22	Woodland Hills TIF- Booneville Rd	352	Debt Service	200	\$108,750.00	2019D 12-21 Interest Payment
23	Hotel Motel	160	MidAmerican Energy RecPlex	692	\$259,100.00	2019F 12-21 Interest Payment
24	Coachlight TIF	356	Debt Service	200	\$86,778.75	2020B 12-21 Interest Payment
25	Debt Service	200	Fiber Conduit Utility	670	\$104,608.13	2020C 12-21 Interest Payment
26	LOST-City Uses	491	MidAmerican Energy RecPlex	692	\$133,761.25	2021A 12-21 Interest Payment

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)1

DATE: April 18, 2022

ITEM:

Resolution - Ordering Construction
SE County Line Road – Veterans Parkway to SE Orilla Road

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for SE County Line Road – Veterans Parkway to SE Orilla Road is \$1,893,710.50. Funding will be from account no. 500.000.000.5250.490 using Tax Increment Financing (TIF) revenue collected from within the Alluvion Urban Renewal Area TIF.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, May 4, 2022 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, May 16, 2022. The contract would be awarded on Monday, May 16, 2022 and work will begin shortly thereafter.

This project includes the construction of SE County Line Road from Veterans Parkway to SE Orilla Road to support the proposed Iowa National Guard Readiness Center development. SE County Line Road (major collector) will be constructed as a three-lane urban roadway. The project will include grading, sanitary sewer, storm sewer, watermain, paving, shared use path, and other miscellaneous work. All grading and temporary seeding shall be completed by September 30, 2022. All utilities, paving, and final restoration shall be completed by June 30, 2023.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of SE County Line Road – Veterans Parkway to SE Orilla Road.
- Fixing 2:00 p.m. on Wednesday, May 4, 2022 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION ORDERING CONSTRUCTION AND NOTICE OF PUBLIC HEARING ON PLANS,
SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, AND DIRECTING
ADVERTISEMENT FOR BIDS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA,
that the following described public improvement:

**SE County Line Road – Veterans Parkway to SE Orilla Road
Project No. 0510-077-2021**

is hereby ordered to be constructed according to the Plans and Specifications prepared by Olsson, Inc. of Des Moines, Iowa and now on file in the office of the City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, May 16, 2022, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than thirteen (13) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, May 4, 2022.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, May 4, 2022 and the results of said bids shall be considered at a meeting of this Council on Monday, May 16, 2022 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED on this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



ENGINEER'S OPINION OF PROBABLE COST FINAL PLANS

Client: West Des Moines, IA
Project: SE County Line Road Phase 2
Project Number: 021-06258
Date: 4/8/2022

ITEM NO.	ITEM CODE	BID ITEM	UNIT	QUANTITY	UNIT COST \$	COST \$
DIVISION 2 - EARTHWORK, SUBGRADE AND SUBBASE						
2.01	2010-A	CLEARING AND GRUBBING	LS	1	\$35,000.00	\$35,000.00
2.02	2010-A	TOPSOIL, ON-SITE	CY	4040	\$7.50	\$30,300.00
2.03	2010-D-1	EXCAVATION, CLASS 10	CY	678	\$9.00	\$6,102.00
2.04	2010-E	EXCAVATION, CLASS 10, BORROW	CY	19480	\$12.00	\$233,760.00
2.05	2010-G	SUBGRADE PREPARATION, 6"	LF	1708	\$2.00	\$3,416.00
2.06	2010-G	SUBGRADE PREPARATION, 12"	SY	7419	\$3.50	\$25,966.50
2.07	2010-H	SUBGRADE TREATMENT, CEMENT	SY	6984	\$4.50	\$31,428.00
DIVISION 3 - TRENCH EXCAVATION AND BACKFILL						
3.01	3010-999-A	STORM SEWER ROCK CHIMNEY	EA	4	\$500.00	\$2,000.00
DIVISION 4 - SEWERS AND DRAINS						
4.01	4020-A-1	SANITARY SEWER GRAVITY MAIN, TRENCHED, PVC, 8-INCH DIA.	LF	115	\$160.00	\$18,400.00
4.02	4010-I	SANITARY SEWER CLEANOUT	EA	1	\$1,000.00	\$1,000.00
4.03	4020-A-1	STORM SEWER, TRENCHED, RCP, CLASS III, 15-INCH DIA.	LF	307	\$80.00	\$24,560.00
4.04	4020-A-1	STORM SEWER, TRENCHED, RCP, CLASS III, 18-INCH DIA.	LF	183	\$105.00	\$19,215.00
4.05	4020-A-1	STORM SEWER, TRENCHED, RCP, CLASS III, 30-INCH DIA.	LF	117	\$165.00	\$19,305.00
4.06	4020-A-1	STORM SEWER, TRENCHED, RCP, CLASS III, 36-INCH DIA.	LF	560	\$200.00	\$112,000.00
4.07	4020-D	REMOVAL OF STORM SEWER	LF	10	\$25.00	\$250.00
4.08	4030-B	PIPE APRON, CONCRETE, 15-INCH DIA.	EA	2	\$1,750.00	\$3,500.00
4.09	4030-B	PIPE APRON, CONCRETE, 30-INCH DIA.	EA	1	\$3,000.00	\$3,000.00
4.10	4030-B	PIPE APRON, CONCRETE, 36-INCH DIA.	EA	3	\$4,000.00	\$12,000.00
4.11	4030-C	FOOTING FOR CONCRETE PIPE APRON, RCP, 15-INCH DIA.	EA	2	\$1,000.00	\$2,000.00
4.12	4030-C	FOOTING FOR CONCRETE PIPE APRON, RCP, 30-INCH DIA.	EA	1	\$1,750.00	\$1,750.00
4.13	4030-C	FOOTING FOR CONCRETE PIPE APRON, RCP, 36-INCH DIA.	EA	3	\$2,000.00	\$6,000.00
4.14	4040-A	SUBDRAIN, PVC, 6-INCH	LF	1738	\$20.00	\$34,760.00
4.15	4040-C	SUBDRAIN CLEANOUT, PVC, 6-INCH	EA	5	\$750.00	\$3,750.00
4.16	4040-D	SUBDRAIN CONNECTION, PVC, 6-INCH	EA	17	\$450.00	\$7,650.00
DIVISION 5 - WATER MAINS AND APPURTENANCES						
5.01	5010-A-1	WATER MAIN, TRENCHED, PVC C900 DR18, 12-INCH	LF	1324	\$140.00	\$185,360.00
5.02	5010-A-2	WATER MAIN, TRENCHLESS, PVC C900 DR18, 12-INCH	LF	97	\$250.00	\$24,250.00
5.03	5010-C-1	FITTING, 45° BEND, 12-INCH	EA	9	\$3,000.00	\$27,000.00
5.04	5010-C-1	FITTING, 22.5° BEND, 12-INCH	EA	3	\$3,000.00	\$9,000.00
5.05	5010-C-1	FITTING, 12.25° BEND, 12-INCH	EA	3	\$3,000.00	\$9,000.00
5.06	5020-A	VALVE, GATE, 12-INCH	EA	4	\$8,000.00	\$32,000.00
5.07	5020-B	TAPPING VALVE ASSEMBLY, 12-INCH ON 16-INCH	EA	2	\$17,500.00	\$35,000.00
5.08	5020-C	FIRE HYDRANT ASSEMBLY	EA	5	\$7,000.00	\$35,000.00
5.09	5999-A	CONNECT TO EXISTING WATER MAIN	EA	2	\$2,500.00	\$5,000.00
DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWERS						
6.01	6010-A	MANHOLE, SW-301 48-INCH DIA.	EA	1	\$7,000.00	\$7,000.00
6.02	6010-A	MANHOLE, SW-401 48-INCH DIA.	EA	1	\$4,500.00	\$4,500.00
6.03	6010-A	MANHOLE, SW-401 72-INCH DIA.	EA	1	\$7,000.00	\$7,000.00
6.04	6010-A	MANHOLE, SW-401 84-INCH DIA.	EA	1	\$14,000.00	\$14,000.00
6.05	6010-B	INTAKE, SINGLE GRATE INTAKE, SW-501	EA	1	\$4,500.00	\$4,500.00
6.06	6010-B	INTAKE, SINGLE GRATE INTAKE WITH MANHOLE, SW-503	EA	1	\$6,000.00	\$6,000.00
6.07	6010-B	INTAKE, DOUBLE GRATE INTAKE, SW-505	EA	3	\$6,500.00	\$19,500.00
6.08	6010-B	INTAKE, DOUBLE GRATE INTAKE WITH MANHOLE, SW-506	EA	7	\$9,000.00	\$63,000.00
6.09	6010-B	INTAKE, DOUBLE GRATE INTAKE WITH MANHOLE, SW-506 MODIFIED	EA	2	\$12,500.00	\$25,000.00
6.10	6010-H	REMOVE INTAKE	EA	1	\$1,000.00	\$1,000.00



ENGINEER'S OPINION OF PROBABLE COST FINAL PLANS

Client: West Des Moines, IA
Project: SE County Line Road Phase 2
Project Number: 021-06258
Date: 4/8/2022

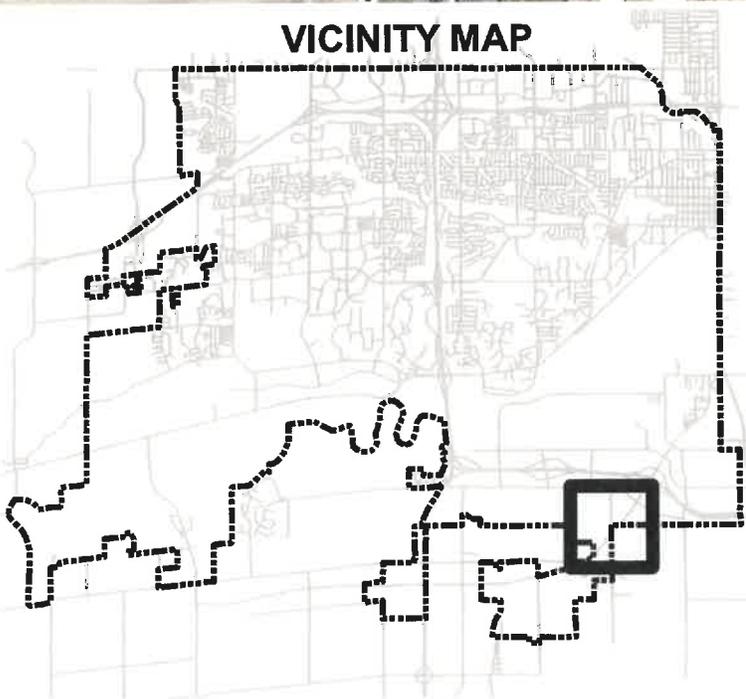
ITEM NO.	ITEM CODE	BID ITEM	UNIT	QUANTITY	UNIT COST \$	COST \$
DIVISION 7 - STREET AND RELATED WORK						
7.01	7010-A	PAVEMENT, PCC, 8-INCH, CLASS C-SUD W/ 6-INCH CURB (MAINLINE)	SY	5772	\$70.00	\$404,040.00
7.02	7030-C	SHARED USE PATH, REINFORCED PCC, 6-INCH	SY	1340	\$65.00	\$87,100.00
7.03	7030-G	DETECTABLE WARNINGS	SF	137	\$55.00	\$7,535.00
7.04	7030-H-1	DRIVEWAY, PAVED, PCC, REINFORCED, 8-INCH	SY	346	\$110.00	\$38,060.00
7.05	7030-H-1	DRIVEWAY, PAVED, PCC, 6-INCH	SY	89	\$95.00	\$8,455.00
7.06	7030-H-2	DRIVEWAY, GRANULAR SURFACING	TONS	7	\$55.00	\$385.00
7.07	7040-A	FULL DEPTH PATCHES, PCC, 9-INCH (MIN.)	SY	104	\$115.00	\$11,960.00
7.08	7040-H	CONCRETE PAVEMENT REMOVAL	SY	44	\$7.50	\$330.00
7.09	7040-H	ASPHALT PAVEMENT REMOVAL	SY	18	\$3.50	\$63.00
7.10	7999-A	GRANULAR SHOULDER	TONS	6	\$55.00	\$330.00
7.11	7999-A	TEMPORARY GRANULAR SURFACING	TONS	23	\$55.00	\$1,265.00
DIVISION 8 - TRAFFIC CONTROL						
8.01	8020-B	PAINTED PAVEMENT MARKINGS, SOLVENT/WATERBORNE	STA	31.1	\$100.00	\$3,110.00
8.02	8020-G	PAINTED SYMBOLS AND LEGENDS, SOLVENT/WATERBORNE	EA	6.0	\$150.00	\$900.00
8.03	8030-A	TEMPORARY TRAFFIC CONTROL	LS	1.0	\$40,000.00	\$40,000.00
DIVISION 9 - SITE WORK AND LANDSCAPING						
9.01	9010-A	CONVENTIONAL SEEDING, SEEDING, FERTILIZING, AND MULCHING, TYPE 1	AC	2.07	\$1,900.00	\$3,933.00
9.02	9010-A	HYDRAULIC SEEDING, SEEDING, FERTILIZING, AND MULCHING, TYPE 1	AC	2.77	\$5,500.00	\$15,235.00
9.03	9010-A	CONVENTIONAL SEEDING, BROME GRASS	AC	0.70	\$2,500.00	\$1,750.00
9.04	9040-A-1	SWPPP PREPARATION	LS	1.00	\$2,500.00	\$2,500.00
9.05	9040-A-2	SWPPP MANAGEMENT	LS	1.00	\$7,500.00	\$7,500.00
9.06	9040-D-1	FILTER SOCK, 8 IN.	LF	2680.00	\$2.25	\$6,030.00
9.07	9040-D-2	FILTER SOCK, REMOVAL	LF	2680.00	\$0.25	\$670.00
9.08	9040-J-0	RIP RAP, CLASS E	TONS	86.00	\$90.00	\$7,740.00
9.09	9040-N-1	SILT FENCE OR SILT FENCE DITCH CHECK	LF	2750.00	\$1.50	\$4,125.00
9.10	9040-N-2	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL OF SEDIMENT	LF	220.00	\$0.10	\$22.00
9.11	9040-N-3	SILT FENCE OR SILT FENCE DITCH CHECK, REMOVAL OF DEVICE	LF	2200.00	\$0.20	\$440.00
9.12	9040-O-2	STABILIZED CONSTRUCTION ENTRANCE	SY	140.00	\$55.00	\$7,700.00
9.13	9040-Q-1	EROSION CONTROL MULCHING, CONVENTIONAL	AC	2.77	\$1,000.00	\$2,770.00
9.14	9040-Q-2	EROSION CONTROL MULCHING, HYDROMULCHING	AC	2.77	\$3,000.00	\$8,310.00
9.15	9040-T-1	INLET PROTECTION DEVICE, INTAKE	EA	18.00	\$150.00	\$2,700.00
9.16	9040-T-1	INLET PROTECTION DEVICE, CULVERT	EA	4.00	\$150.00	\$600.00
9.17	9040-T-2	INLET PROTECTION DEVICE, INTAKE, MAINTENANCE	EA	18.00	\$20.00	\$360.00
9.18	9040-T-2	INLET PROTECTION DEVICE, CULVERT, MAINTENANCE	EA	3.00	\$20.00	\$60.00
9.19	9060-E	REMOVAL OF FENCE	LF	1045.00	\$25.00	\$26,125.00
9.20	9999-A	MOWING	AC	13.85	\$100.00	\$1,385.00
DIVISION 11 - MISCELLANEOUS						
11.01	11010-A	CONSTRUCTION SURVEY	LS	1	\$25,000.00	\$25,000.00
11.02	11050-A	CONCRETE WASHOUT	LS	1	\$15,000.00	\$15,000.00

OPINION OF PROBABLE COST \$1,893,710.50

	<p>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.</p> <p>SIGNATURE: _____ NAME: JAMES P. GALLAGHER DATE _____</p> <p>LICENSE NUMBER 25366 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2022</p> <p>PAGES OR SHEETS COVERED BY THIS SEAL: ALL SHEETS INCLUDED WITHIN THE PLAN</p>
--	---



VICINITY MAP



LEGEND

PROJECT LOCATION



PROPOSED ROAD



PROJECT:

SE County Line Road

LOCATION:

Veterans Parkway to SE Orilla Road

DRAWN BY: JPM

DATE: 10/12/2021

PROJECT NUMBER/NAME: 0510-077-2021

SHT. 1 of 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

4(I)2

DATE: April 18, 2022

ITEM:

Resolution - Ordering Construction
Valley Junction Alleys Phase 6

FINANCIAL IMPACT:

The Engineering Estimate of Construction Cost for the Valley Junction Alleys Phase 6 is \$130,051.00. Payments will be made from account no. 500.000.000.5250.490 with the ultimate funding intended to come from General Obligation Bonds. The project was not included as a planned project within the FY 21-22 budget, so a budget amendment will be proposed to accommodate the spending.

BACKGROUND:

A Bid Letting should be scheduled for 2:00 p.m. on Wednesday, May 4, 2022 and a Public Hearing on the project should be scheduled for 5:35 p.m. on Monday, May 16, 2022. The contract would be awarded on Monday, May 16, 2022 and work will begin shortly thereafter.

This project includes paving the alley in between 11th Street and 12th Street from Maple Street to Railroad Avenue (100 block). Storm sewer was constructed in this alley in 2012-2013 as part of the Valley Junction Alleys Phase 1 project (Project No. 0510-029-2010) and work was accepted by City Council on February 24, 2014. As part of that project, above-ground utilities and obstructions with the alley right-of-way were relocated to the outside area of the alley right-of-way to accommodate this paving. The project is anticipated to be completed by September 15, 2022. The contractor will be limited to closure of the alley for a consecutive 8-week period only. Funding is being provided as part of the FY 22-23 CIP Budget for additional alley paving with locations to be determined.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution Ordering Construction of the Valley Junction Alleys Phase 6.
- Fixing 2:00 p.m. on Wednesday, May 4, 2022 as the time and date for project Bid Letting.
- Ordering the City Clerk to publish notice of Letting and Public Hearing.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>RTJ</i>

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

**RESOLUTION ORDERING CONSTRUCTION AND NOTICE OF PUBLIC HEARING ON
PLANS, SPECIFICATIONS, FORM OF CONTRACT, ESTIMATE OF COST, AND
DIRECTING ADVERTISEMENT FOR BIDS**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the following described public improvement:

**Valley Junction Alleys Phase 6
Project No. 0510-080-2021**

is hereby ordered to be constructed according to the Plans and Specifications prepared by HR Green, Inc. of Johnston, Iowa and now on file in the office of the City Clerk.

BE IT FURTHER RESOLVED, that the detailed Plans and Specifications, Form of Contract, Bid Security, and Notice to Bidders are hereby approved, subject to hearing thereon, and that the same are now on file in the office of the City Clerk for public inspection.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of hearing on the Plans and Specifications, Form of Contract, Bid Security and Estimate of Costs for said project to be held at 5:35 p.m. on Monday, May 16, 2022, with said notice published not less than four (4) days nor more than twenty (20) days prior to the date heretofore fixed.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish Notice to Bidders for said project with publication not less than thirteen (13) days nor more than forty-five (45) days prior to the date for receiving bids. Said bids are to be filed prior to 2:00 p.m. on Wednesday, May 4, 2022.

BE IT FURTHER RESOLVED, that the bids received for construction of said improvements will be opened, publicly read and tabulated by the City Clerk, Deputy City Clerk, or City Clerk designee at 2:00 p.m. on Wednesday, May 4, 2022 and the results of said bids shall be considered at a meeting of this Council on Monday, May 16, 2022 at 5:35 p.m. and acted upon at said time, or such time as may then be fixed.

PASSED AND APPROVED on this **18th** day of **April, 2022**.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



OPINION OF PROBABLE CONSTRUCTION COST

Valley Junction Alleys Phase 6
 100 Block Alley of 11th St & 12th St
 West Des Moines, Iowa
 Project No. 0510-080-2021
 April 11, 2021



Item No.	Item Code	Item	Unit	Unit Price	Quantity	Total
DIVISION 2 - EARTHWORK						
2.1	2010-D-3	TOPSOIL, OFF-SITE	CY	\$ 60.00	30	\$ 1,800.00
2.2	2010-E	EXCAVATION, CLASS 13, WASTE	CY	\$ 40.00	285	\$ 11,400.00
2.3	2010-G	SUBGRADE PREPARATION, 6 IN.	SY	\$ 15.00	650.8	\$ 9,762.00
2.4	2010-I	SUBBASE, MODIFIED, 6 IN.	SY	\$ 50.00	650.8	\$ 32,540.00
2.5	2010-999-A	SURFACING, GRANULAR, 6 IN.	SY	\$ 40.00	168	\$ 6,720.00
2.6	2010-999-B	BELOW GRADE EXCAVATION (CORE OUT)	CY	\$ 50.00	20	\$ 1,000.00
DIVISION 6 - STRUCTURES FOR SANITARY AND STORM SEWERS						
6.1	6010-E	INTAKE ADJUSTMENT, MINOR	EA	\$ 2,000.00	1	\$ 2,000.00
DIVISION 7 - STREETS AND RELATED WORK						
7.1	7030-A	REMOVAL OF ALLEY AND DRIVEWAY	SY	\$ 30.00	71.0	\$ 2,130.00
7.2	7030-H-1	DRIVEWAY, TYPE A, PCC, 6 IN.	SY	\$ 65.00	178.0	\$ 11,570.00
7.3	7030-H-1	ALLEY, REINFORCED PCC, 6 IN.	SY	\$ 70.00	559.7	\$ 39,179.00
DIVISION 8 - TRAFFIC CONTROL						
8.1	8030-A	TRAFFIC CONTROL	LS	\$ 2,500.00	1	\$ 2,500.00
DIVISION 9 - SITE WORK AND LANDSCAPING						
9.1	9010-B	HYDRAULIC SEEDING, SEEDING, FERTILIZING AND MULCHING	AC	\$ 25,000.00	0.02	\$ 500.00
9.2	9020-A	SOD	SQ	\$ 100.00	10	\$ 1,000.00
9.3	9040-D-1	FILTER SOCK, 9 IN.	LF	\$ 4.00	850	\$ 3,400.00
9.4	9040-D-2	FILTER SOCK, REMOVAL	LF	\$ 1.00	850	\$ 850.00
9.5	9040-T-1	INLET PROTECTION DEVICE, DROP IN	EA	\$ 250.00	1	\$ 250.00
9.6	9040-T-2	INLET PROTECTION DEVICE, MAINTENANCE	EA	\$ 150.00	1	\$ 150.00
9.7	9060-D	REMOVAL AND REINSTALL EXISTING FENCE	LS	\$ 300.00	1	\$ 300.00
9.8	9070-A	REMOVAL AND REINSTALL MODULAR BLOCK RETAINING WALL	LS	\$ 500.00	1	\$ 500.00
DIVISION 11 - MISCELLANEOUS						
11.1	11010-A	CONSTRUCTION SURVEY	LS	\$ 2,500.00	1	\$ 2,500.00
Estimated Total Construction Cost =						\$ 130,051.00

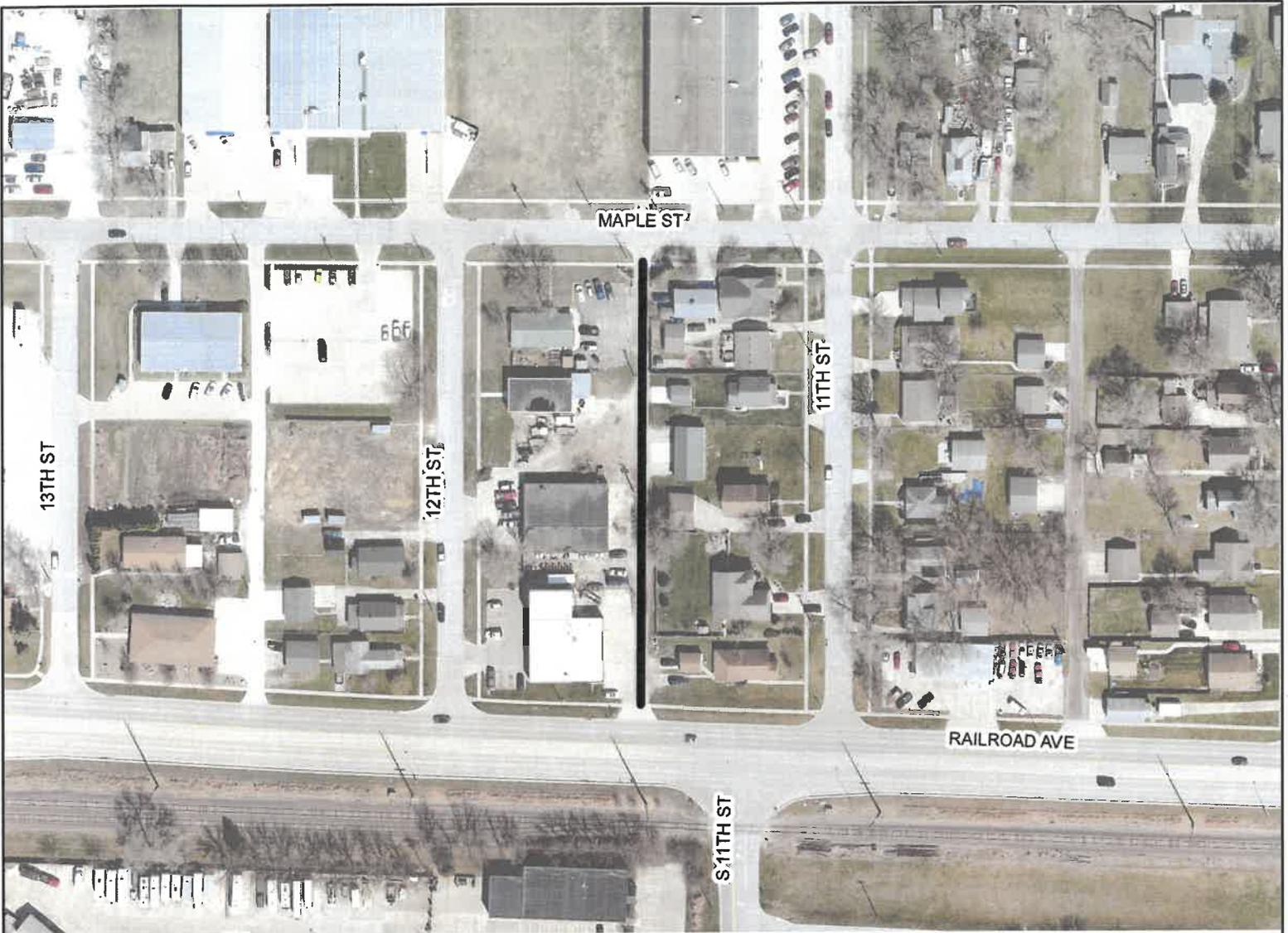


I hereby certify that this engineering document was prepared by me or under my direct personal supervision and that I am a duly licensed Professional Engineer under the laws of the State of Iowa.

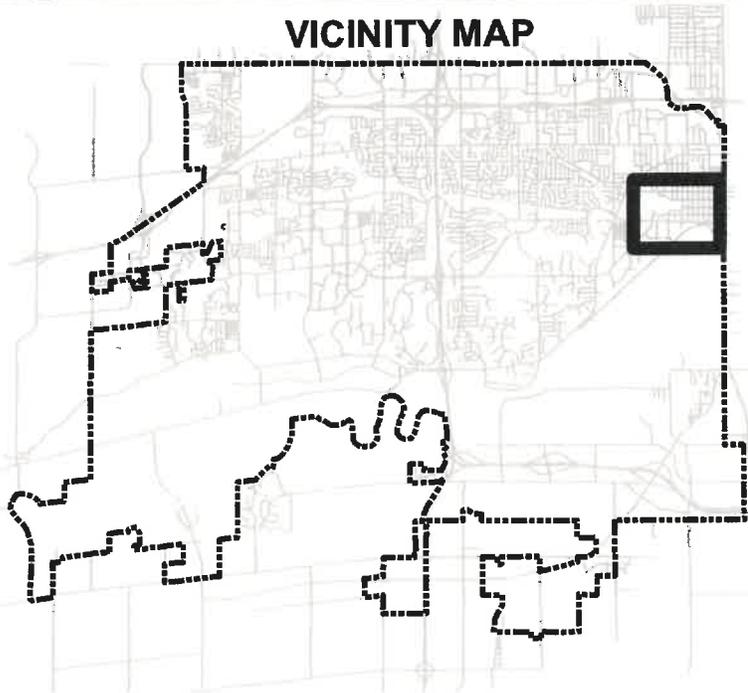
Date: 04/11/22

ERIN K. TYRRELL, P.E.
 License No. 25062
 My renewal date is December 31, 2023.

Pages or sheets covered by this seal:
Opinion of Probable Construction Cost



VICINITY MAP



LEGEND

PROJECT LOCATION



PROJECT:

Valley Junction Alleys

LOCATION:

Alley between 11th & 12th Streets from Maple Street to Railroad Avenue

DRAWN BY: JPM

DATE: 11/8/2021

PROJECT NUMBER/NAME: 0510-080-2021

SHT. 1 of 1

**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**

Meeting Date: April 18, 2022

ITEM: City of West Des Moines Policy for Roadway Naming and Addressing for properties within the City of West Des Moines

Resolution: Adoption of Policy for Roadway Naming and Addressing

Background: In November 2021, a petition was submitted to the City from Vicky Long-Hill to “honor the lifetime service, significant contributions, dedications and legacy” of Barbara and Johnny Long Jr. through the honorary naming of Maple Street from 1st Street to 14th Street. An honorary street name is a special designation for a street or segment of street that is marked with signage but is not the official roadway name, nor is it used as part of the address.

Staff Review & Comment:

- **History:** In 2010, the Long family submitted the same request. The Addressing Review Committee, which consists of representatives from each of the emergency response agencies, Westcom, Public Services and the GIS Coordinator discussed the request and recommended that honorary naming not be supported out of concern for potential public safety issues due to location confusion, individuals’ confusion over address usage and general way-finding confusion as a result of a second street identifier. A policy was adopted that provided for the official change of a roadway name for honorary purposes but did not allow a secondary name to be applied to a roadway.
- **Public Safety Subcommittee:** The 2021 request was first presented to the Public Safety Subcommittee on December 3, 2021, to discuss whether to consider adopting an Honorary Street Naming Policy. With advancements to GIS since 2010 which include a street alias capability thus allowing for a caller to indicate either the official street name or the honorary name, the concerns with delays in emergency response or general wayfinding have been negated. The Subcommittee directed staff to draft an Honorary Naming Policy.

Staff researched what other communities have for a policy and presented a draft policy to the Subcommittee on February 25, 2022. While most aspects of the policy were vetted at this meeting, there were a few aspects that the Subcommittee wanted more information on. At the April 1, 2022, Subcommittee meeting, direction on the final aspects of the policy was given resulting in the included Honorary Naming Policy (Section 3.6 (bold text)).

- **Types of Honorary Naming:** The Addressing Policy includes two honorary naming options – official roadway name change and application of a secondary roadway name. The secondary name option, such as the request by the Long family, does not change the official roadway name or affect any addresses along the roadway. A separate sign identifying who the roadway name is in honor of is placed mid-block.

The other type of honorary naming does officially change a roadway name and thus the addresses of structures along the roadway. Due to the potential address change impact to residences and business addressed off of the roadway, the policy provides that only a

currently sitting Council member can make this request. Approval of a request that officially changes a roadway name requires an affirmative vote of the super-majority of the Council whereas, approval of the secondary roadway (honorary) name option only requires a simple-majority vote.

- **Review Process:** Since Public Services staff will be responsible for the manufacturing of and erecting of the signs, it was determined best to utilize the Public Services Subcommittee as the application reviewing body. Steps to check the proposed name against official roadway names already in use in the city and within any community that the city does 911 dispatch for, as well as review of the proposed name by the city's emergency response agencies for conflict with a historically known, commonly known or nicknamed roadway is required.
- **Policy Adoption:** Although the City Manager has authority to adopt policy, the honorary naming provisions is being presented to the Council for formal acceptance for awareness of the options.

Outstanding Issues: There are no outstanding issues.

Recommendation: Approve and adopt revised Roadway Naming and Addressing Guidelines to include provisions for Honorary Roadway Naming as presented.

Lead Staff Member: Lynne Twedt, Addressing Administrator

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	April 18, 2022

Staff Report Reviews:

City Council	<input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
	<input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	n/a
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

Committee	Public Safety
Date Reviewed	12/3/2021, 2/25/2022 & 4/1/2022
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Prepared by: Lynne Twedt, City of West Des Moines Development Services Dept., PO Box 65320, West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320
Return to: IA 50265-0320

RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA
APPROVING AND ADOPTING POLICY FOR THE NAMING OF ROADWAYS
AND ADDRESSING**

WHEREAS, the City of West Des Moines designates roadway names and assigns address numbers to residential dwellings, principal buildings, and businesses in order to assist emergency services agencies in the timely and efficient provision of services and aid residents and visitors in wayfinding; and

WHEREAS, for consistency, the City desires to establish guidelines for the naming of roadways and assignment of numbers for properties within the city's corporate limits.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES approves and adopts the guidelines provided in the Roadway Naming and Addressing Administrative Policy (April 2022 update).

Passed and approved by the City Council on the 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 18, 2022, by the following vote.

**CITY OF WEST DES MOINES
ADMINISTRATIVE POLICY 5-10
OFFICE OF THE CITY MANAGER
LYNNE TWEDT, ADDRESSING ADMINISTRATOR**

ROADWAY NAMING & ADDRESSING

1.0 Purpose

- 1.1 To establish guidelines for the naming of roadways and assignment of numbers to residential dwellings, businesses and structures to assist emergency services agencies in the timely and efficient provision of services and aid residents and visitors in wayfinding.

2.0 Scope

- 2.1 These guidelines shall apply to the naming of vehicle roadways and the numbering of all addressable structures and parcels within the incorporated city limits, and adjacent to the city limits with the approval of the respective County addressing authority if determined beneficial in the provision of emergency services. The naming of private roadways shall follow the same naming and addressing guidelines as public roadways. These guidelines shall be followed to the greatest extent possible; however, it is recognized that unique situations do exist or may arise which prevents the strict application of these guidelines. In situations in which the following of these guidelines exactly is not feasible, the naming of roadways and addressing of dwellings and structures shall be guided by that which will best assist emergency response.
- 2.2 Addresses shall be assigned by the designated Addressing Administrator for the City. The Address Administrator shall have authority over addresses unless otherwise specified within these guidelines as requiring City Council approval(s). No entity other than the City of West Des Moines shall assign addresses for structures and/or dwelling units within the city's corporate limits.
- 2.3 City Council approval shall be required for changes to existing roadway names. Said changes shall be by ordinance as part of a public hearing before the City Council. Additionally, unless specifically requested by the affected property owner(s), the City Council shall have approval authority over address number assignments which result in a 'change of address' for an existing resident or business. Said changes shall be by resolution as part of a public hearing before the City Council. Notice of the City Council meeting date and time shall be mailed by regular mail at least fourteen (14) calendar days prior to the meeting date to all individuals and businesses, including absentee property owner(s) if applicable subject to the address change.

City Council approval shall not be required for assignment of or changes to address in all other situations, including but not limited to, assignment of new roadway names and structure, dwelling or unit numbering as part of site planning or subdivision platting; renumbering of structures to align to current address grid or established unit or suite numbering schemes; addresses assigned for utility boxes, traffic signal apparatus, real estate signs, and other miscellaneous structures; and corrections to existing address data that may be incorrectly represented in City or County GIS documents.
- 2.4 In those situations where the Addressing Administrator is unsure of the need for roadway names or is unclear as to the best way to address a residential subdivision or commercial, office, or industrial development, the Addressing Administrator may

request the assistance of members of the Addressing Review Committee. The Addressing Review Committee shall be comprised of one representative from the following departments: Police, Fire, EMS, GIS Coordinator, Westcom, Public Services, and Development Services (Addressing Administrator).

3.0 Roadway Naming and Addressing Policy

- 3.1 **North-South Dividing Line:** The City of West Des Moines is divided into north and south along approximately the following line running east to west:
 - 3.1.1 From 1st Street west to S 41st Street, the dividing line follows the centerline of Railroad Avenue/EP True Pkwy.
 - 3.1.2 West of S 41st Street, the dividing line follows Tamara Lane until S 50th Court.
 - 3.1.3 From S 50th Court the line follows Westwood Drive to Interstate 35.
 - 3.1.4 At the west edge of the Interstate 35 to S Prairie View Drive, the line is located along the north boundary line of section 18, Bloomfield Township, Polk County.
 - 3.1.5 From S Prairie View Drive, the line continues west along the centerline of Wistful Vista Drive to 68th Street (eastern edge of the Jordan Creek Town Center).
 - 3.1.6 The line crosses the Jordan Creek Town Center property along the drive at the south end of the main mall building: the mall building itself is located north of the divider line.
 - 3.1.7 West of Jordan Creek Parkway the divider line follows the centerline of Bridgewood Blvd. to the intersection with anticipated future EP True Parkway.
 - 3.1.8 The divider line shall follow EP True Parkway to the first north-south oriented named roadway located east of Grand Prairie Parkway. The divider line shall follow this north-south roadway north to Interstate 80.
 - 3.1.9 From the north-south roadway intersection with Interstate 80, the divider line shall follow Interstate 80 west indefinitely.
- 3.2 **Street Naming:** For the purpose of naming streets only, streets are defined as that public or private roadway which provides vehicular access to the associated parking areas for any business, multi-family dwelling, or public use area: or which provides vehicular access to individual private driveways for single family dwellings. Circulation drives interior to a development shall only be considered a roadway for naming purposes if it is determined due to the layout, density and/or number of potential emergency response locations within a development that naming of an internal circulation drive(s) is necessary to aid in emergency response. Drive aisles through parking lots with parking on one or both sides shall not be considered roadways for naming purposes.
 - 3.2.1 **Streets Requiring Names:**
 - 3.2.1.1 All Public roadways (dedicated to the city). Said roadways, including alleys must provide roadway widths, surfacing, and turn-arounds for emergency vehicles per WDM Fire Code. Alleys shall not be named unless it is determined necessary by the majority of emergency response agencies that naming is necessary for the provision of emergency services.
 - 3.2.1.2 Private roadways (non-city ownership) which serves the same

purpose(s) as a public roadway. Said roadways, including alleys must provide roadway widths, surfacing, and turn-arounds for emergency vehicles per WDM Fire Code. Alleys shall not be named unless it is determined necessary by the majority of emergency response agencies that naming is necessary for the provision of emergency services.

- 3.2.1.3 A vehicle pathway of any nature which has been identified by any one (1) emergency response agency to aid in wayfinding and thus response to any residential, commercial, or industrial building or development. Said pathway must provide roadway widths, surfacing, and turn-arounds for emergency vehicles per WDM Fire Code.
- 3.2.2 As part of the development review process, the developer shall work with the Addressing Administrator to identify roadway names acceptable to the city. Developer shall submit a minimum of three roadway name suggestions for each roadway within a subdivision/development identified for naming. Suggested roadway names shall be checked against the regional GIS database. Duplicates or similar sounding roadway names, and roadway names that are a form of another existing roadway shall be avoided within West Des Moines, a community immediately bordering the city of West Des Moines or a community in which the city participates, or potentially will participate in E911 dispatch or response.
- 3.2.3 Naming Guidelines:
 - 3.2.3.1 Roadway name should be appropriate and easy to read so that children can use the name in an emergency situation.
 - 3.2.3.2 Roadways shall not be named after a person's first or last name, organization, or business unless approved by the City Council as part of a memorial honoring. Names for multiple roadways within a new development consisting of a person's name which are part of a recognizable theme may be used (e.g., Atticus, Radley, Jean Louise, Jem, from To Kill a Mockingbird (Mill Ridge development).
 - 3.2.3.3 Directional prefixes shall be used for the following:
 - 3.2.3.3.1 North/south oriented roadways located south of the N-S divider line and north of the Raccoon River shall have a 'South' prefix.
 - 3.2.3.3.2 All roadways, regardless of orientation, south of the Raccoon River and east of Interstate 35 shall be identified with a "SE" prefix.
 - 3.2.3.3.3 All roadways, regardless of orientation, south of the Raccoon River and west of Interstate 35 shall be identified with a "SW" prefix.
 - 3.2.3.3.4 No roadways within West Des Moines shall use a "North" prefix.
 - 3.2.3.3.5 Prefixes shall not be spelled out but rather indicated with only a capital 'S', 'SE' or 'SW'.
 - 3.2.3.4 Roadways shall not have duplicate or similar sounding names (e.g.; Cosby St and Crosby St).

- 3.2.3.5 Names which have homonyms (other words pronounced similarly but spelled differently) should not be used on any roadway (e.g.; peek and peak).
- 3.2.3.6 Only the correct or more common spelling of roadway names will be accepted (e.g. Jane not Jayne, Point not Pointe)
- 3.2.3.7 A single roadway name shall not include multiple suffixes (e.g., 74th Street Place).
- 3.2.3.8 Standard roadway type designators shall not be used as part of the roadway name (Springlane Rd should not be used – potential for Rd to be dropped and street incorrectly indicated as Spring Lane).
- 3.2.3.9 A different suffix does not constitute a different name (do not use Glenwood Dr. and Glenwood St.)
- 3.2.3.10 Other than as the designated prefix, the four compass directions shall not be used as any part of a roadway name (e.g., East Street, Northwoods, Eastwind, Westchester, Bay West, are not allowed)
- 3.2.3.11 Punctuation or special characters in roadway names shall not be allowed (e.g., use Bel Mar, not Bel-Mar; use EP True Pkwy, not E P True Pkwy (no space between E & P) or E.P. True Pkwy; do not use Macy's Creek Rd)
- 3.2.3.12 Roadways which use the same root name shall intersect. In situations where the roadway immediately opposite an intersecting street is a cul-de-sac, the same root roadway name may be used. The identical root name should be used for a roadway which intersects with and spurs off of a main roadway (Fox Valley Drive and Fox Valley Court not Fox Valley Drive and South Fox Valley Court).
- 3.2.3.13 Parallel roadways shall not have the same root name.
- 3.2.3.14 Two-word names or one-word names that can be confused as two-word names should not be used to avoid the problem of two words being combined into one word, or vice versa, when entered into databases (Clearlake - Clear Lake, Beechtree - Beech Tree). As a general rule, street names which sound as two words shall be combined into one word in order to avoid confusion when being entered into various databases as to whether one or two words (Prairie View should be Prairievew).
- 3.2.3.15 Street names should generally be a maximum of 15 characters in length including spaces and street prefix and suffix.
- 3.2.3.16 Numbered roadways
 - 3.2.3.16.1 North of the Raccoon River: whenever possible, north/south streets shall be numbered, and east/west streets shall be named. Numbered streets should be those that will carry the greatest distance.
 - 3.2.3.16.2 South of the Raccoon River and east of Interstate 35; if logical, new numbered streets shall be established every 10 blocks for orientation. The following which existed at the time of the 2013 guideline update shall remain:

SE 1st St
SE 5th St
SE 11th St
SE 12th St
SE 13th St
SE 22nd St
SE 35th St
SE 42nd St
SE 50th St
SE 20th St (aka SE Orilla Rd)

The following numbered roadways were changed Feb. 9, 2015 and shall not be used:

SE 4th St changed to SE Browns Woods Place
SE 6th Ct changed to SE Browns Woods Ridge
SE 7th Dr changed to SE Browns Woods Lane
SE 8th St changed to SE Soteria Avenue
SE 9th Lane changed to SE Browns Woods Cove
SE 14th St changed to SE Walnut Woods Court

3.2.3.16.3 South of the Raccoon River and west of Interstate 35: in addition to existing SW 54th St and SW 56th St, for spatial location purposes, north-south oriented roadways shall be intermittently numbered (approximately every ten (10) blocks). All other roadways, regardless of direction shall be named.

3.2.3.16.4 Parallel roadways shall not have the same root name. In situations where street spacing or alignment prevents the numbering of north-south streets without duplication of a neighboring roadway's root name, such roadways shall be named.

3.2.3.16.5 Numbers used as roadways names shall not be spelled out (e.g., First Street is incorrect)

3.2.3.17 Roadway Continuity/Intermittent Roadway Names

3.2.3.17.1 If a proposed roadway is a natural extension of or is in general alignment with an existing roadway and within the line of sight, it shall have the same root roadway name as the existing roadway.

3.2.3.17.2 If a roadway is terminated by a void of unimproved land and it continues on the same bearing beyond the void, it may continue with the same roadway name as long as future development of the void is possible. Such a roadway is a temporary 'stub street' and a roadway connection should be made when the void is developed.

3.2.3.17.3 In the case of permanent voids (river, pond, closed RR crossing, undevelopable land (physical or environmental characteristics prevent future development) where a portion of a roadway is permanently closed or non-continuous, the roadway should have different names on each side of the void

unless the void can be easily breached by a visible alternate route and the roadway extension is within sight.

3.2.3.17.4 The appropriate suffix shall be given depending upon whether the street appears to be a permanent dead end or could possibly be extended at a future time. Any street which terminates in a cul-de-sac turnaround is considered to have established an end and cannot continue with the same roadway name in another location.

3.2.3.17.5 Intermittent or 'stub' streets with duplicate names that currently exist and were dedicated prior to the effective date of original revised policy (2013) and are in contradiction to the above conditions, may be exempted or changed.

3.2.3.18 **Curvilinear Streets:** The same roadway name shall be carried for the greatest distance possible. If a roadway name change is warranted, the name change shall occur when the roadway makes a distinct turn, ideally at a traffic-controlled intersection. Situations which lack traffic control but require the vehicle speed to be slowed shall be at the discretion of the Addressing Administrator. When a roadway name change at an intersection is not possible; it should occur at a noticeable turn in direction or at a point on the curve where the street orientation changes from primarily north/south to east/west.

3.2.3.19 **Suffixes:** Roadway types carry certain expectations of the length, shape, direction, width and other road characteristics. A suffix designation shall be indicative of its alignment and design (physical and functional characteristic of the street). New streets after the effective date of this policy update shall, whenever possible, be identified according to the following:

3.2.3.19.1 **Parkway (Pkw) and Boulevard (Blvd):** These suffixes shall be used primarily for City streets which are classified as major arterials or which extend great distances in length, generally from one end of the City to the other as major thoroughfares.

3.2.3.19.2 **Street (St) and Avenue (Ave):** North-South oriented

3.2.3.19.3 **Drive (Dr) and Road (Rd):** East-West oriented

3.2.3.19.4 **Court (Ct), Place (Pl), Cove (Cv) or Point (Pt):** Dead end streets

3.2.3.19.5 **Trail (Trl), Path (no abbreviation), or Bend (Bnd):** Multi-directional or curvilinear roadway in which the dwelling/structure numbering is based on the N-S addressing grid axis

3.2.3.19.6 **Lane (Ln), Terrace (Ter) or Way (no abbreviation):** Multi-directional or curvilinear roadway in which the dwelling/structure numbering is based on the E-W addressing grid axis

- 3.2.3.19.7 Circle (Cir) or Loop (no abbreviation): Roadway which returns unto itself or to the same root roadway (point of origin and terminus are on same roadway)
- 3.2.3.19.8 Other US Postal Service recognized suffixes will be considered on a case-by-case basis.
- 3.2.3.19.9 Street suffixes that currently exist which do not meet the following descriptors and were dedicated prior to the effective date of these guidelines (revised guidelines originally adopted in 2013), are exempted or may be changed.

3.3 Dwelling/Structure Numbering:

- 3.3.1 Addressing Grid: The eastern boundary of the city and the North-South dividing line are the zero lines within the city's addressing grid.
 - 3.3.1.1 Numbers will increase as head west.
 - 3.3.1.2 South of the North-South dividing line, numbering will increase as head south.
 - 3.3.1.3 North of North-South dividing line, numbering will increase as head north.
- 3.3.2 Odd-Even Numbering:
 - 3.3.2.1 North of the N-S dividing line, odd addresses are on the east & north sides of the roadway, even addresses are on the west & south sides of the roadway.
 - 3.3.2.2 South of the N-S dividing line, odd addresses are on the west & north sides of the roadway, even addresses are on the east & south sides of the roadway.
- 3.3.3 Two sites shall not have the same address number if their roadways have the same root name regardless of suffix.
- 3.3.4 Parallel roadways shall not have duplicate address numbers.
- 3.3.5 Address numbers should be proportioned along the length of each block, building (commercial/industrial) or hallway (offices) to allow for future infill and the dividing of tenant spaces.
- 3.3.6 Except in extremely unusual situations, fractions, letters, symbols or hyphenated numbering should not be used.
- 3.3.7 Due to address point mapping and 911 dispatch databases, no address number may be moved from its original location without approval of the Addressing Administrator.
- 3.3.8 Curvilinear and Circle/Loop Roadways: Numbering shall be determined by the streets predominate direction. The dominant direction of the roadway shall control which axis of the grid will be used in assigning numbers.
 - 3.3.8.1 Roadways under the same name that meander from one direction to another shall be addressed consistently throughout their length according to the determined predominate direction. Unless there are insufficient numbers available, numbering shall

be based on one (1) grid axis only. Odd-even numbering shall not change sides of the streets along a roadway under the same name.

- 3.3.8.2 Where a roadway involves a curve that changes the predominate direction of the street and the roadway name changes, the numbering shall change from east-west numbering to north-south numbering or visa-versa consistent with the addressing grid. Numbering will be based on both grid axes.
 - 3.3.8.3 The assignment of numbers on a circle/loop roadway shall start at the intersection point of the roadway closest to the zero line of the city and shall proceed in a consecutive numerical order increasing accordingly as move away from the zero line. The larger outside of the circle/loop is numbered first and consecutively: the inside is then numbered to match and mix with the outside.
- 3.3.9 Detached Dwellings and Free-standing Structures:
- 3.3.9.1 Each residential lot or free-standing structure shall be assigned an individual address number. On corner residential lots, if driveways are allowed off both streets, corner lots are assigned on address for each street frontage. The location of the front door shall determine which address number will be utilized: driveway locations or curb openings do not determine the address.
 - 3.3.9.2 Non-residential lots shall be assigned an address for all street frontages. The location of the primary entry served by an access drive and/or parking shall be used to determine the address number to be utilized.
- 3.3.10 Attached Residential and Multi-Building/Multi-tenant Non-Residential Developments: Addresses may be assigned in one of the following manners at the discretion of the Addressing Administrator in coordination with Emergency Response Agencies:
- 3.3.10.1 Unique address to each unit: Each individual unit must have readily identifiable dedicated entries and a visible drive connection to a named roadway. Number of buildings and dwellings and number and configuration of roadways will influence whether unique addresses are utilized.
 - 3.3.10.2 Unique address to each building within a development: Each building must have a visible drive connection to a named roadway; however, dedicated entries into each unit may not exist or may not be readily visible. Units are then assigned within each building per numbering guidelines contained here within.
 - 3.3.10.3 Site Address: The development is assigned an address based on the most likely response entrance. Each building within the development is assigned a building number starting to the left of the identified entrance and moving in a clockwise fashion. Units are then assigned within each building per numbering guidelines contained here within. Development directory boards illustrating the development layout may be required at each entrance.

- 3.3.11 Exempt Buildings & Uses: The following buildings and uses generally will be exempt from the addressing system, but may be addressed if deemed necessary:
- 3.3.11.1 Uninhabited structures.
 - 3.3.11.2 Farm buildings which are not residential or commercial.
 - 3.3.11.3 Accessory buildings which have uses that are ancillary/accessory to the primary use of a residential, commercial, industrial, institutional or governmental building.
 - 3.3.11.4 Unoccupied farmland or lots containing no dwellings or businesses.
- 3.3.12 Address numbers XX00 to XX05, XX95 to XX99 in each block shall be reserved for utility boxes, traffic signal boxes, etc.
- 3.3.13 Unit Numbering: For purposes of these guidelines, “unit” shall mean dwellings when a residential use, and “suites” when offices or tenant spaces for non-residential uses.
- 3.3.13.1 Unit addresses shall be assigned in one of the following patterns depending upon interior versus exterior unit access and whether a multi-story building with living/occupancy above living/occupancy. In all instances, each floor shall be assigned unit numbers in the same general manner; however, the digit before the unit number changes to represent floor of building (i.e. 1st floor habitable space = 100 numbers, 2nd floor = 200 numbers, etc.). The first level which includes habitable space (living/occupancy), excluding infrequently occupied space such as janitorial rooms, tenant storage areas, etc., will be the 100 level in a building. Subsequent floors shall be numbered as 200, 300, etc.: this may result in the ground level floor to be numbered as 200 if there are any habitable space/units located partially or completely underground. Buildings which include under-building parking, but which do not include habitable space on the parking level (excluding janitor/maintenance rooms) shall be identified as LL-1 (lower level).
 - 3.3.13.2 Alpha lettering (A, B, C) of units shall only be allowed when there is no other alternative.
- 3.3.14 As a general rule, common use areas within a building shall be identified by name rather than numbered. In instances in which the number of rooms within the building is large or the length of hallways are long, a unit number may also be assigned to provide general locational information within the building for emergency response agencies. In these instances, both naming and numbering may be required.

3.3.14.1 Exterior entries into each unit:

3.3.14.1.1 If a single-sided building, unit numbers shall increase in numerical order, consecutive or by a consistent number gap, from east to west, and from south to north if building is located north of the City's N-S dividing line or increase from north to south if building is located south of the City's N-S dividing line.

3.3.14.1.2 If units are located back-to-back, the preferred method is for numbering shall increase in numerical order the same as a single-sided building; however odd and even numbers shall be located on opposite sides of the building in accordance with the odd and even patterning identified previously (north of the N-S dividing line, odd addresses are on the east & north sides of the roadway, even addresses are on the west & south sides of the roadway. South of the N-S dividing line, odd addresses are on the west & north sides of the roadway, even addresses are on the east & south sides of the roadway.)

3.3.14.1.3 In some situations, in which units are located back-to-back, at the discretion of the Addressing Administrator and Emergency Response Agencies, sequential numbering that wraps the building may be utilized. In these situations, direction signage at the ends of the building indicating which units are on which sides will be required.

3.3.14.2 Interior unit entry off a common hallway:

3.3.14.2.1 Unit numbering shall start in a location nearest the primary access point and increase as move away from the main entry. When the primary entry is in the middle of a building, unit numbering shall start to the left of the entry and proceed consecutively down one side of the hallway, return on the other, and end with the highest number to the right of the entry. When numbered consecutively, odd or even will be on the same side of the hallway

3.3.14.2.2 Odd and even numbers shall be located on opposing sides of the common hallway unless unit patterning is spaced such that numbers (doors) will not be generally aligned and easily visible across the hallway or from one unit to the next. When general alignment across the hallway is not possible, doors shall be numbered consecutively down the hall with no concern if odd or even are on the same side of the hallway.

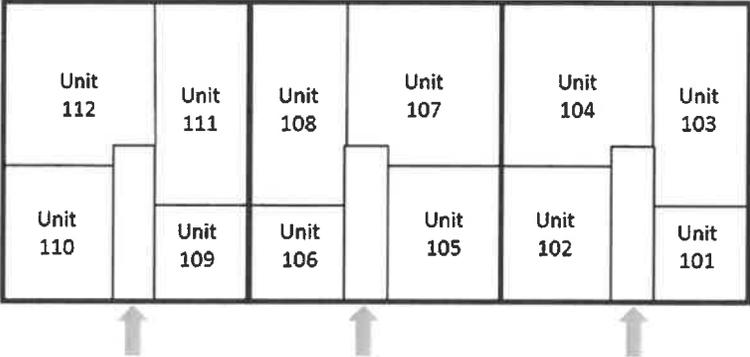
3.3.14.2.3 Signage indicating the range of unit numbers located in each direction from the main entry may be required by an Emergency Service Department.

3.3.14.2.4 Except in situations in which multiple units are

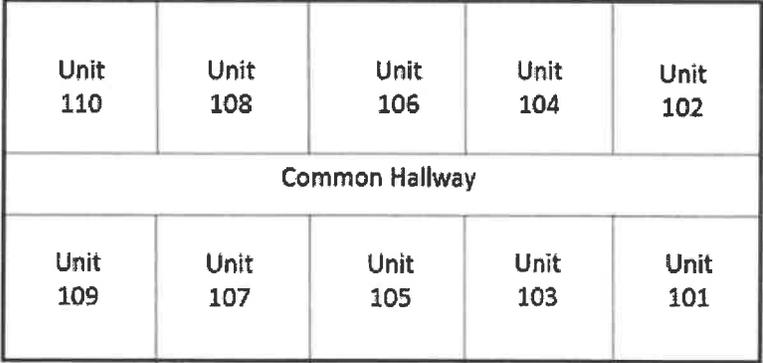
combined into one and may in the future be divided back into multiple units, unit numbering for residential developments shall not skip numbers. Numbering for non-residential units shall be gapped to allow for units to be split into smaller units.

3.3.14.2.5 In situations in which a larger building is partitioned into sections, limiting access through an entry door to only those units within that section, the unit numbering shall be consecutive as progresses along building. Unit numbers should not duplicate between sections within a building but may duplicate between buildings with unique addresses. All units accessible within that section will need to be identified on the entry door.

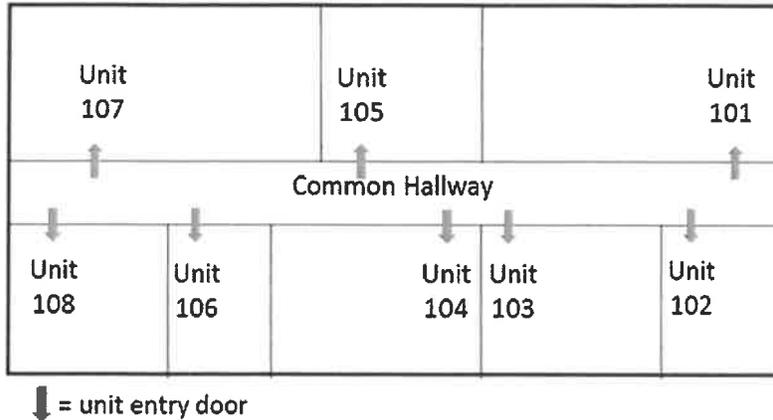
Building divided into Sections
 Limited number of units accessible via each building entry door



Dwellings accessed by common hallway length of building
 Units equally spaced



Dwellings Accessed by common hallway length of building
 Unit number &/or patterning each side of hallway varies



3.3.14.3 Unit number presentation:

3.3.14.3.1 Unit numbers are reflected as a combination of building number, floor number and unit number, as applicable.

3.3.14.3.2 All unit numbers shall be a minimum of 3-digits.

3.3.14.3.3 In respect to that indicated below (3.3.14.3.5.1 through 3.3.14.3.8.1), the number of digits will increase in situations in which there are 100+ dwellings/tenant spaces per floor; and/or if there are more than 9 multi-story buildings within the development; and/or if there are 10 or more floors within a building.

3.3.14.3.4 All dwelling unit or office/commercial

Building Address	Floor	Unit
1010 Maple	1	8 = 1010 Maple Unit 108

3.3.14.3.5 3-digit unit number will be used when:

3.3.14.3.5.1 There is one multi-story building (less than 10 floors) in the development (first digit is floor and following digits are the unit number).

3.3.14.3.5.2 There are 2-9 one-story buildings in the development (first digit is building number and following two digits are the unit number).

Building Address	Floor	Unit
1010 Maple	3	6 = 1010 Maple Unit 306

Site Address	Building	Floor	Unit
1210 Walnut	6	n/a	3 = 1210 Walnut Unit 603

3.3.14.3.6 4-digit unit number will be used when:

3.3.14.3.6.1 There are 2-9 multi-story (less than 10 floors) buildings in the development (first digit is building number, next digit is floor, and following two digits are the unit number).

3.3.14.3.6.2 There are more than 10 one-story buildings in the development (first two digits are the building number and following two digits are the unit number).

Site Address	Building	Floor	Unit
1210 Walnut	8	3	7 = 1210 Walnut, Unit 8307

Site Address	Building	Floor	Unit
1210 Walnut	14	n/a	4 = 1210 Walnut, Unit 1404

3.3.14.3.7 5-digit unit number will be used when:

3.3.14.3.7.1 There are 10-99 buildings within the development each with less than 10 stories (first two digits is building number, next digit is floor number, and following two digits are the unit number).

Site Address	Building	Floor	Unit
1210 Walnut	13	9	9 = 1210 Walnut, Unit 13909

3.3.14.3.8 6-digit unit number will be used when

3.3.14.3.8.1 There are 10-99 buildings within the development each with more than 10 stories (first two digits is building number, next two digits is floor number, and following two digits are the unit number).

Site Address	Building	Floor	Unit
1210 Walnut	13	12	4 = 1210 Walnut, Unit 131204

3.4 Roadway Signs: Once the roadway names are determined, the developer shall work with the City's Public Services Traffic Division for the procurement of necessary signs. The following shall apply to signing of both public and private roadways.

3.4.1 Roadway Signs:

3.4.1.1 Signs shall be constructed in conformance with the current Manual on Uniform Traffic Control Devices (MUTCD) and the city adopted design/layout.

3.4.1.2 Subsequent to the 2013 adoption of these guidelines, block

numbering shall be indicated on all new and replaced signs. Other signs as identified by an emergency response agency, or the city council may be replaced with signs indicating block numbering in order to improve wayfinding for problematic areas/locations.

- 3.4.1.3 Subsequent to the 2013 adoption of these guidelines, all roadway signs south of the Raccoon River shall include the prefix of 'SE' or 'SW' as applicable in accordance with whether located east or west of Interstate 35.
 - 3.4.1.4 Signs on Public roadways shall be installed by the City. Signs on Private roadways shall be located and installed by the developer/property owner in general conformance with how Public City Street signs are.
 - 3.4.1.5 Developer shall install private roadway signs when the project is substantially completed or as otherwise directed by the city as necessary to aid in emergency response wayfinding. Prior to issuance of an occupancy permit for a dwelling/structure, the appropriate roadway signs necessary to aid in locating the dwelling/structure (as deemed necessary by the city) must be installed.
 - 3.4.1.6 Signs shall not be installed within public utility easements without specific city approval. Adjustments shall be made as necessary to avoid conflicts with underground utilities, sidewalks and other obstructions, but the intent of maintaining visibility of the sign from the public and private rights of way shall be maintained.
 - 3.4.1.7 All signs shall be maintained in an upright position.
 - 3.4.1.8 Legibility of all signs shall be maintained. Any sign that has faded or has been damaged to the point that legibility is decreased shall be repaired or replaced. Any Public Safety agency may notify Public Services Traffic Division of any street sign(s), including private that needs replaced or maintained.
 - 3.4.1.9 On-going maintenance, repair and replacement of private signs shall be the responsibility of the property owners.
- 3.4.2 Procurement of signs:
- 3.4.2.1 Public Street Signs: Public Services will manufacture, install, and maintain roadway signs for all public roadways and at intersections of public and private roadways. Costs associated with the manufacture and installation of roadway name signs for new roadways being dedicated to the city within and immediately adjacent to a development shall be the responsibility of the developer of the property at the time of subdivision or development, whichever occurs first.
 - 3.4.2.2 Private Street Signs:
 - 3.4.2.2.1 To ensure consistency in the quality of materials and design, private roadway name signs, posts and mounting hardware shall be purchased from

the city at the established cost. All initial sign costs shall be the responsibility of the developer of the property and shall be paid for at the time of ordering. All signs for a development shall be picked up at the same time, whether or not their installation will be phased.

3.4.2.2.2 Public Services shall manufacture private roadway sign blades unless an alternate design is otherwise approved by the City Council, sign blades for private roadways shall match public roadway signs in design and color with the exception that they shall have 'PVT' following the roadway name.

3.4.2.2.3 All costs associated with the maintenance and replacement of private roadway signs shall be the responsibility of the developer and subsequent owner's association(s).

3.4.2.2.4 The developer shall provide Public Services with the name and contact information for the individual that shall be responsible for maintenance, repair, and replacement of private roadway signs.

3.5 **Address Changes/Corrections:** The Addressing Administrator will determine if modification to the existing addressing of a dwelling, structure, unit, development or site is necessary based on the following criteria:

3.5.1 If any one of the emergency services agencies deems it necessary to aid in the response to any residential, commercial, or industrial building or development.

3.5.2 The existing address number is out of sequence with the adjacent address numbers.

3.5.3 The address number is duplicated, or the same address number exists on a similarly named street and is viewed to be a potential problem for emergency response.

3.5.4 The existing or newly remodeled primary entrance is on a different street.

3.5.5 Rectify an existing situation that is inconsistent to the City's addressing policy.

3.5.6 Rectify a discrepancy between city and county databases.

3.5.7 Correct an error.

3.5.8 Other hardship as determined warranted by the Addressing Administrator.

3.6 **Honorary Naming: Opportunity to honor former residents that have made demonstrable and positive contributions to the city during the honoree's lifetime.**

3.6.1 **Demonstrable and positive contributions shall be measured by:**

3.6.1.1 The importance of the honoree's actions at the time.

- 3.6.1.2 The historical and/or cultural influence of the honoree's actions.
- 3.6.1.3 The number of individuals positively affected by the honoree's actions.
- 3.6.1.4 The duration of the consequences resulting from the honoree's actions.
- 3.6.1.5 The honoree's notoriety within the community.
- 3.6.1.6 Other clearly identifiable contributions compatible with the community's interests and reflective of the values of the city.
- 3.6.2 Only individuals shall be honored. Honorary roadways shall not be utilized as a means of advertising and therefore may not reflect a business name or association.
- 3.6.3 Unless otherwise reduced by the City Council, honoree shall have lived in the City of West Des Moines for a minimum of ten (10) years.
- 3.6.4 Honoree may be alive or deceased.
- 3.6.5 Honorary roadway name under this section does not change the official roadway name or address of structures located along the roadway. (Honorary roadway naming that does change the official street name is included in section 3.7.)
- 3.6.6 Honorary roadway name shall not conflict with the City's addressing policy.
- 3.6.7 Honorary roadway name signs shall not have duplicate or similar sounding names either phonetically or in spelling to any other existing honorary or official roadway name within the City of West Des Moines or any community for which the City handles E911 dispatch.
- 3.6.8 No honorary roadway shall be designated with a title or prefix unless it is deemed necessary to distinguish two or more people with the same name.
- 3.6.9 The use of roadway suffixes identified within section 3.2.3.19 within these guidelines shall be discouraged.
- 3.6.10 Honorary naming shall only be allowed for roadways designated as a minor collector or local roadway: honorary naming shall not be allowed for roadways designated as an arterial or major collector.
- 3.6.11 There shall be a clear connection between the individual to be honored and the roadway or roadway segment to be honorarily named (i.e., lived on the segment).
- 3.6.12 The roadway or roadway segment to be honorarily named shall be continuous with no gaps or breaks in the roadway due to intervening structures or facilities (i.e., park, school, undeveloped ground, etc.) and generally shall begin and end at roadways designated as minor collectors.
- 3.6.13 Honorary roadway signs shall:

- 3.6.13.1 Be a 12"x18" rectangle: may be mounted either horizontal or vertical as determined by City so as to create most legible sign possible.**
- 3.6.13.2 Consist of a brown blade with white lettering.**
- 3.6.13.3 Include "Honorary Roadway" at the top or bottom of the sign in a smaller font than honoree's name.**
- 3.6.13.4 Signs shall generally be placed midblock of the beginning block and ending block of the approved roadway segment and approximately every 3-4 blocks within overall segment. Signs shall be so located to be viewable to both directions of traffic.**

3.6.14 Application & Approval Process:

- 3.6.14.1 A naming request shall only be considered upon submittal of a complete application to the Public Services Department.**
- 3.6.14.2 An honorary roadway name application may be submitted by any individual.**
- 3.6.14.3 Consent of a minimum of 40% of the properties abutting the roadway segment to be named, regardless of if they are addressed off of the roadway segment shall be provided as part of the application.**
- 3.6.14.4 Review of the naming request and application shall be by the following in the following order:**
 - 3.6.14.4.1 First: A check by the Addressing Administrator of the city's addressing database for duplication to any official roadway name within the City of West Des Moines or any community for which the city handles E911 dispatch.**
 - 3.6.14.4.2 Second: Review by all City Emergency Response Agencies for potential confusion with a historically known, commonly known or nickname of an existing roadway within the city or any community or area in which the city may assist in response.**
 - 3.6.14.4.3 Third: Review of the application by the Public Services City Council Subcommittee for demonstrable and positive contributions per 3.6.1.1 – 3.6.1.6 of these guidelines and all other required application information or documents.**

The Subcommittee shall notify all property owners adjacent to the roadway subject to the honorary naming request of the Public Services Subcommittee meeting date to allow opportunity for public comment in support or against the request.

If the application is deemed justified, the Subcommittee shall:

3.6.14.4.3.1 Determine the roadway segment to be honorarily named.

3.6.14.4.3.2 Determine the number and location of signs to be erected.

3.6.14.4.3.3 Make a recommendation to the City Council whether to accept or deny the request.

3.6.14.4.4 The City Council shall consider a naming request as a consent agenda item at a regularly scheduled meeting. No publication or mail notice to abutting property owners of the City Council meeting date to consider the honorary roadway naming request shall be required.

3.6.14.4.4.1 City Council approval shall be by simple majority of members present at the meeting.

3.6.14.4.4.2 City Council approval shall be by resolution.

3.6.14.4.4.3 The decision to allow an honorary roadway naming is under the full discretion of the City Council. Consent of 40% of property owners abutting a roadway does not guarantee Council approval of the honorary naming.

3.6.14.4.4.4 An honorary roadway sign may be revoked at the discretion of the City Council.

3.6.14.5 The City's Public Service Department shall procure and install the signs. The City shall be responsible for all costs related to the production and erection of the signs.

3.6.14.6 Signs shall be displayed for ten (10) years. New signs shall automatically be manufactured and erected unless a new request for honorary naming of the designated roadway segment is made; or the original applicant or family member of the honored individual requests to discontinue the naming.

3.6.14.6.1 Upon removal, the sign shall be made available to the individual that submitted the Honorary Roadway Name application, or another relative to the honoree.

3.7 Renaming of an Existing Roadway: Applies to all vehicle roadways and alleys, regardless of whether public or private.

3.7.1 A roadway name change shall meet a defined public purpose, serve the wayfinding needs of the city's emergency response departments and

shall not detract from general wayfinding of residents and visitors. A roadway name change will be considered for one of the following reasons:

- 3.7.1.1 Assist emergency services in the timely & efficient provision of services;
 - 3.7.1.2 Rectify an existing situation that is inconsistent with the City's addressing policy;
 - 3.7.1.3 Assist the general public through identification of major roadways or thoroughfares across/within the city;
 - 3.7.1.4 Aid in wayfinding for the general public to key establishments, major employers or attractions within WDM. This shall not be utilized as a means of advertising;
 - 3.7.1.5 Recognition or honor of an individual, organization and/or business that have accomplished and/or provided something of significance to the city resulting in positive recognition for the city **in accordance with the criteria outlined in section 3.6.1 of this policy;**
 - 3.7.1.6 Correct a perceived wayfinding problem;
 - 3.7.1.7 Dislike of roadway name or perceived negative connection;
 - 3.7.1.8 Adjust street names due to street alignment modifications and/or street construction/reconstruction projects which alter the current primary (through) roadway.
- 3.7.2 Roadway name changes shall occur by Council approval of an ordinance. Upon approval, the Official Street Name Map for the city shall be updated.
- 3.7.3 Requests for Renaming:
- 3.7.3.1 Citizen or Property Owner Initiated: A property owner may submit a written petition to the Addressing Administrator requesting a renaming of a roadway. A minimum of 60% of the property owners addressed off of the roadway subject to the requested change must consent to the readdressing. A non-response by an affected property owner will be considered as a non-consenting vote. An Owner's Association may not request a readdressing on behalf of the residents/tenants without at least 60% of the association members affected by the readdressing consenting to the request. A complete list of all association members must be provided as part of a request made by an owner's association.
 - 3.7.3.2 City Initiated: At the direction of any one member of the City Council or the Chief of any one emergency response agency within the city.
 - 3.7.3.2.1 **Requests for a roadway name change for the purpose of honoring an individual, organization, &/or business may only be made by a currently sitting elected City Council Member.**
 - 3.7.3.3 **With the exception of city-initiated roadway name**

changes, the petitioner will be responsible for costs associated with the readdressing request which may include but is not limited to the following; staff time required to evaluate proposed change and identification of any addressing modifications necessary as a result thereof; production of new sign(s); installation of roadway sign(s); and additional wayfinding signage if deemed necessary by any one Emergency Service agency. The city shall be responsible for all costs related to a city-initiated change.

3.7.4 Notification: Notice of the anticipated Council meeting date to consider the roadway renaming shall be mailed by regular mail at least fourteen (14) days prior to the meeting date to all residents and property owner(s), if absentee owner, addressed off of the roadway segment proposed for name change. Publication of the notice of a roadway renaming shall be per Iowa Code 362.3.

3.7.5 Decision: For a roadway name change to be considered, it shall not conflict with the city's addressing policy and shall not cause concern as a potential wayfinding problem for any of the city's three (3) emergency response agencies. The decision to rename a roadway is under the full discretion of the City Council. Approval of 60% of affected property owners does not guarantee Council approval of the roadway renaming.

3.7.6 Roadway name changes shall occur by Council adoption of an ordinance.

3.7.6.1 A roadway name change for the purpose of honoring an individual, organization, &/or business shall require approval by a super majority vote of the City Council.

3.7.7 Upon approval, the Official Street Name Map for the city shall be updated.

3.8 **Address Change not initiated by Resident/Tenant: (Example – King's Grove multi-family readdressing due to change in balance of development to SF.) The renumbering of a structure which requires a change to the existing mailing address for a resident or tenant which was not initiated by all residents/tenants affected shall follow the same process as section 3.7 Renaming of an Existing Roadway of this policy except:**

3.8.1 Notification shall be by regular mail to the property owner and tenant of all affected addresses. No publication shall be required.

3.8.2 Address changes shall occur by Council adoption of a resolution.

4.0 Distribution

- 4.1 Addressing Administrator
- 4.2 City's GIS Coordinator
- 4.3 Westcom Management via Department Director
- 4.4 Public Services Traffic Management via Department Director
- 4.5 Placement on internal SharePoint

Authorized by the City Council effective June 24, 2013; revised October 17, 2016; revised January

21, 2019, **revised April 18, 2022.** (Due to authorization of address assignment authority to Addressing Administrator, the January 21, 2019, revision was presented to the City Council for approval. **The April 18, 2022, revision to add Honorary Roadway Naming provisions was presented to the City Council for approval.**)

City Manager

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: April 18, 2022

ITEM: Jordan Creek Tower – Vacate 40’ Highway Easement located across 575 S. 60th Street and accept a Public Utility Easement – Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005 – VAC-005405-2021

RESOLUTION: Approval of Vacation Request and Acceptance of Public Utility Easement

Background: Ed Arp with Civil Engineering Consultants, on behalf of the property owner, Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005, requests approval of the vacation of a 40’ highway easement established across the north edge of 575 S. 60th Street (Book 508, Page 432). The easement area that is the subject of this request does contain private utility infrastructure. The applicant is proposing to provide a 40’ public utility easement in the place of the highway easement for use by private utility companies. The applicant proposes the development of a 5-story mixed use building on the property; however, no structures will be built on the easement itself, but parking, drive aisles and landscaping will be located within the easement.

Staff Review & Comment:

- **History:** The easement in question was once the southern 40’ of an 80’ highway easement. The north 40’ of the easement was located on 525 S 60th Street and was vacated by the City Council on May 31, 2016 as a part of the Morningstar development. The owner of the property at 575 S. 60th Street at the time elected not to vacate his portion of the easement.
- **Disposition of the Property:** This action is for the vacation of the highway easement only, therefore no disposition is needed as the property will revert back to the underlying fee owner.
- **Public Utilities:** Utility locates were conducted in this area to determine if any public or private utilities are located within the 40’ roadway easement area. Based on the information provided with the locate, a fiber optic line, electric line and cable line do go through this area and will remain. The applicant has provided a public utility easement over the 40’ area for use by those private utilities. The easement is proposed for acceptance by the City Council as part of this action.
- **Access:** In addition to the 40’ highway easement, there is an existing ingress/egress easement (Book 1016, Page 24715) that allows access to S. 60th Street for the subject property and for the Morningstar property to the north. This easement will remain.
- **Additional Information:** At this same meeting, the City Council is also being asked to approve the second reading, waive the third reading and adopt in final form an ordinance which removes the roadway/street name designation on this portion of property. Thus, formally removing this section from the City’s official streets list.

Outstanding Issues: There are no outstanding issues.

Recommendation: Approve the vacation of the 40' highway easement and accept public utility easement.

Lead Staff Member: Brian Portz

Approval Meeting Dates:

Plan & Zoning Commission	n/a
City Council	April 18, 2022

Staff Report Reviews

City Council	<input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
	<input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Agenda Acceptance

Publications

Published In	
Date Published	N/A

Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	December 6, 2021		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

Location Illustration



Prepared by: B. Portz, City of West Des Moines, Development Services Dept., P.O. Box 65320,
West Des Moines, IA 50265-3620, 515-222-3620
When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING THE REQUEST TO VACATE AN EXISTING PUBLIC HIGHWAY EASEMENT AND APPROVING AND ACCEPTING DOCUMENTS CONVEYING INTERESTS TO THE CITY OF WEST DES MOINES, IOWA

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations, the applicant and property owner, Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005, requests approval of the vacation of an existing Public Highway Easement located across the north 40' of the property at 575 S. 60th Street, established in Dallas County Book 508, Page 432, and legally described in attached Exhibit "B" and illustrated in Exhibit "C"; and

WHEREAS, it is the policy of the City of West Des Moines, Iowa to approve the conveyance of all property interest to the City; and

WHEREAS, the following document(s) conveying property interests to the City have been presented to the City Council for approval;

A Public Utility Easement from Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005 for property legally described on the associated document attached as Exhibit "D"; and

WHEREAS, it is in the best interests of the citizens of the City to approve and accept the above-described document(s).

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 this day the City Council held a duly noticed meeting to consider the Vacation Request application; and

NOW, THEREFORE, the City Council does approve the following:

1. A Vacation Request (VAC-005405-2021), to vacate an existing Public Highway Easement recorded in Dallas County, Book 508, Page 432 is approved subject to compliance with all of the conditions, including conditions added at the meeting, 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.

2. The City Council does approve and accept a 40' wide Public Utility Easement over the existing infrastructure located within the vacated highway easement.
3. The document(s) described here within shall be filed with the county recorder as appropriate.

PASSED AND APPROVED by the City Council on April 18, 2022.

Russ Trimble, Mayor

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing was published as Ordinance No. _____ on the 18th day of April, 2022.

Exhibit A: Conditions of Approval

None

Exhibit B: Legal Description of Easement to be Vacated

THE NORTH 40.00 FEET OF THE WEST 273.00 FEET OF THE EAST 333.00 FEET OF THE SE1/4 OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

Exhibit C: Illustration of Easement To Be Vacated

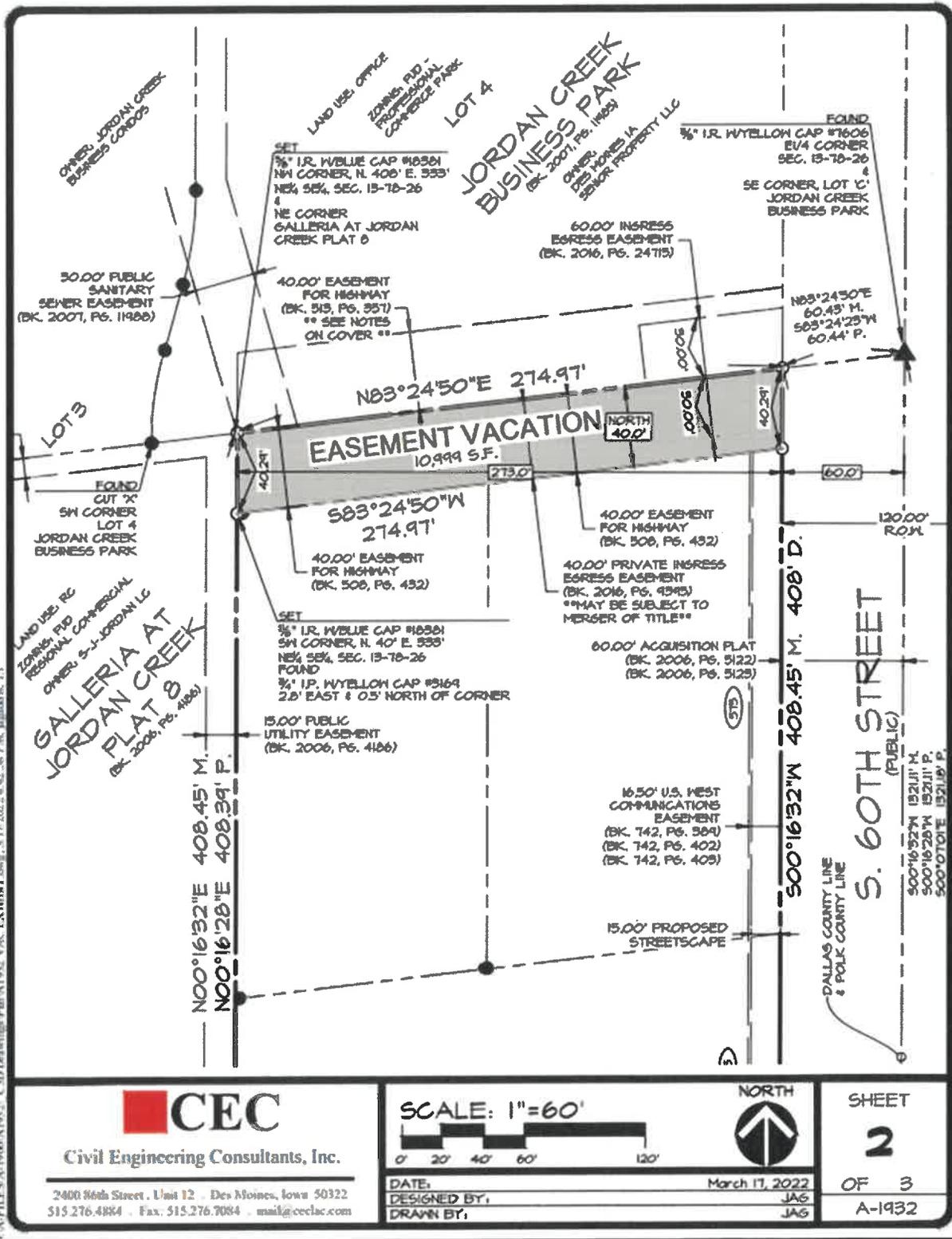


Exhibit D: Public Utility Easement Legal Description

A PARCEL OF LAND IN THE NORTH 408 FEET OF THE EAST 333 FEET OF THE NE1/4 SE1/4 OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH/ P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AS A POINT OF REFERENCE AT THE NE CORNER OF SAID NE1/4 SE1/4, SAID POINT ALSO BEING THE SE CORNER OF JORDAN CREEK BUSINESS PARK, AN OFFICIAL PLAT RECORDED IN BOOK 2007, PAGE 11985; THENCE S83°24'50"W, 60.43 FEET ALONG THE NORTH LINE OF SAID NE1/4 SE1/4 AND THE SOUTH LINE OF SAID JORDAN CREEK BUSINESS PARK TO THE POINT OF BEGINNING ON THE WEST RIGHT-OF-WAY LINE OF S. 60TH/ STREET AS IT IS PRESENTLY ESTABLISHED; THENCE S00°16'32"W, 408.45 FEET ALONG SAID RIGHT-OF-WAY LINE TO A POINT ON THE SOUTH LINE OF SAID NORTH 408 FEET OF THE EAST 333 FEET OF THE NE1/4 SE1/4, SAID POINT ALSO BEING THE NE CORNER OF OUTLOT 'Z', GALLERIA AT JORDAN CREEK PLAT 9, AN OFFICIAL PLAT RECORDED IN BOOK 2006, PAGE 8809; THENCE S83°24'50"W, 274.97 FEET ALONG SAID SOUTH LINE AND THE NORTH LINE OF SAID OUTLOT 'Z' TO THE SW CORNER OF SAID NORTH 408 FEET OF THE EAST 333 FEET OF THE NE1/4 SE1/4, SAID POINT ALSO BEING ON THE EAST LINE OF GALLERIA AT JORDAN CREEK PLAT 8, AN OFFICIAL PLAT RECORDED IN BOOK 2006, PAGE 4186; THENCE N00°16'32"E, 408.45 FEET ALONG THE WEST LINE OF SAID NORTH 408 FEET OF THE EAST 333 FEET OF THE NE1/4 SE1/4 AND THE EAST LINE OF SAID GALLERIA AT JORDAN CREEK PLAT 8 TO THE NW CORNER OF SAID NORTH 408 FEET OF THE EAST 333 FEET OF THE NE1/4 SE1/4, SAID POINT ALSO BEING THE NE CORNER OF SAID GALLERIA AT JORDAN CREEK PLAT 8 AND ON THE SAID SOUTH LINE OF JORDAN CREEK BUSINESS PARK; THENCE N89°24'50"E, 274.97 FEET ALONG SAID NORTH LINE OF THE NE1/4 SE1/4 AND SAID SOUTH LINE OF JORDAN CREEK BUSINESS PARK TO THE POINT OF BEGINNING CONTAINING 2.56 ACRES.

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Proclamation
Minority Owned Business Day
April 22, 2022

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND:

The Mayor and City Council wish to support minority owned businesses in our community and call upon the residents to recognize the contributions of, and provide support for, minority-owned businesses.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of Proclamation for Minority Owned Business Day

Lead Staff Member: Audrey Kennis, Director of Diversity, Equity, and Inclusion

STAFF REVIEWS

Department Director	Audrey Kennis, Director of Diversity, Equity, and Inclusion
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

Proclamation
Minority Owned Business Day
April 22, 2022

WHEREAS, the City of West Des Moines celebrates the resolve and ingenuity of minority-owned businesses, and the contributions they make to our local economy and community.

WHEREAS, according to the Small Business Administration, there are more than 1 million minority-owned businesses in the United States, which represents 18% of small business owners and accounts for \$1 trillion in revenue.

WHEREAS, we realize the strength of our communities robust economy is dependent on the diverse offering of services and providers to meet the growing demands.

WHEREAS, supporting these businesses fuel economic prosperity for all; creating job opportunities, closing racial wealth gaps, and bridging access to the American dream.

WHEREAS, we are working with the West Des Moines Chamber of Commerce to actively promote entrepreneurship through innovation, mentorship, and expanded access to networks through the Black & Brown Business Summit.

NOW, THEREFORE, I, Russ Trimble, Mayor of the City of West Des Moines, do hereby designate Friday, April 22, 2022, as **Minority Owned Business Day**.

And I call upon the residents of West Des Moines to recognize the contributions of, and provide support for, minority-owned businesses.

Signed this 18th day of April, 2022.

ATTEST:

Russ Trimble, Mayor

Ryan T. Jacobson, City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

ITEM: Proclamation – Earth Day – April 22, 2022

FINANCIAL IMPACT: None

BACKGROUND: The attached proclamation designates Friday, April 22, 2022 as Earth Day. This proclamation is to promote awareness about outdoor recreation and environmental education in West Des Moines.

The Parks and Recreation Department and Friends of West Des Moines Parks and Recreation are holding events to celebrate Earth Day. A cleanup at Southwoods Park and Earth Day Family Fun event will be held on Saturday, April 23.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the proclamation designating Friday, April 22, 2022 as Earth Day in West Des Moines.

Lead Staff Member: David Sadler, Superintendent of Parks

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

PROCLAMATION

WHEREAS, on the first Earth Day in 1970, 22 million Americans celebrated clean air, land, and water;

WHEREAS, Earth Day, created by Senator Gaylord Nelson, led to the creation of the United States Environmental Protection Agency with the passing of the Clean Air, Clean Water, and Endangered Species Acts;

WHEREAS, activities on Earth Day are designed to create awareness of environmental issues and promote healthy living;

WHEREAS, environmental education is critical for our youth in an ever changing world of technology;

AND, WHEREAS, living a healthy lifestyle and connecting with nature through participation in outdoor recreation provides mental and physical well-being and fosters stewardship.

NOW, THEREFORE, I, Mayor of the City of West Des Moines, do hereby proclaim April 22, 2022 as **EARTH DAY** in the City of West Des Moines, and I, Russ Trimble, Mayor urge all citizens to celebrate Earth Day and support efforts to promote environmental education and living a healthier lifestyle through connections with nature.

Dated April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

ITEM: Proclamation – Arbor Day – Friday, April 29, 2022

FINANCIAL IMPACT: None

BACKGROUND: The attached proclamation designates Friday, April 29, 2022, as Arbor Day. This proclamation is necessary in order for the City to qualify as a Tree City USA. It also demonstrates the City’s commitment to trees and tree planting.

OUTSTANDING ISSUES: None

RECOMMENDATION: That the Council approve the proclamation designating Friday, April 29, 2022, as Arbor Day in West Des Moines.

Lead Staff Member: Paul Tauke
Urban Forestry Supervisor

STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	N/A
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed			
Recommendation	Yes	No	Split

PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, beautify our community and provide a source of joy and renewal,

NOW, THEREFORE, I, Mayor of the City of West Des Moines, do hereby proclaim Friday, April 29, 2022, as

ARBOR DAY

in the City of West Des Moines, and I, Mayor Russ Trimble urge all citizens to celebrate Arbor Day and support efforts to protect and maintain our trees and woodlands and to plant trees to promote the well-being of this and future generations.

Dated this April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

ITEM: Approval of Proclamation
Asian and Pacific American Heritage Month
and Asian American and Pacific Islander (AAPI)
National Day Against Bullying and Hate

DATE: April 18, 2022

FINANCIAL IMPACT: None

BACKGROUND:

With over 7% of our city’s population being made up of Asian and Pacific Islanders, we believe that it is important that we as a City stand in solidarity with the AAPI community to ensure that it is known that we intend for West Des Moines to be a welcoming and safe city for all.

We also believe that along with standing in solidarity against acts of violence and harassment, it is equally important to not only condemn acts of violence and harassment but to also recognize and celebrate the history and achievements of the AAPI community during Asian Pacific American Heritage Month. Calling West Des Moines community members to commit to embracing the diversity that enriches our City and to ensuring all our residents are afforded equal opportunities to thrive.

OUTSTANDING ISSUES (if any): None

RECOMMENDATION:

Approval of Proclamation Asian and Pacific American Heritage Month and Asian American and Pacific Islander (AAPI) National Day Against Bullying and Hate

Lead Staff Member: Audrey Kennis, Director of Diversity, Equity, and Inclusion

STAFF REVIEWS

Department Director	Audrey Kennis, Director of Diversity, Equity, and Inclusion
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

Proclamation
Asian and Pacific American Heritage Month
May, 2022

Whereas, During the month of May, we celebrate the history and achievements of Americans of Asian, Indian, Native Hawaiian, and Pacific Islanders decent. They have significantly contributed to the success and cultural vibrancy of America; and

Whereas, have played a key role in American history and the build out of critical infrastructure that has spurred development, growth, and economic opportunities for all Americans; and

Whereas, as the fasting growing American population, with over 20 ethnicities, a multitude of languages, cultures, religions, and traditions; there is no single story that defines the Asian American experience. Representing 7% of the City of West Des Moines population and the fasting growing minoritized group, Asian and Pacific Islanders have contributed to the economy, culture, education, arts, sciences and technological developments of the city; and

Whereas, despite the numerous contributes and influence we cannot deny the unique challenges Asian and Pacific Islanders face. The increase in racially motivated discrimination and harassment has increased and we join Act to Change, a national nonprofit dedicated to fighting bullying and hate, to declare this message. We envision a world where all youth, including within the AAPI community, have the opportunity to grow up feeling proud and supported in the development of their identities and sharing of their stories; and

Whereas, the City of West Des Moines stands with Asian, Indian, Native Hawaiian and Pacific Islander communities in condemning acts of violence and discrimination, and we commit to building a safe and inclusive City where all community members can live and thrive; and

NOW, THEREFORE, I, Russ Trimble, Mayor of the City of West Des Moines, Iowa, and on behalf of the City Council, do hereby proclaim the month of May, 2022 and May 18, 2022 respectively to be “**Asian and Pacific American Heritage Month**” and “**Asian American and Pacific Islander (AAPI) Day Against Bullying and Hate**” and encourage all community members to observe, recognize, celebrate and protect the culture, heritage, and contributions of Asian, Indian, Native Hawaiian and Pacific Islanders. Together, let us commit to embracing the diversity that enriches our City and to ensuring all our residents are afforded equal opportunities to thrive.

Signed this 18th day of April, 2022.

ATTEST:

Russ Trimble, Mayor

Ryan T. Jacobson, City Clerk

NO CHANGES FROM PREVIOUS READING**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION****Meeting Date:** April 18, 2022

ITEM: Westtown Commons, 2501 Westtown Parkway – Repeal the Westtown Commons Planned Unit Development and Amend the Zoning Map to establish Professional Commerce Park Zoning – CT Development – CPAZC-005485-2022

ORDINANCE: Approval of Second Reading, Waive Third, and Adopt Repeal of PUD

ORDINANCE: Approval of Second Reading, Waive Third, and Adopt Consistency Zoning

Background: Nick Wittkop with Larson Engineering, on behalf of the applicant, Tim Mauro, CT Development, and with permission from Debra Hardy, representing the property owners, Westtown Commons Owners Association, Dabrama LLC, and GreenState Credit Union, request approval of Rezoning Requests for property located at 2501 Westtown Parkway. Specifically, the following Land Use and Zoning changes are proposed with this request:

- Amend the Zoning Map for the approximately 5.8 acres to repeal the Westtown Commons Planned Unit Development (PUD #56)
- Amend the Zoning Map to designate Professional Commerce Park (PCP) Zoning District on approximately 5.8 acres consistent with the proposed Comprehensive Plan Land Use designation

Staff Review & Comment:

- *Financial Impact:* Undetermined
- *Anticipated Development:* The requested actions are in preparation of developing the west side of the site for a three story, 44-unit senior living facility. A Preliminary Plat/Site Plan has been submitted for this project and is under review. There is an existing office building on the east side of the site that will remain unchanged. The zone change actions involve the repeal of the Westtown Commons Planned Unit Development as it was originally set up for the development of two office buildings, one of which was to have five (5) condominium office spaces. With the proposed senior apartment building the PUD is no longer applicable to development of the parcel. The PUD specified an underlying zoning of Professional Commerce Park which will be retained for both properties. The existing office building and the proposed residential building both comply with PCP standards. PCP zoning is consistent with other non-retail development within the area and does include a provision for the development of stand-alone residential buildings when the majority of the surrounding parcels have been developed with office and/or commercial uses.

- **History:** On August 21, 2000, City Council approved a combination Zoning Change (ZC-00-07), Preliminary Plat (PP-00-11), Site Plan (SP-00-14), and Grading Plan (GP-00-06). These approvals were for the rezone of the property from Regional Commercial to Planned Unit Development; approval of a preliminary plat to subdivide the property into six lots and one outlot; the construction of six office buildings (one building with multiple condominium spaces/lots); and a grading permit for 5.8 acres. On October 16, 2000, City Council approved the Final Plat that created the existing lot configurations seen today known as Westtown Commons. According to staff's historical records only Lot 1 (i.e., the existing office building) was actually constructed as part of the approvals in late 2000.
- **Traffic Analysis Findings:** A traffic study was completed with the preliminary plat and site plan application in November 2021. Key findings are summarized below.
 - The proposed development is expected to generate less traffic than what was analyzed in previous traffic studies for the area. The existing geometry of the surrounding roadways and major intersections are expected to have adequate capacity for the proposed development.
 - Comments regarding emergency vehicle maneuverability, driveway configurations, and pavement markings have been given to the applicant and incorporated into the plan.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: March 28, 2022
 Vote: 6-0-1 for approval with Commissioner Crowley abstaining
 Recommendation: Approval of Comprehensive Plan Land Use Map Amendment, and Approval of Repeal of Westtown Commons PUD, and Approval of Rezoning to Consistency Zone property

City Council Comprehensive Plan Amendment:

Date: April 4, 2022
 Vote: 5-0 for approval

City Council Repeal Westtown Commons PUD First Reading:

Date: April 4, 2022
 Vote: 5-0 for approval

City Council Consistency Rezoning First Reading:

Date: April 4, 2022
 Vote: 5-0 for approval

Recommendation: Approve the Rezoning requests, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Bryce Johnson

Approval Meeting Dates:

Plan and Zoning Commission	March 28, 2022
City Council: First Reading	April 4, 2022
City Council: Second Reading, Waive Third and Adopt	April 18, 2022

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

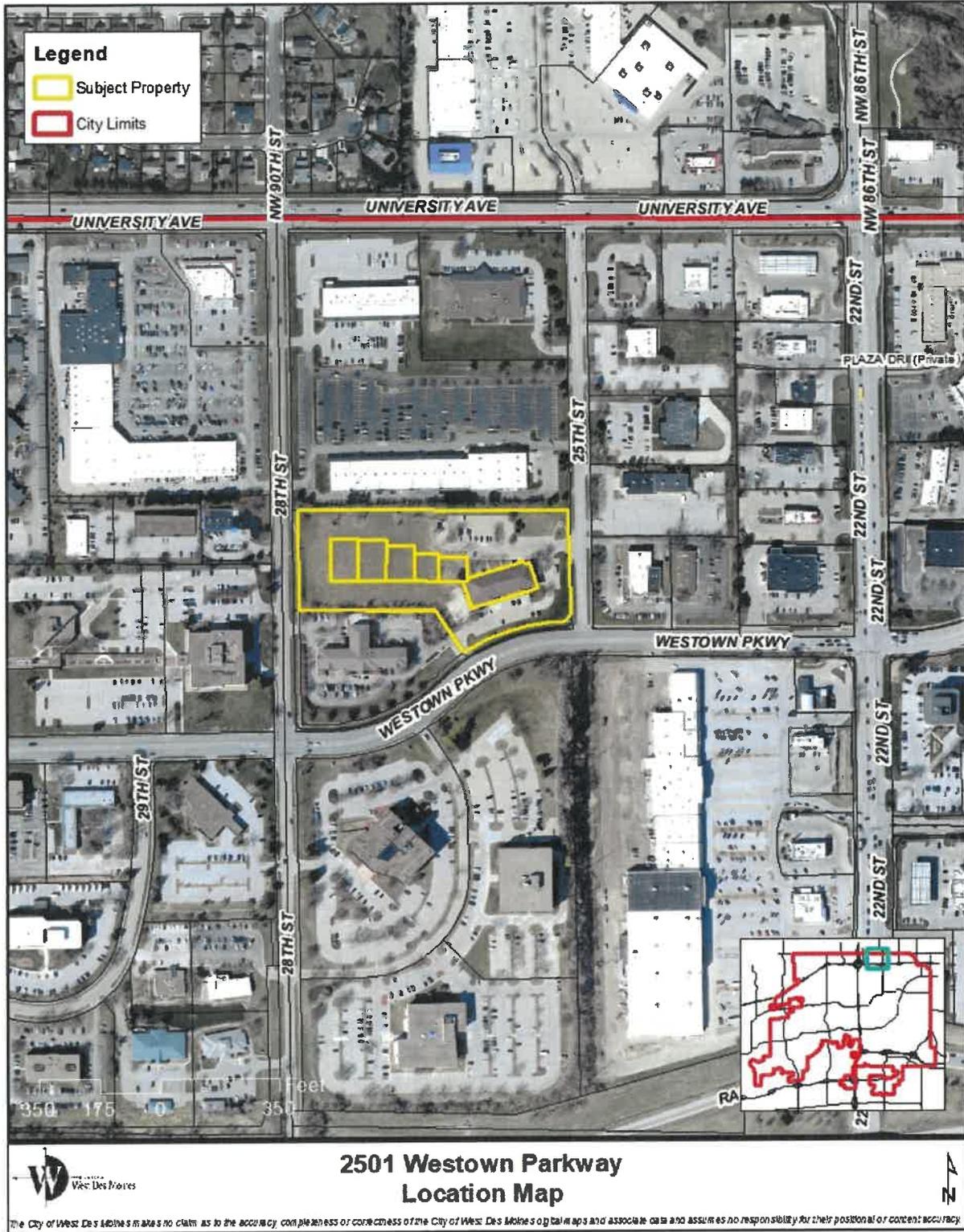
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	3/18/21
Date(s) of Mailed Notices	3/17/21

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	3/7/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-023**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Tim Mauro, CT Development and with permission from Debra Hardy, representing the property owners, Westtown Commons Owners Association, Dabrama LLC, and GreenState Credit Union, request approval of a Comprehensive Plan Land Use Map Amendment for the property located at 2501 Westtown Parkway as depicted on the Comprehensive Plan Land Use Map Change Illustration included in the staff report to change the land use designation as follows:

- approximately 5.8 acres to change from Regional Commercial (RC) to Office (OF) land use

WHEREAS, the comprehensive plan amendment complies with the applicable provisions of Iowa Code Chapter 414 and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Comprehensive Plan Land Use Map Amendment, (CPAZC-005482-2022) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

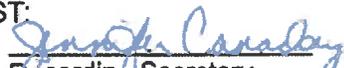
AYES: Andersen, Conlin, Costa, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS: Crowley

ABSENT:

ATTEST:


Recording Secretary

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-024**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Tim Mauro, CT Development, and with permission from Debra Hardy, representing the property owners, Westtown Commons Owners Association, Dabrama LLC, and GreenState Credit Union request approval for a Zoning Map Amendment for property located at 2501 Westtown Parkway as depicted on the Zoning Illustration included in the staff report to change the zoning as follows:

- Repeal the Westtown Commons Planned Unit Development (PUD #56)

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (CPAZC-005482-2022) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS: Crowley

ABSENT:

ATTEST:



Recording Secretary

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-030**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Tim Mauro, CT Development, and with permission from Debra Hardy, representing the property owners, Westown Commons Owners Association, Dabrama LLC, and GreenState Credit Union request approval for a Zoning Map Amendment for property located at 2501 Westown Parkway as depicted on the Zoning Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to designate Professional Commerce Park (PCP) Zoning District on approximately 5.8 acres consistent with the Comprehensive Plan Land Use designation, and

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (CPAZC-005482-2022) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on March 28, 2022.



**Erica Andersen, Chair
Plan and Zoning Commission**

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 March 28, 2022, by the following vote:

AYES: Andersen, Costa, Conlin, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS: Crowley

ABSENT:

ATTEST:



Recording Secretary

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A COMPREHENSIVE PLAN LAND USE AMENDMENT TO ESTABLISH OFFICE (OF) LAND USE

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Tim Mauro, CT Development, and with permission from Debra Hardy, representing the property owners, Westown Commons Owners Association, Dabrama LLC, and GreenState Credit Union, request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation from Regional Commercial (RC) to Office (OF) on the ground legally described in attached Exhibit 'B' and as indicated on the attached Comprehensive Plan Land Use Map Change Illustration; 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, the Comprehensive Plan Land Use Map Amendment complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on March 28, 2022, the Plan and Zoning Commission did recommend to the City Council, by a 6-0-1 vote, for approval of the Comprehensive Plan Land Use Map Amendment; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the application for Comprehensive Plan Land Use Map Amendment.

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan Land Use Map Amendment (CPAZC-005485-2022) shown on attached Comprehensive Plan Land Use Map Change Illustration, subject to compliance with all the conditions in the staff report, dated April 4, 2022, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation(s)

of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on April 4, 2022.



Russ Trimble, Mayor

COUNCIL ACTION	YEAS	NAYS	ABST.	ABSENT
TREVILLYAN	✓			
HUDSON	✓			
LOOTS	✓			
HARDMAN	✓			
MCKINNEY	✓			
MOTION BY	Loofs			
SECOND BY:	McKinney			
ROLL CALL #	22-146			

ATTEST:



Ryan Jacobson, City Clerk

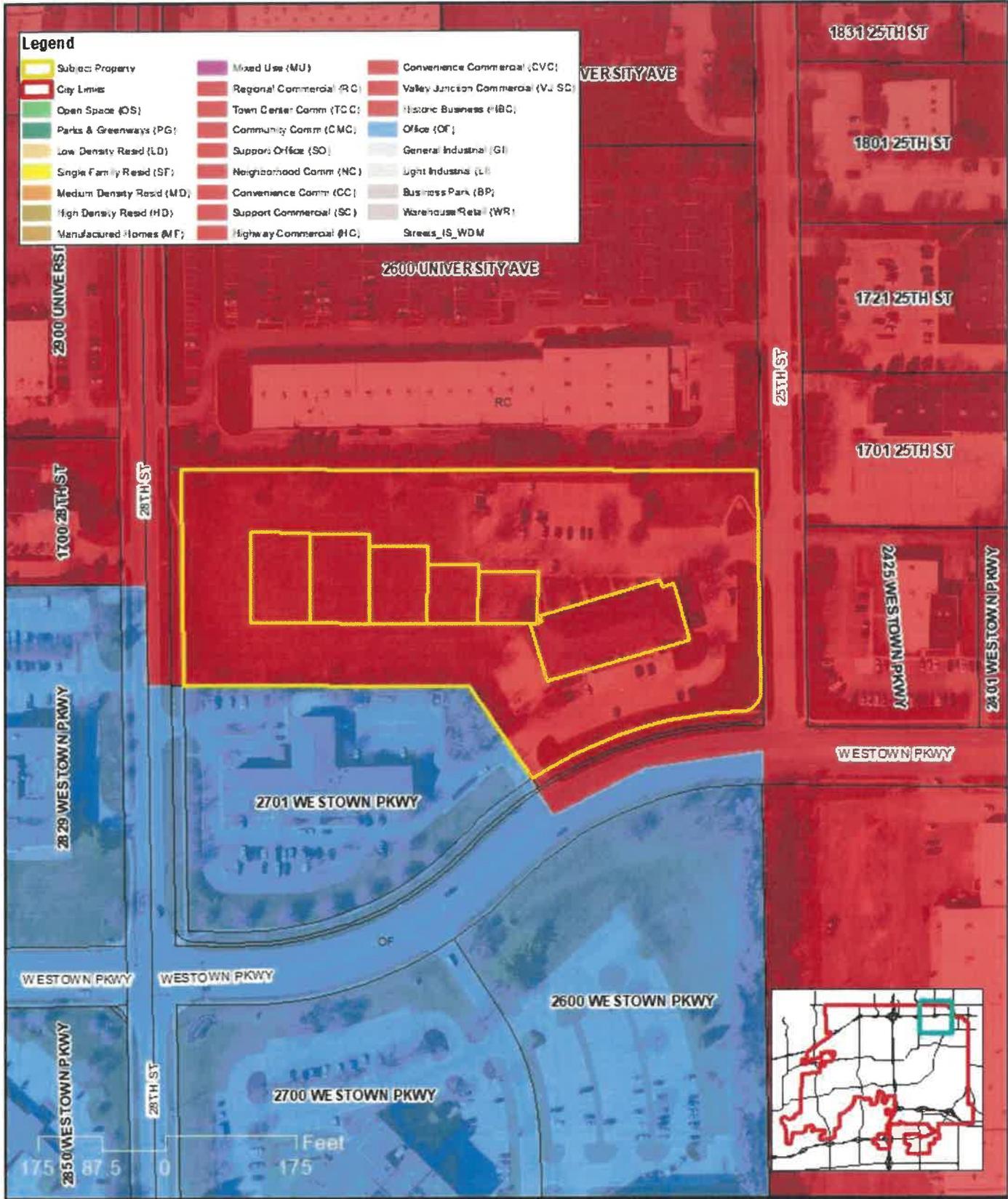
I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 4, 2022, by the indicated vote.

Exhibit A: Conditions of Approval

None

Exhibit B: Legal Description

ALL OF OUTLOT Z AND ALL OF LOTS 1, 2, 3, 4, 5, AND 6 IN WESTOWN COMMONS, AS SHOWN IN BOOK 8658 ON PAGE 108, BEING AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, CONTAINING 5.81 ACRES, MORE OR LESS, AND SUBJECT TO ANY AND ALL RESTRICTIONS AND EASEMENTS OF RECORD.



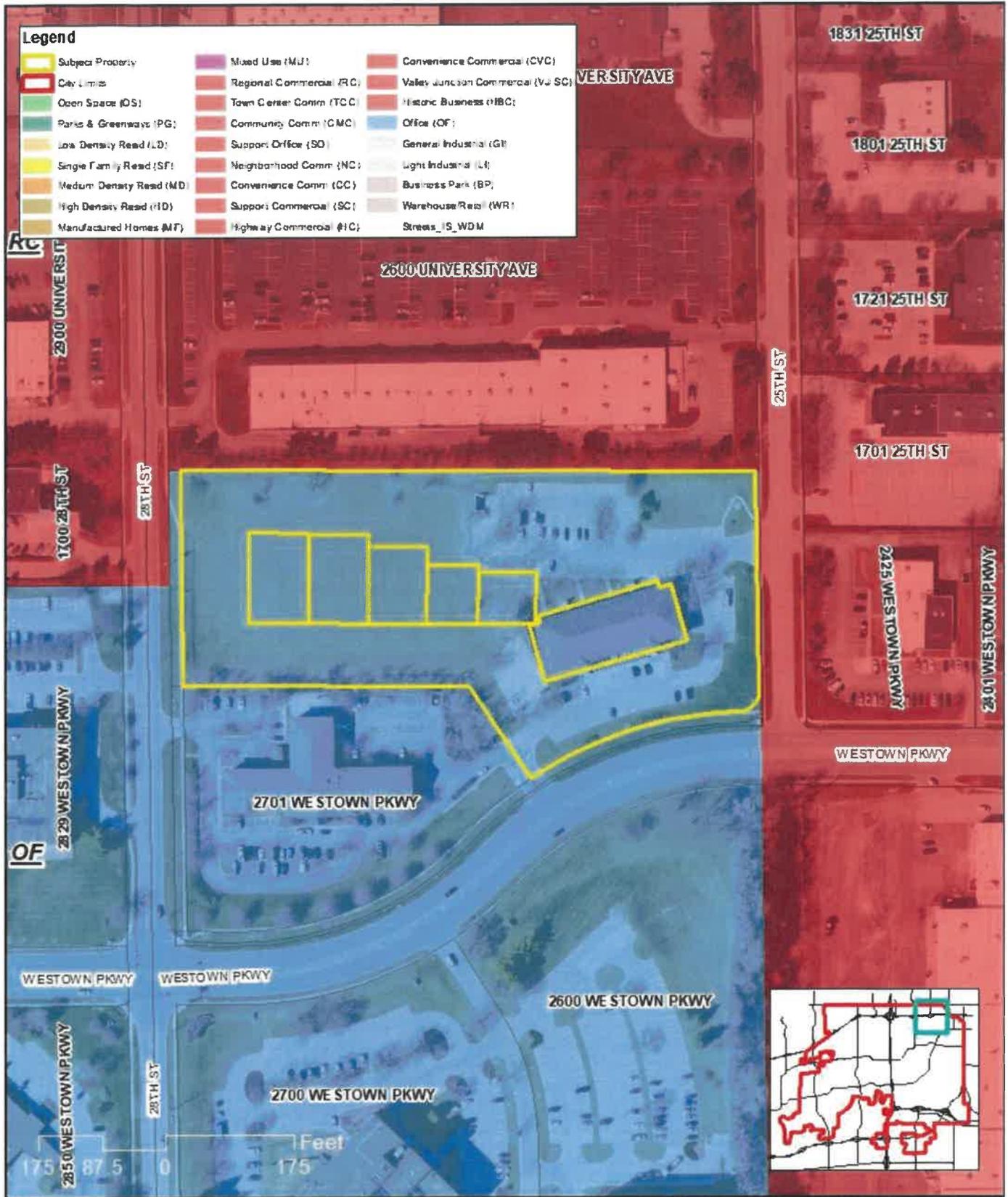
**Existing Comprehensive Plan Land Used Classification
2501 Westtown Parkway**



The City of West Des Moines makes no claim as to the accuracy, completeness or correctness of the City of West Des Moines digital maps and associated data and assumes no responsibility for their positional or content accuracy.

Legend

- | | | |
|---------------------------|--------------------------|------------------------------------|
| Subject Property | Mixed Use (MU) | Convenience Commercial (CVC) |
| City Limits | Regional Commercial (RC) | Valley Junction Commercial (VJ SC) |
| Open Space (OS) | Town Center Comm (TCC) | Historic Business (HBC) |
| Parks & Greenways (PG) | Community Comm (CMC) | Office (OF) |
| Low Density Resid (LD) | Support Office (SO) | General Industrial (GI) |
| Single Family Resid (SF) | Neighborhood Comm (NC) | Light Industrial (LI) |
| Medium Density Resid (MD) | Convenience Comm (CC) | Business Park (BP) |
| High Density Resid (HD) | Support Commercial (SC) | Warehouse/Retail (WR) |
| Manufactured Homes (MT) | Highway Commercial (HC) | Stress_IS_WDM |



**Proposed Comprehensive Plan Land Use Designation
2501 Westtown Parkway**



The City of West Des Moines makes no claim as to the accuracy, completeness or correctness of the City of West Des Moines digital maps and associated data and assumes no responsibility for their positional or content accuracy.

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE #

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP 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 FOR THE WESTOWN COMMONS PUD (#56)

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

SECTION 1. AMENDMENT: Ordinances 1420 and 1491, Westown Commons PUD #56 are hereby repealed in their entirety and PUD #56 is reserved for future use.

SECTION 2. REPEALER. All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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 4. 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 5. OTHER REMEDIES. In addition to the provisions set out in 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 7. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2022 and approved this _____ day of _____, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____, 2022.

Ryan T. Jacobson
City Clerk

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE #

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
WEST DES MOINES, IOWA, 2019, BY AMENDING TITLE 9, ZONING, CHAPTER 4,
ZONING DISTRICTS AND MAPS**

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

SECTION 1. AMENDMENT: The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by designating on 5.8 acres to the Professional Commerce Park (PCP) Zoning District consistent with the adopted Comprehensive Plan Land Use Map as amended, on that property legally described as follows and shown on the attached Zoning Map illustration:

Legal Description

ALL OF OUTLOT Z AND ALL OF LOTS 1, 2, 3, 4, 5, AND 6 IN WESTOWN COMMONS, AS SHOWN IN BOOK 8658 ON PAGE 108, BEING AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA, CONTAINING 5.81 ACRES, MORE OR LESS, AND SUBJECT TO ANY AND ALL RESTRICTIONS AND EASEMENTS OF RECORD.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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 4. 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 5. OTHER REMEDIES. In addition to the provisions set out in 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 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2022 and approved this _____ day of _____, 2022.

Russ Trimble, Mayor

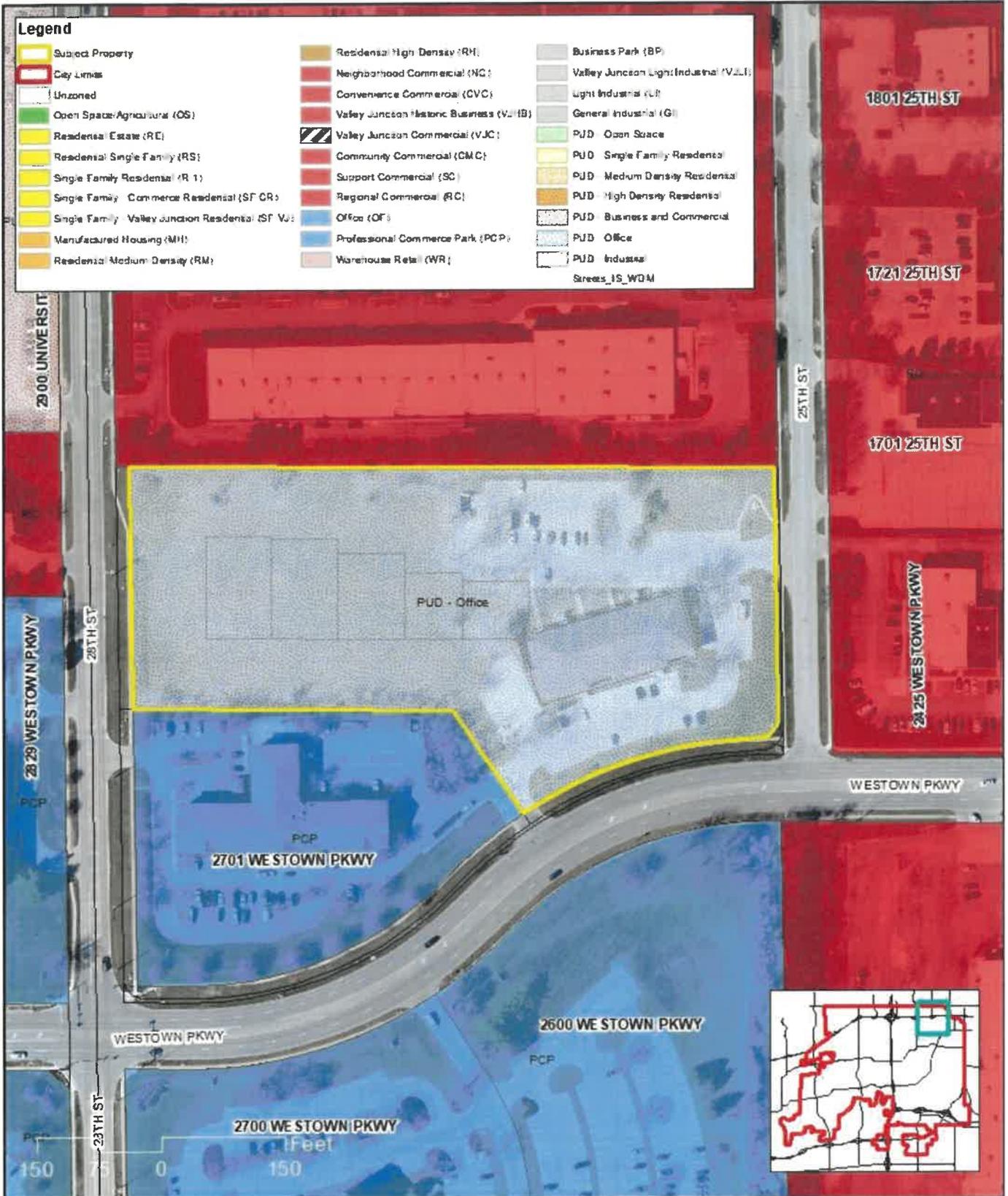
ATTEST:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____, 2022.

Legend

- | | | |
|---|--|---|
| Subject Property | Residential High Density (RH) | Business Park (BP) |
| City Limits | Neighborhood Commercial (NC) | Valley Junction Light Industrial (VJLI) |
| Unzoned | Convenience Commercial (CVC) | Light Industrial (LI) |
| Open Space-Agricultural (OS) | Valley Junction Historic Business (VJHB) | General Industrial (GI) |
| Residential Estate (RE) | Valley Junction Commercial (VJC) | PUD Open Space |
| Residential Single Family (RS) | Community Commercial (CMC) | PUD Single Family Residential |
| Single Family Residential (R1) | Support Commercial (SC) | PUD Medium Density Residential |
| Single Family Commercial Residential (SF CR) | Regional Commercial (RC) | PUD High Density Residential |
| Single Family Valley Junction Residential (SF VJ) | Office (OF) | PUD Business and Commercial |
| Manufactured Housing (MH) | Professional Commerce Park (PCP) | PUD Office |
| Residential Medium Density (RM) | Warehouse Retail (WR) | PUD Industrial |
| | | Streets_15_WDM |



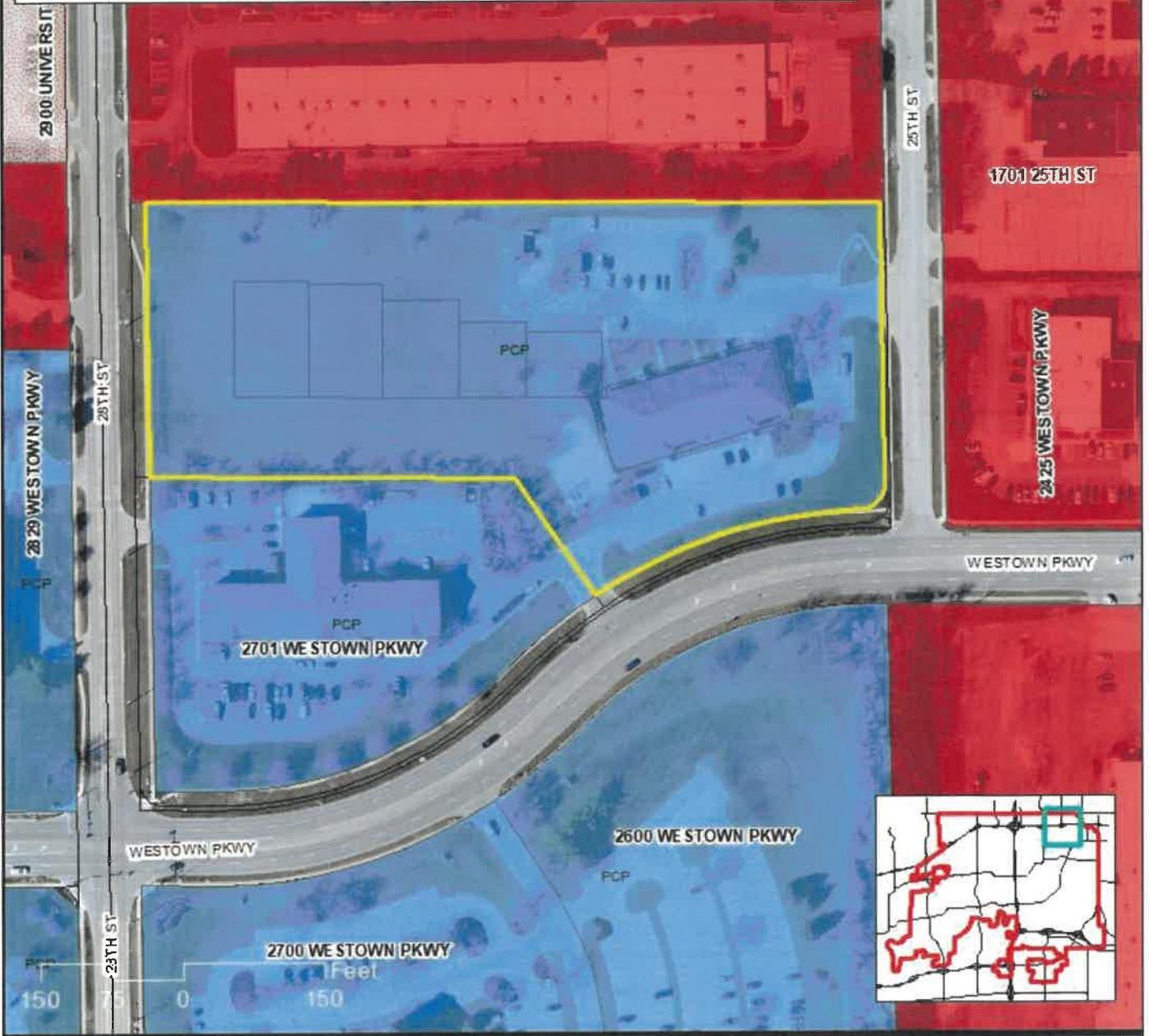
**Existing Zoning District
2501 Westtown Parkway**



The City of West Des Moines makes no claim as to the accuracy, completeness or correctness of the City of West Des Moines digital maps and associated data and assumes no responsibility for their positional or content accuracy.

Legend

 Subject Property	 Residential High Density (RH)	 Business Park (BP)
 City Limits	 Neighborhood Commercial (NC)	 Valley Junction Light Industrial (VJLI)
 Unzoned	 Convenience Commercial (CVC)	 Light Industrial (LI)
 Open Space/Agriculture (OS)	 Valley Junction Historic Business (VJHB)	 General Industrial (GI)
 Residential Estate (RE)	 Valley Junction Commercial (VJC)	 PUD Open Space
 Residential Single Family (RS)	 Community Commercial (CMC)	 PUD Single Family Residential
 Single Family Residential (R 1)	 Support Commercial (SC)	 PUD Medium Density Residential
 Single Family Commercial Residential (SF CR)	 Regional Commercial (RC)	 PUD High Density Residential
 Single Family Valley Junction Residential (SF VJ)	 Office (OF)	 PUD Business and Commercial
 Manufactured Housing (MH)	 Professional Commercial Park (PCP)	 PUD Office
 Residential Medium Density (RM)	 Warehouse Retail (WR)	 PUD Industrial
		 Streets_IS_WDM



**Proposed Zoning District
2501 Westown Parkway**



The City of West Des Moines makes no claim as to the accuracy, completeness or correctness of the City of West Des Moines digital maps and associated data and assumes no responsibility for their positional or content accuracy.

NO CHANGES FROM PREVIOUS READING**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**Meeting Date: April 18, 2022

ITEM: King's Grove Townhomes, West of the intersection of Stark Drive & S 100th Street – Change existing townhome addresses – City of West Des Moines Addressing Administrator – MISC-005551-2022

ORDINANCE: Approval of Second Reading, Waive Third Reading and Adopt Ordinance

Background: In 2018, the City approved a site plan allowing construction of 99 attached townhomes within sixteen (16) buildings. The six (6) buildings at the north end (buildings 8 through 12 on the illustration below) were the first to be constructed – the easternmost three (3) buildings (10, 11 & 12) have been constructed and are occupied; the remaining three (3) buildings (7, 8 & 9) are under construction.

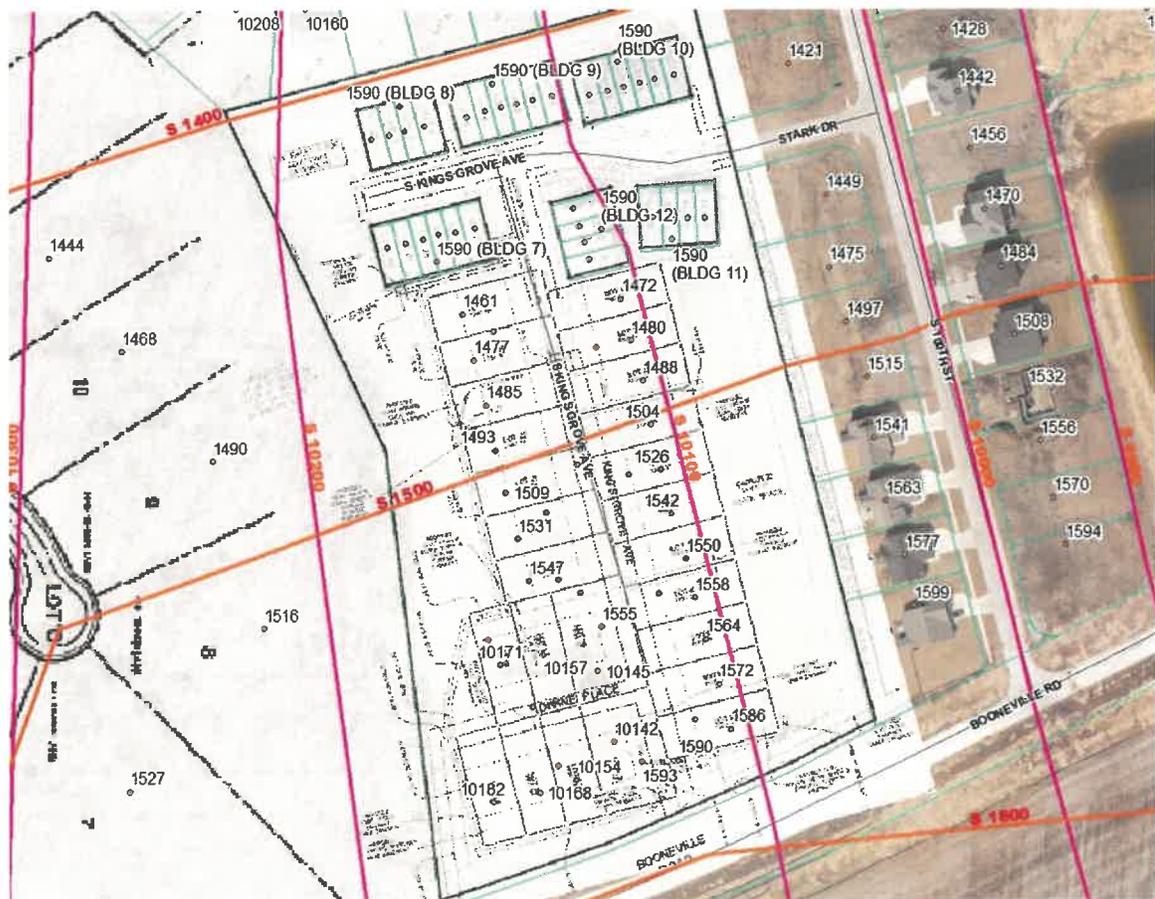


With a site layout that presents and functions as one development, an addressing approach that utilizes a site address in combination with building and unit numbering is typically utilized. The main access into the development was considered to be at the southern end of the development off of Booneville Road resulting in a site address which would apply to all buildings within the development of 1590 S Kings Grove Avenue (Stark Drive was not recognized as a separate street for addressing

purposes within the King's Grove development). A dwelling's unit number was established as a combination of the building (first one or two digits) plus the unit number (last two digits), i.e., unit 2 in building #15 would have an official address of 1590 S Kings Grove Ave #1502. This is a typical addressing approach in multi-building developments such as this as it actually reduces emergency response time since it is quicker to find a building number than to search 99 individual units for one particular address.

The developer has since decided to not construct additional townhomes and instead to replat the remainder of the property for single-family detached dwellings. While this change physically can occur without much difficulty, it does affect the already assigned addresses which are being utilized by the occupants in the units of the first three buildings constructed.

This area is south of the North-South addressing split line that crosses the city; addresses in this area increase as one moves south and west. Given that the site address was established based off of the southernmost part of the development, but the structures first constructed are located at the northern end of the development – closer to the 1400 address grid line, the only option to allow for address numbering of the single-family lots consistent with the grid and the King's Landing development to the east is to reassign the attached townhomes a number in the 1400 block. After discussing with the City's three emergency response agencies, it was determined best to forego the 'site plus building plus unit' address approach in favor of assigning individual unique addresses to each of the dwelling units. Because a site address is no longer being used, the city will recognize Stark Drive as a roadway for the purposes of address assignments to buildings 7, 8, 9, 10 & 11. Utilizing Stark Drive allows the numbering to be based off of the east-west grid for these buildings. Building 12 faces to S Kings Grove Avenue and thus will still use a street name of S Kings Grove Avenue but with a house number in the 1400 block.



If the address changes are approved by the City Council, the City will notify each resident/property owner of the change in address, the United States Post Office, Dallas County, UPS, FedEx and MidAmerican Energy. Unfortunately, the city does not have a guaranteed way to get mapping entities such as Google Maps to update their maps.

Outstanding Issues: There are no outstanding issues.

City Council First Reading:

Date: April 4, 2022
 Vote: 5-0 for approval of First Reading

City Council Discussion:

A memo was placed on the dais with a letter from an affected resident. The resident suggested an alternative addressing option. Staff explained the addressing situation and provided illustrations of how the resident’s suggestion affects the numbering in relation to adjoining subdivisions and what it would do to the 1500 and 1600 grid lines. It was expressed that holding the numbering as suggested takes away the wayfinding expectations of individuals, especially emergency response agencies. The Council expressed appreciation for the resident’s suggestion rather than just voicing opposition; however, they felt the house numbering expectation was key in ensuring quick emergency response and therefore, motioned to approve the readdressing as proposed.

Recommendation: Staff recommends the City Council approve the first reading of the ordinance officially changing the address assignments for King’s Grove Townhomes Plat 1.

Lead Staff Member: Lynne Twedt, Addressing Administrator

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council: First Reading	April 4, 2022
City Council: Second Reading, Waive Third and Adopt	

Staff Report Reviews:

City Council	<input type="checkbox"/> Director	<input type="checkbox"/> Legal Department
	<input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	3/18/22
Date(s) of Mailed Notices	3/18/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	10/18/21
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



Prepared by: Lynne Twedt, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE #

**AN ORDINANCE OFFICIALLY CHANGING THE ASSIGNED ADDRESSES OF
KING'S GROVE TOWNHOMES PLAT 1**

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

SECTION 1. ADDRESS ASSIGNMENT: the City Council approves of the following address assignment(s);

<u>Kings Grove Townhomes Plat 1</u>	<u>Original Assigned Address</u>	<u>NEW Address</u>
Lot 25	1590 S Kings Grove Ave #701	10152 Stark Dr
Lot 26	1590 S Kings Grove Ave #702	10158 Stark Dr
Lot 27	1590 S Kings Grove Ave #703	10164 Stark Dr
Lot 28	1590 S Kings Grove Ave #704	10170 Stark Dr
Lot 29	1590 S Kings Grove Ave #705	10176 Stark Dr
Lot 30	1590 S Kings Grove Ave #706	10182 Stark Dr
Lot 1	1590 S Kings Grove Ave #804	10179 Stark Dr
Lot 2	1590 S Kings Grove Ave #803	10167 Stark Dr
Lot 3	1590 S Kings Grove Ave #802	10161 Stark Dr
Lot 4	1590 S Kings Grove Ave #801	10155 Stark Dr
Lot 5	1590 S Kings Grove Ave #906	10147 Stark Dr
Lot 6	1590 S Kings Grove Ave #905	10133 Stark Dr
Lot 7	1590 S Kings Grove Ave #904	10125 Stark Dr
Lot 8	1590 S Kings Grove Ave #903	10117 Stark Dr
Lot 9	1590 S Kings Grove Ave #902	10109 Stark Dr
Lot 10	1590 S Kings Grove Ave #901	10101 Stark Dr
Lot 11	1590 S Kings Grove Ave #1006	10097 Stark Dr

Lot 12	1590 S Kings Grove Ave #1005	10085 Stark Dr
Lot 13	1590 S Kings Grove Ave #1004	10073 Stark Dr
Lot 14	1590 S Kings Grove Ave #1003	10061 Stark Dr
Lot 15	1590 S Kings Grove Ave #1002	10049 Stark Dr
Lot 16	1590 S Kings Grove Ave #1001	10037 Stark Dr
Lot 17	1590 S Kings Grove Ave #1101	10032 Stark Dr
Lot 18	1590 S Kings Grove Ave #1102	10044 Stark Dr
Lot 19	1590 S Kings Grove Ave #1103	10056 Stark Dr
Lot 20	1590 S Kings Grove Ave #1104	10068 Stark Dr
Lot 21	1590 S Kings Grove Ave #1201	1436 S Kings Grove Ave
Lot 22	1590 S Kings Grove Ave #1202	1442 S Kings Grove Ave
Lot 23	1590 S Kings Grove Ave #1203	1448 S Kings Grove Ave
Lot 24	1590 S Kings Grove Ave #1204	1454 S Kings Grove Ave

SECTION 2. REPEALER. All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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 4. 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 5. OTHER REMEDIES. In addition to the provisions set out in 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 6. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____, 2022.

NO CHANGE FROM PREVIOUS READING**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION****Meeting Date:** April 18, 2022**ITEM:** Ordinance Amendment, Amend Title 9 (Zoning) to modify regulations pertaining to Operable Storefronts and Outdoor Activity Areas - City Initiated – AO-005047-2021**ORDINANCE: Approval of Second Reading, Waive Third and Adopt Ordinance Amendment****Background:** Development Services Staff is initiating an amendment to the chapters and sections identified below in Title 9 (Zoning) to modify regulations pertaining to operable storefronts and outdoor activity areas as currently regulated within City Code.

Specifically, the following changes are proposed with this request:

- Title 9: Zoning
 - Chapter 10: *Performance Standards*, Section 4: *Specific Use Regulations* to modify the use and operations standards for operable storefronts and outdoor activity areas.

Staff Review & Comment:

- ***Ordinance Amendment Intent:*** Staff has seen an increase in outdoor facilities and alternate options for business functions since the start of COVID-19. The desire for mixed use developments or buildings which will allow commercial uses such as restaurants with patios or operable storefronts in close proximity to residential uses has also been more prevalent. These types of business uses are also anticipated in greater quantity with the updated Comprehensive Plan which addresses the desire for more mixed-use land uses (vertical and horizontal) and the compatibility of residential within non-residential areas to provide walkability and vibrant neighborhoods. Therefore, the desire for businesses to have these outdoor activity areas or operable storefronts are prompting a need to provide additional direction in code on how to regulate such functions as well as how to mitigate any impacts to adjacent residential uses.

The intent of the proposed amendment will provide direction on when and how impacts, such as noise, light, and business hours need to be mitigated for surrounding residential uses. For example, a commercial function should not be limited in use when developed intentionally within a mixed-use development or building when it was always intended for those residential uses to be developed in close proximity to commercial uses. It is staff's intent with the amendment to only provide mitigation when the surrounding residential uses are not part of a mixed-use development or building and when within 300 feet of the outdoor area or operable storefront, where impacts could affect the adjacent residential users.

- ***Key Aspects of Proposed Amendment:*** The ordinance defines operable storefront and outdoor activity areas and provides when and how the function of these uses shall be regulated depending on the type of development and the adjacency of residential uses. This will provide protection for both the businesses that offer these functions as well as the mitigation of impacts for adjacent residential neighborhoods.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: March 28, 2022
 Vote: 7-0 for approval
 Recommendation: Approval of Ordinance Amendment

City Council First Reading:

Date: April 4, 2022
 Vote: 5-0 for approval

Recommendation: Approval of First Reading of Ordinance Amendment to City Code.

Lead Staff Member: Karen Marren

Approval Meeting Dates:

Plan & Zoning Commission	March 28, 2022
City Council: First Reading	April 4, 2022
City Council: Second Reading, Waive Third & Adopt	April 18, 2022

Staff Report Reviews

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator/Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications

Published In	Des Moines Register Community Section
Date Published	March 18, 2022

Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	February 21, 2022		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-026

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, staff requests approval of an Ordinance Amendment to the following chapters and sections identified below in Title 9 (Zoning) to modify regulations pertaining to operable storefronts and outdoor activity areas as currently regulated within City Code.

- Chapter 10: Performance Standards, Section 4: *Specific Use Regulations*

WHEREAS, the Ordinance Amendment request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Ordinance Amendment (AO-005047-2021).

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Crowley, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:


Recording Secretary

Prepared by: K. Marren, City of West Des Moines, Development Services Dept., P.O. Box 65320,
West Des Moines, IA 50265-3620, 515-222-3620
When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, TITLE 9 (ZONING), CHAPTER 10 (PERFORMANCE STANDARDS), PERTAINING TO OPERABLE STOREFRONTS AND OUTDOOR ACTIVITY AREAS

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

Section 1. Amendment. Title 9: Zoning, Chapter 10: Performance Standards, Section 4: Specific Use Regulations, Subsection 18: Roll-Up and Sliding Doors and Windows Relating to Eating and Drinking Places (SIC 58) is hereby amended by deleting the section in its entirety and inserting the text in bold italics. All other items in current adopted portion of code not reflected below shall remain as is.:

18. OUTDOOR ACTIVITY AREAS AND OPERABLE STOREFRONTS:

a. Definitions:

- 1. *Outdoor Activity Areas are exterior areas of a bar, restaurant or event venue designated for food or beverage service and intended for the gathering of patrons, with or without designated seating, such as patios, decks, roof decks, or other designated areas of the site.***
- 2. *Operable storefronts are defined as a door or window that opens for purposes including, but not limited to, allowing outside air into the space, offering bar or food services, displaying TV or video, providing for music out of doors or allowing other business to be conducted through the opening. For the purposes of this regulation, operable store front does not mean vehicular access, drive-in bays, windows for drive-through service or doors used primarily for entry.***

- b. *When located in a Commercial District or a Multi-Use Building or Development: Businesses in a commercial district, a multi-use building or development that have outdoor activity areas or operable storefronts shall comply with the following regulations:***

1. ***When residential uses are located internal to the multi-use building or development: no additional regulation on the outdoor activity area and/or operable storefront shall be required for location or for mitigation of impacts to internal residential uses.***
 2. ***When residential uses are external to the commercial district or multi-use building or development area and are more than three hundred feet (300') to the outdoor activity area or operable storefront: no additional regulation on the outdoor activity area and/or operable storefront shall be required for location or for mitigation of impacts to residential uses. Distance to residential is measured from the closest point of the outdoor service area's boundary or facade opening for an operable storefront to the nearest point on a residential structure when measured in a straight line, regardless of intervening structures.***
 3. ***When residential uses external to the commercial district or multi-use building or development area are located within three hundred feet (300') of the outdoor activity area and/or operable storefront the business shall comply with the following regulations:***
 - A. ***Location: The outdoor activity area and/or operable storefront shall be out of the line of sight of the residential property and oriented to direct light and sound away from the residential property. Distance to residential is measured from the closest point of the outdoor activity area's boundary or facade opening for an operable storefront to the nearest point on a residential structure when measured in a straight line, regardless of intervening structures.***

An exception to allow screening elements such as landscaping, walls, or sound mitigating panels may be used to provide the needed mitigation for line of site, orientation or construction requirements for outdoor activity areas or operable storefronts with the approval of the Director of Development Services.
 - B. ***Hours of Operation: The outdoor activity area and operable storefront may be used no earlier than seven o'clock (7:00) A.M. to no later than ten thirty (10:30) P.M., Sunday through Thursday, and no earlier than seven o'clock (7:00) A.M. to no later than twelve o'clock (12:00) midnight on Friday and Saturdays.***
 - C. ***Establishment of use: If an outdoor activity area or operable storefront is established prior to adjacent residential use(s) such regulations of this section would not be applicable to the outdoor activity area or operable storefront.***
- c. ***Compliance with operational requirements noted above do not preclude the business from complying with other regulations contained in City code, specifically Title 3 (Business and Licensing), Chapter 2 (Beer And Liquor Control), Title 4 (Health and Safety Regulations), Chapter 4 (Nuisances) and Chapter 7 (Noise Control).***

Modification to the operational aspects of the business or physical improvements to the building containing the business may be required should it be determined that the business is in violation of these regulations.

Section 2. Amendment. Title 9: Zoning, Chapter 10: Performance Standards, Section 4: Specific Use Regulations, Subsection 28: Outdoor Service Area and Operable Storefronts is hereby amended by deleting the section in its entirety and renumbering the remaining section accordingly. All other items in current adopted table but not reflected below shall remain as is.

Section 3. Repealer. All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Savings Clause. If any section, provision, sentence, clause, phrase or part of this 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 5. 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 6. Other Remedies. In addition to the provisions set out in 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 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council on April 18, 2022.

Russ Trimble, Mayor

Attest:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and published in the Des Moines Register on _____, 2022.

NO CHANGES FROM PREVIOUS READING

CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATIONMeeting Date: April 18, 2022

ITEM: Ordinance Amendment, Amend Title 9 (Zoning) to modify regulations pertaining to requirements for garages in Single-Family and Medium-Density zoning districts - City Initiated – AO-005528-2022

ORDINANCE: Approval of Second Reading of Ordinance Amendment

Background: Development Services Staff is initiating an amendment to the chapters and sections identified below in Title 9 (Zoning) to clarify and modify regulations pertaining to the provision of garages or storage facilities for single-family detached dwellings as currently regulated within City Code.

Specifically, the following changes are proposed with this request:

- Title 9: Zoning
 - Chapter 10: *Performance Standards*, Section 4: *Specific Use Regulations*, Subsection “B” and “C” to clarify and modify requirements related to the provision of a garage for detached dwellings

Staff Review & Comment:

- Ordinance Amendment Intent: With exceptions for dwellings occupied by an individual or households with an annual gross income at or below eighty percent (80%) Area Median Income (AMI), current City Code indicates that a twenty-foot by fourteen-foot (20'x14') enclosed parking space (garage) is required “for any detached single-family residential dwelling”. This requirement is not tied to single-family residential zoning districts, but instead to the type of structure being constructed. This amendment intends to clarify application of the requirement and provide options for meeting the intent of the garage requirement to reduce visual clutter by providing storage options when part of development within medium-density zoned property.
- Mixed Attached and Detached Housing Concept: The City has recently received proposals for multi-family residential communities intended as for-rent, utilizing detached or bi-attached units on one common property with no land associated with the units. It has been indicated that this type of development has been popular on the east coast and in southern states. The proposed development building types and ownership arrangement are not currently recognized in the building types or uses described in City code. The code amendment to allow this type of mixed attached and detached development is also being presented for consideration at these Plan and Zoning and City Council meetings (see Residential Building Form and Residential Uses Ordinance Amendment staff report).
- Key Aspects of Proposed Amendment:
 - Garage Requirement: It is staff’s belief that the garage requirement is not directed so much as ensuring people’s vehicles are kept inside, but rather at addressing the visual clutter of toys, lawn, garden and snow removal equipment, bikes, etc. that may be kept outside. The garage requirement stated in city code specifically

states a twenty-foot by fourteen-foot (20'x14') garage to accommodate one vehicle and additional storage.

Per the City's current City Code, each of the detached dwellings within the new attached and detached development concept would be required to provide a twenty-foot by fourteen-foot (20'x14') garage. It has been indicated by the potential developer that requiring such would render the development unfeasible.

The proposed amendment provides the following alternatives that a developer can choose from aimed at addressing the potential issue of visual clutter:

- Provide a garage, either attached or detached.
 - Provide a minimum ten-foot by ten-foot (10'x10') detached storage shed within walking distance to the dwelling structure.
 - Provide a minimum one-hundred (100) square foot indoor area dedicated to storage accessible from the exterior and includes a minimum four foot (4') wide access door.
 - Provide opaque screening through the use of a fence, wall or earthen berming of all resident outdoor use areas (private patios or 'yards') which are visible from a roadway or property outside of the development.
- Development & Planning Subcommittee: The need for this amendment was noted as part of the subcommittee's discussion of mixed attached and detached residential developments at the February 7, 2022, meeting. The Subcommittee was asked if there is support to remove the garage requirement altogether; however, direction was given to keep the requirement for single-family and proceed with establishing options to address visual clutter and storage for multi-family projects such as the new development concept.
 - Garage Requirement History: In light of the construction of a couple Habitat for Humanity homes, at the end of 2018, Development Services Staff brought forward an amendment to eliminate the garage requirement for single-family detached dwellings and multi-family dwellings under a condominium regime. The Plan and Zoning Commission unanimously approved the amendment. By a 4-1 vote, the City Council approved an ordinance amendment that kept the garage requirement for single-family detached and establish waiver criteria to apply in situations in which the home is intended for individuals or households at or below 80% AMI. Council Member Trevillyan voted against as it was his preference that there should be no requirement for a garage with single-family detached dwellings and felt market would dictate the provision of the garage.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: March 28, 2022

Vote: 5-2 for approval with Commissioners Davis and Hatfield voting no

Recommendation: Approval of Ordinance Amendment as presented.

Plan and Zoning Commission Discussion:

The Commission inquired about the development proposal that was driving the code change. Staff explained the Picket Fence Communities proposal that includes detached dwelling structures and bi-attached dwelling structures, for rent on one common lot. Staff noted that the developer has indicated that while they will implement some garages but overall, they do not want to be required to provide a garage for each detached structure and to do so would render the project unfeasible. Resident and former City Council Member, Ted Ohmart provided insight into

the City's original adoption of the garage requirement noting that it was driven at least in part by the desire to have somewhere to store items typically kept outside. The Commission questioned about the impact of the change to adjoining properties in the area. Staff explained that in the Picket Fences situation, the neighboring single-family would prefer to see development the same as they are with single-family dwellings with garages. Staff indicated that while Picket Fences has preliminarily indicated that they will face the perimeter homes towards the street, they will not function as detached single-family with garages and all access to the dwellings will come from the interior of the site. Staff explained that the options provided in the ordinance are intended to ensure storage opportunities or mitigation of views from adjoining roadways and adjacent properties. The two Commissioners voting against indicated that they felt the current requirement should remain as is.

City Council First Reading:

Date: April 4, 2022

Vote: 4-1 for approval with Council Member Trevillyan voting no

City Council Discussion:

Staff explained the changes to City Code and the new development concept that is driving the need. Staff clarified that detached dwellings in Single Family zoned districts are still required to provide a garage unless they meet the at or below 80% AMI provision in which case a 10'x10' storage shed can be provided in lieu of a garage. Staff further explained that in Medium-Density zoned districts, the ordinance provides options for how the project can either provide a structure for storage of items or use fences, walls or earthen berming to mitigate views of outdoor use areas in which visual clutter would be possible.

City Council Second Reading:

Date:

Vote:

Recommendation: Approve the Ordinance Amendment to City Code.

Lead Staff Member: Lynne Twedt

Approval Meeting Dates:

Plan & Zoning Commission	March 28, 2022
City Council: First Reading	April 4, 2022
City Council: Second Reading	April 18, 2022
City Council: Third Reading	

Staff Report Reviews

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator/Director	<input type="checkbox"/> Legal Department
City Council	<input type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications

Published In	Des Moines Register Community Section
Date Published	March 18, 2022

Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	March 7, 2022		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-025

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, staff requests approval of an Ordinance Amendment to the following chapters and sections identified below in Title 9 (Zoning) to modify regulations pertaining to the provision of garages for single-family detached dwellings as currently regulated within City Code.

- Chapter 10: *Performance Standards*, Section 4: *Specific Use Regulations*

WHEREAS, the Ordinance Amendment request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Ordinance Amendment (AO-005528-2022).

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Crowley, Drake

NAYS: Davis, Hatfield

ABSTENTIONS:

ABSENT:

ATTEST:


Recording Secretary

Prepared by: L. Twedt, City of West Des Moines, Development Services Dept., P.O. Box 65320,
West Des Moines, IA 50265-3620, 515-222-3620

When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, TITLE 9, (ZONING), CHAPTER 10 (PERFORMANCE STANDARDS) PERTAINING TO REQUIREMENTS FOR GARAGES IN SINGLE-FAMILY AND MEDIUM-DENSITY ZONING DISTRICTS

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

Section 1. Amendment. Title 9: Zoning, Chapter 10: Performance Standards, Section 4: Specific Use Regulations, Subsections B and C are hereby amended by deleting the highlighted strike-through text and inserting the text in bold italics accordingly and renumbering as required. All other portions of the section not included herein shall remain as currently adopted:

B. The Following Standards Shall Apply To ~~All~~ ***Uses within all Single-Family Residential Zoning*** Districts

1. It is the city's intent to promote the aesthetic of the city and enjoyment of property by controlling visual clutter. The presence of lawn mowers, snow removal equipment, bikes, toys, etc. within a yard can result in a chaotic environment and unappealing views. To address this, each property shall provide facilities to accommodate the storage of such items.

~~1.~~ ***2.*** For the purpose of this subsection an "enclosed parking space" or reference to a "garage" shall mean a covered space fully surrounded by walls, including windows, doors and similar openings or architectural features.

~~2.~~ ***3.*** Except for tiny homes as defined in chapter 2 of this title, and unless a waiver is granted by the City, for any detached single-family residential dwelling a minimum of one ***(1)*** enclosed garage parking space shall be required for ***each dwelling***. This garage may be attached or detached but shall be ***located on the same parcel as the dwelling and be*** of a minimum twenty-foot by fourteen-foot (20' x 14') size to accommodate one vehicle and additional storage.

a. A waiver from the garage requirement may be authorized by the Director of Development Services or designee if consistent with all of the following:

(1) The dwelling structure does not exceed one thousand six hundred (1,600) square feet in size.

- (2) The home is owned and occupied by an individual or household with an annual gross income (as defined in 24 CFR part 5 - General HUD Program Requirements; Waivers) at or below eighty percent (80%) the Area Median Income (AMI), with the income limit adjusted for household size in accordance with the methodology of the HUD standard. Proof of owner/occupant income will need to be verified by the City prior to issuance of an occupancy (temporary or final) permit for the dwelling.
 - (3) A minimum ten-foot by ten-foot (10' x 10') detached shed is provided within the rear yard of the subject property, or a minimum one hundred (100) square foot indoor area dedicated to storage is constructed on ~~or within~~ the back of **or within** the home, accessed directly from the exterior and includes a minimum four foot (4') wide access door.
 - (4) A minimum fifteen-foot (15') side yard setback, as measured to the closest element of the home, excluding roof overhangs is provided on one side of the dwelling structure with the other side yard setback meeting the minimum required distance for the designated zoning district. If the property can be accessed from an existing alley, **a fifteen-foot (15') setback on one side shall not be required and** minimum side yard setbacks shall be provided as stated in this Code for the respective zoning district.
 - (5) Off-street parking stalls as required per chapter 15 of this title are provided within the subject property.
 - (6) A deed restriction is recorded against the property establishing a retention period in which the home must be occupied by an individual or household at or below eighty percent (80%) AMI. The home may not be owned or rented to an individual or household that is not at or below the eighty percent (80%) AMI. In the event the home is sold or rented to an individual or household above eighty percent (80%) AMI, the value of the waiver as specified per the agreement shall be repaid to the lender according to terms outlined in the agreement.
- b. **Those properties which contain a tiny home shall provide** a minimum ten-foot by ten-foot (10' x 10') storage shed or twenty-foot by fourteen-foot (20' x 14') garage shall be provided within the property upon which the tiny home is located for exclusive use by the occupants of the tiny home. Existence of the shed or garage shall be verified by the Development Services Director or designee prior to release of the electric meter for the tiny home.
 - c. All single-family residential properties which currently have a dwelling structure, but no garage as of May 6, 2019 shall be considered grandfathered and are not required to implement a garage or shed/structure for storage.
 - d. Any property which at the direction of the City which is required to remove an existing garage due to safety concerns, shall not be required to construct a new garage or shed/structure for storage.
- ~~3.~~ **4.** Any existing detached single-family residence which is damaged or destroyed by catastrophe or act of God to the extent equaling fifty percent (50%) or more of its total assessed value, shall be exempt from the provisions of this Code regarding the garage requirement as a part of the reconstruction of the damage to the residential structure due to the catastrophe or act of God.

4. **5.** For Single Family Zoning Districts in or adjacent to residentially developed areas, buildings should be designed to be consistent with its surrounding architectural context or historic character of the area with comparable architectural design, materials and details, including building mass and roof slope.

C. The Following Standards Shall Apply To Uses In The Medium Density Residential **Zoning** District:

1. Access: The design and orientation of these uses should be to provide principal access to arterial and collector streets.
2. Pedestrian Circulation: Pedestrian circulation systems (sidewalks, walkways and paths) shall be located and designed to provide for circulation within the project to and from the dwelling units to anticipated destinations (i.e., management office, recreation facilities, playground, etc.) and to the public sidewalks and pathways adjacent to the project. All sidewalks, walkways and paths, shall be located and designed to provide adequate physical separation from vehicles along all public and private streets and drives within any parking area.
3. **Garage or Storage Structure: It is the city's intent to promote the aesthetic of the city and enjoyment of property by controlling visual clutter. The presence of lawn mowers, snow removal equipment, bikes, toys, etc. within a yard can result in a chaotic environment and unappealing views. To address this, any detached residential dwelling or horizontally attached dwelling (no living above) located in a medium density zoning district, shall provide dedicated space for the storage of personal items that are typically kept outside, and which could be visible from adjoining public roadways and properties outside of the development. To meet the requirement for dedicated storage space, each dwelling shall provide one of the following:**
 - a. **Garage, either attached or detached, that is a minimum twenty-foot by fourteen-foot (20' x 14') size to accommodate one vehicle and additional storage.**
 - b. **A minimum ten-foot by ten-foot (10' x 10') detached storage shed within walking distance to the dwelling structure.**
 - c. **A minimum one-hundred (100) square foot indoor area dedicated to storage is constructed on the back of or within the home, accessed directly from the exterior and includes a minimum four foot (4') wide access door.**
 - d. **In lieu of a dedicated garage or storage structure, opaque screening of all resident outdoor use areas (private patios or 'yards') which are visible from a roadway or property outside of the development may be provided. Said visual screening may be achieved through implementation of one or more of the following:**
 - (1) **A six foot (6') tall solid fence or wall located along the perimeter boundary of the development. Said fence or wall shall be setback a minimum of ten feet (10') from the perimeter boundary. Landscape vegetation in numbers equal to 1/3 of a typical thirty foot (30') wide landscape buffer shall be provided on the public side of the fence or wall to soften the presence of the fence or wall.**
 - (2) **A minimum six foot (6') high earthen berm located along the perimeter boundary of development. Said berm shall be designed with undulation to provide a natural appearance and layered to ensure blockage of all views**

into the site. Vegetation shall be provided to anchor the berms to the site and achieve a natural appearance.

(3) A minimum six foot (6') tall solid fence or wall enclosing the private outdoor use area for each dwelling.

Section 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Savings Clause. If any section, provision, sentence, clause, phrase or part of this 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 4. 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 5. Other Remedies. In addition to the provisions set out in 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 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council on _____.

Russ Trimble, Mayor

Attest:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and published in the Des Moines Register on _____, 2022.

NO CHANGES FROM PREVIOUS READING

**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**

Meeting Date: April 18, 2022

ITEM: Ordinance Amendment, Amend Title 9 (Zoning) to modify regulations pertaining to Residential Building Form and Residential Uses - City Initiated – AO-005534-2022

ORDINANCE: Approval of Second Reading of Ordinance Amendment

Background: Development Services Staff is initiating an amendment to the chapters and sections identified below in Title 9 (Zoning) to modify regulations pertaining to Residential Building Form and Residential Uses as currently regulated within City Code.

Specifically, the following changes are proposed with this request:

- Title 9: Zoning
 - Chapter 5: *Agricultural/Open Space and Residential Zoning*, Section 7: *Building Form Regulations and Zoning District Compatibility for Residential Districts* to modify building type descriptions.
 - Chapter 5: *Agricultural/Open Space and Residential Zoning*, Section 8: *Open Space/Agricultural and Residential Use Regulations* to modify permitted uses in residential districts.

Staff Review & Comment:

- *Ordinance Amendment Intent:* Building Types (detached vs. attached and method of attachment) are currently described in the zoning ordinance in the Building Form Regulations to assist in determining bulk regulations and to describe the variations in form and scale (and therefore, character) of residential development. The City has recently received several proposals for master planned multi-family residential communities intended as for-rent, utilizing detached or bi-attached units on one common property with no land associated with the units. The proposed development building types and ownership arrangement are not currently recognized in the building types or uses described in City code.

Staff is supportive of the concept and incorporation of different building types within code for the following reasons:

- Provides flexibility to accommodate market demand and to respond to unique site characteristics
- A variety of building types can support provisions for attainable housing
- These building types are envisioned with the updated Comprehensive Plan via “Mixed Residential” land use category and aligns with goals within the upcoming Comprehensive Plan update

- Key Aspects of Proposed Amendment: The amendment modifies the building type descriptions within the building form regulations to add detached and horizontally attached units with no property associated with units. The entire section is being replaced to allow images included in the section to be upgraded with improved graphics and add information that coordinates with regulations from a 2017 amendment in bulk regulations.

The amendment also updates the Residential Use Table (5.1) in the Open Space/Agricultural and Residential Use Regulations to coordinate the uses in the table with what is included in building type changes note above. In addition to the building type changes, staff is recommending that the short-term rental uses in the table be updated to eliminate the owner-occupied requirement due to recent changes in State code.

- Development & Planning Subcommittee: The need for this amendment was noted as part of the subcommittee's discussion of mixed attached and detached residential developments at the February 7, 2022, meeting. The subcommittee was supportive of the development concept and the necessary code amendments to enable these types of developments within the city.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: March 28, 2022

Vote: 6-1 for approval with Commissioner Hatfield voting no

Recommendation: Approval of Ordinance Amendment as presented.

Plan and Zoning Commission Discussion:

Commissioner Hatfield asked the following questions of staff: What other Cities have this type of ordinance or what is it modeled after, what is the average footprint lot size, or does it vary, and if there was a large parcel that was zoned agricultural, would the ordinance allow the parcel to be developed into residential or would it require a rezoning? Staff explained that this proposal is not a new ordinance for the city, it is modifying an existing section that has been in City Code for several years (since 2012). Incorporating changes to the existing language to include the new building type (dwelling units with no real property associated with the building) required multiple small changes in the text and updates to the images, but most of the section content already exists in City Code. Staff also noted that footprint lots will vary with the size of the building located on the lot. They are smaller than standard lots, intended to define a small area of property around the building, similar to postage stamp lots. As far as zoning, this ordinance amendment has no effect on zoning or allowed density. Any property will need to comply with the regulations of its respective zoning district, no matter the building type pursued.

Resident and former City Council Member, Ted Ohmart expressed concerns with the amendment, specifically related to the Nazarene Church Camp property, which is zoned Open Space and allows one (1) dwelling unit per ten (10) acres. His understanding of the ordinance is that it would allow that property to develop into denser single or multi family residential without a change in zoning. Mr. Ohmart stated he was fine with opportunities for affordable housing, but the city should leave Open Space as Open Space and find other areas for affordable housing. He also stated that he does not want this ordinance jeopardizing the Jordan House or the church camp property, requesting no change to Open Space zoning.

After the public hearing was closed, Commissioner Hatfield motioned for denial based on the comments received by Mr. Ohmart. The motion failed for lack of a second.

Staff offered to respond to the concerns expressed by Mr. Ohmart, to assist with the Commission’s deliberations. Staff reiterated that this ordinance amendment has no effect on current zoning designations or allowed density. Open Space would stay Open Space and Single Family Residential would stay Single Family Residential. The building type being added with this change (dwelling units with no real property associated with the building) will not be allowed in Open Space or any Single-Family zoning district.

After Staff’s clarification a motion was put forward by the Commission for approval of the ordinance amendment, which passed 6-1 in favor.

City Council First Reading:

Date: April 4, 2022
 Vote: 4-1 for approval with Council Member Trevillyan voting no

City Council Second Reading:

Date: April 18, 2022
 Vote:

Recommendation: Approve the Ordinance Amendment to City Code.

Lead Staff Member: Linda Schemmel

Approval Meeting Dates:

Plan & Zoning Commission	March 28, 2022
City Council: First Reading	April 4, 2022
City Council: Second Reading	April 18, 2022
City Council: Third Reading	

Staff Report Reviews

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator/Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications

Published In	Des Moines Register Community Section
Date Published	March 18, 2022

Subcommittee Review (if applicable)

Committee	Development & Planning		
Date Reviewed	February 7, 2022		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-022-027**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, staff requests approval of an Ordinance Amendment to the following chapters and sections identified below in Title 9 (Zoning) to modify regulations pertaining to Residential Building Form and Residential Uses as currently regulated within City Code.

- Chapter 5: *Agricultural/Open Space and Residential Zoning District*, Section 7: *Building Form Regulations and Zoning District Compatibility for Residential Districts*
- Chapter 5: *Agricultural/Open Space and Residential Zoning District*, Section 8: *Open Space/Agricultural and Residential Use Regulations*

WHEREAS, the Ordinance Amendment request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Ordinance Amendment (AO-005534-2022).

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Crowley, Davis, Drake

NAYS: Hatfield

ABSTENTIONS:

ABSENT:

ATTEST:


Recording Secretary

Prepared by: L. Schemmel, City of West Des Moines, Development Services Dept., P.O. Box 65320,
West Des Moines, IA 50265-3620, 515-222-3620

When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO.

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, TITLE 9, (ZONING), CHAPTER 5 (AGRICULTURAL/OPEN SPACE AND RESIDENTIAL ZONING DISTRICT), PERTAINING TO RESIDENTIAL BUILDING FORM AND RESIDENTIAL USES

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

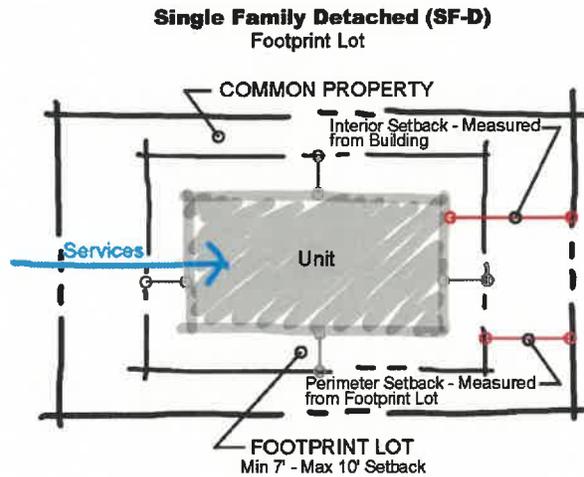
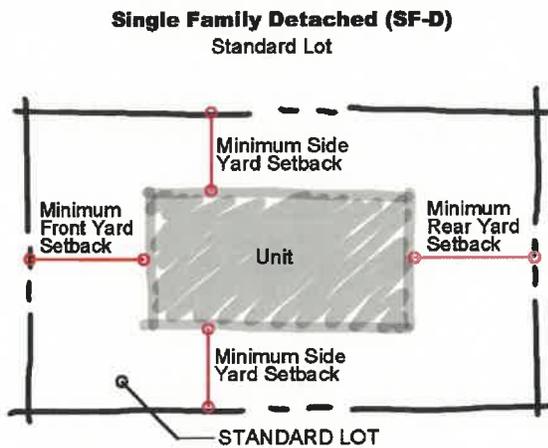
Section 1. Amendment. Title 9: Zoning, Chapter 5: Agricultural/Open Space and Residential Zoning District, Section 7: Building Form Regulations and Zoning District Compatibility for Residential Districts, Subsection B: Building Type and Subsection C: Zoning District Compatibility and Transitioning, is hereby amended by deleting the subsections in their entirety and inserting the text and images below:

B. Building Type:

1. Single Family Detached (SF-D):

Unit arrangements: no attachment.

- a. Standard lots: One dwelling unit per lot. Lot shall meet the minimum bulk regulations for the respective single family zoning district.
 - Typical property regime: Ownership of unit structure and real property. May have common property providing storm water management or buffering requirements. Maintenance and management of common property provided by an association.
- b. Footprint lots: One dwelling unit per footprint lot, multiple footprint lots are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.
 - Typical property regime: Ownership of unit structure and real property. Will have common property providing services to units (i.e., utilities, access, storm water management or buffering requirements). Maintenance and management of common areas provided by an association.
 - Will require review and approval of a site plan.



Zoning:	Ag/OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Single Family Detached (SF-D)	P	P	P	P	P	P			

2. **Multi Family Detached (MF-D):**

Unit arrangements: no attachment.

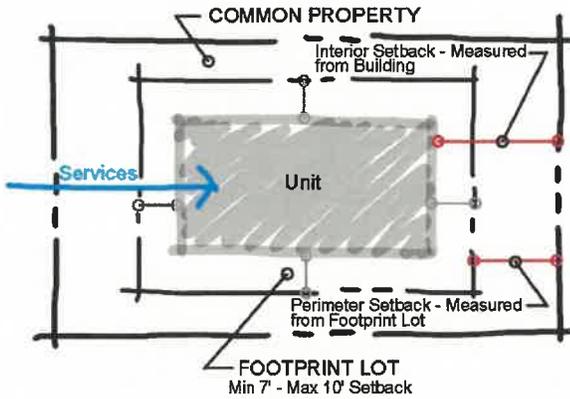
a. **Footprint lots:** One dwelling unit per footprint lot, multiple footprint lots are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.

- Typical property regime: Ownership of unit structure and real property. Will have common property providing services to units (i.e., utilities, access), storm water management or buffering requirements. Maintenance and management of common areas provided by an association.

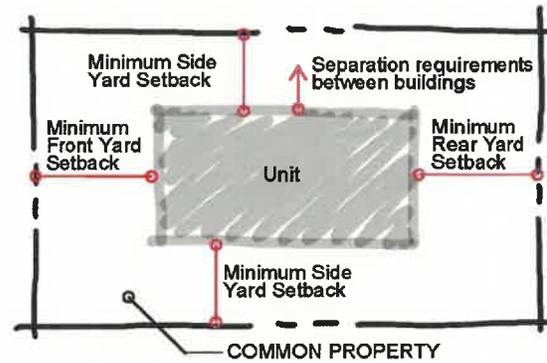
b. **No real property associated with unit:** Multiple dwellings are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.

- Typical property regimes: Separate ownership of just the unit envelopes and common property, or one owner of all buildings and common property, will have common property providing services to units (i.e., utilities, access), storm water management or buffering requirements. Maintenance and management of common areas and possibly the dwelling units provided by an association or property manager.

Multi Family Detached (MF-D)
Footprint Lot



Multi Family Detached (MF-D)
Standard Lot



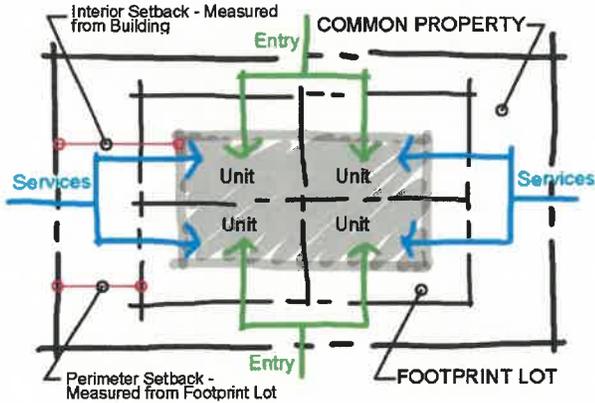
Zoning:	Ag/OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Multi Family Detached (MF-D)							P	P	

3. Multi Family Attached Horizontal (MF-AH):

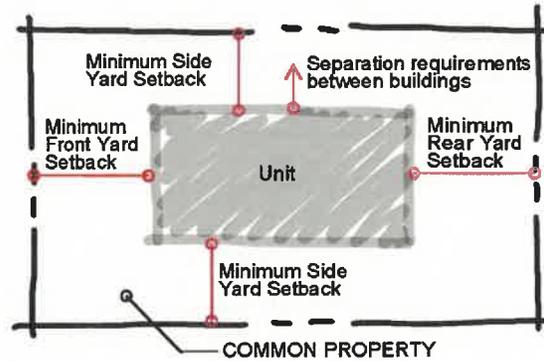
Unit arrangements: units are attached only horizontal, no stacked units. Units may be attached along side walls or attached along the side and rear wall.

- a. Footprint lots: One dwelling unit per footprint lot, multiple dwellings are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.
 - Typical property regime: Ownership of unit structure and real property. Will have common property providing services to units (i.e., utilities, access), storm water management or buffering requirements. Maintenance and management of common areas provided by an association.
- b. No real property associated with unit: Multiple dwellings are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.
 - Typical property regimes: Separate ownership of just the unit envelopes and common property or one owner of all buildings and common property. Will have common property providing services to units (i.e., utilities, access), storm water management or buffering requirements. Maintenance and management of common areas and possibly the dwelling units provided by an association or property manager.

Multi Family Attached Horizontal (MF-AH)
Footprint Lots



Multi Family Detached (MF-D)
No Real Property Associated with Unit



Zoning:	Ag/OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Multi Family Attached Horizontal (MF-AH)								P	P

4. **Multi Family Attached Vertical (MF-AV):**

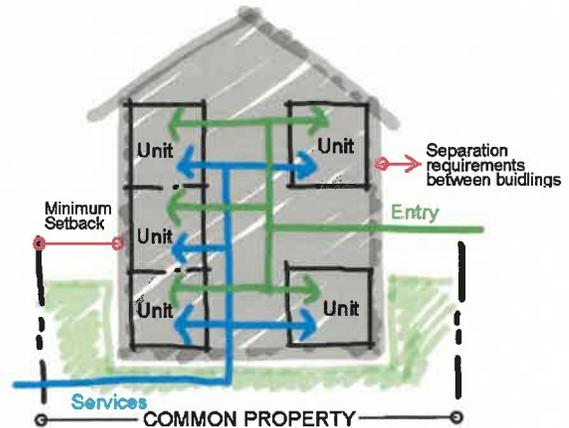
Unit arrangements: units are attached vertically and may be attached horizontally.

a. **No real property associated with unit:**

Multiple dwellings are allowed within the common property. Density of units within the common property must meet allowed density of the respective zoning district.

- Typical property regimes: Separate ownership of just the unit envelopes and common property or one owner of all buildings and common property. Will have common property providing services to units (i.e., utilities, access) storm water management or buffering requirements. Maintenance and management of common areas and possibly the dwelling units provided by an association or property manager.

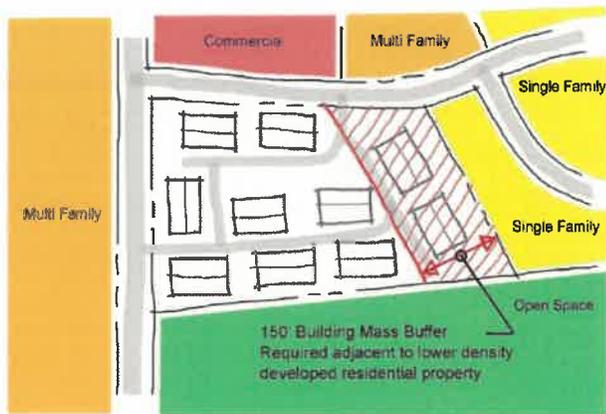
Multi Family Attached Vertical (MF-AV)
No Real Property Associated with Unit



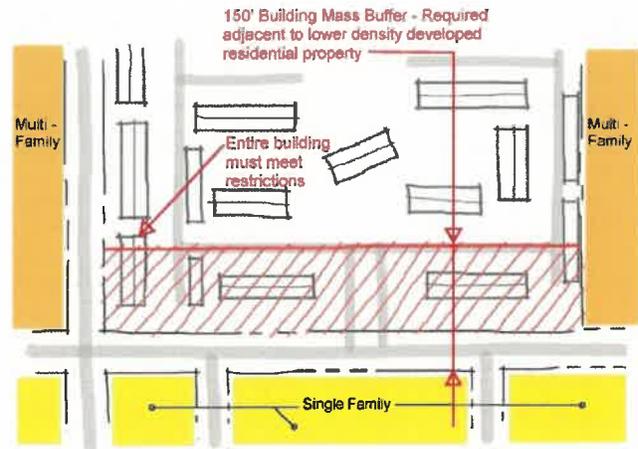
Zoning:	Ag/OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Multi Family Attached Vertical (MF-AV)								P	P

C. Zoning District Compatibility and Transitioning

1. Transition of Densities: To assure an appropriate transition in lot sizes or densities with other existing residential development in the area, any residential development proposed for review and approval after the effective date hereof shall meet the following requirements:
 - a. The density of multi-family developments should not differ more than fifty percent (50%) from the average density of the developed properties within two hundred feet (200') of the subject property.
 - b. Developed properties are defined as those properties that are zoned residential and platted as a detached unit residential subdivision prior to the subject property obtaining Final Plat or Site Plan Permit approval.
 - c. Proposed development that will not meet the density transition guidelines as noted above, shall mitigate the impact of the development by transitioning the building form within the development as noted below:
2. Transition of Building Form: To assure compatibility of residential developments that do not meet the density transition noted above, the number of units per building, length of the building and the number of stories per building will be restricted according to the following:
 - a. Applicability – Building Mass Buffer will apply as follows:
 - (1) Will apply to Medium or High Density Residentially zoned properties with plat or site plan permits approved after October 19, 2012.
 - (2) Will not apply to any property with a PUD in existence prior to October 19, 2012.
 - (3) Will not apply along an adjacent property when a developing property modifies their zoning classification prior to development of the adjacent property that then triggers the need for the building mass buffer.
 - b. Multi Family Zoning Districts – Building Mass Buffer: 150 feet from any adjacent developed property where the proposed development cannot meet the density transition as provided in Sub Section C1a of this section.
 - (1) Buffer is measured from the lower density property line and includes the ROW if a street separates the subject properties.
 - (2) Buffer will overlay any required setbacks, landscape buffer park or easements on the property.
 - c) Restrictions – Within the Building Mass Buffer, the following shall apply:
 - (1) No more than six (6) attached units per building.
 - (2) No more than two (2) stories in height.
 - (3) Maximum building length (measured from foundation of parallel walls of greatest distance apart):
 - (A) Residential Buildings – Maximum length of 160 feet.
 - (B) Garage Buildings – Maximum length of 100 feet.
 - (4) For every eight (8) garage bays, there must be a total garage building separation of no less than 20 feet.
 - (5) The above restrictions apply to the entirety of any building located fully or partially within the Building Mass Buffer.



Building Mass Buffer - Adjacent Parcels



Building Mass Buffer - Parcels Separated by ROW

3. **Transition to Existing Context:** To assure compatibility of new construction within already developed single family residential developments, the size of the proposed buildings will be restricted according to the following:
 - a. **Applicability:** Context transition buffer requirements will apply as follows:
 - (1) Will apply to Single Family Residentially zoned properties with proposed development that is required to obtain site plan permits.
 - (2) Will not apply to any property with a PUD in existence prior to May 10, 2019.
 - (3) Will not apply for the length of the contiguous property line that is adjacent to undeveloped property or property developed in non-single family uses.
 - (4) The City Council reserves the right to waive or modify to a lesser restriction any provision or requirement of the context transition buffer, provided said waiver or modification does not adversely affect the intent of these regulations to adequately safeguard the general public and surrounding property.
 - b. **Single Family Zoning Districts; Context Transition:** One hundred fifty feet (150') from any adjacent single family developed property.
 - (1) Buffer is measured from the adjacent property line and includes the ROW if a street separates the subject properties.
 - (2) Buffer will overlay any required setbacks, landscape buffer park or easements on the property.
 - (3) Should the property be subject to buffer areas that overlap, the minimum and maximum size requirements generated by those separate buffers can be averaged to determine the restrictions for the areas of the property containing the overlapping buffers.
 - (4) In the situation where a property modifies their zoning classification to Single Family zoning, any adjacent Single Family zoned property would not be required to comply with the buffer regulations just because of the change in zoning designation of the adjacent property.
 - c. **Restrictions:** Within the context transition buffer, the following shall apply:
 - (1) Total above grade floor area of each dwelling (including vehicle storage) within the buffer shall be no smaller than seventy five percent (75%) of the average above grade floor area (including vehicle storage) of the dwelling(s) contained in the directly adjacent property.
 - (2) Total above grade floor area of each dwelling (including vehicle storage) within the buffer shall be no larger than one hundred fifty percent (150%) of the average above grade floor area (including vehicle storage) of the dwelling(s) contained in the directly adjacent property.

- (3) The above restrictions apply to the entirety of any building located fully or partially within the context transition buffer.

Section 2. Amendment. Title 9: Zoning, Chapter 5: Agricultural/Open Space and Residential Zoning, Section 8: Open Space/Agricultural and Residential Use Regulations, Subsection C: Use Matrices, Table 5.1, is hereby amended by deleting the highlighted strike-through text and inserting the text in bold italics. All other items in current adopted table but not reflected below shall remain as is:

C. Use Matrices:

TABLE 5.1 RESIDENTIAL USES									
Land Uses	OS	RE	RS	R-1	SF-CR	SF-VJ	MH	RM	RH
Single family dwelling:									
Attached								P	P
Detached	P	P	P	P	P	P	P		
Multi-family dwelling								P	P
<i>Multi-family dwelling:</i>									
<i>Detached</i>							<i>P</i>	<i>P</i>	
<i>Attached</i>								<i>P</i>	<i>P</i>
Second dwelling unit	P	P	P _c	P _c					
Mobile homes	P	P	P	P	P	P	P		
6515 Mobile home developments	P						P		
Short term rental:	<i>P</i>								
Owner occupied	P								
Not owner occupied									
Long term rental	P	P	P	P	P	P	P	P	P
805 Nursing and personal care	P	P _c	P	P	P				
8351 Child and day care services:									
Childcare home - 5 children or less ¹	P	P	P	P	P	P	P		
Child development home maximum 6 full time children (State license category A or B) ¹	P	P	P	P	P	P	P		

7+ full time children (child development home - State license category C)									
7+ full time children (childcare center)							Pc	Pc	Pc
<p>Note:</p> <p>1. In-home daycare uses require a home occupation permit issued by the City in addition to any State requirements.</p>									

Section 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Savings Clause. If any section, provision, sentence, clause, phrase or part of this 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 5. 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 6. Other Remedies. In addition to the provisions set out in 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 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

PASSED AND APPROVED by the City Council on April 18, 2022.

Russ Trimble, Mayor

Attest:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and published in the Des Moines Register on _____, 2022.

NO CHANGE FROM PREVIOUS READING**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION****Meeting Date:** April 18, 2022**ITEM:** Jordan Creek Tower – Vacate 40' Highway Easement located across 575 S. 60th Street (southern portion of Waterford Drive) – Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005 – VAC-005405-2021**ORDINANCE: Approval of Second Reading, Waive Third Reading and Adopt**

Background: Ed Arp with Civil Engineering Consultants, on behalf of the property owner, Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005, requests approval of the vacation of a 40' highway easement (southern portion of Waterford Drive) established across the north edge of 575 S. 60th Street (Book 508, Page 432). The easement area that is the subject of this request does contain private utility infrastructure. The applicant is proposing to provide a 40' public utility easement in the place of the highway easement for use by private utility companies. The applicant proposes the development of a 5-story mixed use building on the property. No structures will be built on the easement itself, but parking, drive aisles and landscaping will be located within the easement.

Staff Review & Comment:

- **History:** The easement in question was once the southern 40' of an 80' highway easement. The north 40' of the easement was located on 525 S. 60th Street and was vacated by the City Council on May 31, 2016 as part of the Morningstar development. The owner of the property at 575 S. 60th Street at the time elected not to vacate his portion of the easement.
- **Disposition of the Property:** This action is for the vacation of the highway easement only, therefore no disposition is needed as the property will revert back to the underlying fee owner.
- **Public Utilities:** Utility locates were conducted in this area to determine if any public or private utilities are located within the 40' roadway easement area. Based on the information provided with the locate, a fiber optic line, electric line and cable line go through this area and will remain. The applicant will provide a public utility easement over the 40' area for use by those private utilities. The easement will be presented for acceptance by the City Council at this meeting.
- **Access:** In addition to the 40' highway easement, there is an existing ingress/egress easement (Book 1016, Page 24715) that allows access to S. 60th Street for the subject property and for the Morningstar property to the north.

Outstanding Issues: There are no outstanding issues.**City Council First Reading:**

Date: April 4, 2022
 Vote: 5-0 for approval

Recommendation: Approve the vacation of 40' highway easement (southern portion of Waterford Drive).

Lead Staff Member: Brian Portz

Approval Meeting Dates:

Plan and Zoning Commission	March 28, 2022
City Council – 1 st Reading	April 4, 2022
City Council – 2 nd Reading, Waive 3 rd Reading and Adopt	April 18, 2022

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register
Date(s) Published	March 23, 2022
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	December 6, 2021
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Illustration



**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-029**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Dennis R. Albaugh Revocable Trust U/A/D 10/05/2005, requests approval of the vacation of Public Highway easement for that portion of Waterford Drive situated on the north 40' of the property at 575 S. 60th Street.

WHEREAS, the request complies with the applicable provisions of the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Vacation of Public Highway Easement (VAC-005405-2022).

PASSED AND ADOPTED on March 28, 2022.



Erica Andersen, Chair
Plan and Zoning Commission

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 March 28, 2022, by the following vote:

AYES: Andersen, Conlin, Costa, Crowley, Davis, Drake, Hatfield

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:


Recording Secretary

Prepared by: B. Portz, City of West Des Moines, Development Services Dept., P.O. Box 65320,
West Des Moines, IA 50265-3620, 515-222-3620

When Recorded Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines, IA 50265-0320

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF WEST DES MOINES, IOWA VACATING
A 40' ROADWAY EASEMENT LOCATED ACROSS 575 S. 60TH STREET
(SOUTHERN PORTION OF WATERFORD DRIVE)**

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

SECTION 1. Pursuant to Title 7, Chapter 1, Section 10 of the West Des Moines City Code, "VACATION AND DISPOSAL", that portion of 40' Roadway Easement (southern portion of Waterford Drive) legally described below is hereby vacated:

THE NORTH 40.00 FEET OF THE WEST 273.00 FEET OF THE EAST 333.00 FEET OF THE SE ¼ OF SECTION 13, TOWNSHIP 78 NORTH, RANGE 26 WEST OF THE 5TH P.M., CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA.

SECTION 2. Termination of the Easement by the City of West Des Moines for use as public right of way shall cause the property to revert to the underlying fee title owner.

SECTION 3. SAVINGS CLAUSE. If any section, provision, sentence, clause, phrase or part of this 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 adjudicated invalid, or unconstitutional.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

SECTION 5. ADDRESS REMOVAL. The above legally described portion of Waterford Drive shall be removed from the Waterford Drive addressing system in Dallas County, Iowa.

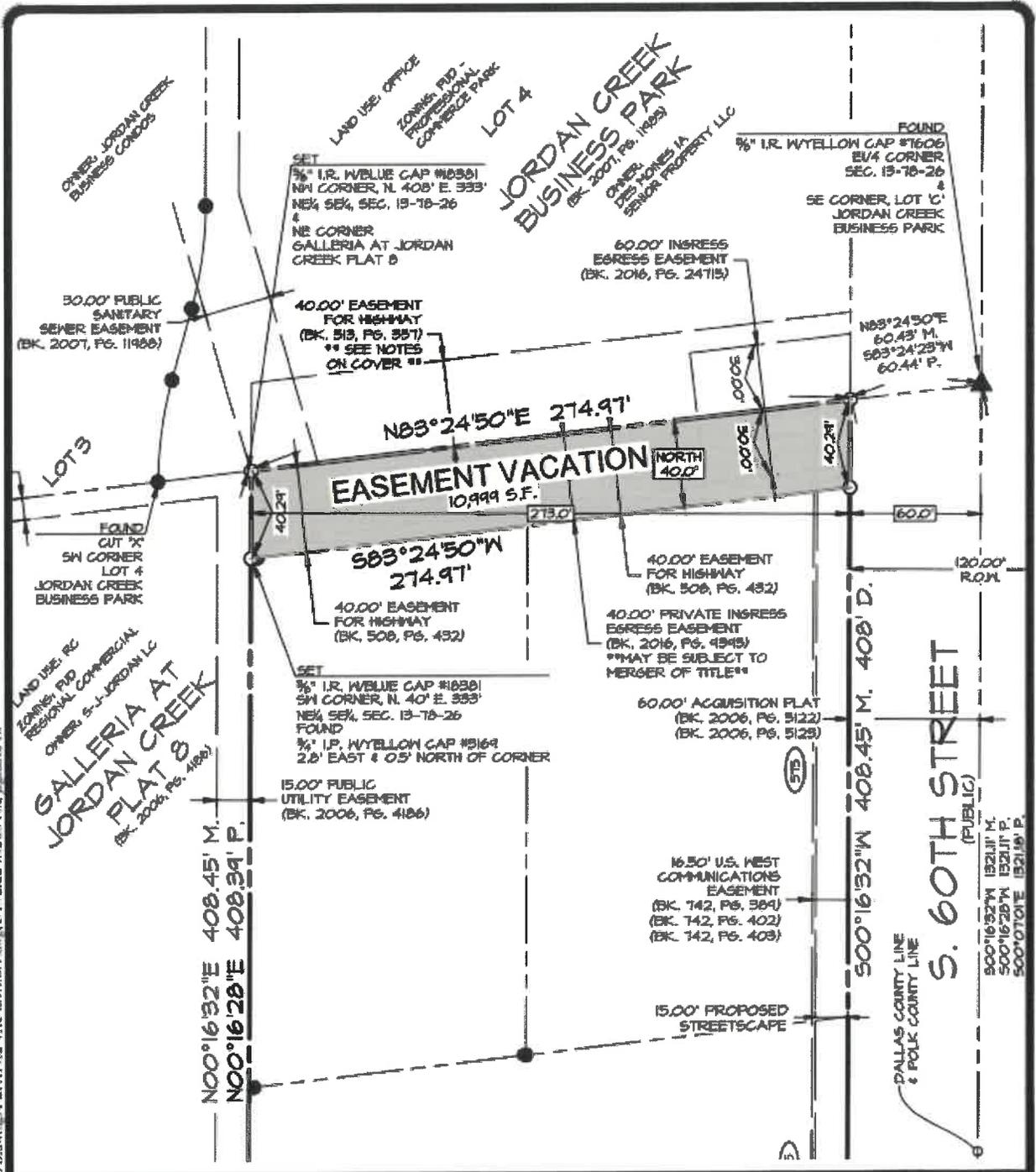
PASSED AND APPROVED by the City Council on April 18, 2022.

Russ Trimble, Mayor

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing was published as Ordinance No. _____ on the 18th day of April, 2022.

Exhibit A: Illustration of Easement To Be Vacated



 <p>Civil Engineering Consultants, Inc.</p> <p>2400 66th Street, Unit 12 • Des Moines, Iowa 50322 515.276.4884 • Fax: 515.276.7084 • mail@ceciac.com</p>	<p>SCALE: 1"=60'</p> 	<p>NORTH</p> 	<p>SHEET</p> <p>2</p>
	<p>DATE: March 17, 2022</p> <p>DESIGNED BY: JAG</p> <p>DRAWN BY: JAG</p>	<p>OF 3</p> <p>A-1932</p>	

**CITY OF WEST DES MOINES
MEMORANDUM**

TO: Mayor and members of the City Council

FROM: Kara Tragesser, AICP, Development Services

DATE: April 18, 2022

RE: Item 6a. – Glen Oaks Rowhomes Comprehensive Plan Land Use Amendment and Rezoning – Paramount – Destination Homes, LLC

At the April 11, 2022, meeting the Plan & Zoning Commission approved a request by Paramount - Destination Homes, to defer the Plan & Zoning Commission's public hearing on the rezoning request for Glen Oaks Rowhomes. The applicant requested the deferral to receive more time to continue discussions with the Glen Oaks Owner's Association about the project.

Staff requests that the City Council public hearing on the Glen Oaks Rowhomes Comprehensive Plan Land Use Amendment and the Rezoning be deferred to the City Council's May 2, 2022, meeting.

- c. Tom Hadden, City Manager
Richard Scieszinski, City Attorney
Lynne Twedt, Development Services Director
Linda Schemmel, Development Coordinator

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: April 18, 2022

ITEM: Galleria, 6255 Mills Civic Parkway - Amend the Galleria Specific Plan Ordinance to allow a bank on Parcel A-4 of the Specific Plan – I.H.W.O.P., LLC and WCKLC-RED ROBIN, L.C. – ZC-005309-2021

ORDINANCE: Approval of First Reading

Background: Alan VanGundy with Simonson & Associates, on behalf of the applicant and property owners, I.H.W.O.P., LLC, an Iowa limited liability company, and WCKLC-RED ROBIN, L.C., an Iowa limited company, requests approval of a rezoning request to amend the Galleria Specific Plan (ZCSP), governing development of that ground located at 6255 Mills Civic Parkway to allow a bank to be constructed on the western portion of the Red Robin restaurant parking lot.

Staff Review & Comment:

- **Financial Impact:** In 2022, the City will be constructing a right turn lane into this development. This is at an existing driveway that will also provide access to the proposed building site. The turn lane is needed in part, but not entirely, due to the proposed bank development.
- **Change to the Originally Intended Development:** The traffic allocation table within the Galleria Specific Plan Ordinance indicates a P.M. Peak traffic allocation of 81 trips for the Red Robin parcel (Parcel A-4 on the Galleria Specific Plan map). Adding a bank to this parcel will increase the allocation to 131 trips and a total allocation for the entire Galleria development increasing from 4,957 to 5,007 trips.
- **History:** The Galleria Specific Plan Ordinance was adopted in 2004 with amendments in 2011, 2016 and 2021.
- **Traffic Analysis Findings:** A traffic study for this development was completed in March 2022. Key findings are summarized below:
 - The proposed development is expected to generate more traffic than what was analyzed in previous traffic studies for the area. A new right-turn lane is planned at the site's access driveway on Mills Civic Parkway to accommodate traffic from this development, removing this turning traffic from the through lane on Mills Civic Parkway. A future right-turn lane is also expected to be warranted at Stagecoach Drive & Mills Civic Pkwy at some point in the future.
 - Comments regarding emergency vehicle maneuverability, driveway configurations, and pavement markings have been given to the applicant and incorporated into the plan.
- **Development & Planning Subcommittee:** The request for a bank on the Red Robin site was considered by the Development & Planning City Council Subcommittee on January 18, 2022. At the meeting, parking for Red Robin and the bank was discussed along with traffic impacts. At the end of the discussion, the subcommittee members voiced their support of the project.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: April 11, 2022
 Vote: 6-0, for approval with Commissioner Costa abstaining
 Recommendation: Approval of Specific Plan Ordinance Amendment

City Council First Reading:

Date:
 Vote:

Recommendation: Approve the Rezoning request to amend the Galleria Specific Plan (ZCSP), subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant acknowledging and agreeing that they are financially responsible for the right turn lane at the site's access drive on Mills Civic Parkway which benefits the development.

Lead Staff Member: Brian Portz

Approval Meeting Dates:

Plan and Zoning Commission	April 11, 2022
City Council: First Reading	April 18, 2022
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	4/4/22
Date(s) of Mailed Notices	4/1/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	1/18/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



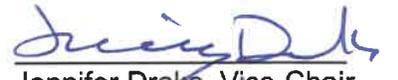
**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-034**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owners, I.H.W.O.P., LLC, an Iowa limited liability company and WCKLC-RED ROBIN, L.C., an Iowa limited company, request approval of a Rezoning request to amend the Galleria Specific Plan (ZCSP) Ordinance to allow a bank on Parcel A-4 of the Specific Plan as legally defined in the Specific Plan Ordinance and indicated on the Location Map, both of which are included in the staff report; and

WHEREAS, the rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning Request to amend the Galleria Specific Plan (ZCSP) Ordinance (ZC-005309-2021), subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 11, 2022.


Jennifer Drake, Vice-Chair
Plan and Zoning Commission

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 April 11, 2022, by the following vote:

AYES: Conlin, Crowley, Davis, Drake, Hatfield, Shaw

NAYS:

ABSTENTIONS: Costa

ABSENT:

ATTEST:

Recording Secretary

Prepared by: Brian Portz, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE

AN ORDINANCE AMENDING THE CITY CODE OF THE CITY OF WEST DES MOINES, IOWA, 2019, AND ORDINANCES #1567, #1920, #1925, #2167 AND #2482 PERTAINING TO PLANNED UNIT DEVELOPMENT (PUD), DISTRICT REGULATIONS AND GUIDELINES.

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

SECTION 1. AMENDMENT: Ordinance #1567, #1920, #1925, #2167 AND #2482, pertaining to the Galleria Specific Plan (ZCSP), Section 068-14, *Vehicle Trip Allocations*, is hereby amended by deleting the highlighted strike-through text and adding the text in bold italics:

A traffic analysis was completed in November 2008, ***and updated in April 2022***, which evaluated existing land uses on developed parcels within the Galleria Development and which evaluated the developer designated anticipated future land uses for undeveloped parcels within the Galleria Development. The analysis indicates that the Galleria Development as a whole is anticipated to generate ~~four thousand nine hundred fifty seven (4,957)~~ ***five thousand seven (5,007)*** P.M. peak hour trips. Based upon the traffic analysis, the traffic allocation table specifies the allowable traffic generation for each developed and undeveloped parcel in the Galleria Development.

Development and redevelopment of each parcel and implementation of desired land uses in the Galleria Development will be limited by the available number of trips designated for each parcel as shown on the traffic allocation table, as well as compliance with all applicable regulations within this ordinance or city code. The traffic to be generated by each parcel within the Galleria Development must be less than or equal to the traffic allocation shown on the traffic allocation table for that parcel. The maximum traffic allocation shown on the traffic allocation table shall be an entitlement to each parcel within the Galleria Development. Traffic generation due to subsequent redevelopment, expansion or change of use for any parcel within the Galleria Development shall not exceed the maximum traffic allocation entitlement shown on the traffic allocation table. Unless otherwise specified, the traffic allocation for each parcel shown on the traffic allocation table shall not change. Parcels E-2, E-3, E-4 and E-5 collectively may not exceed the number of vehicle trips shown in the traffic

allocation table for these parcels. The trips may be distributed as necessary to each of these parcels at the time of initial site development; however, the four (4) parcels together may not exceed three hundred eighty three (383) trips.

TRAFFIC ALLOCATION TABLE

Specific Plan Parcel	Plat #, Lot #	Traffic Allocation (P.M. Peak)
A-1	Plat 8, lot 3	100
A-2 and A-3	Plat 8, lot 1	485
A-4	Plat 4, lot 1	81 131
A-5	Plat 8, lot 2	32
B-1	Plat 9, lot 1	332
B-2	Plat 9, lot 2	118
C-1	Plat 3, lot 1	384
C-2 and C-3	Plat 13, lots 1 and 2	112
D-1	Plat 6, lot 1	86
E-1	Plat 6, lot 5	62
E-2, E-3, E-4 and E-5	Plat 12, lots 1 through 8	383
F-1 through F-6, G-1 and G-2	Plat 1, outlot H	122
H-1	Plat 5, lot 7	108
I-1	Plat 5, lots 8 and 9	330
J-1	Plat 5, lots 1 and 2	1,024
K-1, K-2 and K-3	Plat 7, lots 1 and 2	325
L-1	Plat 11, lot 1	45
L-2	Plat 7, outlot X	71
L-3	Plat 10, lot 1	230
M-1	Plat 5, lot 3	137
M-2	Plat 5, lot 4	56
M-3	Plat 5, lot 5	263
M-4	Plat 5, lot 6	71
	Total Trips for development	4,957 5,007

SECTION 2. REPEALER: All ordinances of parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of this 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 4. 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 5. OTHER REMEDIES: In addition to the provisions set out in 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 6. EFFECTIVE DATE: This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2022 and approved this _____ day of _____, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the City Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____, 2022.

Ryan T. Jacobson
City Clerk

**CITY OF WEST DES MOINES
MEMORANDUM**

TO: Mayor Trimble and Members of the City Council

FROM: Brian Portz, Planner

DATE: April 18, 2022

RE: Item 6C – Silverwood Comprehensive Plan Amendment and PUD Amendment

The applicant for the Silverwood Comprehensive Plan Amendment and PUD Amendment (item 6c) asks that their request be deferred until the May 2, 2022, City Council meeting to allow additional time to review the proposed PUD Amendment for the development of the site.

Recommendation: Motion to Defer the Comprehensive Plan Amendment and the Public Hearing for the PUD Amendment to the May 2, 2022, City Council Meeting.

Cc: Tom Hadden, City Manager
Richard Scieszinski, City Attorney
Lynne Twedt, Director Development Services

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: April 18, 2022

ITEM: Suite Shots, Southwest corner of Interstate 35 and Grand Avenue – Amend Comprehensive Plan Land Use Map to designate Regional Commercial and Establish the Suite Shots Planned Unit Development Ordinance regulating development of a variety of commercial and office uses – Des Moines ND, LLC – CPAZC-00005502-2022

RESOLUTION: Approval of Comprehensive Plan Land Use Map Amendment

ORDINANCE: Approval of First Reading to Establish a Planned Unit Development Ordinance

Background: The applicant, Des Moines ND, LLC, an Iowa Limited Company, and property owners, Benjamin Lounsbury and Andrew Lounsbury, request approval of a Comprehensive Plan Land Use Map Amendment and Rezoning Request on that ground generally located at the southwest corner of Interstate-35 and Grand Avenue. The Comprehensive Plan Amendment and Rezoning are being requested in anticipation of the development of various commercial and office uses.

Specifically, the following Land Use and Zoning changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for approximately 26 acres to change from Support Commercial (SC) to Regional Commercial (RC) land use; and
- Rezone from Open Space (OS) and establish the Suite Shots Planned Unit Development (PUD) Ordinance

Staff Review & Comment:

- *Financial Impact:* No financial contribution by the City is occurring to facilitate this project; however, due to forecasted traffic volumes on Grand Avenue from the interstate west, it is anticipated that in the near future the City will widen Grand Avenue to ultimately a six-lane roadway with a raised median.
- *Development Intent:* This PUD intends to establish a framework for the integration of a variety of recreation, commercial and office land uses in a visually cohesive and walkable development.
- *Current Comprehensive Plan Land Use & Zoning:* The subject property is currently identified as Support Commercial (SC) on the 2010 adopted Comprehensive Plan and designated as Open Space (OS) on the City's Zoning Map. The applicant is requesting Regional Commercial (RC) Comprehensive Plan Land Use and establishment of a Planned Unit Development (PUD) with underlying zoning of Regional Commercial. The change in Comprehensive Plan Land Use is necessary to accommodate an intended recreational use of a 3-story golf entertainment facility in which patrons hit balls from climate-controlled bays within the building onto an outdoor range. Since this facility does have a restaurant component, initial thought was given to whether this could be classified as a Bar/Restaurant with ancillary recreation component; however, after researching how other recreational/entertainment uses such as Smash Park, Spare Time and Dave & Busters were being classified in the City, it was determined that this use would be treated the same and classified under Standard Industrial Classification (SIC) 7999: Amusement & Recreational Services, Not Elsewhere Classified (NEC). SIC 7999 is not allowed in Support Commercial but is allowed in Regional Commercial. The balance of the currently anticipated uses for the approximately 26-acres (restaurants, hotels, general retail and offices) are allowed in both Support and Regional Commercial.

Per the Comprehensive Plan, Support Commercial designated areas are intended to meet the needs of the motoring public and/or employment centers and include such uses as hotels/motels, restaurants, gasoline service stations and convenience markets (c-stores), banks, drug stores, professional offices, laundry and dry-cleaning establishments, office supply stores and other professional services. Regional Commercial areas are intended for the comparison and general shopping needs for residents and non-residents from across the metro and region. Regional commercial areas are typically comprised of multiple commercial centers in close proximity to each other and it is noted that entertainment uses should be encouraged. The primary difference between the two districts is that a wider variety of retail types and sizes, service establishments and medical uses are potentially allowed in the Regional Commercial zoning district that are not allowed in the Support Commercial district.

Around the time of the 2010 Comprehensive Plan adoption, the first Microsoft Data Center was being planned for their location near S 88th Street and Grand Avenue and it was being indicated other data centers and related businesses typically tend to follow leading to expectations of a more industrial/business park corridor. The Support Commercial designation was placed on the subject property to provide services for interstate travelers as this was one of the first exits for travelers coming from the south. The construction of the MidAmerican Energy RecPlex facility and relocation of Des Moines University (DMU) were not known at the time. It is anticipated that with those uses being established, additional recreational or entertainment facilities, hotels, and restaurants may desire to locate within this corridor. With the construction of the RecPlex and DMU the character of the corridor has changed and is justification for viewing the subject property as contributing more to the corridor than just serving the needs of the motoring public. Additionally, staff believes the proposed golf entertainment facility, just like the RecPlex and Jordan Creek Town Center will be a metro and /or regional draw which aligns with the intent of Regional Commercial land use.

- Development & Planning Subcommittee: The Suite Shots golf facility was discussed at the December 20, 2021, and February 21, 2022, Subcommittee meetings. The December 20, 2021, meeting discussion included how to classify the golf facility use and what the resulting height and setback requirements are and what the necessary land use or zoning actions would be. At this meeting, several residents of the nearby Glen Oaks development expressed their concerns with visual impacts and potential decrease in property values. The Subcommittee requested additional information before making a decision.

At the February 21st Subcommittee meeting discussion continued regarding the development and potential impacts. It was explained that after further research of how the City has handled other projects, the golf facility would be classified as a recreational use and not a bar/restaurant with an ancillary golf entertainment aspect and that no setback requirements or height restrictions would be applied to the netting poles. The developer provided materials in response to many of the concerns raised at the December 20, 2021, meeting, including requested sightline studies from the closer Glen Oaks homes, a photometric plan illustrating the distribution of light from the facility and a communication with the IA DNR indicating no concerns with migratory birds becoming tangled in the netting but requesting lights are turned off when not open. Josh Janeczko, on behalf of Concerned Citizens for Grand Avenue Development, restated their belief that the use did not fit the existing Comprehensive Plan land use and recommended the facility be constructed on an alternative site. The Subcommittee indicated that they had heard from numerous individuals on both sides of the issue but more in favor of the use than against and that they felt the use was appropriate for the site. The Subcommittee indicated support to proceed with the preparation of a PUD with the suggested 40' setback from Grand Avenue to assist in blocking views of from Grand Avenue.

- Impacts:

- Property Values: Concerns with the lowering of property values of nearby residential properties was raised at the Development & Planning Subcommittee meetings. Staff reached out to the appraisal/taxing entity of 34 cities or counties that have an operating golf facility similar to the proposed Suite Shots and questioned whether the facility impacted property values. Fourteen entities responded: none indicated a lowering of value due to proximity of the golf facility. The developer has also provided staff a copy of a property value study done in anticipation of a Drive Shack golf facility to be located in Durham, NC. The report indicates that 'luxury' townhomes (\$330K to \$426K price range) are within 150' of the golf facilities fence and net. The report makes reference to a comment from a local Realtor that the proximity of the golf facility had no impact on demand, sales price or marketability of the townhomes.
- Other Impacts: In addition to concerns of impact to property value, issues of visual and noise impacts to the nearby residential, birds getting tangled in the netting, facility lights distracting interstate drivers and increase in traffic were also raised at the Development & Planning Subcommittee meetings. Staff reached out to 24 Planning departments of communities with operating facilities to discuss their overall experience with the facility and complaints received. Eleven responses were received with information provided to staff suggesting that while there may have been initial 'fear of the unknown' concerns, overall, there have been very few complaints and, the facilities have been embraced and been good for the community. One community did note noise issues with an outdoor patio that held concerts and parking lot noise of patrons yelling to each other as they went to their cars. It was indicated that a stop was put to the concerts and a private security officer was present in the parking lot near closing time to address that issue. The presence of the poles and nets were the biggest impact indicated. As noted in the setback discussion below, a 40' setback along Grand Avenue is required by the PUD to assist in blocking views of the driving range, but there is no remedy for total blockage of views. Finally, concern over light pollution and impact to drivers on I-35 was raised. There are no lights on the netting poles. All range illumination comes from lights mounted on the building and shining down towards the various targets that are located within the range. Certainly, the area will be overall brighter than it is today; however, that is a consequence of any development, along with the implementation of streetlights as roads are improved and/or constructed.

- Key Development Aspects:

- Land Use: The development of the approximately 26-acre site is anticipated to include an indoor/outdoor golf driving range facility and uses such as, hotels, restaurants (sit-down and drive through), miscellaneous retail businesses, and office uses. As indicated in the Current Comprehensive Plan Land Use and Zoning section, other than the golf facility, these uses are allowed in both Support and Regional Commercial districts. The PUD does prohibit within the development several uses that are otherwise allowed under Regional Commercial zoning. Additionally, the PUD includes the following operational restrictions:
 - No Bar/Restaurant (including Suite Shots restaurant component) shall be open past midnight, all days.
 - The use of an outdoor patio shall be prohibited past 10:30 p.m. Sunday through Thursday and 11:30 p.m. Friday and Saturday.
 - Recreational uses, including golf facilities (Suite Shots or similar) shall not be open past 11:00 p.m. Sunday through Thursday and midnight Friday and Saturday. Lights associated with recreational fields shall be turned off within 20 minutes of closing.
 - A maximum of two (2) drive-throughs allowed in the overall development.

- **Setbacks & Height:** The Regional Commercial district requires a 100' front yard building setback (from Grand Avenue and Raccoon River Drive) and 50' rear and side yard building setbacks (all other boundaries). Under the idea that the closer an object is to the viewpoint, the more view blockage is achieved, in combination with a desire to hide as much parking as possible from views from drivers on Grand Avenue, Staff requested that the developer place the buildings closer to the street. To allow for this, a 40' setback from Grand Avenue's ultimate road right-of-way is stated in the PUD. In those situations, in which parking is located along the perimeter, a minimum setback of 30' is required from Grand Avenue and Raccoon River Drive, while a 15' setback consistent with city code is required along the south and east.

Staff researched how other recreational facilities within the city have been handled as it relates to the location of light poles and field netting or fencing. It was determined that no setback requirements had been applied to the recreation fields at any of the city parks, the RecPlex soccer fields, Valley Stadium or any school sports facilities. Therefore, there are no setback requirements for the poles and netting of the golf facility. All buildings within the development, including Suite Shots will need to abide by height regulations as provided in city code for the respective zoning district which is 36' maximum height with a provision for the allowance of an additional 12' of height for every 10' of additional building setback provided. While a setback of zero (0') is allowed between parcels of the same zoning designation, the Suite Shots building will need to apply the 10' of additional setback accordingly to allow for a building height that exceeds 36'.

- **Parking:** With the exception of the golf facility, all uses shall provide the minimum number of parking stalls as required per city code title 9, chapter 15. Since the city code does not provide a parking rate for the golf facility, the amount of parking implemented by several other operating golf facilities was identified. Six facilities were studied with parking requirements ranging from 3.0 stalls per hitting bay to 4.65 stalls per bay with an average of 3.9 stalls per bay. This average is being required of the Suite Shots golf facility. Additionally, city staff for the communities for which these parking numbers were obtained were contacted to find out if the number of parking stalls provided was sufficient. Only one community indicated a problem right after the facility opened but indicated that parking has not been an issue since the newness of the facility has worn off. The Suite Shots is anticipated to be the first business constructed within the 26-acre development thus there is ample ground for overflow parking should it be needed.
 - **Buffers:** Due to the classification of Grand Avenue as a major arterial and Raccoon River Drive as a minor arterial, a minimum 30' wide buffer park is required along both roadways. Earthen berming and landscape vegetation shall comply with city code regulations. No buffer is required along Interstate-35 due to the distance of the development from the main travel lanes of the interstate and no buffer is required along the south as it borders a rail line.
- **Traffic Analysis Findings:** A traffic analysis for the proposed development on this property was completed in March 2022. Key findings are summarized below.
 - The proposed development was studied with a 51,200sf golf facility, 108 room hotel, 8,000sf of sit-down restaurants (high turnover), 4,300sf of fast-food restaurants with drive-throughs, and 80,000sf of office space. The development is expected to generate less traffic than what was assumed in previous traffic studies for the area.

	Average Weekday Trip Ends		
	Daily	AM Peak Hour	PM Peak Hour
As Support Commercial	18,272	1,184	1,403
As Suite Shots PUD <i>*of PUD total, golf facility specifically*</i>	6,336 <i>*1,765*</i>	494 <i>*40*</i>	599 <i>*195*</i>
DIFFERENCE	(11,936)	(690)	(599)

- Preliminary recommendations for the roadway geometry and traffic control, along with recommended triggers for improvements, are detailed in the analysis. However, since the March 2022 analysis was based on a concept plan for the site, additional traffic studies will be needed with future site plans to refine the recommendations and timing of improvements.
- Comments regarding driveway locations/configurations and internal circulation have been given to the applicant to incorporate into future site plans.
- Developer Responsibilities: Unless otherwise agreed upon or provided by the City, the following will be required:
 - Widening of Grand Avenue to create a westbound left-turn lane (if development of the property occurs prior to the City widening Grand Avenue).
 - Installation of a fully functioning traffic signal at the development's main entrance (if development of the property occurs prior to the City widening Grand Avenue).
 - Pro-rata shares of a fully functioning traffic signal at Grand Avenue and Raccoon River Drive.
 - Extension of 10' wide public trail along Grand Avenue and Raccoon River Drive (60/40 Agreement).
 - Financial cost for the installation of streetlights adjacent to the subject property along Grand Avenue and Raccoon River Drive.
- Condition(s) of Approval: No conditions of approval are recommended since operational restrictions have been outlined within the PUD language.

Outstanding Issues: There are no outstanding issues. Staff would note that courtesy noticing to those individuals that attended one or both of the Development & Planning Subcommittee meetings was overlooked; however, the hearing noticing that was done for the project complies with State requirements to mail notice to individuals within 200' of the subject boundary, as well as the City's requirement that increased this distance to 370'. Failure to send a courtesy notice to the Subcommittee attendees does not affect the information that would have been available as the staff report and accompanying Planned Unit Development Ordinance were not finalized until mid-day of the Friday before the Monday meeting. Nor did it appear to affect the citizens that were present and ability to give public comment.

Plan and Zoning Commission Action:

Date: April 11, 2022
Vote: 4 for approval; 1 against; 2 abstained (Davis & Costa)
Recommendation: Approval of the Comprehensive Plan Amendment and Establishment of the PUD Ordinance

Plan and Zoning Commission Discussion:

Paul Cownie, developer described the project noting the intended uses to be incorporated include the golf facility, hotel, restaurants and offices. He indicated more than 50 people have signed a petition in support

of the project and has worked hard to create a neighborhood friendly project. Illustration of the building, potential site layout, distance from Suite Shots to homes in Glen Oaks, sightline studies from five properties in Glen Oaks, as well as a sightline illustration from the assumed Glen Oaks viewpoint of the existing cell tower, and photometric plans illustrating anticipated illumination of driving range and light cast at ground level were shown (included in this packet) .

Individuals spoke both in favor of and against the proposed project.

The following individuals in favor of the Suite Shots golf facility made statements such as:

- Katherine Harrington: well planned and thought out; great workforce attraction; young talent move based on city's quality of life and then find a job.
- Jay Byers: recruiting talent is an issue; all about placemaking and what individuals can do; this project will reach well beyond West Des Moines.
- Paul Rypma: exactly the type of venue for the area and from land use perspective is a good fit for the corridor; golf facility can serve as economic catalyst and great family draw; great regional draw.
- Riley Graham (phone): confirmed, as a resident of Glen Oaks who formerly resided on Glenleven Terrace, that there are numerous trees along Glen Oaks to block views; questioned why we should have to go to other communities for Top Golf facilities as this location is appropriate.

Those against the project commented:

- Gary Dickey, attorney for Concerned Citizens for Grand Ave Development (CCGAD): raised awareness to emails submitted over the weekend indicating he believed there was 'good cause' to request a 30-day continuance as well as second email with twenty-seven (27) questions that he requested the Commission ask. He indicated a lack of time to review the report and opportunity to visit with staff, an open records request that has not been fulfilled and suggested they had several legal concerns of the process to date. He commented that this action could be considered 'spot zoning' and suggested that staff fast-tracking the project to gain approvals and was ignoring regulations related to netting pole height and setbacks.
- Josh Janeczko: doesn't fit context of surrounding neighborhood; poles and netting are the elements he is most concerned about; sightline studies not accurate as Glen Oaks is 60' higher than indicated; doesn't believe RecPlex and DMU justify change; too radical – thirty (30) poles here versus seven (7) at Valley Stadium; his and neighbors' property values are higher than the \$300-400,000 townhomes mentioned in the property value report – the poles will lower our values; pole height is main concern and will impact views from the golf course; believe nets are part of Suite Shots since connected to the main structure; city is pushing this process as evident in the January 21st email; conduct economic feasibility study given announcement of Bombers in Johnston.
- Tom Halterman: when deciding to build, researched nearby area – okay with commercial but entertainment; will affect property values; trees (*to block views*) do not extend full length of Suite Shots property; Top Golf facilities are very illuminated; no objection to project but object to poles and netting.

At the Commission's request, Assistant City Attorney, Jessica Spoden responded to Mr. Dickey's comments noting that the first open records request received was fulfilled; and the second request was submitted to the city on April 6th for which the city has 10 business days to respond. She noted that, in staff's opinion, a pending open records request does not rise to 'good cause' to justify the continuance request. She spoke to the suggestion that the Friday afternoon posting of the staff report and agenda for the upcoming Plan and Zoning Commission meeting was intentional to ensure insufficient time for review of the staff report and PUD by confirming this is standard practice as the reports are often still being reviewed by the Legal Department and finalized on Friday, noting that a Friday posting more than complies with the statutory requirement that the meeting notice be posted at least 24-hours in advance of the

meeting. She further indicated that the public hearing notice was published on April 4th which allowed time for Mr. Dickey or the Glen Oaks residents to request to meet with staff. She stated that city code does not have regulations on the pole height and they are not part of the building structure and that the building height will need to be consistent with city code. She confirmed that the State gives cities authority to make changes to the Comprehensive Plan knowing that conditions change and commented that this is not spot zoning as it is changing from one commercial district designation to another commercial designation. She clarified that the Commission is a recommending body and final decision to approve the requested change to the Comprehensive Plan and Rezoning request lies with the City Council.

Commissioner Conlin questioned whether there was anything related to this project that deviated from the normal process. Assistant Attorney Spoden noted that it is not normal to meet twice with the Development and Planning Council Subcommittee but otherwise this has followed standard procedures. She concluded by noting that it was entirely at the Commission's discretion whether to ask staff any of the questions provided by Mr. Dickey and whether or not to grant the continuance.

Commissioner Hatfield made a motion to continue the matter for 30-days: the motion died for lack of second. Noting that the Commission is a recommending body, and the Council is the approving body, a motion was then made for approval of the Comprehensive Plan Amendment and PUD. The motion was seconded with indication that there is no evidence that the regular and proper process was not followed: the motion passed by a 4-1 vote, with two Commissioners abstaining due to a potential conflict of interest.

Illustrations presented by both Paul Cownie and Josh Janeczko via PowerPoint at the P&Z meeting are included in this staff report, along with Mr. Dickey's two emails sent Friday, April 8th and Sunday, April 10th and two emails sent by Josh Janeczko sent Wednesday evening (April 13th) and Thursday morning (April 14th).

City Council Comprehensive Plan Action:

Date:

Vote:

City Council First Reading of Ordinance:

Date:

Vote:

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment and Rezoning request to establish the Suite Shots Planned Unit Development (PUD) Ordinance.

Lead Staff Member: Lynne Twedt

Approval Meeting Dates:

Plan and Zoning Commission	April 11, 2022
City Council: Comprehensive Plan & First Reading of Ordinance	April 18, 2022
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	4/4/22
Date(s) of Mailed Notices	4/1/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning		
Date Reviewed	12/20/2021 & 2/21/2022		
Recommendation	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Split

Location Map

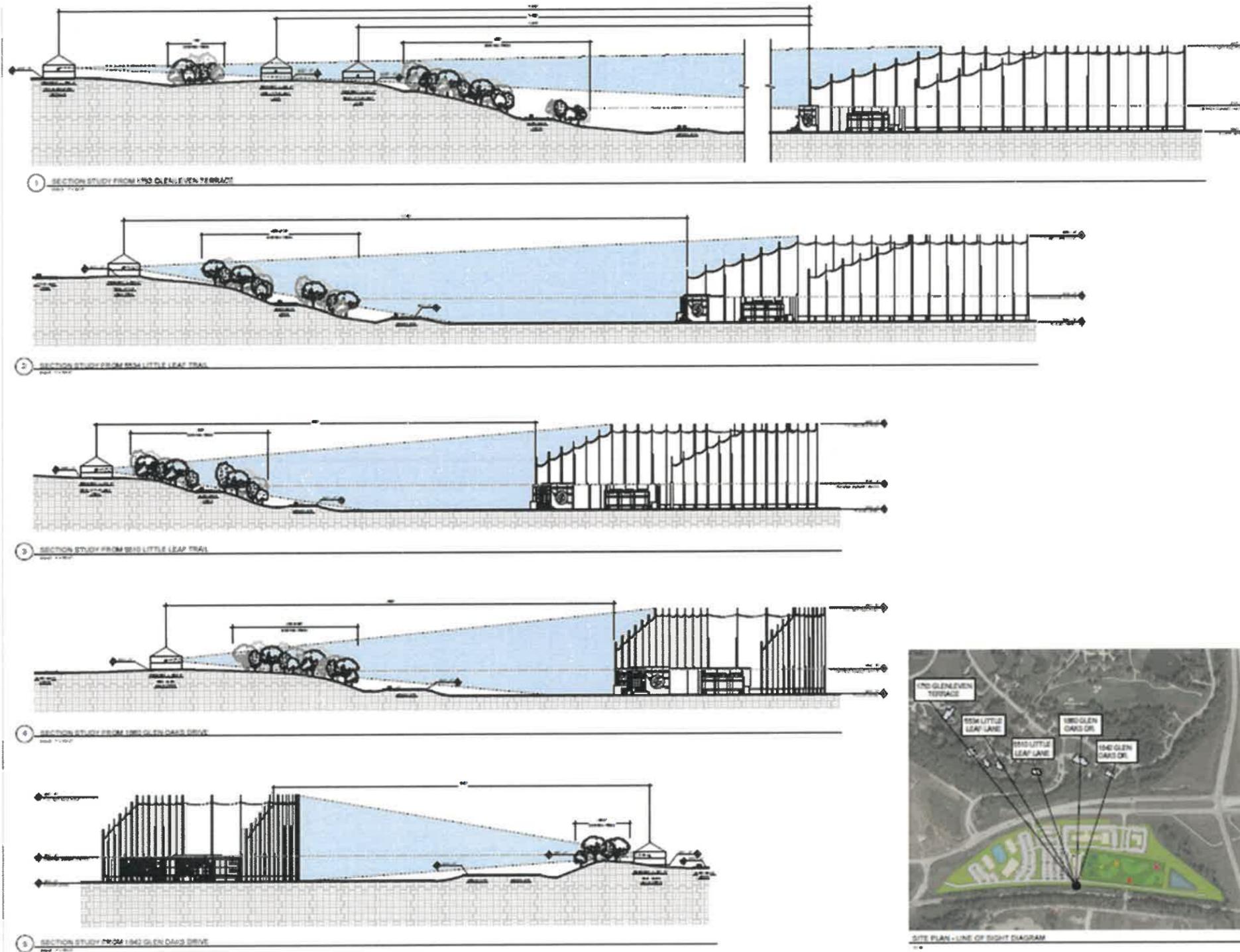






Illustration displayed on April 11, 2022, at
Plan & Zoning Commission Meeting

Displayed by developer

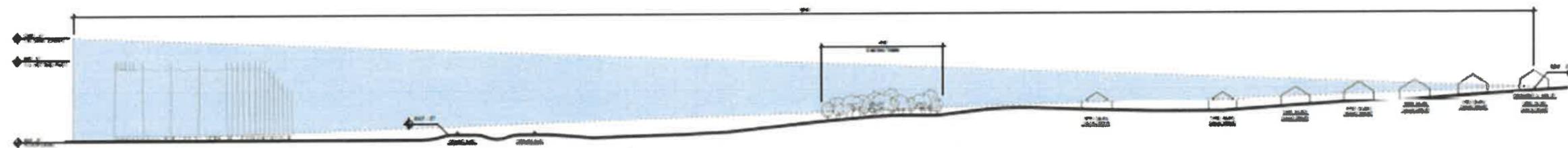


<p>SUITE SHOTS</p> <p>WEST 228 30 17008</p>	
<p>NOT FOR CONSTRUCTION</p>	
<p>CHRISTIANSON</p> <p>201.470.251.0000 201.470.251.0001</p> <p>4100 2000 2100 0 2000 0000 2000 00 00 00</p>	
<p>IDG</p> <p>201.470.400.0000 201.470.400.0001</p>	
<p>ASI 4</p>	

SLIDE PROVIDED APRIL 11th



2 SITE PLAN - LINE OF SIGHT DIAGRAM
DATE: 11/1/2021



1 SECTION STUDY FROM 1539 GLEN OAKS DRIVE
DATE: 11/1/2021

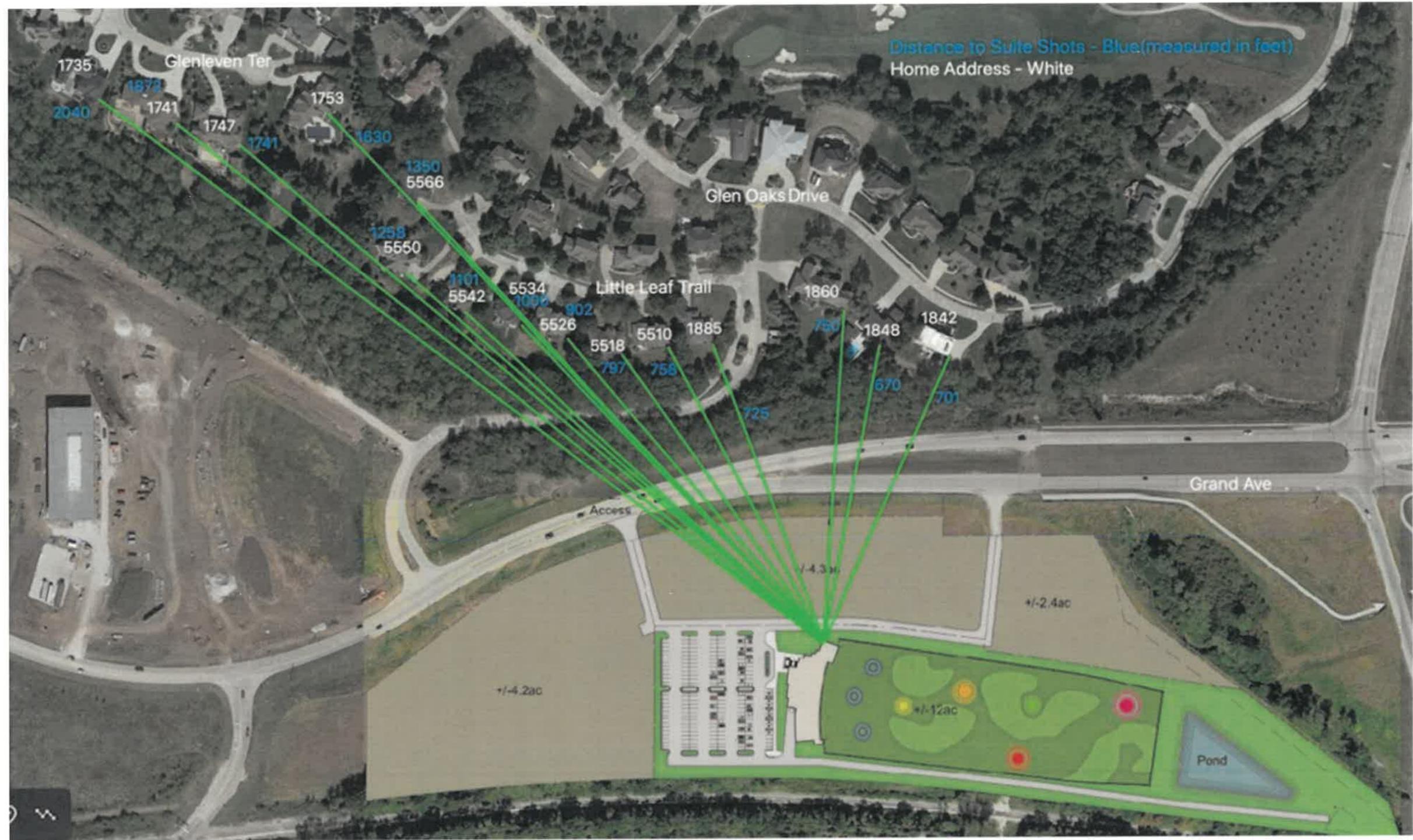
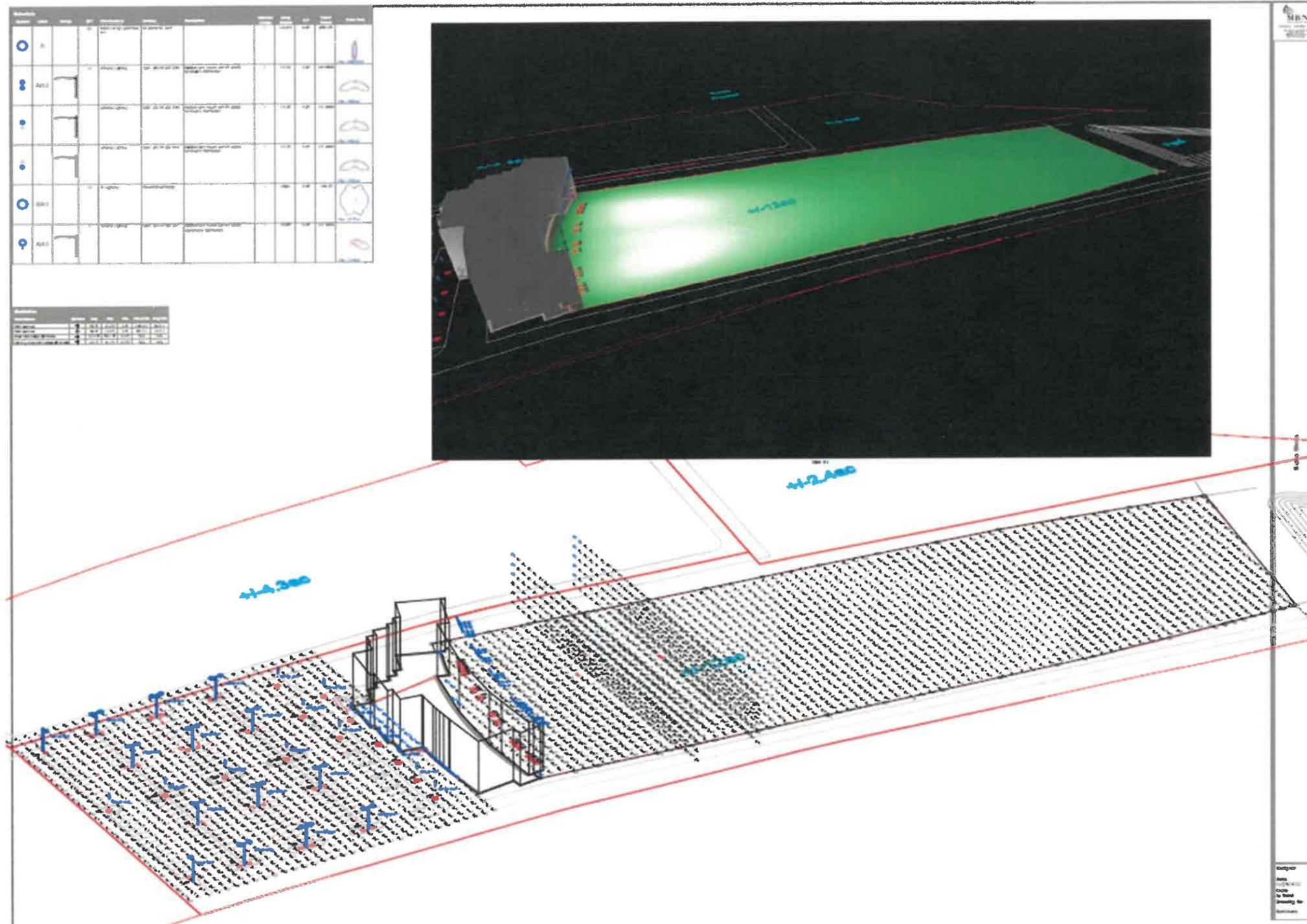


Illustration displayed on April 11, 2022, at Plan & Zoning Commission Meeting

Displayed by developer



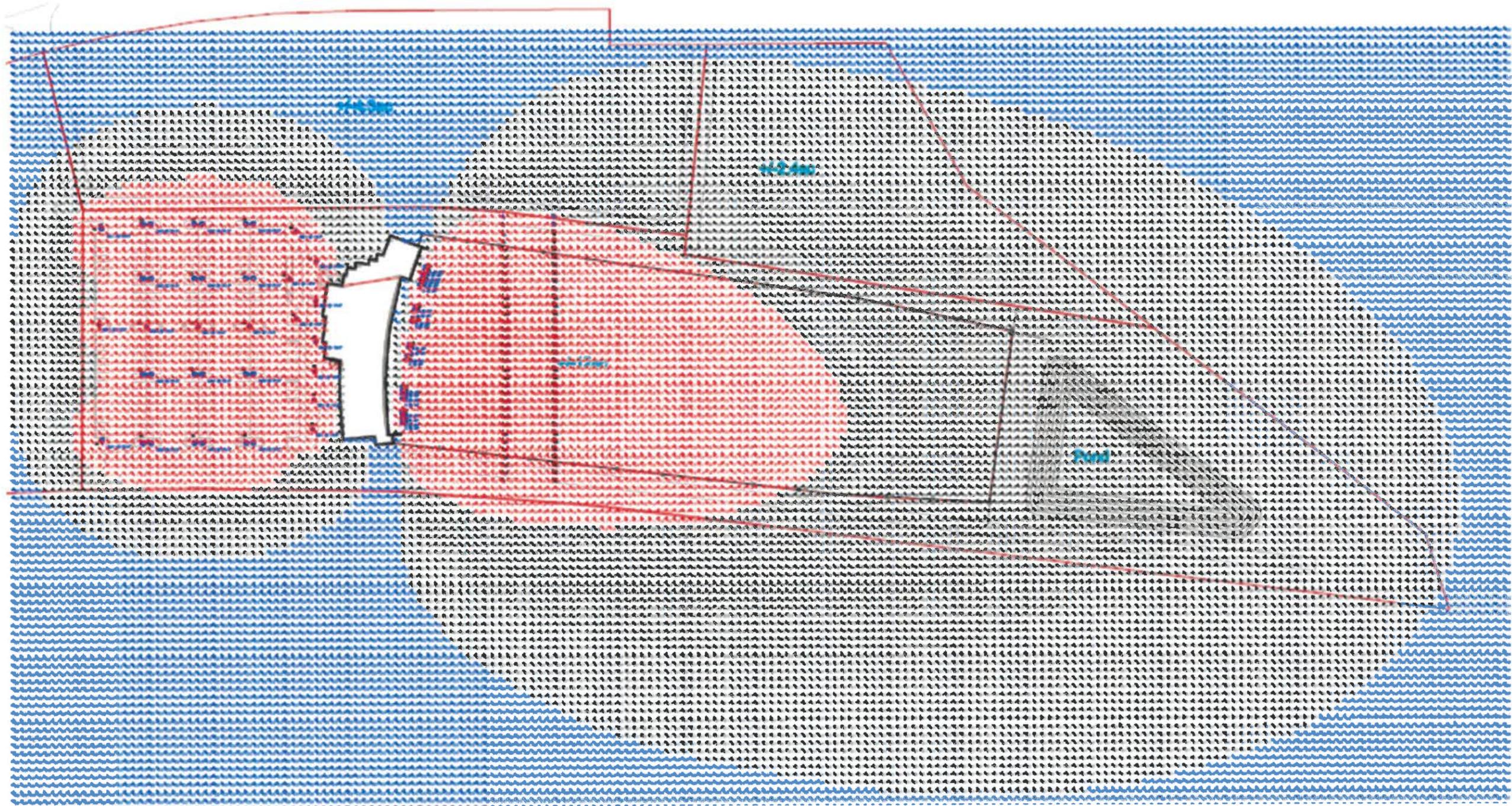


Illustration displayed on April 11, 2022, at
Plan & Zoning Commission Meeting

Displayed by developer



Grand Ave Headed West

Illustration displayed on April 11, 2022
Plan & Zoning Commission Meeting

Displayed by CCGAD



Illustration displayed on April 11, 2022
Plan & Zoning Commission Meeting

Displayed by CCGAD



Illustration displayed on April 11, 2022
Plan & Zoning Commission Meeting

Displayed by CCGAD

**CITY OF WEST DES MOINES
MEMORANDUM**

TO: Vice Chair Drake and Members of the Plan & Zoning Commission

FROM: Linda Schemmel, Development Coordinator

DATE: April 11, 2022

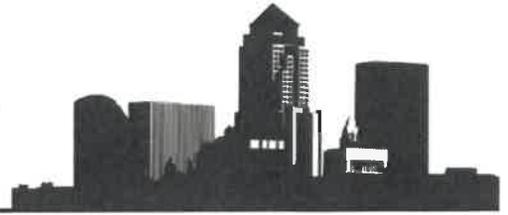
RE: Item 2c – Suite Shots Comprehensive Plan Amendment and Rezoning Request

Please find attached communications by Gary Dickey received by the City over the weekend:

- A letter dated April 10, 2022 which contains questions he requests to be asked at the meeting. Please be aware that Section 2.6 of the Rules of Procedure in its entirety states the following: *Any person other than a Commission member desiring to direct a question to a speaker or staff member shall submit the question to the Chairperson, who shall determine whether the question is relevant to the subject of the hearing and whether or not it should be answered by the speaker or staff member. Direct questioning of speakers or staff members may be allowed in extraordinary circumstances at the discretion of the Chairperson.*
- An undated letter requesting a continuance for thirty (30) days of the request for a Comprehensive Plan Amendment and Rezoning Request (establishment of PUD).
 - Should the Commission desire to defer action before the public hearing is opened or continue the public hearing after it is opened, they can defer/continue to a date certain, which will not require the item to be re-noticed.
 - May 9, 2022 would be the first Commission meeting held thirty days after the Open Records request was received by the City.
 - If the Commission decides to continue the item after the public hearing is started, the public hearing should not be closed at the meeting to allow further comment to be accepted at the next meeting.

Cc: Lynne Twedt, Director Development Services
Jessica Spoden, Assistant City Attorney

DICKEY | CAMPBELL | SAHAG LAW FIRM P.L.C.



Gary Dickey
gary@iowajustice.com

Angela Campbell
angela@iowajustice.com

Matthew Sahag
matthew@iowajustice.com

Jamie Hunter
jamie@iowajustice.com

Jake Oeth
jake@iowajustice.com

VIA EMAIL TO: dsplanzonecommission@wdm.iowa.gov
Jennifer.canaday@wdm.iowa.gov
jessica.spoden@wdm.iowa.gov

Erica Anderson, Chair
WDSM Planning & Zoning Commission
4200 Mills Civic Parkway
West Des Moines, Iowa 50265

Re: April 11, 2022, Agenda Item 2C: Suite Shots

Dear Commission Members:

I represent Concerned Citizens for Grand Avenue Development (“CCGAD”), which is a non-profit group of surrounding neighborhood residents who object to the planned location of “Suite Shots” along the West Grand Avenue corridor east of Interstate 35. Late this afternoon, we received notice that the Planning & Zoning Commission intends to consider a resolution to approve an amendment to the Comprehensive Plan along with the approval of a Planned Unit Development Ordinance.

Pursuant to Section 4.4 of this Commission’s Procedures, I request a continuance of Item 2C from Monday’s Agenda for at least thirty days. As you are aware, the standard for granting a continuance is low and merely requires a showing of “good cause.” Several facts give rise to good cause to justify a continuance. For starters, in anticipation of the Commission’s action, CCGAD submitted an open records request to obtain all records related to the proposed project within the possession of the City of West Des Moines. This records request has not been satisfied, and therefore, CCGAD does not have access to relevant evidence necessary to make our record in support of our objection.

Additionally, the undersigned is scheduled to be in a three-day trial beginning Monday, April 11, 2022. As a result, I have previously scheduled meetings with witnesses along with trial preparation this weekend as well as Monday evening. Given the Commission’s late afternoon agenda notice, it is not practical for CCGAD to obtain alternative counsel to appear on Monday evening.

Finally, the Suite Shots project has been the source of substantial public interest. *See* Kathy Bolten, *Legal action threatened if zoning is changed to allow golf entertainment venue*, Business Record (02/21/22); Kim Norvell, *Planning for Topgolf-like driving range continues, despite West Des Moines neighbors’ objections* (02/21/22). It appears the late

notice of the agenda may be part of a plan to limit transparency into the planning process for this project. I hope not. But, on January 21, 2022, Lynne Twedt professed in an email to the following:

Given the known objection of some of the surrounding properties, we will not notice until we feel we are close to having an agreed upon PUD document and all other aspects that have been discussed provided – this allows us to notice for a known date and not have to defer P&Z or Council action to alternate meeting dates as this is typically not well received if individuals wish to speak at the meeting(s).

(01/21/22 Email from Lynne Twedt to Michael Wahlert). Considering the admittedly divisive nature of the project, a short continuance is essential to the legitimacy of the Commission's action—whatever it may be.

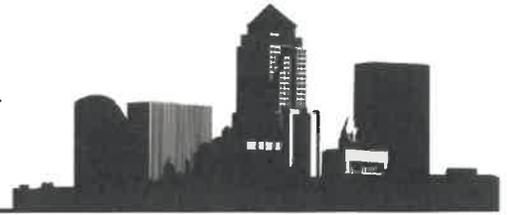
For these reasons, we ask that the Commission to continue the Suite Suites PUD agenda item for at least thirty days.

I look forward to your response.

Sincerely,


Gary Dickey
Managing Member

cc: Jennifer Drake – Vice Chair
Chris Costa
Kevin J. Crowley
Andrew Conlin
Scott Hatfield
Maria Davis
Tina Shaw



Gary Dickey
gary@iowajustice.com

Angela Campbell
angela@iowajustice.com

Matthew Sahag
matthew@iowajustice.com

Jamie Hunter
jamie@iowajustice.com

Jake Oeth
jake@iowajustice.com

April 10, 2022

VIA EMAIL TO: jennifer.canaday@wdm.iowa.gov
jessica.spoden@wdm.iowa.gov

Erica Anderson, Chair
WDSM Planning & Zoning Commission
4200 Mills Civic Parkway
West Des Moines, Iowa 50265

Re: April 11, 2022, Agenda Item 2C: Suite Shots

Dear Chair Anderson:

I write on behalf of Concerned Citizens for Grand Avenue Development (“CCGAD”) to request pursuant to Rule 2.6 of the Commission’s Rules of Procedure the right for a representative of our group to question staff and speakers who present in favor of the Suite Shots development at tomorrow nights meeting. Rule 2.6 specifically grants you the discretion to allow direct questioning of the speakers and staff in “extraordinary circumstances.” Considering the amount of public scrutiny this project has garnered along with the speed with which it has proceeded, if these circumstances are not extraordinary, then none ever can be.

Alternatively, we submit the following questions in writing pursuant to Rule 2.6 and request that you ask them of staff and speakers in support of the Suite Shots project:

1. Has the PUD “development review team” meeting already taken place as required under Chapter 9, section 9-9-6(A) of the West Des Moines Municipal Code?
 - a. If so, when did the meeting occur?
 - b. And, did the applicant “explain all of the elements required on the SP or PUD application checklist” as required by section 9-9-6(A)?
2. When was the PUD application first submitted to the Community Development Department?
3. When did the Community Development Director deem the application to be complete?

4. Did the Community Development Director, or his designee, ever notify the applicant that its PUD application was incomplete as contemplated in Chapter 9, section 9-9-6(B)?
5. According to an email on January 21st from Lynne Twedt to the developers Civil Engineer, “Staff reports are written the week prior to the meeting. All necessary documents need to be provided and all issues resolved approx. 10 days before the anticipated P&Z and Council meeting dates.” Why did the city wait until 3:30 PM on the Friday before the meeting to notice the public of this proposed resolution?
6. What were the specific deviations from city code are being requested in the PUD?
7. According to the FEMA Flood Plain Map 1902310014C, the subject property is in a floodway area zone AE and “the property must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights. How is the developer accommodating this requirement?
 - a. <https://www.wdm.iowa.gov/home/showpublisheddocument/16597/635875880121370000>
 - b. <https://www.wdm.iowa.gov/home/showpublisheddocument/16599/635875880124070000>
8. Being that this development is in a flood plain and near the Racoon River, what environmental impact studies, if any, have been conducted by the city or the developer?
9. What is the height of the tallest structure, and what is its set back?
10. Table 7.6 of Chapter 7 of the Municipal Code limits the height of the “principal building or structure” in a commercial district to 36’ with an “additional 12 feet for each additional 10 feet of setback.” Do the netting poles comply with the height restriction in Table 7.6?
 - a. If not, is the P&Z granting a variance from the height limitation as part of the PUD?
 - b. Or, is the City’s position that the netting is not part of the “principle structure” of the Suite Shots PUD?
 - c. Or is the City simply going to ignore the height restriction for the Suite Shots PUD?
11. The developers site plan on page 8 of the meeting packet does not appear to outline the proposed lots for each structure. What are the proposed lots, and do they comply with city code regulations?

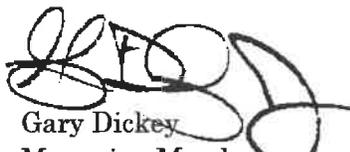
- a. What is the land use for each lot?
 - b. What is the square footage of each lot?
12. Has the traffic study been completed?
- a. If so, what are the results?
 - b. Has it been determined if Grand Ave will need to be widened to accommodate the increase in traffic?
 - c. If so, will the city require the widening of Grand to be completed prior to occupancy of Suite Shots?
13. What are the special regulations that each lot will abide by?
- a. Days of operation?
 - b. Hours allowed to be open?
 - c. Noise level requirements?
14. What are the parking requirements for each structure withing the PUD, and do they comply with city ordinance?
- a. Parking at the WDM Rec Plex was grossly underestimated. Proof of this is how shuttle service is now needed for overflow parking, located a half mile away at 5930 Grand Ave.
 - b. Has the city considered increasing the parking requirements for the proposed PUD?
15. What are the distances of the setbacks from each structure to Grand Ave? Do these numbers include the widening of Grand Ave?
16. Where is pedestrian access to the development?
17. On page 8 of the meeting packet, the developer provided site plan does not show a 6' bike path. Will the developer be required to install and connect it to the existing path along Grand Ave?
18. What other city improvements will the developer be responsible for?
19. The developers site plan only shows two entrances off Grand Avenue, with one being right in/right out.
- a. Will the other entrance have a traffic signal?
 - b. Will the developer be required to pay for the traffic Lights?
 - c. Will a traffic light be installed at the entrance off Raccoon River Drive?
20. On page 9 of the meeting packet, the developer provided site line study is not accurate. Specifically, the study inaccurately illustrates how trees block the view of the development. Will the developer be

required to conduct a more accurate study which shows actual photos from the neighbors properties impacted by the structure heights?

21. Did the city consult with any agencies and study the potential negative impacts the PUD may have on the surrounding property values?
22. When will the developers agreement be made available to the public?
23. What are the signage requirements for the PUD?
24. What are the special components required for each parcel?
 - a. Will a buffer plan be required by the developer?
 - b. What landscaping screening will be required along Grand Ave?
 - c. What architectural design requirements are being asked of the developer? Colors, materials etc
25. During the Development & Planning subcommittee meeting on February 21st, the developer stated that he has not requested, nor does he need any tax incentives from the city. Is this still correct?
 - a. If not, what financial incentives has the city offered the developer?
26. The city of Johnston recently announced a similar development along I-35 & Merle Hay Road. Has the city been provided an updated pro-forma financial statement which reflects two similar developments being located within twelve miles of each other?
27. Has any economic feasibility study been performed to take into account the competing project in Johnston along I-35 & Merle Hay Road?

I look forward to your response.

Sincerely,



Gary Dickey
Managing Member

cc: Jennifer Drake – Vice Chair
Chris Costa
Kevin J. Crowley
Andrew Conlin
Scott Hatfield

Maria Davis
Tina Shaw

Responses to each question raised in Mr. Dickey's correspondence on April 10, 2022, is shown after the question in red italics.

1. Has the PUD "development review team" meeting already taken place as required under Chapter 9, section 9-9-6(A) of the West Des Moines Municipal Code?
 - a. If so, when did the meeting occur?
 - b. And, did the applicant "explain all of the elements required on the SP or PUD application checklist" as required by section 9-9-6(A)?

1a. A Pre-application (Development Review Team: DRT) meeting was held on March 8th.

1b. A concept sketch for the intended development area was provided with the PA application form which provided sufficient information for the PA meeting.

2. When was the PUD application first submitted to the Community Development Department?

The Comprehensive Plan Amendment request and Rezoning to PUD request was submitted on February 11th: with all required application fees paid on February 15th.

3. When did the Community Development Director deem the application to be complete?

The necessary information to initiate a traffic study and start evaluating the potential development as it relates to drafting the PUD was provided with the application or had been provided previously as part of the Subcommittee meetings information.

4. Did the Community Development Director, or his designee, ever notify the applicant that its PUD application was incomplete as contemplated in Chapter 9, section 9-9-6(B)?

Application provided sufficient information to start the review process. A comment letter of staff's review comments was sent on March 9, 2022. An email with the completed Traffic Analysis Report and summary of recommendations was sent on March 31, 2022. Revised drawing provided April 7th.

5. According to an email on January 21st from Lynne Twedt to the developers Civil Engineer, "Staff reports are written the week prior to the meeting. All necessary documents need to be provided and all issues resolved approx. 10 days before the anticipated P&Z and Council meeting dates." Why did the city wait until 3:30 PM on the Friday before the meeting to notice the public of this proposed resolution?

Once final, the meeting agenda and respective staff reports are posted on the Friday afternoon/evening before the anticipated Commission or City Council meeting. Staff followed State and City required public hearing notice timeline requirements – those property owners within 370' of the PUD boundary were

mailed notice of the April 11th P&Z and April 18th City Council meeting on April 1st, thus assume the USPS delivered on or about April 4th.

If one would look at the full email from which this quoted response is taken, you will see that the purpose was to define the process so a potential timeline could be developed and also to get the applicant to understand that although staff will work to keep a project moving, there should not be an expectation that items can be submitted end of the week and they will be automatically placed on the Monday agenda – depending on the outstanding items, time may be necessary for re-reviews. Below is the full exchange:

From: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Sent: Monday, January 24, 2022 1:04 PM
To: Michael Wahlert <mwahlert@msn.com>
Cc: Paul Cownie <paulcownie@dsmindustrial.com>
Subject: RE: [EXT] Re: Suite Shots Setback & Height Restrictions

See responses below – please do not hesitate to contact me with any questions.

Lynne

From: Michael Wahlert <mwahlert@msn.com>
Sent: Friday, January 21, 2022 6:39 AM
To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Subject: FW: [EXT] Re: Suite Shots Setback & Height Restrictions

Good Morning Lynne,

I am working with Paul to get our package put together. Understanding everything you stated below, can you please help me define the REZONING process so that we can get some realistic timeframes together?

I assume there will be comment and rebuttal on the PUD language between staff and us in order to get an agreeable PUD between both parties. *Yes, after receipt of information from the applicant, staff will draft and then provide to the applicant for review and comment. Is this comment/rebuttal phase similar to a site plan, as in, looking at 2 weeks for first review then 1 week each additional review? We attempt to follow the same review turnaround cycle timing but PUDs often get off-schedule due to the amount of information included and vetting each parties preferred language. I would like to say hopefully within 4 weeks we can have a product to go in front of P&Z and Council. Given the known objection of some of the surrounding properties, we will not notice until we feel we are close to having an agreed upon PUD document and all other aspects that have been discussed provided – this allows us to notice for a known date and not have to defer P&Z or Council action to alternate meeting dates as this is typically not well received if individuals wish to speak at the meeting(s).*

We will need to go back to D&P Subcommittee prior to any P&Z or Council meetings. This will occur once we have the sightline studies and any other site development details and staff has completed research outreach to other communities that have operating Suite Shot type establishments. We are tentatively aiming for the February 21st meeting but have other items already on the agenda that may consume the allotted meeting time we have with the City Council representatives. If we cannot be on the February 21st agenda, this would be on the March 7th agenda.

That said, I assume we will have to have a publication of rezone to all land owners within 350' of the property, time for them or any of the public to comment, and possibly hold a meeting if there are any dissenting remarks. Within 370' and all of the individuals that have attended a D&P Subcommittee meeting even though they fall outside of the 370' required distance.

From there, I would assume we go in front of P&Z (what are the dates for submittal, a week before the commission meeting?) and then the following council? I assume this is a 3 council reading item (hopefully we can gain a super majority and waive the 3rd reading?) Staff reports are written the week prior to the meeting so all documents necessary need to be provided and all issues resolved approx. 10 days before the anticipated P&Z and Council meeting dates. If there are no "NO" votes at City Council, we can request waiver of the third meeting and adopt after the 2nd reading. If there is a "NO" vote at Council, three separate meetings/readings will be necessary. If the P&Z recommends denial, a favorable vote of the super majority is required for it to pass.

Also, it seems like we will address each individual lot in the new plat in this PUD, would you need at least the FINAL PLAT to accompany this PUD/rezoning? Not sure what you mean by "address" each individual lot – actual site mail address? Or bulk regulations that will be required

and detailed in the PUD? Actual mail addresses will be assigned in conjunction with the final plat approval. As part of the drafting of the PUD we will need enough of a site layout, including proposed lots to confirm proposed lots and sites comply with city code regulations.

Sorry for my rant, but I think you understand what I am asking...just looking for a realistic schedule (also we do want to move fast on this so we can close on the ground etc..) If all goes well, approval meetings likely will be in May – not that we won't try, but not ssure that all things can be buttoned up to hit April meetings especially with individuals (me) out for 10-days in March over Spring Break.

I mentioned to Paul to get the Comp Plan and Rezoning application submitted asap in order to start the Traffic Impact Study and get that box checked off since time to complete dependent upon how many studies are in the queue ahead of your application. We will need an idea of land use(s) for each lot, including close guesstimate of square footage of each use in order to complete the traffic study.

Thank you in advance for any help you can provide,

MICHAEL WAHLERT PE

6. What were the specific deviations from city code are being requested in the PUD?

- *A 40' building setback in lieu of a 100' building setback along Grand Avenue*
- *Zero setback between parcels of like zoning.*
- *# of parking stalls required of the golf facility since code does not include a provision*
- *Land uses otherwise Permitted or Permitted Conditionally are prohibited.*
- *SIC 7999, a Permitted Condition (Pc) use per code is identified as Permitted*
- *Regulations/limitations related to operational aspects are included (i.e., hours of operation, # of restaurant related drive-thrus, requirement that SIC 7999 uses turn lights off 20 minutes after close)*
- *Restriction on internally illuminated wall signs that face Glen Oaks and provision of wall signage calculation for Suite Shots.*

7. According to the FEMA Flood Plain Map 1902310014C, the subject property is in a floodway area zone AE and “the property must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights. How is the developer accommodating this requirement?

- a. <https://www.wdm.iowa.gov/home/showpublisheddocument/16597/635875880121370000>
- b. <https://www.wdm.iowa.gov/home/showpublisheddocument/16599/635875880124070000>

A Storm Water Management Plan will be prepared by the Developer's Engineering consultant in conjunction with the Preliminary Plat. A Grading Plan was approved in 2014 allowing the placement of soil within the site to raise the ground elevation. None of the property north of the railroad is located in Floodway: it is all located in the Floodway fringe (previously 100-year floodplain) where permits can be issued for new structures that are elevated one foot above the 100-year flood plain level.

8. Being that this development is in a flood plain and near the Racoon River, what environmental impact studies, if any, have been conducted by the city or the developer?

City does not require Environmental Impact Studies. The developer indicated that they talked with the IDNR regarding a concern raised about migratory birds and the nets which the IDNR indicated no concerns with. Additionally, it was indicated from a discussion the developer had with a local Bald Eagle researcher that the closest known nest is east of I-35 and 1,348 yds away.

9. What is the height of the tallest structure, and what is its set back?

Building height and corresponding building placement in the lot are aspects that will be reviewed as part of the Site Plan application. The designated Regional Commercial (RC) Zoning District allows for maximum 36' of building height with an additional 12' of height allowed with every additional 10' of building setback.

10. Table 7.6 of Chapter 7 of the Municipal Code limits the height of the “principal building or structure” in a commercial district to 36’ with an “additional 12 feet for each additional 10 feet of setback.” Do the netting poles comply with the height restriction in Table 7.6?

- a. If not, is the P&Z granting a variance from the height limitation as part of the PUD?
- b. Or, is the City’s position that the netting is not part of the “principle structure” of the Suite Shots PUD?
- c. Or is the City simply going to ignore the height restriction for the Suite Shots PUD?

The netting poles are not considered to be part of the principal structure. City staff researched other recreational facilities within the city (Valley or Dowling football stadiums, ball fields at Holiday Park & Raccoon River Park, MidAmerican Energy RecPlex) and found that light poles and fencing/nets were considered supplementary to the proposed use and therefore no defined setbacks were required. Consistent with how these other facilities were handled, no setbacks are required of the poles and netting for the proposed Suite Shots golf facility. City Code, 9-14-11-b.4.c provides that ‘sports and recreational facilities ... generally open to the public, shall not be subject to the height and setback restrictions specified elsewhere in this section or title 9 ...’

10a. Building height requirements are per code.

10b. As indicated, poles and netting are not integral to the principal structure and are exempted per city code.

10c. Aspects not otherwise provided in the PUD are governed by regulations stated in city code.

11. The developers site plan on page 8 of the meeting packet does not appear to outline the proposed lots for each structure. What are the proposed lots, and do they comply with city code regulations?
- What is the land use for each lot?
 - What is the square footage of each lot?

Lots will be created through the Preliminary and Final Plat Subdivision process.

11a. Any use allowed within the RC zoning district and not otherwise prohibited or restricted in number by the PUD is allowed.

11b. All lots will need to comply with code required bulk regulations (i.e., minimums lot size of 60,000sf. and minimum lot width of 50'). Lots without frontage to a street may be allowed as part of the platting process if an Ingress/Egress Cross Access Agreement is executed to allow use of internal drives.

12. Has the traffic study been completed?
- If so, what are the results?
 - Has it been determined if Grand Ave will need to be widened to accommodate the increase in traffic?
 - If so, will the city require the widening of Grand to be completed prior to occupancy of Suite Shots?

Yes, the Traffic Analysis was completed on March 31, 2022.

12a. The following summarizes the study findings:

- 1. The March 2022 traffic analysis is based on a conceptual site layout and gives preliminary traffic recommendations for the surrounding streets. Additional traffic studies will be necessary as the site develops and more information is known regarding the land use, site layout, and access locations.*
- 2. The full-build roadway geometry and traffic control for the surrounding roadways are illustrated in Figure 2 on p. 5 of the March 2022 traffic analysis. Lane configurations are for illustration purposes only and are not an accurate depiction of how the streets will be constructed. Details on the future improvements, along with recommended triggers, are given in the report.*
- 3. The conceptual west Grand Avenue access is planned to be the site's primary full access. This access must be at least 1,000' away from the planned signalized intersection at Raccoon River Drive & Grand Avenue. It appears that the full access shown on the concept plan must slide east slightly to meet this distance.*
- 4. If the proposed development occurs prior to the widening of Grand Avenue, temporary improvements are expected to be warranted at the site's primary full access. These improvements are likely to include widening to create a westbound left-turn lane, at a minimum, and potentially a temporary traffic signal.*
- 5. The conceptual east Grand Avenue access is planned to be a right-in/right-out access. The access must be at least 300' east of the site's west access. The applicant will need to verify*

with the Iowa DOT regarding access rights from the interchange to determine how close the RI/RO can be to the southbound on-ramp.

6. The conceptual layout shows a potential internal street that is lined up toward Raccoon River Drive. Due to the short spacing from Grand Avenue and the proximity to the railroad tracks, there must be no access on Raccoon River Drive.

7. Throat distances, measured from the future curb of Grand Avenue to the curb of the first internal driveway, must be at least 100' to separate turning movements at Grand Avenue and turn movements internal to the site and to keep entering traffic from spilling back onto the public street. South of the full access, the first driveway on the east side must be at least 200' away from the ultimate curb of Grand Avenue. The internal driveway shown on the concept plan just south of the full access must be relocated to meet this distance.

8. The internal site layout must allow for the safe and orderly movement of vehicles and pedestrians, as well as emergency vehicle maneuverability. Trucks must be able to navigate the site without backing into or out of the driveways and without parking on the adjacent public streets, and internal conflicts near the accesses must not cause traffic to back out onto the public streets.

9. Signing, pavement markings, and other traffic control devices on the driveway approaches to the public streets should be in conformance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices (MUTCD)

12b. Grand Avenue is expected to be widened due to traffic within the larger area, including in part, traffic to be generated from businesses within the PUD area.

12c. A temporary westbound turn lane and possibly a temporary traffic signal may be required of the development. Timing is determined by the City as part of the platting and site planning process and/or when traffic warrants are met. The developer will not be responsible for the full widening of Grand Ave.

13. What are the special regulations that each lot will abide by?

- a. Days of operation?**
- b. Hours allowed to be open?**
- c. Noise level requirements?**

Regulations are based on the use. The PUD states specific hours that Suite Shots and Bar/restaurants may be open. Restaurant Class 1 & 2 do not have hour restrictions except for use of outdoor patios. The number of drive-throughs within the development is limited to two maximum regardless of use.

13a. Operate 7-days per week if so desired.

13b. Bar/Restaurants shall not be open later than midnight all days. Outdoor patios and operable storefronts per code within 300' of residential open 7am to 10:30pm Sunday through Thursday and 7am to midnight Friday and Saturday. Suite Shots open until 11:00PM Sunday through Thursday and until midnight Friday and Saturday.

13c Abide by City's Noise Control Ordinance

4-7-7: MAXIMUM PERMISSIBLE SOUND LEVELS BY RECEIVING LAND USE:



A. With the exception of sound levels elsewhere specifically authorized or allowed in this chapter, the following are maximum permissible sound levels allowed at or within the property boundary of a receiving land use for unamplified sound:

Receiving Land Use	Maximum L5A Level Permitted		
	7 A.M. - 7 P.M.	7 P.M. - 10 P.M.	10 P.M. - 7 A.M.
Residential	65 dBA	60 dBA	55 dBA
Commercial	65 dBA	65 dBA	65 dBA
Industrial	80 dBA	80 dBA	80 dBA
Noise sensitive	65 dBA	60 dBA	55 dBA

B. With the exception of sound levels elsewhere specifically authorized or allowed in this chapter, the following are maximum permissible sound levels allowed at or within the property boundary of a receiving land use for amplified sound:

Receiving Land Use	Maximum L5C Level Permitted		
	7 A.M. - 7 P.M.	7 P.M. - 10 P.M.	10 P.M. - 7 A.M.
Residential	76 dBC	74 dBC	72 dBC
Commercial	82 dBC	80 dBC	78 dBC
Industrial	85 dBC	85 dBC	85 dBC
Noise sensitive	76 dBC	74 dBC	72 dBC

14. What are the parking requirements for each structure within the PUD, and do they comply with city ordinance?

- a. Parking at the WDM Rec Plex was grossly underestimated. Proof of this is how shuttle service is now needed for overflow parking, located a half mile away at 5930 Grand Ave.
- b. Has the city considered increasing the parking requirements for the proposed PUD?

With the exception of Suite Shots, all uses must comply with city code for minimum number of stalls provided. City code does not include a provision applicable to the proposed golf facility. Research into six operating golf facilities indicated a range of parking required from 3.0 to 4.65 stalls per hitting bay, with an average of 3.9 stalls per hitting bay. The average requirement is specified in the PUD. Of the 6 sites researched, only one municipality indicated a shortage of parking when the facility 1st opened but after the newness wore off, they did not have any more parking problems.

14a. no question to respond to; however, two additional parking areas can be constructed within the RecPlex site and provision of shuttles as a means to handle parking for larger events was included within the PUD.

14b. The parking requirements for Suite Shots is based on the average provided by other operating golf facilities. Since Suite Shots is anticipated to be the first site developed, there is plenty of additional ground within the PUD on which parking can occur – either on a temporary basis with City Council approval, as an expansion of the Suite Shots site itself, or parking on another lot if under a shared parking agreement.

15. What are the distances of the setbacks from each structure to Grand Ave? Do these numbers include the widening of Grand Ave?

Minimum 40' as measured from the ultimate right-of-way-line (after widening). Additional setback required if building is taller than 36' in height.

16. Where is pedestrian access to the development?

A 10' wide public trail will be constructed along south side of Grand Avenue and east side of Raccoon River Dr. – the Developer will construct the full 10' but is only financially responsible for 4' of the trail which is the equivalent of a public sidewalk. As part of site planning for each lot, pedestrian connections to the trail and between parcels/businesses within the PUD will be determined.

17. On page 8 of the meeting packet, the developer provided site plan does not show a 6' bike path. Will the developer be required to install and connect it to the existing path along Grand Ave?

As part of the platting/ site planning process connections will be defined. Developer of each lot will be required to construct pedestrian pathways as part of lot development. The PUD provides that the Grand Ave trail will be constructed with development of the first PUD parcel.

18. What other city improvements will the developer be responsible for?

Unless the City Council otherwise approves, Developer is responsible for all infrastructure necessary for the development, e.g. extension of sanitary sewer, storm sewer and water to the site, street lights adjacent to public streets, 4' of the 10' trails, all internal site improvements.

19. The developers site plan only shows two entrances off Grand Avenue, with one being right in/right out.

- a. Will the other entrance have a traffic signal?
- b. Will the developer be required to pay for the traffic Lights?
- c. Will a traffic light be installed at the entrance off Raccoon River Drive?

19a. Only the full access (generally located immediately west of the median) will be signalized at such time when traffic warrants are met. The east access is not anticipated to be signalized since it is right-in/right-out only. No access to Raccoon River Dr will be allowed. A right-in/right-out drive may be possible between Raccoon River Dr and the full access - this will be determined as part of the platting and site plan processes.

19b. Unless otherwise approved by the City Council, the developer will be responsible for at least 50% of the cost of a signal at the development's full access & 25% of the cost of a signal at the intersection of Grand Ave and Raccoon River Dr.

19c. No drive connection to Raccoon River Dr is allowed per the Traffic Analysis.

20. On page 9 of the meeting packet, the developer provided site line study is not accurate. Specifically, the study inaccurately illustrates how trees block the view of the development. Will the developer be required to conduct a more accurate study which shows actual photos from the neighbors properties impacted by the structure heights?

If the P&Z or City Council feels that such is warranted.

21. Did the city consult with any agencies and study the potential negative impacts the PUD may have on the surrounding property values?

The City sent 34 emails to municipalities with operating golf facilities to inquire about the facility's affect on property values. Of the 14 responses, none indicated a negative impact. The City did not discuss any other land uses as there is no proven impact of non-residential development adjacent to residential on property values in West Des Moines.

22. When will the developers agreement be made available to the public?

Community & Economic Development Department that handles development agreements confirmed that there is no development agreement. The developer has not requested any financial assistance from the City to implement the project.

23. What are the signage requirements for the PUD?

Comply with city code except no internally illuminated wall signs are allowed to face Glen Oaks, rather, said wall signs would need to be halo lit or reverse channel letters. Also, the PUD specifies provision of 1sf of wall signage per linear foot of the longest building side for the golf facility.

24. What are the special components required for each parcel?

- a. Will a buffer plan be required by the developer?
- b. What landscaping screening will be required along Grand Ave?
- c. What architectural design requirements are being asked of the developer? Colors, materials etc

24a. Minimum 30' buffer is required along both Grand Ave and Raccoon River Dr. Layout and plant details are provided as part of the Preliminary Plat &/or Site Plan.

24b. The buffer along Grand will need to provide minimum number and types of plants for a 30' buffer according to city code. Additional vegetation may be necessary to mitigate views of parking and 'negative site elements' such as mechanical equipment, trash enclosures, loading docks, etc. – this is determined during the site planning process.

24c. The PUD contains standards architectural language aimed at creating varied but visually cohesive and unified buildings within the development.

25. During the Development & Planning subcommittee meeting on February 21st, the developer stated that he has not requested, nor does he need any tax incentives from the city. Is this still correct?

- a. If not, what financial incentives has the city offered the developer?

I am not aware of any tax incentives being requested by the developer or offered by the City.

26. The city of Johnston recently announced a similar development along I-35 & Merle Hay Road. Has the city been provided an updated pro-forma financial statement which reflects two similar developments being located within twelve miles of each other?

The city typically does not initiate a study or require market analysis for projects. It is on the developer to do their due diligence and determine whether to proceed given the announcement.

27. Has any economic feasibility study been performed to take into account the competing project in Johnston along I-35 & Merle Hay Road?

The city does not conduct market analysis or economic feasibility studies: it is unknown if the developer has had a study done.

Twedt, Lynne

From: Twedt, Lynne
Sent: Friday, April 15, 2022 1:10 PM
To: Josh Janeczko
Cc: Loots, Doug; tom@halterman.com; gary@dickeycampbell.com; Hadden, Tom
Subject: FW: [EXT] RE: Suite Shots Setback & Height Restrictions

*Josh – see my responses below in red italics.
The staff report will be posted to the city’s website this evening.
Lynne*

From: Josh Janeczko <jjaneczko@i2-tech.com>
Sent: Wednesday, April 13, 2022 6:51 PM
To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Cc: Loots, Doug <doug.loots@wdm.iowa.gov>; 'tom@halterman.com' <tom@halterman.com>; 'gary@dickeycampbell.com' <gary@dickeycampbell.com>; Hadden, Tom <tom.hadden@wdm.iowa.gov>
Subject: [EXT] RE: Suite Shots Setback & Height Restrictions

Greetings Lynne,

Below is an email you sent to me regarding the Suite Shots setback and height restrictions on January 12th of this year. In that email you stated the following:

“City code does not include a maximum height for elements such as light poles. In researching other sites within the city, no setback was applied to the light poles or field goal nets at Valley Stadium or any of the other school district’s recreational fields or facilities, at any of the city parks, or at the RecPlex. Based on this precedent, we would follow the same approach with Suite Shots and only regulate the height of the building.”

I am requesting you answer the following questions prior to the city council meeting on Monday April 18th.

1. What are the heights of the 7 lighting structures at Valley West Stadium? *Did not see information on pole height in the site plan drawing or file. However, through the use of Pictometry, the pole heights measure to be approximately 100’ tall.*
2. What are the heights of the Valley West stadium field goal nets? *Did not see information in the site plan drawing or file. Google suggests most common net size is 40’x40’.*
3. Are the field goal nets permanently affixed to any structure within the stadium? Or are they raised/lowered by someone before/after each field goal kick? *Did not see information in the site plan drawing or file; personally I have only watched 9-yr old’s play at Valley and they don’t kick field goals.*
4. Assuming the field goal nets were treated as building structures, and based on the heights of the field goal nets and where they are located, are they currently in violation of any minimum setback distances or maximum height requirements of city code? *Per the Southwoods Knoll PUD, Medium Density (RM) zoning is designated for this parcel. Title 9, table 7.4: ‘Non-Residential Uses (daycares, churches and schools) in Residential Districts’ within the RM district indicates 50’ front and rear yard, 25’ side yards and 40’ maximum height with an additional 12’ of height allowed for each additional 10’ of setback. If an assumption is made that the poles or building holding the net is 50’ in height, the required setback from Mills Civic (front yard) and the east (rear yard) would be minimum of 60’, and a minimum 35’ from the north and south parcel boundaries (side yards). Measuring off of aerial photos, from the property boundary to the outside edge of the turf, it appears the field is approx. 215’ from Mills Civic; 340’ from the north boundary; 100’ from the east boundary; and 180’ from the south boundary. Based on this*

assumption they are treated as part of the primary structure, the net height and setback far exceed what would be required per code.

5. The developer stated in the P&Z meeting this past Monday, “the poles & netting will not have any lights attached to them.” If the poles & nets do not have any lights attached to them, why did the city decide to use light poles as precedent for only regulating the height of the building and not the poles? *The city was looking for taller aspects of a site due to the use – field lighting and fencing are two aspects common to recreation based uses. Additionally, at the time that staff was researching existing sites it was believed that lights were to be mounted on each of the poles. Subsequently, we learned that no lights would be on the poles, thus now making them fence poles. Within the fencing provisions provided in City code (9-14-11.B.4.c) it states the following: “Recreational Purposes: In all zoning districts, fences associated with a sports or recreational facility or other similar area owned or associated with a municipality, school, park, or is otherwise generally available for use by the public, shall not be subject to the height and setback restrictions specified elsewhere in this section or provided elsewhere within title 9, provided that such fence is constructed of materials that are at least seventy-five percent (75%) open for the full length of the fence (chain link is acceptable). The openness requirement shall not be interpreted to prohibit the use of windscreen or sunscreen materials in conjunction with the fence. Any such fence is subject to design review and approval as part of a site plan application.” This provision clearly states that setback and height regulations do not apply to the poles.*

Thank you and I look forward to your response.

Respectfully,

Josh Janeczko

From: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>

Sent: Wednesday, January 12, 2022 1:23 PM

To: Josh Janeczko <jjaneczko@i2-tech.com>

Subject: Suite Shots Setback & Height Restrictions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Josh – hope the holidays were good to you!

Sorry for the delay in responding.

We have spent some time looking at how we handled other similar projects and discussing with legal and this is what we have found/know:

- Spare Time Family Entertainment venue (340 Jordan Creek Pkwy) is part of the Jordan West Development. The use was classified under SIC 7999: Amusement & Recreation, NEC. With Council’s approval, the PUD was amended to designate Regional Commercial (RC) zoning on the property to allow for the venue; however, language was included in the PUD to only allow those specific recreational uses which occur at the venue (bowling, video-arcade, laser-tag, billiards and an escape room.
- Smash Park (6625 Coachlight Dr) is part of the Jordan Creek Crossing I development. The City Council approved an amendment the JC Crossing PUD to specifically allow court games, such as bocce ball, hand ball, pickle ball, racquetball, etc. under SIC 7999 but with a limitation of 1 such recreational facility within the development.

- Dave & Busters (to be constructed adjacent to the lake at the Jordan Creek Town Center) is on a parcel with underlying zoning of Regional Commercial with the Jordan Creek Town Center PUD specifically allowing SIC 7999 but prohibiting go-karts, trap shooting and gun ranges which fall under SIC 7999.

Although online research into Top Golf type establishments indicates that they are often classified under SIC 5812: Eating Places, and the proforma (and maybe actual sales) for these golf facilities may generate more income from food and drink sales than they do the golf aspect, however, based upon the precedent of how we have treated other recreational venues in the City, staff has determined that the use will be classified under SIC 7999: Amusement and Recreational Services, NEC and not classified as a Restaurant/Bar.

SIC 7999 is allowed in the Regional and Community Commercial zoning districts or, with specific City Council approval can be allowed as part of a Planned Unit Development. It is not currently allowed in the Support Commercial (SC) zoning district.

The applicant's options are:

1. request a change to city code to make specific recreational activities/uses under SIC 7999 as permitted in Support Commercial and then request consistency zoning with the Support Commercial identified on the Comprehensive Plan.
2. request a land use and zoning change to designate the property as Community Commercial or Regional Commercial. As part of this approach, Staff would push for Community Commercial and the placement of the larger 25 acres into a PUD to regulate specifically what SIC 7999 uses, as well as other commercial uses that would be allowed on within the property.

Regardless whether the property is zoned Support (SC), Community (CMC) or Regional (RC) Commercial, they all have the same height and setback requirements.

The building is required to be setback a minimum of 100' along the front (from Grand Ave.) and 50' setbacks are required from the side and rear property lines unless the lot abuts a lot with like zoning in which case zero zoning setback would be required along the rear and side; however, the site must still comply with Building & Fire Code separation requirements (generally 20' between structures).

The allowed height in all of these commercial districts is 36' with a code provision that an additional 12' of height is allowed with each additional 10' of setback.

City code does not include a maximum height for elements such as light poles. In researching other sites within the city, no setback was applied to the light poles or field goal nets at Valley Stadium or any of the other school district's recreational fields or facilities, at any of the city parks, or at the RecPlex. Based on this precedent, we would follow the same approach with Suite Shots and only regulate the height of the building.

I am guessing that each story of the building is taller than average. Assuming 3 stories at the extreme height of 20' for each story results in a 60' building height.

$$60' - 36' \text{ (code allowed height)} = 24' \text{ above code} + 12' \text{ (code allowed additional height)} = 2 \times 10' \text{ (additional setback required per 12' of height)} = 20'$$

The additional required setback to accommodate a 60' tall building plus the initial required 100' setback results in 120' of setback from Grand Ave and 70' of setback from the east and south boundaries.

We have not seen a more recent site layout plan than the concept shown at the D&P Subcommittee meeting, nor have we been provided any sight line studies from any of the properties in Glen Oaks.

Hopefully this lets you know staff's stance and answers your question on setback. Please do not hesitate to reach out if you have other questions.

Have a good afternoon.
Lynne

From: Josh Janeczko <jjaneczko@i2-tech.com>
Sent: Thursday, January 6, 2022 6:24 AM

To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>

Subject: [EXT] Setback & Height Restrictions

Good Morning Lynne,

Wanted to follow up on an open item from the meeting a few weeks ago regarding the setback and height restrictions of regional commercial zoning. My notes referenced a 36-foot height restriction, with extra height allowed the further the setback. Were you able to determine the necessary setback requirements for the proposed Suite Shots assuming the structure height of 150 feet?

Thank you,

Josh Janeczko

Twedt, Lynne

From: Twedt, Lynne
Sent: Friday, April 15, 2022 1:11 PM
To: Janeczko, Josh; tom@halterman.com; gary@dickeycampbell.com; Hadden, Tom
Subject: FW: [EXT] RE: Suite Shots Setback & Height Restrictions

*Josh – see responses below in red italics.
Lynne*

From: Josh Janeczko <jjaneczko@i2-tech.com>
Sent: Thursday, April 14, 2022 6:45 AM
To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Cc: Loots, Doug <doug.loots@wdm.iowa.gov>; 'tom@halterman.com' <tom@halterman.com>; 'gary@dickeycampbell.com' <gary@dickeycampbell.com>; Hadden, Tom <tom.hadden@wdm.iowa.gov>
Subject: [EXT] RE: Suite Shots Setback & Height Restrictions

Morning Lynne,

Have some additional questions I forgot to include in my email last night.

According to page 4 in the staff report 2c published in the P&Z meeting, this zoning district requires 100' of building setback and 50' of rear and side yard building setbacks. The notes state:

“Under the idea that the closer an object is to the viewpoint, the more view blockage is achieved, in combination with a desire to hide as much parking possible from views from drivers on Grand ave, staff requested that the developer place the buildings closer to the street. To allow for this, only a 40' setback from Grand Ave’s ultimate road right of way is stated in the PUD.”

Is the idea based on how the city thinks the buildings will screen off the poles and nets? Or just the parking? To a degree, both. While it is clear that nothing will completely mitigate all views of the golf facility’s netting and poles, intervening buildings will block some views, and the closer that building is to the viewpoint, the more it will block. The intent is not that it will provide blockage from the Glen Oaks homes, but rather from drivers on Grand Avenue. Pulling the buildings forward to engage with the street is generally thought to be more pleasing than having a sea of parking between the street and building. Also, pulling the buildings closer and locating parking behind the buildings is more effective in mitigating views of the parking than is standard buffering requirements. Are there any other developments in West Des Moines where the city applied this particular methodology? And if so, what was the reduction of setback allowed for these instances?

City code required front building setback for respective zoning districts are:

*Regional Commercial (RC) @ 100'
Support Commercial (SC) @ 100'
Community Commercial (CMC) @ 100'
Professional Commerce Park (PCP) @ 50'*

The following developments have reduced front yard setbacks bring the primary structure closer to the street:

- Shoppes at Valley West (SE corner Westown & Valley West Dr) – RC zoning: buildings allowed as close as 15' if façade pedestrian friendly and parking was located behind the building.*
- Jordan West (SW corner EP True & Jordan Creek Pkwy) – SC & PCP zoning: 30' from EP True or Jordan Creek Pkwy*
- Plaza @ Jordan Creek (Lowes to Hobby Lobby along Jordan Creek Pkwy) - RC zoning: 80' from Mills Civic & 30' from Jordan Creek Pkwy*

- *JC Crossing I (NE corner Coachlight & S 68th St) – PCP zoning: 25' from Wistful Vista, Coachlight & S 64th St and as close as 15' from Jordan Creek Pkwy*
- *JC Crossing II (SW corner Coachlight and S 64th St) – RC zoning: 25' from Coachlight & S 64th St*
- *Galleria (Mills Civic between S 60th & S 68th Streets) – RC zoning: 25' from all streets unless buffer requires larger, 60' from Mills Civic*
- *West Glen (NE corner of Mills Civic and S Prairie View) – CMC zoning: 30' from Mills Civic Pkwy*
- *Mills Crossing (NW corner of Mills Civic and S Prairie View) – SC zoning: 60' from Mills Civic Pkwy, 30' from S 60th St and 25' from S Prairie View Dr.*
- *Mills Landing (SE Corner of Mills Civic and S 60th St) – SC zoning: 60' from Mills Civic Pkwy. 25' from S 60th St*
- *Village on Jordan Creek – SC: 70' from Ashworth, 90' Jordan Creek Pkwy*
- *Midtown (8th Street south of Kum & Go) – SC: 45' from 8th St*
- *Val*Gate District (both sides of Grand Avenue between 1st and 4th streets)*
 - *1st Street Redevelopment – CMC: 10' from 1st St*
 - *Erik's Bike Shop – CMC: 10' from 1st Street and Ashworth*
 - *HyVee – CMC: 10' from Grand Ave*
 - *Fareway – CMC: 15' from Grand Ave, 4th, & Ashworth*
 - *West Bank/Casey's – CMC: 15' from Grand Ave*
- *The Parkways (NW corner of Mills Civic and S Jordan Creek Pkwy) – CMC zoning: 30' from Jordan Creek Pkwy, Coachlight & S 77th Street, 30' from Mills Civic if building is 10,000sf or less: 60' if building is greater than 10,000sf*
- *Paradise Point (NW corner of Mills Civic and S 64th St) – RC zoning; 25' from Mills Civic, S 68th St and S 64th St*

Hoping you'd be able to provide some additional input into the logic used in this decision.

Thank you,

Josh Janeczko

From: Josh Janeczko

Sent: Wednesday, April 13, 2022 6:51 PM

To: 'Twedt, Lynne' <Lynne.Twedt@wdm.iowa.gov>

Cc: 'Loots, Doug' <doug.loots@wdm.iowa.gov>; 'tom@halterman.com' <tom@halterman.com>;

'gary@dickeycampbell.com' <gary@dickeycampbell.com>; 'tom.hadden@wdm.iowa.gov'

<tom.hadden@wdm.iowa.gov>

Subject: RE: Suite Shots Setback & Height Restrictions

Greetings Lynne,

Below is an email you sent to me regarding the Suite Shots setback and height restrictions on January 12th of this year. In that email you stated the following:

“City code does not include a maximum height for elements such as light poles. In researching other sites within the city, no setback was applied to the light poles or field goal nets at Valley Stadium or any of the other school district’s recreational fields or facilities, at any of the city parks, or at the RecPlex. Based on this precedent, we would follow the same approach with Suite Shots and only regulate the height of the building.”

I am requesting you answer the following questions prior to the city council meeting on Monday April 18th.

1. What are the heights of the 7 lighting structures at Valley West Stadium?
2. What are the heights of the Valley West stadium field goal nets?
3. Are the field goal nets permanently affixed to any structure within the stadium? Or are they raised/lowered by someone before/after each field goal kick?
4. Assuming the field goal nets were treated as building structures, and based on the heights of the field goal nets and where they are located, are they currently in violation of any minimum setback distances or maximum height requirements of city code?
5. The developer stated in the P&Z meeting this past Monday, "the poles & netting will not have any lights attached to them." If the poles & nets do not have any lights attached to them, why did the city decide to use light poles as precedent for only regulating the height of the building and not the poles?

Thank you and I look forward to your response.

Respectfully,

Josh Janeczko

From: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>

Sent: Wednesday, January 12, 2022 1:23 PM

To: Josh Janeczko <jjaneczko@i2-tech.com>

Subject: Suite Shots Setback & Height Restrictions

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Josh – hope the holidays were good to you!

Sorry for the delay in responding.

We have spent some time looking at how we handled other similar projects and discussing with legal and this is what we have found/know:

- Spare Time Family Entertainment venue (340 Jordan Creek Pkwy) is part of the Jordan West Development. The use was classified under SIC 7999: Amusement & Recreation, NEC. With Council's approval, the PUD was amended to designate Regional Commercial (RC) zoning on the property to allow for the venue; however, language was included in the PUD to only allow those specific recreational uses which occur at the venue (bowling, video-arcade, laser-tag, billiards and an escape room.
- Smash Park (6625 Coachlight Dr) is part of the Jordan Creek Crossing I development. The City Council approved an amendment the JC Crossing PUD to specifically allow court games, such as bocce ball, hand ball, pickle ball, racquetball, etc. under SIC 7999 but with a limitation of 1 such recreational facility within the development.
- Dave & Busters (to be constructed adjacent to the lake at the Jordan Creek Town Center) is on a parcel with underlying zoning of Regional Commercial with the Jordan Creek Town Center PUD specifically allowing SIC 7999 but prohibiting go-karts, trap shooting and gun ranges which fall under SIC 7999.

Although online research into Top Golf type establishments indicates that they are often classified under SIC 5812: Eating Places, and the proforma (and maybe actual sales) for these golf facilities may generate more

income from food and drink sales than they do the golf aspect, however, based upon the precedent of how we have treated other recreational venues in the City, staff has determined that the use will be classified under SIC 7999: Amusement and Recreational Services, NEC and not classified as a Restaurant/Bar.

SIC 7999 is allowed in the Regional and Community Commercial zoning districts or, with specific City Council approval can be allowed as part of a Planned Unit Development. It is not currently allowed in the Support Commercial (SC) zoning district.

The applicant's options are:

1. request a change to city code to make specific recreational activities/uses under SIC 7999 as permitted in Support Commercial and then request consistency zoning with the Support Commercial identified on the Comprehensive Plan.
2. request a land use and zoning change to designate the property as Community Commercial or Regional Commercial. As part of this approach, Staff would push for Community Commercial and the placement of the larger 25 acres into a PUD to regulate specifically what SIC 7999 uses, as well as other commercial uses that would be allowed on within the property.

Regardless whether the property is zoned Support (SC), Community (CMC) or Regional (RC) Commercial, they all have the same height and setback requirements.

The building is required to be setback a minimum of 100' along the front (from Grand Ave.) and 50' setbacks are required from the side and rear property lines unless the lot abuts a lot with like zoning in which case zero zoning setback would be required along the rear and side; however, the site must still comply with Building & Fire Code separation requirements (generally 20' between structures).

The allowed height in all of these commercial districts is 36' with a code provision that an additional 12' of height is allowed with each additional 10' of setback.

City code does not include a maximum height for elements such as light poles. In researching other sites within the city, no setback was applied to the light poles or field goal nets at Valley Stadium or any of the other school district's recreational fields or facilities, at any of the city parks, or at the RecPlex. Based on this precedent, we would follow the same approach with Suite Shots and only regulate the height of the building.

I am guessing that each story of the building is taller than average. Assuming 3 stories at the extreme height of 20' for each story results in a 60' building height.

$$60' - 36' \text{ (code allowed height)} = 24' \text{ above code} \div 12' \text{ (code allowed additional height)} = 2 \times 10' \\ \text{(additional setback required per 12' of height)} = 20'$$

The additional required setback to accommodate a 60' tall building plus the initial required 100' setback results in 120' of setback from Grand Ave and 70' of setback from the east and south boundaries.

We have not seen a more recent site layout plan than the concept shown at the D&P Subcommittee meeting, nor have we been provided any sight line studies from any of the properties in Glen Oaks.

Hopefully this lets you know staff's stance and answers your question on setback. Please do not hesitate to reach out if you have other questions.

Have a good afternoon.
Lynne

From: Josh Janeczko <jjaneczko@i2-tech.com>
Sent: Thursday, January 6, 2022 6:24 AM
To: Twedt, Lynne <Lynne.Twedt@wdm.iowa.gov>
Subject: [EXT] Setback & Height Restrictions

Good Morning Lynne,

Wanted to follow up on an open item from the meeting a few weeks ago regarding the setback and height restrictions of regional commercial zoning. My notes referenced a 36-foot height restriction, with extra height allowed the further the setback. Were you able to determine the necessary setback requirements for the proposed Suite Shots assuming the structure height of 150 feet?

Thank you,

Josh Janeczko

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-035**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Des Moines ND, LLC, an Iowa Limited Liability Company, and property owners, Benjamin Lounsbury and Andrew Lounsbury, request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation of the approximately 26-acre property located at the southwest corner of Interstate 35 and Grand Avenue as shown on the Comprehensive Plan Land Use Change illustration included in the staff report to change from Support Commercial (SC) land use designation to Regional Commercial (RC) land use designation; and

WHEREAS, the comprehensive plan amendment complies with the applicable provisions of Iowa Code Chapter 414 and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Comprehensive Plan Land Use Map Amendment, (CPAZC-005502-2022) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 11, 2022.



Jennifer Drake, Vice Chair
Plan and Zoning Commission

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 April 11, 2022, by the following vote:

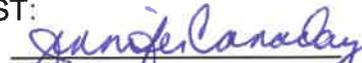
AYES: Conlin, Crowley, Drake, Shaw

NAYS: Hatfield

ABSTENTIONS: Costa, Davis

ABSENT:

ATTEST:


Recording Secretary

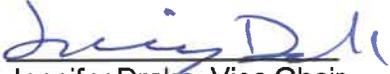
**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-036**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Des Moines ND, LLC, an Iowa Limited Liability Company, and property owners, Benjamin Lounsbury and Andrew Lounsbury, request approval of a Rezoning Request to establish the Suite Shots Planned Unit Development (PUD) on property as legally defined in the Planned Unit Development (PUD) Ordinance and indicated on the Location Map, both of which are included in the staff report. Specifically, Regional Commercial (RC) underlying zoning shall be applied to all property within the PUD; and

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (CPAZC-005502-2022) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 11, 2022.


Jennifer Drake, Vice Chair
Plan and Zoning Commission

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 April 11, 2022, by the following vote:

AYES: Conlin, Crowley, Drake, Shaw

NAYS: Hatfield

ABSTENTIONS: Costa, Davis

ABSENT:

ATTEST:


Recording Secretary

Prepared by: Lynne Twedt, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant, Des Moines ND, LLC, an Iowa Limited Liability Company, and property owners, Benjamin Lounsbury and Andrew Lounsbury, request approval of a Comprehensive Plan Land Use Map Amendment to change the land use designation from Support Commercial (SC) to Regional Commercial (RC) on the ground legally described in attached Exhibit 'B' and as indicated on the attached Comprehensive Plan Land Use Map Change Illustration; 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, the Comprehensive Plan Land Use Map Amendment complies with applicable provisions of Iowa Code Chapter 414 and City Code; and

WHEREAS, on April 11, 2022, the Plan and Zoning Commission did recommend to the City Council, by a 4-1-2 vote, for approval of the Comprehensive Plan Land Use Map Amendment; and

WHEREAS, on this day this City Council held a duly noticed Public Hearing to consider the application for Comprehensive Plan Land Use Map Amendment.

NOW, THEREFORE, The City Council hereby approves the Comprehensive Plan Land Use Map Amendment (CPAZC-005502-2022) as shown on attached Comprehensive Plan Land Use Map Change Illustration, subject to compliance with all the conditions in the staff report, dated April 18, 2022, including conditions added at the meeting, and attached hereto as Exhibit " A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 18, 2022, by the indicated vote.

Exhibit A: Conditions of Approval

1. None

Exhibit B: Legal Description

Parcel 1:

All that portion of Government Lot 3 in the N.W. Fractional 1/4 of Section 30, Township 78 North, Range 25 West of the 5th P.M., lying South of and adjoining the Southerly Right-of-way line of Grand Avenue (Iowa Highway 90), as it is presently established and north of and adjoining the Northerly right-of-way line of the Chicago-Rock Island and Pacific Railroad, as it is presently established, all now included in and forming a part of the City of West Des Moines, Polk County, Iowa is more accurately described as follows:

Commencing at the NW 1/4 Corner of said Section 30, said point also being the N.E. corner of said Government Lot 3; Thence S. $0^{\circ}-24'-36''$ W along the East line of said Government Lot 3, 74.00 feet to the Southerly right-of-way line of said Grand Avenue and to the Point of Beginning; thence continuing S $0^{\circ}-24'-36''$ W along the East line of said Government Lot 3, 623.3 feet to the Northerly right-of-way line of said Chicago-Rock Island and Pacific Railroad; Thence Westerly along the Northerly right-of-way of said railroad and along a 5,780.0 foot radius curve concave Southerly, whose long cord has a bearing of N $89^{\circ}-48'-16''$ W and a cord length of 1099.83 feet, for a distance of 1101.50 feet; thence S $84^{\circ}-44'-10''$ W along the Northerly right-of-way line of said Railroad 221.22 feet to the West line of said Government Lot 3; Thence N $0^{\circ}-24'-39''$ E along the West line of said Government Lot 3, 249.12 feet to the Southerly right-of-way line of said Grand Avenue; Thence N $52^{\circ}-15'38''$ E along the Southerly right-of-way of said Grand Avenue, 357.55 feet; Thence Northeasterly along the Southerly right of-way line of said Grand Avenue and along a 1,562.02 foot radius curve concave southeasterly whose long chord has a bearing of N $76^{\circ}-26'-41''$ E and a chord length of 734.17 feet, for a distance of 741.11 feet; Thence S $89^{\circ}-57'-48''$ E along the Southerly right-of-way line of said Grand Avenue 326.31 feet to the Point of Beginning.

Parcel 2:

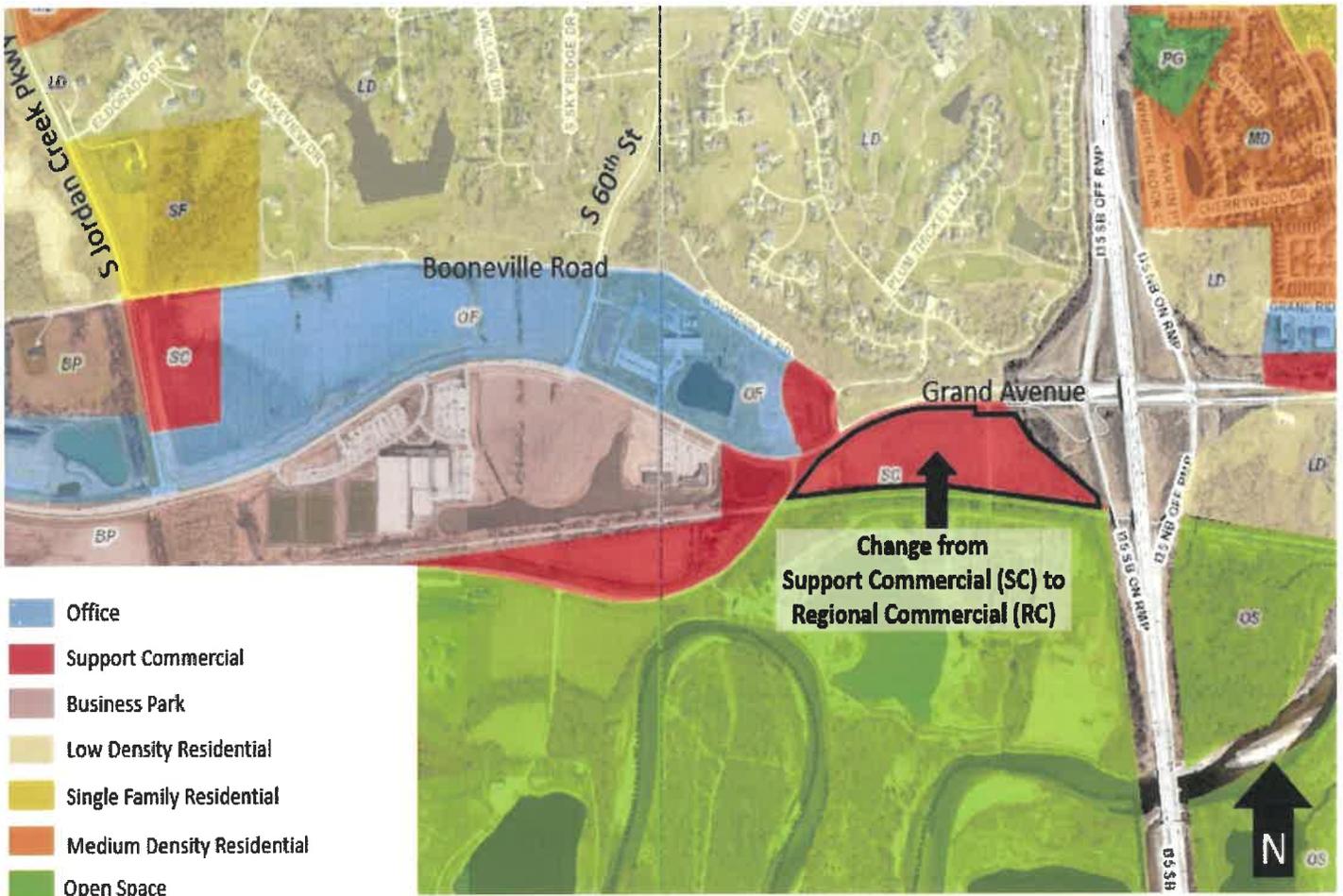
A parcel of land in the NW 1/4 NE 1/4 of Section 30, Township 78 North, Range 25 west of the 5th PM, Polk County, Iowa, more particularly described as follows:

Commencing at the N 1/4 Corner of said Section 30: thence S $00^{\circ}00'$ W, 119.4 feet on the West line of said NW 1/4 Ne 1/4 1/4 to a point 120 feet normally distant southerly from the enter-line of Primary Road No. 90, the Point of Beginning; thence N $89^{\circ}38' \frac{1}{2}'$ E, 346.6 feet parallel to said centerline to a point normal to Sta. 1281+00 (prim. Rd. No. 90); thence S $29^{\circ}27'$ E, 205.8 to a point 300 feet normally distant southerly from Sta. 1282.+00 (Prim. Rd. No. 90); thence S $52^{\circ}57' \frac{1}{2}'$ E, 904.1 feet to a point 330 feet normally distant westerly from the centerline of the northbound lane of Interstate Route No. 35 on the northerly right of way line of the Chicago, Rock Island and Pacific Railroad; then N $82^{\circ}47'$ W, 1017.2 feet on said right of way line; thence westerly on said right of way line 161.1 feet on a 5780.0 foot radius curve, concave southerly, and chord for which bears N $84^{\circ}20'$ W, and has a length of 161.1 feet, to the West line of said NW 1/4 NE 1/4 ; thence N $00^{\circ}00'$ E, 578.0 feet on said west line to the Point of Beginning, except that part conveyed to the State of Iowa by Warranty Deed recorded in [Book 13770, Page 629](#) in the Office of the Recorder of Polk County, Iowa; and less and except that part conveyed to Iowa Interstate Railroad, LTD, by Quit Claim Deeds recorded in [Book 17084, Pages 474, 475, 476 and 478](#).

Parcel 3:

Commencing as a point of reference at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 30-78-25 (Being a part of the Government Lot 4): Thence S $01^{\circ} 12'17''$ E, 181.84 Feet along the West line of said Northeast 1/4 to a point; Thence S $00^{\circ}48'32''$ W, 245.69 Feet along said West line to the Point of the Beginning. Thence continuing S $00^{\circ}36'49''$ W 243.49 Feet along said West line to a point on the North Right-of-Way line of the Chicago Rock Island and Pacific Railway; Thence S $84^{\circ}50'52''$ W, 291.29 Feet along said Right-of-Way to a Point; Thence N $39^{\circ}52'31''$ E, 138.26 Feet to a Point of curvature; Thence Northerly along a curve to the right having a radius of 1567.10 Feet, and arc length of 289.03 Feet to the Point of the Beginning. Said Parcel being also known as Parcel "D" of the Acquisition Plat recorded in [Book 7117, page 489](#).

Comprehensive Plan Land Use Map Change Illustration



Prepared by: Lynne Twedt, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE

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, by changing the following legally described property from Open Space to **Suite Shots Planned Unit Development (PUD)** of West Des Moines, Iowa:

Legal Description

Parcel 1:

All that portion of Government Lot 3 in the N.W. Fractional 1/4 of Section 30, Township 78 North, Range 25 West of the 5th P.M., lying South of and adjoining the Southerly Right-of-way line of Grand Avenue (Iowa Highway 90), as it is presently established and north of and adjoining the Northerly right-of-way line of the Chicago-Rock Island and Pacific Railroad, as it is presently established, all now included in and forming a part of the City of West Des Moines, Polk County, Iowa is more accurately described as follows:

Commencing at the NW 1/4 Corner of said Section 30, said point also being the N.E. corner of said Government Lot 3; Thence S. 0°-24'-36" W along the East line of said Government Lot 3, 74.00 feet to the Southerly right-of-way line of said Grand Avenue and to the Point of Beginning; thence continuing S 0°-24'-36" W along the East line of said Government Lot 3, 623.3 feet to the Northerly right-of-way line of said Chicago-Rock Island and Pacific Railroad; Thence Westerly along the Northerly right-of-way of said railroad and along a 5,780.0 foot radius curve concave Southerly, whose long cord has a bearing of N 89°-48'-16" W and a cord length of 1099.83 feet, for a distance of 1101.50 feet; thence S 84°-44'-10" W along the Northerly right-of-way line of said Railroad 221.22 feet to the West line of said Government Lot 3; Thence N 0°-24'-39" E along the West line of said Government Lot 3, 249.12 feet to the Southerly right-of-way line of said Grand Avenue; Thence N 52°-15'-38" E along the Southerly right-of-way of said Grand Avenue, 357.55 feet; Thence Northeasterly along the Southerly right-of-way line of said Grand Avenue and along a 1,562.02 foot radius curve concave southeasterly whose long chord has a bearing of N 76°-26'-41" E and a chord length of 734.17 feet, for a distance of 741.11 feet; Thence S 89° -57'-48" E along the Southerly right-of-way line of said Grand Avenue 326.31 feet to the Point of Beginning.

Parcel 2:

A parcel of land in the NW 1/4 NE 1/4 of Section 30, Township 78 North, Range 25 west of the 5th PM, Polk County, Iowa, more particularly described as follows:
Commencing at the N 1/4 Corner of said Section 30: thence S 00°00° W, 119.4 feet on the West line of said NW 1/4 Ne 1/4 1/4 to a point 120 feet normally distant southerly from the enter-line of Primary Road No. 90, the Point of Beginning; thence N 89°38 1/2' E, 346.6 feet parallel to said centerline to a point normal to Sta. 1281+00 (prim. Rd. No. 90); thence S 29°27' E, 205.8 to a point 300 feet normally distant southerly from Sta. 1282.+00 (Prim. Rd. No. 90); thence S 52°57 1/2' E, 904.1 feet to a point 330 feet normally distant westerly from the centerline of the northbound lane of Interstate Route No. 35 on the northerly right of way line of the Chicago, Rock Island and Pacific Railroad; then N 82°47' W, 1017.2 feet on said right of way line; thence westerly on said right of way line 161.1 feet on a 5780.0 foot radius curve, concave southerly, and chord for which bears N 84°20' W, and has a length of 161.1 feet, to the West line of said NW 1/4 NE 1/4 ; thence N 00°00' E, 578.0 feet on said west line to the Point of Beginning, except that part conveyed to the State of Iowa by Warranty Deed recorded in [Book 13770, Page 629](#) in the Office of the Recorder of Polk County, Iowa; and less and except that part conveyed to Iowa Interstate Railroad, LTD, by Quit Claim Deeds recorded in [Book 17084, Pages 474, 475, 476 and 478](#).

Parcel 3:

Commencing as a point of reference at the Northwest corner of the Northeast 1/4 of the Northwest 1/4 of Section 30-78-25 (Being a part of the Government Lot 4): Thence S01° 12'17"E, 181.84 Feet along the West line of said Northeast 1/4 to a point; Thence S00°48'32"W, 245.69 Feet along said West line to the Point of the Beginning. Thence continuing S00°36'49W 243.49 Feet along said West line to a point on the North Right-of-Way line of the Chicago Rock Island and Pacific Railway; Thence S84°50'52"W, 291.29 Feet along said Right-of-Way to a Point; Thence N39°52'31 "E, 138.26 Feet to a Point of curvature; Thence Northerly along a curve to the right having a radius of 1567.10 Feet, and arc length of 289.03 Feet to the Point of the Beginning. Said Parcel being also known as Parcel "D" of the Acquisition Plat recorded in [Book 7117, page 489](#).

SECTION 2. DEVELOPMENT INTENT OF THE SUITE SHOTS: This PUD intends to establish a framework for the integration of a variety of recreation, commercial and office land uses in a visually cohesive and walkable development.

SECTION 3. SKETCH PLAN: Attached hereto as Exhibit "A" (or on file with the city) and made a part of this rezoning approval is the Suite Shots PUD Sketch Plan detailing the location, approximate size and configuration of each PUD parcel for the purpose of easier reference for the applicable regulations of this Ordinance. The subdivision of the PUD property will determine final parcel size and configuration. Where the PUD Sketch Plan and PUD language conflict, the language shall prevail.

SECTION 4. REQUIRED PLANS:

The following plans shall be required as a part of the processing of any development application for any property within the PUD:

- A. Platting: Should it be desired that individual lots be created, the property shall be platted in accordance with the city's subdivision ordinance and associated zoning regulations unless otherwise modified within this ordinance. Lots without public street frontage may be allowed with the execution of appropriate cross access easements which provide for the unrestricted use and access of all vehicle drives across and through all other property within the development. Platted outlots intended for future private development must be re-platted through the preliminary and final plat process prior to physical development.

- B. Development Applications: Development Applications (Site Plans): Site plans shall be submitted to the City of West Des Moines for review and approval prior to any physical site development of that portion of the PUD property. At the discretion of the Director of Development Services, an amendment to the Suite Shots PUD Ordinance may be required to bring consistency between the ordinance and the proposed site development.

SECTION 5. GENERAL REQUIREMENTS:

Unless otherwise specified herein, the development of the Suite Shots PUD shall comply with the provisions of the city code.

Whereas, Title 9 of the City Code includes Chapter 9, Planned Unit Development district and establishes certain regulations and guidelines pertaining to accompanying information required on plat and site plan documents. Now, therefore, the following conditions, restrictions, and regulations are adopted as part of this approval, to wit:

In addition to the PUD Sketch Plan, the following general development criteria shall be integrated into and made a part of this Planned Unit Development (PUD):

- A. General Conformance to Subdivision Ordinance: All subdivision, streets, street rights of way, infrastructure and general development shall adhere to the standards and design criteria set forth in the West Des Moines subdivision ordinances and the most current design standards adopted by the City of West Des Moines pertaining thereto unless otherwise stated within this ordinance.
- B. General Conformance to Zoning Ordinance: Unless otherwise specified herein, the development of the PUD shall comply with Title 9, "Zoning", of the city code or any other applicable codes.
- C. Flood Hazard: In all areas within a Base Flood (100 Year), or adjoining drainage ways, and detention ponding areas involving potential flood hazards, all buildings proposed to be located in a flood hazard area must be elevated and designed in accordance with the American Society of Civil Engineers publication ASCE 24 and no building shall be erected which has a minimum opening elevation (including top of window well) less than one foot (1') above the determined level of the Base Flood. In areas where historical high-water levels are above the Flood Insurance Rate Map (FIRM) Base Flood Elevation or special conditions exist, the City may require a Design Flood Elevation be calculated and used as the Base Flood Elevation for determination of elevation requirements. Buildings shall only be permitted within twenty-five feet (25') of any easement or property boundary of a major drainageway, storm water detention basin or pond if said location is approved as part of the development entitlement by the city council and said building is structurally designed accordingly.
- D. Improvements: The developer, its successors and/or assigns, if any, shall pay all planning, engineering, and construction costs for the development of parcels within the PUD as required by this ordinance and approved site plans.

Per the March 31, 2022, Traffic Analysis, the development shall be responsible for the following roadway improvements adjacent to the property contained within the PUD:

1. If development of the property occurs prior to the widening of Grand Avenue, temporary improvements including the widening of Grand Avenue to create a westbound left-turn lane and installation of a fully functioning traffic signal. Should the City initiate widening of Grand Avenue, the applicant may be financially responsible for a pro-rata share of road improvement and traffic signalization costs.

2. Pro-rata share (1/4 cost) of a fully functioning traffic signal at the Grand Avenue and Raccoon River Drive intersection.

No final occupancy permits shall be issued until all necessary improvements applicable to the area/lot or structure requesting occupancy are installed and accepted by the City of West Des Moines.

Nothing in this ordinance shall be construed to prevent the developer, its successors and/or assigns, if any, from entering into private agreement(s) as it/they may desire to share the cost of improvements.

- E. Traffic Analysis: Unless otherwise modified by the City Council, site development shall comply with recommendations stated within the March 31, 2022, Traffic Analysis including but not limited to, access drive locations and spacing, implementation of turn-lanes and other traffic management measures, minimum throat distances of access drives, and traffic signalization.

F. Pedestrian Pathways:

1. Grand Avenue & Raccoon River Drive Public Trails: In accordance with the City's Master Trail Plan, a public trail shall be implemented along the south side of Grand Avenue and the east side of Raccoon River Drive adjacent to the property. Unless otherwise provided by the City as part of road improvements, the developer shall construct a ten foot (10') wide trail in lieu of a standard four foot (4') public sidewalk along both Grand Avenue and Raccoon River Drive. Prior to construction, the City and developer shall execute a 60/40 Trail Agreement which provides that the developer is responsible for the financial expense of four feet (4') of the trail (equivalent to a standard four-foot (4') sidewalk) and the City shall reimburse the developer for six feet (6') of the trail width. Said trails shall be constructed in accordance with the City of West Des Moines' Standard Specifications for trails. The trail along Grand Avenue shall be installed in conjunction with the development of the first PUD parcel. Unless otherwise deferred by the City Council, the trail along Raccoon River Drive shall be installed in conjunction with development of PUD Parcel C.
2. Internal Pedestrian Connections: To allow and encourage pedestrian movement between parcels and to and from the development, an internal pedestrian sidewalk network connecting all lots, uses and buildings within the development, as well as connecting to the Grand Avenue and Raccoon River Drive trails shall be required. For safety, pedestrian pathways shall be physically separated from vehicular drives by at least six feet (6'). To enhance pedestrian comfort and extend use into the evening hours, amenities such as trees, lighting, benches, trash receptacles and other pedestrian amenities shall be incorporated along the pedestrian pathways.

G. Fire Access:

1. All access drives, internal drive aisles and parking lots shall permit the travel of the fire department's largest vehicle, including adequate accommodation of the vehicle's turning needs. Approval of unique design solutions to accommodate fire access may be granted by the city council if the solutions proposed are recommended by the West Des Moines Fire Department.
2. At the discretion of the City's Fire Marshal, "no parking fire lane" areas may be established as necessary to ensure efficient movement and access of the fire trucks. The developer shall be responsible for the procurement and erection of approved fire lane signage.
3. A minimum of fourteen feet (14') of vertical clearance over the travel portion of all vehicle travel ways shall be maintained at all times.

4. The property owner or its designee shall be responsible for enforcement of no parking lanes and maintaining adequate clearance of structures and vegetation along and above all vehicle travel ways regardless of whether public or private.
 5. Adequate fire accesses as determined by the City's Fire Marshal shall be provided at all times to those areas under construction.
- H. Noise: All uses and site activities within the development shall comply with the Noise Ordinance (City Code Title 4, Chapter 7).
- I. Public Utilities and Easements: The placement of public utility easements within landscape buffers and islands within parking areas is discouraged due to the potential conflict between trees and the need to access the lines for repair. Overstory and understory trees should be placed off utility lines a minimum distance equal to the 1:1 excavation trench necessary for the deepest utility. The placement of utility lines within buffers or parking lot islands is not justification to negate the provision of landscape vegetation as required by this ordinance or city code. Adequate access for maintenance vehicles shall be provided into and through the easement areas.

All necessary easements to allow City access to public utilities for maintenance and repair purposes shall be executed prior to the approval and recordation of the first final plat for all known utility locations and prior to approval of a site plan for all subsequent utilities within each PUD parcel. Unless otherwise specified within a specific easement document, the City shall not be responsible for reimbursement, restoration and/or replacement of any improvements located within the public easements should the City be required to excavate the public utilities for normal City operations.

J. Lighting:

1. Parking lot lights shall be limited to twenty-five feet (25') in height including the fixture base and be of a downcast design with no exposed bulbs. Except when adjacent to vehicle drive aisles and public roadways, light levels at the perimeter of the PUD boundary shall be at one (1) footcandle (fc) or less.
2. Wall packs without shields are not allowed. Wall and pole mounted lights shall be directional in nature or shall incorporate the necessary shields to direct the light down and to the intended target.
3. Building up-lighting for architectural interest shall be allowed provided it does not produce light spillover or pollution.
4. In addition to cut-off fixtures, particular attention shall be given to eliminate hot spots and light glare. To achieve this, additional measures may include, but are not limited to, lowering parking lot light levels after certain hours, turning off lights not necessary for security purposes, and use of landscaping for light screening/blockage.
5. As a part of the review of a site plan, a photometric plan shall be submitted.
6. See following section for limitations on golf facility range illumination.

SECTION 6. REQUIREMENTS:

In addition to the general conditions as stated herein the PUD, the following criteria shall apply to the area designated on the PUD Sketch Plan on file in the City Clerk's Office. The PUD Sketch Plan document, which is made a part of this rezoning action, delineates Parcels A through C.

- A. Parcels A, B & C: Unless provided otherwise in this ordinance, all general uses, bulk regulations, performance standards and provisions set forth in title 9, "Zoning", of the City

Code for the Regional Commercial (RC) District shall apply to any development proposal within this parcel

1. Land Use: All Permitted (P) and Permitted Conditional (Pc) uses set forth in Title 9, "Zoning" of the city code for the Regional Commercial (RC) zoning district, shall be allowed with the approval of the appropriate review body, except as follows:
 - a. The following shall be prohibited:
 - Any use within Division E: Transportation, Communications, Electric, Gas and Sanitary Services, except arrangement of transportation services, offices only & utilities necessary to serve the development (Major Groups 40 through 49)
 - Outdoor storage or display component(s) associated with any use within Division G: Retail Trade (Major Groups 52 through 59) – does not include outdoor patios associated with Major Group 58: Eating and Drinking Places
 - Distribution of medical cannabidiol as part of a licensed medical cannabidiol manufacturer (SIC 591)
 - Liquor Store (SIC 592)
 - Used Merchandise Stores (SIC 5932)
 - Adult Entertainment Establishments (SIC 5999)
 - Laundry, Cleaning and Garment Services (SIC 721)
 - Funeral Service with or without crematories (SIC 726)
 - Any use within SIC 7389: Miscellaneous Business Services, Not Elsewhere Classified (NEC) which includes a warehouse or outdoor storage component
 - Automotive Repair, Services and Parking, (Major Group 75)
 - Miscellaneous Repair Shops and Related Services (SIC 769) which includes a warehouse or outdoor storage component
 - Amusement and Recreation Services, NEC:
 - Amusement rides
 - Animal Shows in circuses, fairs and carnivals
 - Carnival operation
 - Circus operation
 - Fireworks display service
 - Go-kart raceway operations
 - Moped or Motorcycle rentals
 - Shooting galleries and ranges, including skeet and trapshooting (outside range)
 - Waterslide and wave pool operation except indoor facilities
 - Rehabilitation Hospitals – Drug Addiction and Alcoholism (SIC 8069)
 - b. Permitted Conditional (Pc) use SIC 7999, not otherwise prohibited here within shall be considered a Permitted (P) use.
 - c. The existing cell tower in the southeast corner of the development may continue, and with proper City approval, additional stealth antennas may be added. Should the antenna be intentionally removed, no replacement antenna may be erected.
 - d. The following operational restrictions shall apply:
 - i. No Bar/Restaurant as defined per Flowchart 6.2, city code title 9, chapter 6 shall be open later than midnight. Outdoor patios and operable storefronts, if incorporated, shall comply with Title 9, Chapter 10, Section 4, Subsection 18.

- ii. No more than two (2) businesses with a drive-through component shall be allowed within the development.
 - iii. SIC 7999 uses not otherwise prohibited by this PUD shall not be open past 11:00 p.m. Sunday through Thursday; and shall not be open past midnight Friday and Saturday. Exterior lights associated with a facility's external recreational field shall be turned off within 20 minutes at the close of business.
2. Setbacks:
- a. Primary Buildings:
 - i. North (Grand Avenue): a minimum forty-foot (40') setback shall be provided from the perimeter PUD boundary or ultimate street right-of-way line of Grand Avenue, whichever is located farther south.
 - ii. South and East: a minimum fifty-foot (50') setback shall be provided from the perimeter PUD boundary.
 - iii. West: a minimum fifty-foot (50') setback shall be provided from the perimeter PUD boundary or ultimate street right-of-way line of Raccoon River Drive, whichever is located farther east.
 - iv. Along internal lot boundaries: No setback is required from interior common lot lines unless otherwise required by building separation regulations in adopted Building and Fire Codes.
 - b. Accessory Structures: (such as, trash enclosures, external generators, private utility equipment enclosures, etc.)
 - i. Along Grand Avenue and Raccoon River Drive: shall comply with primary building setback requirements stated herein.
 - ii. All other parcel boundaries: a minimum fifteen-foot (15') setback shall be provided unless the structure is shared between two (2) lots/parcels.
3. Parking:
- a. With the exception of the golf facility, the number of stalls to be provided for each use within each parcel shall comply with city code title 9, chapter 15, section 7. The golf facility shall provide a minimum of 3.9 parking stalls per driving range bay.
 - b. The number of queuing spaces for uses with a drive-through component shall comply with city code title 9, chapter 15, section 7. All queuing spaces shall be out of internal circulation drives and shall not impede traffic circulation within the parcel, on internal PUD roadways or adjacent public streets. A drive-through may be prohibited within a PUD parcel if there is reason to believe that queuing back-up may impact traffic circulation on adjoining public roadways.
 - c. Parking lots shall be setback a minimum of thirty feet (30') from Grand Avenue and Raccoon River Drive ultimate road right-of-way. A minimum fifteen-foot (15') setback shall be provided from all other perimeter property boundaries. Parking lots shall be setback a minimum of five feet (5') from common interior lot/parcel boundaries unless designed as a shared parking lot and with an executed shared parking agreement.
 - d. Parking stall dimension and drive aisle widths shall comply with city code title 9, chapter 15.
 - e. Parking lot landscape requirements, including the incorporation of landscape islands and tree pods and landscape vegetation shall comply with city code title 9, chapter 19.
 - f. See Buffering & Visual Screening below for regulations for the visual screening of off-street parking areas.

4. Open Space: The intent of open space is to allow for a balance between natural areas and the built environment and to provide for the overall beautification and "greening" of the city.
 - a. Open space shall be considered all areas unencumbered by buildings or paved areas associated with parking, drive aisles, and loading docks or zones. Plaza areas, water features and structures such as gazebos, arbors, pergolas, etc., that are associated with outdoor pedestrian use areas, as well as designated and enhanced pedestrian walkways through and between parcels may be counted toward fulfilling the minimum open space requirement. Recreational fields not under roof may be counted toward fulfilling the minimum open space requirement.
 - b. A minimum of twenty-five percent (25%) open space shall be provided within each lot within a PUD parcel.
 - c. Vegetation at a rate of two (2) trees and three (3) shrubs per three thousand (3,000) square feet of required open space shall be provided within each lot.
5. Buffers & Visual Screening:
 - a. Buffer:
 - i. A minimum thirty foot (30') wide buffer shall be provided along Grand Avenue and Raccoon River Drive.
 - 1) Earthen berming shall be incorporated to a minimum height of three feet (3'). Said berming shall be undulating to provide a natural appearance and shall be layered to ensure the minimum height required is provided along the full length of the buffer, except as necessary to accommodate access drives and vision triangles at intersections.
 - 2) Minimum amount of and type of landscape vegetation consistent with city code title 9, chapter 19 shall be provided. Vegetation required of this buffer shall be allowed to be counted towards vegetation necessary to achieve parking lot and negative site element screening as discussed elsewhere here within; however, additional vegetation above that required for the buffer may be necessary to satisfactorily achieve visual screening of off-street parking and negative site elements.
 - b. Visual Screening of Negative Site Elements:
 - i. Trash receptacles and dumpsters shall be screened by the use of a permanent enclosure. Enclosures shall be constructed consistent with city code title 9, chapter 10. The enclosure should be landscaped to minimize the visual presence and impact of the structure on surrounding properties, businesses, and internal and external roadways.
 - ii. All heating, ventilation, or air conditioning (HVAC) units, utility meters, or similar electrical or mechanical equipment shall be adequately screened from ground level views from Grand Avenue and Raccoon River Drive, internal PUD drive aisles and adjacent properties within or outside of the development. Said screening shall be achieved through the use of architectural enclosures, fencing and/or earthen berming in combination with landscaping consisting of predominately evergreen material for year-round screening.
 - iii. All rooftop mechanical units shall be screened from ground level views from Grand Avenue and Raccoon River Drive, I-35, internal PUD drive aisles and adjacent properties within or outside of the development. Said screening shall be achieved through the use of architecturally incorporated opaque screen walls,

raised parapet walls, penthouse features, or other opaque measure comprised of materials consistent with the associated primary structure.

- c. Buildings shall not be located or designed to expose loading docks, overhead doors or the rear of buildings (excluding golf facility hitting bays) to public streets unless appropriately screened from view.
 - d. Ground level views from Grand Avenue and Raccoon River Drive, I-35, internal PUD drive aisles and adjacent properties within or outside of the development of off-street parking areas and service and loading areas shall be adequately screened. Said screening shall be achieved through the use of free-standing decorative walls or earthen berming to a minimum height of three feet (3') in combination with landscaping consisting of predominately evergreen material for year-round screening.
6. Signage: The regulations and provisions for signs as set forth in Title 9 of the City Code for the Regional Commercial (RC) zoning district shall be met unless otherwise noted in this ordinance.
- a. Wall signage for the building on Parcel A shall be calculated at a rate of one (1) square foot per lineal foot of the longest side of the primary structure. Placement on the building and size of individual letters and logos shall comply with city code. Wall signage for all other parcels shall be calculated consistent with city code.
 - b. No advertisement of any kind may be located on the poles or netting associated with the golf facility.
 - c. Illumination of wall signs which orient towards a residential dwelling(s) within the Glen Oaks development shall be limited to reverse channel lit letters or halo-lighting. All other signs may be internally illuminated as provided for within the city's sign code.

SECTION 7. ARCHITECTURE: The intent is to create building facades throughout this development that are varied and articulated to provide visual interest and to establish a unique identity for the development. Each building shall include design elements as well as common materials, complimentary colors and detailing to provide continuity amongst buildings and to unite all structures within the development into one project concept.

The architecture shall express a creative presentation by careful attention to exterior building materials and details, use of fenestration, and change in building mass within the plan and roof design to lessen the plainness of appearance which can be characteristic of commercial buildings. The choice of materials and texture has great visual significance and can affect the long-term appearance of the city. Proper selection of exterior building material is directly related to the durability of the building against weathering and damage from natural forces. Materials should be durable, economically maintained and of a quality that will maintain their appearance over a prolonged time.

All buildings within this development shall accommodate or incorporate the following in building design and materials:

1. All sides to each building shall receive high quality materials, finishes, and details (360-degree architectural treatment). There are no "backs" to a building.
2. No standard corporate building design without modifications shall be implemented. Limited use of architectural elements characteristic of prototypical architecture may be allowed at the discretion of the appropriate reviewing and approval body. Implementation of these architectural elements shall be minimized and whenever possible modified to give a unique image to the establishment.

3. Entrances into buildings should be easily identified using building design and detailing. Projected or recessed entryways, change in rooflines, addition of awnings or changes in building material are examples that can create this effect.
4. Variation in building height, mass and roof forms shall be provided to create interest while still maintaining an overall building continuity. Roofs should not be designed as attention getting devices related to the reinforcement of signage or as an identifiable corporate image. Wall planes shall not be increased in height for the sole purpose of signage placement.
5. The use of building articulation and materials which break up the building mass into modules that respect a human scale and reflects proportions similar to other buildings within the development.
6. Variation in materials, material modules, expressed joints, textures, colors and details should be used to break up the mass of the buildings. Changes in materials shall be aligned with changes in plan or roof form to emphasize these changes in building mass and shall have the appearance of 3-dimensional elements.
7. Shifts in building planes/facades and variation in exterior materials shall be incorporated to minimize long expanses of wall.
8. Efforts should be made to use clear glass on windows and doors and to define public entries for occupied spaces to promote the linkage of the interior and exterior of buildings and provide natural light.
9. Hard materials such as brick, stone, architectural concrete, or concrete masonry units shall be used as the major elements of the building facades. Architectural metal, EIFS or synthetic stucco and composite materials acceptable to the City may be incorporated as minor elements in the design but shall not be within four feet (4') of grade. Use of vinyl materials is prohibited.
10. Trim and structural elements such as posts or columns shall be sized to the scale of the building.

Multiple buildings on a single parcel shall be permitted provided that the buildings on the site are consistent or compatible in architectural design and use of materials and organized utilizing a compatible planned open space, landscape plan, and parking plan to serve and maintain a unified concept. Buildings shall be organized to create a logical and identifiable relationship with the site and other buildings, open spaces, pedestrian and vehicle circulation. Site and building design should provide a visual demarcation of the public vs. service areas to provide intuitive wayfinding for visitors to the development.

The architectural design of any building within this development shall be acceptable to the City. Once City approval is obtained on a particular building, any alteration in design, materials, and/or color before, during or after construction must be reviewed and approved by the City's Development Services Department.

SECTION 8. TRAFFIC GENERATION:

The traffic study completed by the City of West Des Moines dated March 31, 2022 and approved for the Suite Shots PUD parcels estimated a total of 6,336 average daily trips (ADT); 494 A.M. peak; and 599 P.M. peak vehicle trips within the development. These numbers constitute the number of total vehicle trips allocated to the Suite Shots PUD. The combination of tenants/uses within the development shall not collectively generate vehicle trips which exceed that allocated to the development.

Development of each parcel and implementation of desired land uses will be limited by the

available number of trips designated above for the Suite Shots PUD, as well as compliance with all applicable regulations within this ordinance or city code. The traffic to be generated by these parcels must be less than or equal to that allocated. The traffic allocation indicated above shall be an entitlement to the parcels. Traffic generation due to subsequent redevelopment, expansion or change of use for any parcel shall not exceed the maximum traffic allocation stated previously for the development. Alternate uses to that currently anticipated may be allowed, following completion of an amendment to the approved traffic study analyzing the proposed alternative and appropriate city approval if the existing uses and the proposed change(s) are determined to not result in a negative impact to the public road network.

SECTION 9. STORM WATER MANAGEMENT PLAN:

A Master Storm Water Management Plan (SWMP) shall be required in conjunction with the Preliminary Plat or first Site Plan if not subdividing the property. Individual Storm Water Management Plans consistent with the Master SWMP will be required with the site plan for each lot or PUD Parcel.

The Developer will have said Storm Water Management Plans prepared by a Professional Engineer licensed in the State of Iowa. The storm water management plan shall comply with the City's applicable design standards for storm water management existing at the time each plat or site plan is approved. The method of storm water management and the storm water conveyance system shall be determined prior to City approval of a preliminary plat or site plan.

At time of final platting of a developable parcel or site plan if development is not known at the time of platting, ownership and responsibility for all storm water detention areas and private storm water detention outlet structures will need to be established through the execution of a Storm Water Management Facility Maintenance Agreement. This agreement essentially provides that the property owner will maintain and repair their storm water facilities. If they fail to do so, the city will make repairs or perform maintenance and assess all costs back to the property owner.

Upon installation of storm water management facilities, as-built drawings and a letter certifying the detention facility was constructed in conformance with the approved Storm Water Management Plan will need to be provided. The letter and as-built plans will be required prior to the issuance of a final occupancy permit for the first building on property which is served by a particular detention facility. Both the letter and as-builts will need to be signed and sealed in accordance with Chapter 6, 193C-6.1(542B) of the Iowa Code.

SECTION 10. REPEALER: All ordinances or parts of ordinances in conflict with the provision of this ordinance are hereby repealed.

SECTION 11. SAVINGS CLAUSE: If any section, provision, sentence, clause, phrase or part of this 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 12. VIOLATIONS AND PENALTIES: Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in 1-4-1 of the City Code of the City of West Des Moines, Iowa.

SECTION 13. OTHER REMEDIES: In addition to the provisions set out in Section 13 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 14. EFFECTIVE DATE: This Ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this ___ day of _____, 2022.

Russ Trimble, Mayor

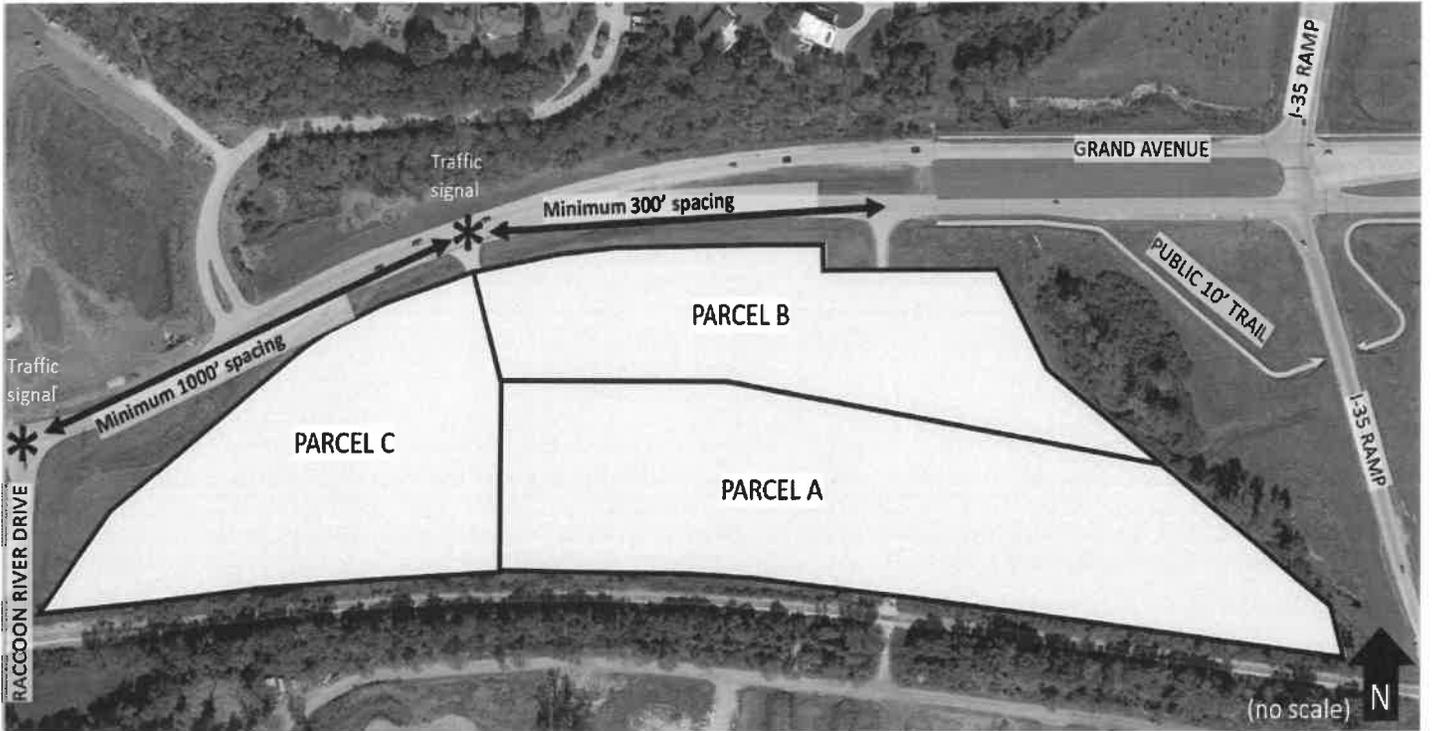
ATTEST:

Ryan T. Jacobson
City Clerk

I certify that the foregoing was published as Ordinance No. _____ on the ___ day of _____, 2022.

PUD Sketch Plan

Suite Shots PUD Sketch Plan (April 2022)



**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

Date: April 18, 2022

ITEM: Resolution – Opening and closing public hearing and conveyance of underlying fee title interest to Des Moines Water Works of Parcel 2021-217 located at the terminus of former SE Army Post Road

FINANCIAL IMPACT: None.

SYNOPSIS: On January 27, 2014, the City vacated a portion of right-of-way for Army Post Road, formerly known as Iowa Highway 5, from a point 40 feet west of the Centerline of South 42nd Street and then westerly to current terminus with no disposition. The City-owned portion of the former Army Post Road is now contained in Plat of Survey Parcel 2021-217 and Parcel 2021-218, recorded on December 16, 2021 in Book 18910, Page 715. On February 21, 2022 Council approved the conveyance of fee title interest of Parcel 2021-218 to SBBP JV21, L.L.C. this action will convey the remaining Parcel 2021-217 to Des Moines Water Works.

The attached Resolution opens and closes the public hearing, approves the conveyance of fee title interest to Des Moines Water Works and authorizes the filing of all relevant documents.

RECOMMENDATION:

Approve – Resolution opening and closing public hearing; conveyance of fee title interest to Des Moines Water Works.

Lead Staff Member: Greta Truman, Assistant City Attorney



STAFF REVIEWS

Department Director	
Appropriations/Finance	
Legal	
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	April 13, 2022

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

Prepared by: Greta Truman, Assistant City Attorney, 4200 Mills Civic Pkwy, PO Box 65320, West Des Moines, IA 50265; (515) 222-3673
Return to: City Clerk, City of West Des Moines, P.O. Box 65320, West Des Moines IA 50265 (515) 222-3600

SPACE ABOVE THIS LINE FOR RECORDER

RESOLUTION NO.

**RESOLUTION OPENING AND CLOSING PUBLIC HEARING AND CONVEYANCE OF FEE
TITLE INTEREST TO DES MOINES WATER WORKS (PARCEL 2021-217)**

WHEREAS, the City of West Des Moines, Iowa is the owner of the southern portion of formerly vacated SE Army Post Road from SE 42nd Street to the point of terminus as shown on the Plat of Survey, Parcel 2021-217 and 2021-218 recorded in Book 18910, Page 715 on December 16, 2021 in the Office of the Polk County Recorder; and

WHEREAS, the City reserved a Public Utility Easement recorded in Book 18922, Page 956, recorded on December 23, 2021, over Parcel 2021-217; and

WHEREAS, pursuant to the Code of Iowa Sections 362.3 and 364.7, publication of notice regarding conveyance of the fee title interest in Parcel 2021-217 has been made; and

WHEREAS, this being the time and place for a public hearing regarding conveyance of fee title interest; and

WHEREAS, the City Council of the City of West Des Moines, Iowa finds conveyance of Parcel 2021-217 to Des Moines Water Works is in the best interest of the City of West Des Moines, Iowa.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA THAT:

1. Pursuant to Code of Iowa Section 364.7, publication of notice regarding conveyance of the fee title interest has been properly made.
2. The public hearing regarding conveyance of the fee title interest to Des Moines Water Works (PARCEL 2021-217) is hereby closed.
3. The Mayor is authorized to sign the conveyance documents and the City Clerk is directed to attest to the Mayor's signature.
4. The documents shall be filed with the county recorder as appropriate.

PASSED AND APPROVED this _____ day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

QUITCLAIM DEED

(Type of Document)

Preparer Information: Greta Truman, Assistant City Attorney
4200 Mills Civic Parkway
PO Box 65320
West Des Moines, IA 50265
515-222-3673

Taxpayer Information: Michael J. McCurnin, P.E., Des Moines Water Works, 2201 George
Flagg Pkwy, Des Moines, IA 50321-1190

Return Document To: Michael J. McCurnin, P.E., Des Moines Water Works, 2201 George
Flagg Pkwy, Des Moines, IA 50321-1190

Grantors: City of West Des Moines, Iowa

Grantees: City of Des Moines, Iowa, for the use and benefit of the Board of
Water Works Trustees of the City of Des Moines, Iowa, an Iowa
municipal corporation

Legal Description: Parcel 2021-217 as described on Plat of Survey recorded in Book
18910, Page 715 on December 16, 2021 in the Office of the Polk
County Recorder.

Related documents: Resolution Opening and Closing Public Hearing and Conveyance
of Fee Title Interest to Des Moines Water Works (Parcel 2021-217)
recorded March 2, 2022 at Book 19006, Page 783

**JULIE M. HAGGERTY
POLK COUNTY RECORDER
111 Court Avenue, Suite 250
Des Moines, Iowa 50309-2251
Phone # 515-286-3160
Fax # 515-323-5393**

Prepared by: G. Truman, City Attorney, PO Box 65320, West Des Moines, IA 50265-0320 (515) 222-3673
Return to: Michael J. McCurmin, P.E., Des Moines Water Works, 2201 George Flagg Pkwy, Des Moines, IA 50321-1190

QUITCLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration, the undersigned, on behalf of the **City of West Des Moines**, an Iowa municipal corporation (“Grantor”) does hereby Quitclaim to **CITY OF DES MOINES, IOWA, for the use and benefit of the BOARD OF WATER WORKS TRUSTEES OF THE CITY OF DES MOINES, IOWA, an Iowa municipal corporation** (“Grantee”), all its right, title, interest, estate, claim and demand in the following described real estate in Polk County, Iowa:

Parcel 2021-217 as described on Plat of Survey recorded in Book 18910, Page 715 on December 16, 2021 in the Office of the Polk County Recorder.

This deed is exempt from transfer tax pursuant to Iowa Code Section 428A.2(6).

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated this ____ day of _____, 2022.

CITY OF WEST DES MOINES,
an Iowa municipal corporation

ATTEST:

Russ Trimble, Mayor

Ryan T. Jacobson, City Clerk

STATE OF IOWA)
) SS
COUNTY OF POLK)

On this ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Russ Trimble and Ryan T. Jacobson, to me known to be the Mayor and City Clerk, respectively, of the City of West Des Moines, Iowa; that the record was signed on behalf of the City, by authority of its City Council as contained in Resolution ____ passed on the __ day of _____, 2022 by the City Council of the City of West Des Moines, Iowa, and that the Mayor and City Clerk acknowledged the execution of the record to be their voluntary act and deed and the voluntary act and deed of the City, by it voluntarily executed.

Notary Public in and for the State of Iowa

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

ITEM:

Public Hearing (5:35 p.m.)
Digital Enterprise Conduit Deployment Segment 4 Phase 4

FINANCIAL IMPACT:

The revised Engineering Estimate of Construction Cost was estimated to be \$4,889,369.50 (original estimate \$4,876,197.00) for the Digital Enterprise Conduit Deployment Segment 4 Phase 4. There was one (1) bid submitted of \$5,533,578.75 being submitted by Communication Data Link of Grimes, Iowa. Payments will be made from account no. 670.000.000.5250.490 with the ultimate funding intended to come from General Obligation Bonds.

BACKGROUND:

The West Des Moines Digital Enterprise Last Mile Conduit Deployment Segment 4 Phase 4 project includes the installation of a multi-user fiber conduit network within public right-of-way to support the connection of every residence and business wishing to connect generally from S 60th St to the western corporate limits south of Bridgewood Blvd and north of Raccoon River in West Des Moines. The project is anticipated to be completed by September 1, 2023, subject to successful re-bidding before the end of 2022.

The lone bid received was approximately 13% greater than estimate. Receipt of one (1) bid indicates that there was very little interest in the project. Local contractors have reached capacity and are unable to complete the work in the specified timeline. In addition, supply chain issues and labor shortages related to world-wide pandemic and other geopolitical issues have resulted in increased material costs and decreased availability. Olsson believes there are willing contractors outside the Midwest market capable of completing the project. It is Staff's opinion that there is little risk of further cost increase by re-bidding at a later date while Olsson advertises the project to a wider audience. Therefore, Staff recommends rejecting all bids and re-bidding at a later date.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES:

None.

RECOMMENDATION:

City Council Adopt:

- Resolution adopting Plans, Specifications, Form of Contract, and Estimate of Costs for the Digital Enterprise Conduit Deployment Segment 4 Phase 4;
- Motion receiving and filing Report of Bids;
- Resolution rejecting all bids.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	<i>JS</i>

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	April 8, 2022

SUBCOMMITTEE REVIEW (if applicable)

Committee	Public Services		
Date Reviewed			
Recommendation	Yes	No	Split

RESOLUTION APPROVING ADOPTING PLANS, SPECIFICATIONS, FORM OF CONTRACT, AND ESTIMATE OF COST

WHEREAS, on March 21, 2022, Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

**Digital Enterprise Conduit Deployment Segment 4 Phase 4
Project No. 0510-024-2021**

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements were published as required by law.

therefore,

THEREFORE, BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, that the Plans, Specifications, Form of Contract, and Estimate of Costs for said Public Improvement are hereby approved.

PASSED AND APPROVED on this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

RESOLUTION REJECTING ALL BIDS

WHEREAS, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

**Digital Enterprise Conduit Deployment Segment 4 Phase 4
Project No. 0510-024-2021**

and,

WHEREAS, one bid was received and opened by the City Clerk and placed on file by the City Council; and,

WHEREAS, the bid of Communication Data Link in the amount of \$5,533,578.75 was the lowest responsive, responsible bid received for said public improvement; and,

WHEREAS, the bid received exceeded the estimated project cost;

therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that all bids for the Digital Enterprise Conduit Deployment Segment 4 Phase 4 project are hereby rejected.

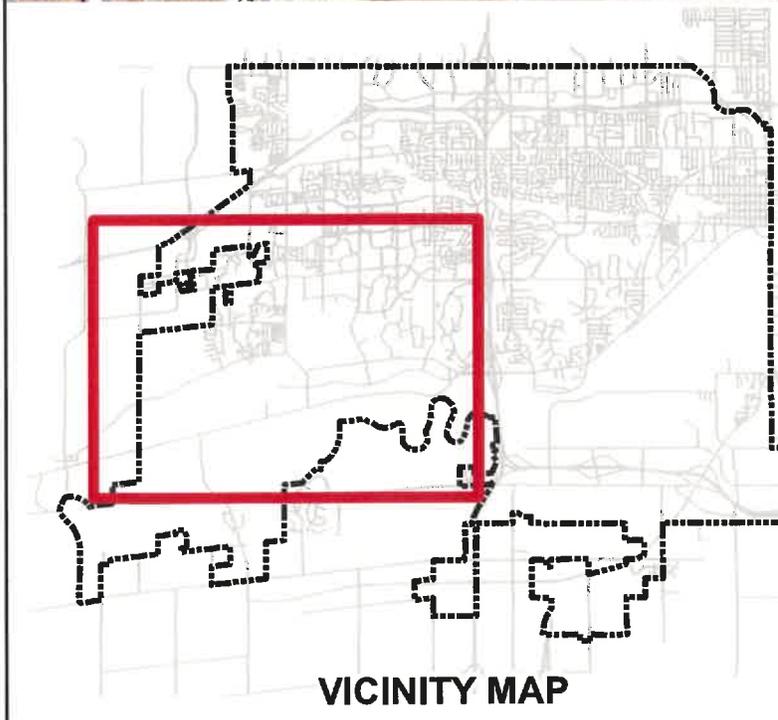
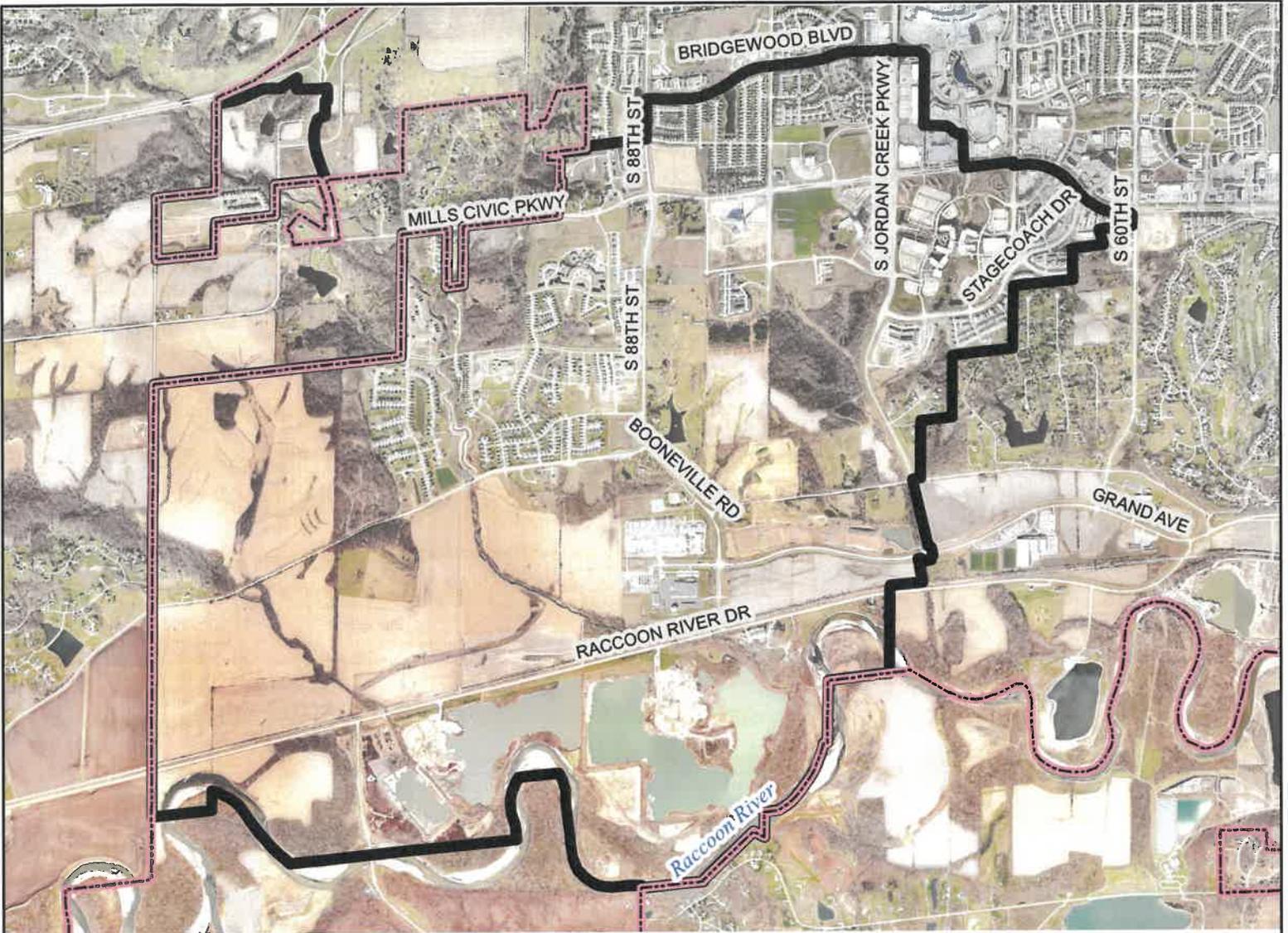
BE IT FURTHER RESOLVED that the City Engineer is authorized and directed to return bid bond(s) and/or check(s) to all bidders.

PASSED AND ADOPTED on this **18th** day of **April, 2022**.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk



VICINITY MAP

LEGEND

PROJECT LOCATION



PROJECT: **West Des Moines Digital Enterprise Conduit Deployment Segment 4 Phase 4**

LOCATION: **Exhibit "A"**

DRAWN BY: BJM

DATE: 3/15/2022

PROJECT NUMBER/NAME: 0510-024-2021

SHT. 1 of 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

- ITEM:** Public Hearing – Valley View Park, Pickleball Courts and Ancillary Improvements
1. Resolution – Approval of Plans and Specifications
 2. Motion – Receive and File Report of Bids
 3. Resolution – Approve Contract

FINANCIAL IMPACT: Total contract amount of \$945,434.00 including one add alternate. The preliminary estimated base bid cost of the project was \$994,256.00. The project will be paid with budgeted CIP funds from G/L account 500.000.000.5250.490. Funding will be covered out of funds (\$854,070) remaining in the Valley View Park, Central Site Grading, Utilities & North Roadway (Project No. 0525 033.0510 037 2018), and additional funds (\$390,000) approved in the FY 22/23 budget.

BACKGROUND: The Council is asked to approve the plans and specifications for the Valley View Park, Pickleball Courts and Ancillary Improvements project and to receive and file the report of bids that is attached. Two (2) bids were received for the project with the lowest responsible base bid submitted by Gruss Construction, LLC of Winterset, Iowa. The opinion of probable cost for the project was \$994,256.00, with (4) add alternates estimated at an additional cost of \$237,993.00.

This Resolution is for construction of an 8-court lighted pickleball complex with associated improvements. The base project includes site utilities, earthwork, concrete sidewalks, subbase, asphalt courts, court surfacing, chainlink fencing & gates, park drive lighting & site lighting, electrical, site restoration and other associated items. The bid package also included four add-alternate bid items:

1. Futsal Court Asphalt Pad
2. Pickleball Shade Structure (located in central area between courts)
3. Futsal Court Shade Structure
4. Futsal Court Pedestrian Lighting

Staff is recommending the approval of only Alternate #2. Three of the four alternates are related to a proposed futsal court located to the west of the pickleball complex. Construction of the futsal court is expected to be part of a partnership with Kick It Forward, a non-profit organization working in conjunction with Musco Lighting. Kick It Forward is currently raising funds to cover the cost of the supply, delivery and installation of Musco's futsal court equipment package including surfacing, fencing, and lighting. The equipment (valued at \$100,000) would be donated to the City by Kick It Forward. At this time, those funds have not been raised, therefore staff is recommending rejecting the alternates related to the futsal court. Staff will continue working with Kick It Forward to potentially construct the futsal court in the future.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council hold the public hearing and pass the resolution to approve the plans and specifications, move to receive and file the report of bids, and award the contract for the Valley View Park, Pickleball Courts and Ancillary Improvements in the amount of \$945,434.00

Lead Staff Member: David Sadler, Superintendent of Parks

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation
Appropriations/Finance	Tim Stiles, Finance Director
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	April 8, 2022

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed	April 11, 2022		
Recommendation	Yes	No	Split

**Resolution Adopting Plans,
Specifications, Form of Contract, and
Estimate of Cost**

WHEREAS, on March 21, 2022 Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

Valley View Park, Pickleball Courts and Ancillary Improvements

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

PASSED AND APPROVED this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Resolution Approving Contract

WHEREAS, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

Valley View Park, Pickleball Courts and Ancillary Improvements
and,

WHEREAS, bids have been received and opened by the City Clerk, Deputy City Clerk, or designee and placed on file by the City Council.

and,

WHEREAS, the bid of Gruss Construction, LLC from Winterset, Iowa in the amount of \$945,434.00 is the lowest responsible bid received for said public improvement, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the Valley View Park, Pickleball Courts and Ancillary Improvements is hereby awarded to Gruss Construction, LLC in the amount of \$945,434.00 and the bond of said bidder for the project is hereby fixed in the same amount.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation is authorized and directed to return bid bonds and/or checks to any unsuccessful bidder.

BE IT FURTHER RESOLVED that work on said project may commence as soon as the final contract and bond have been approved by the Director of Parks and Recreation and have been signed by the Director of Finance and after the contractor is given a written notice to proceed by the Director of Parks and Recreation.

PASSED AND APPROVED this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

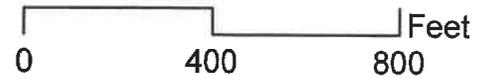


VICINITY MAP



LEGEND

- Project Location
- Park Boundary



	PROJECT: VALLEY VIEW PARK PICKLEBALL COURTS AND ANCILLARY IMPROVEMENTS		
	LOCATION: VALLEY VIEW PARK 225 88TH STREET		
DRAWN BY: MAA	DATE: 1/13/2021	PROJECT NO.:	SHT. 1 of 1

**CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION**

DATE: April 18, 2022

- ITEM:** Public Hearing – 2021 Concrete Trail Renovations
1. Resolution – Approval of Plans and Specifications
 2. Motion – Receive and File Report of Bids
 3. Resolution – Approve Contract

FINANCIAL IMPACT: Total contract amount of \$232,550.00. The preliminary estimated cost of the project was \$221,800.00. The project will be paid with budgeted CIP funds from G/L account 500.000.000.5250.490. Funding will be covered out of budgeted funds in the 2021 Trail Renovation C.I.P. account (Project No. 0510 027 2020).

BACKGROUND: The Council is asked to approve the plans and specifications for the 2021 Concrete Trail Renovations project and to receive and file the report of bids that is attached. Four (4) bids were received for the project with the lowest responsible base bid submitted by MNM Concrete Specialist of Des Moines, Iowa. The opinion of probable cost for the project was \$221,800.00. Although the low bid is slightly over the estimate, staff is recommending awarding the contract.

This Resolution is for repair and replacement of portions of existing concrete trail located primarily at street crossings to bring them into compliance with ADA. The project also includes the replacement of a segment of trail along 60th Street between Vista Drive and the I-80 bridge. The areas being addressed were identified as a higher priority following the 2021 inspection of the entire trail system by City staff. The majority of defects in the existing trails involve spalling and cracking of the concrete trail surface. Defective areas of the trail are being replaced with 6" thick reinforced concrete to help prevent future problems. This will further extend the life of the new trail.

OUTSTANDING ISSUES: None.

RECOMMENDATION: That the Council hold the public hearing and pass the resolution to approve the plans and specifications, move to receive and file the report of bids, and award the contract for the 2021 Concrete Trail Renovations in the amount of \$232,550.00.

Lead Staff Member: David Sadler, Superintendent of Parks 

STAFF REVIEWS

Department Director	Sally Ortgies, Director of Parks and Recreation 
Appropriations/Finance	Tim Stiles, Finance Director 
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	Des Moines Register
Dates(s) Published	April 8, 2022

SUBCOMMITTEE REVIEW (if applicable)

Committee	N/A		
Date Reviewed	April 11, 2022		
Recommendation	Yes	No	Split

**Resolution Adopting Plans,
Specifications, Form of Contract, and
Estimate of Cost**

WHEREAS, on March 21, 2022 Plans, Specifications, Form of Contract, and Estimate of Cost were filed with the City Clerk for the following described public improvement:

2021 Concrete Trail Renovation

and,

WHEREAS, notice of hearing on Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvements was published as required by law;

therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that the Plans, Specifications, Form of Contract, and Estimate of Cost for said public improvement are hereby approved.

PASSED AND APPROVED this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

Resolution Approving Contract

WHEREAS, the City Council of the City of West Des Moines has heretofore directed advertisement for bids for the following described public improvement:

2021 Concrete Trail Renovation

and,

WHEREAS, bids have been received and opened by the City Clerk, Deputy City Clerk, or designee and placed on file by the City Council.

and,

WHEREAS, the bid of MNM Concrete Specialist of Des Moines, Iowa in the amount of \$232,550.00 is the lowest responsible bid received for said public improvement, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA, that a contract for the Valley View Park, Pickleball Courts and Ancillary Improvements is hereby awarded to MNM Concrete Specialist in the amount of \$232,550.00 and the bond of said bidder for the project is hereby fixed in the same amount.

BE IT FURTHER RESOLVED that the Director of Parks and Recreation is authorized and directed to return bid bonds and/or checks to any unsuccessful bidder.

BE IT FURTHER RESOLVED that work on said project may commence as soon as the final contract and bond have been approved by the Director of Parks and Recreation and have been signed by the Director of Finance and after the contractor is given a written notice to proceed by the Director of Parks and Recreation.

PASSED AND APPROVED this 18th day of April, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan T. Jacobson, City Clerk

City of West Des Moines
 2021 Concrete Trail Renovation Program
 West Des Moines, Iowa



630 E Grand Avenue
 Suite 101
 Des Moines, IA 50309
 Ph: (515) 259-9190
 Fax: (515) 233-4430
 Bolton-Merik.com

TABULATION OF BIDS
 Bid Letting Date: Wednesday April 13th @ 2:00 PM

Line No.	Description	Unit	Quantity	Engineer's Estimate		MNM Concrete Specialist Des Moines, IA		Concrete Connection LLC Johnston, IA		Shekar Engineering, P.L.C. Des Moines, IA		Jonlison Construction Urbandale, IA	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	MANHOLE ADJUSTMENT, MINOR	EA	3	\$3,000.00	\$9,000.00	\$1,500.00	\$4,500.00	\$2,500.00	\$7,500.00	\$1,500.00	\$4,500.00		
2	INTAKE ADJUSTMENT, MINOR	EA	1	\$5,000.00	\$5,000.00	\$1,600.00	\$1,600.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00		
3	CURB AND GUTTER	LF	350	\$60.00	\$21,000.00	\$60.00	\$21,000.00	\$50.00	\$17,500.00	\$50.00	\$17,500.00		
4	REMOVAL OF SIDEWALK/TRAIL	SY	1650	\$12.00	\$19,800.00	\$12.50	\$20,625.00	\$22.50	\$37,125.00	\$5.00	\$8,250.00		
5	REMOVAL OF CURB	LF	350	\$15.00	\$5,250.00	\$15.00	\$5,250.00	\$25.00	\$8,750.00	\$35.00	\$12,250.00		
6	PCC, 4 INCH	SY	90	\$55.00	\$4,950.00	\$50.00	\$4,500.00	\$75.00	\$6,750.00	\$184.95	\$16,645.50		
7	PCC, 6 INCH, REINFORCED	SY	1600	\$70.00	\$112,000.00	\$80.00	\$128,000.00	\$55.00	\$88,000.00	\$77.02	\$123,232.00		
8	DETECTABLE WARNING	SF	340	\$50.00	\$17,000.00	\$55.00	\$18,700.00	\$60.00	\$20,400.00	\$60.00	\$20,400.00		
9	DRIVEWAY PCC, 6 INCH, REINFORCED	SY	105	\$70.00	\$7,350.00	\$75.00	\$7,875.00	\$75.00	\$7,875.00	\$177.99	\$18,688.95		
10	TEMPORARY TRAFFIC CONTROL	LS	1	\$10,000.00	\$10,000.00	\$7,000.00	\$7,000.00	\$25,100.00	\$25,100.00	\$8,500.00	\$8,500.00		
11	CONVENTIONAL SEEDING, FERTILIZING, AND MULCHING	AC	0.5	\$4,000.00	\$2,000.00	\$8,000.00	\$4,000.00	\$15,000.00	\$7,500.00	\$5,000.00	\$2,500.00		
12	HYDRAULIC SEEDING, FERTILIZING, AND MULCHING	AC	0.5	\$4,000.00	\$2,000.00	\$8,000.00	\$4,000.00	\$20,000.00	\$10,000.00	\$4,000.00	\$2,000.00		
13	CONSTRUCTION SURVEY	LS	1	\$7,500.00	\$7,500.00	\$5,500.00	\$5,500.00	\$6,000.00	\$6,000.00	\$25,000.00	\$25,000.00		
TOTAL BASE BID AMOUNT					\$221,800.00		\$232,550.00		\$244,000.00		\$260,966.45		\$337,000.00

13-Apr-22
 Notice error in calculations

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

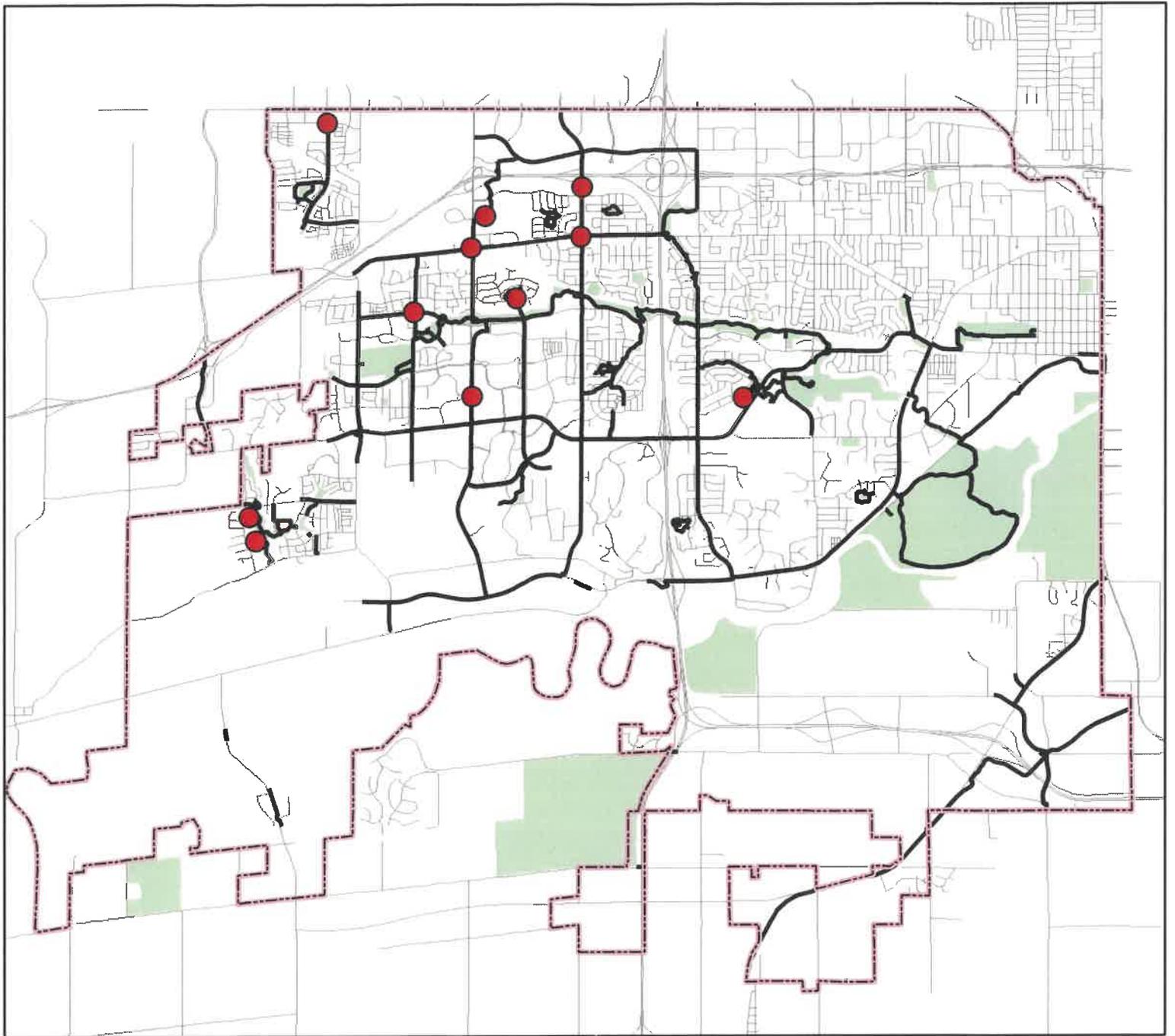


Charles N. Kahlsdorf
Charles N. Kahlsdorf, P. E.
 Reg. No. 23243

13 APR 2022
 Date

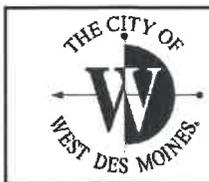
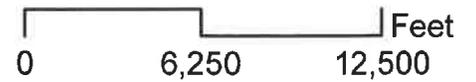
13-Apr-22
 H:\WDSM\10411257\96_Plane-Sites\10_Bid Documents\10_Bid Documents\125578 Bid Tab...ab\BMT Tabulation

Contractor did not provide unit prices as this is the Total Base Bid Amount listed in their proposal.



 Park & Greenway

 Existing Multi-Use Trail



PROJECT:

2021 CONCRETE TRAIL RENOVATION

LOCATION:

CITY WIDE

DRAWN BY: **MAA**

DATE: **3/11/2022**

PROJECT NO.:

SHT. **1 of 1**

**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**

Meeting Date: April 18, 2022

ITEM: Fareway Development Plat 1, 9080 Mills Civic Parkway – Approve Final Plat to create 2 lots for Commercial development – Fareway Stores, Inc. – FP-005497-2022

RESOLUTION: Approval and Release of Final Plat

Background: Jeff Gaddis with Civil Engineering Consultants, Inc., on behalf of the applicant, Mark DeYoung, and property owner, Fareway Stores, Inc., requests approval of a Final Plat for the approximately 5.61-acre property located at 9080 Mills Civic Parkway and 9040 Mills Civic Parkway. The applicant proposes to subdivide the property into 2 lots for Commercial development, specifically a Fareway grocery store on Lot 1 and future development on the proposed Lot 2.

Staff Review & Comment:

- *Financial Impact:* Undetermined
- *History:* The associated Preliminary Plat was approved by the Plan and Zoning Commission at a special meeting on March 8, 2022, and the City Council on March 21, 2022. This Final Plat has been determined to be consistent with the associated Preliminary Plat.
- *Traffic Analysis Findings:* Traffic Impact Studies are not conducted for Final Plats but instead are completed at the time of the associated Preliminary Plat. Per that study,
 - The proposed development is expected to generate less traffic than what was analyzed in previous traffic studies for the area. Recommendations for full-build street geometry and traffic control, as well as triggers for possible future improvements, are detailed within the study.
 - Comments regarding emergency vehicle maneuverability, driveway configurations, and pavement markings have been given to the applicant and incorporated into the plan.
- *Plat Validity:* Per City Code, the Final Plat must be presented to the City Council for approval within 12 months of the approval of the associated Preliminary Plat if surety is being posted for Public Improvements; or, within 18 months if Public Improvements are being constructed prior to Final Plat consideration. This Final Plat complies with the timelines stated in City Code.

Outstanding Issues: There are no outstanding issues.

Staff would note that as part of this approval, the Council is approving and accepting the following:

- Legal documents to establish public easements for Ingress/Egress/Cross Access and Shared Parking Easement and Agreement
- Storm Water Management Maintenance Facility Covenant and Permanent Easement Agreement for this property.
- An Agreement and Waiver for the construction of fully activated traffic signals at Mills Civic Pkwy and S 91st St.

Recommendation: Approve the Final Plat, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Bryce Johnson

Approval Meeting Dates:

Plan and Zoning Commission	n/a
City Council	April 18, 2022

Staff Report Reviews:

City Council	<input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
	<input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Agenda Acceptance

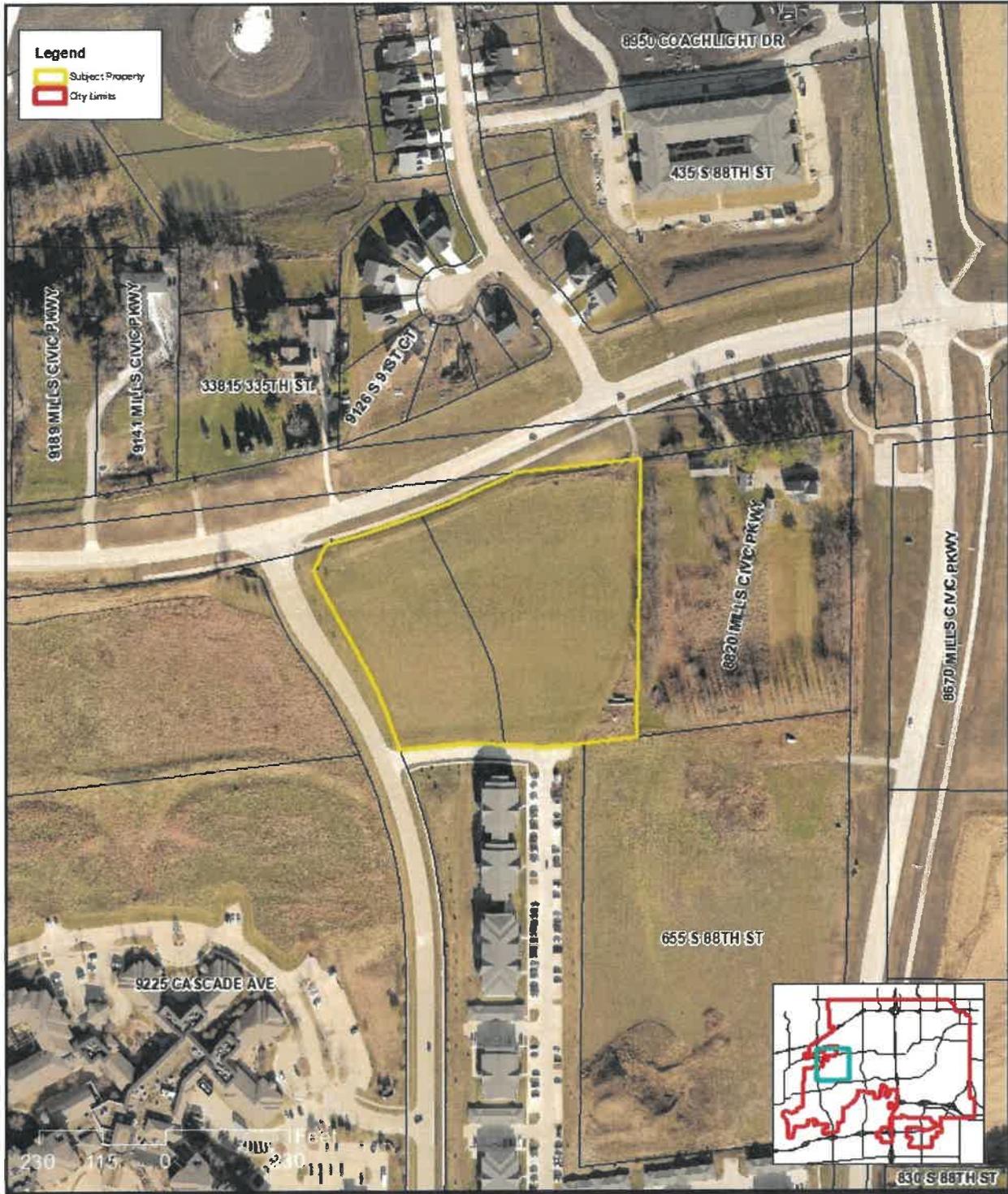
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	n/a
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	4/4/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



Fareway Location Map



The City of West Des Moines makes no claim as to the accuracy, completeness or correctness of the City of West Des Moines digital maps and associated data and assumes no responsibility for their positional or content accuracy.

FINAL PLAT OF FAREWAY DEVELOPMENT PLAT I WEST DES MOINES, IOWA

PLANS INCLUDED ARE FOR ILLUSTRATIVE
PURPOSES ONLY - APPROVED PLANS ON FILE
WITH THE CITY

APPLICANT & PROP. OWNER:
MARK DEYOUNG
FAREWAY STORES, INC.
2500 INDUSTRIAL PARK ROAD
BOONE, IA 50036
515.492.2625
EMAIL: MDEYOUNG@FAREWAYSTORES.COM

PROFESSIONAL LAND SURVEYOR:
JEFFREY A. GADDIS, PLS #18381
CIVIL ENGINEERING CONSULTANTS
2400 86TH STREET, #12
URBANDALE, IOWA 50322
PHONE: 515-276-4884, EXT. 221
FAX: 515-276-1084
EMAIL: GADDIS@CECLAC.COM

PROPERTY ADDRESS:
409B MILLS CIVIC PKWY
WEST DES MOINES, IOWA 50266

COMPREHENSIVE PLAN LAND USE
NC - NEIGHBORHOOD COMMERCIAL

ZONING
NC - NEIGHBORHOOD COMMERCIAL
PARCEL C OF THE PLANNED UNIT DEVELOPMENT #80, TALLYNS REACH

SETBACKS:
NEIGHBORHOOD COMMERCIAL (NC)
FRONT: 45'
REAR: 35'
SIDE: 35'
0' (ADJACENT TO SIMILAR DISTRICT)
5' INTERIOR (ACCESSORY & TRASH ENCLOSURE)

PURPOSE OF SURVEY:
THIS FINAL PLAT IS BEING CREATED TO SUBDIVIDE THE OUTLOTS INTO 2 BUILDABLE LOTS.

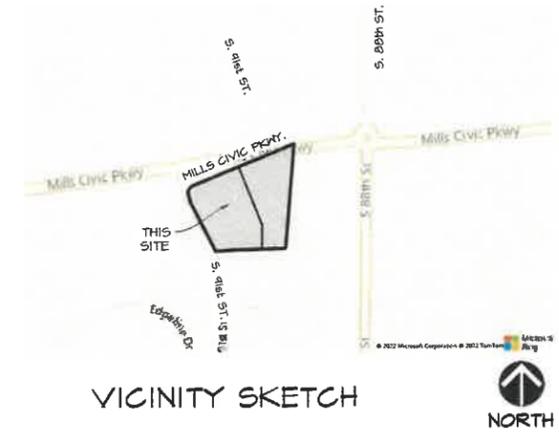
FLOOD ZONE
ZONE 'X' ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS, COMMUNITY-PANEL #19155C0315F MAP REVISED FEBRUARY 1, 2019.

COMMUNITY	NUMBER	PANEL	SUFFIX
CITY OF WEST DES MOINES	190291	0315	F

*** FLOOD INSURANCE RATE MAPS ARE SUBJECT TO CHANGE ***
PLEASE SEE FEMA FLOOD SERVICE CENTER FOR CURRENT MAPS
WWW.FEMA.GOV
FEMA REGION VII, 9221 WARD PARKWAY, KANSAS CITY, MO 64114
1-877-336-2621
FEMAMAPSPECIALIST@RISKMAPCDS.COM

BASIS OF BEARINGS
THE FINAL PLAT BEARINGS ARE BASED ON THE EAST LINE OF OUTLOT 'A', CORRECTED MICHAEL'S LANDING PLAT I WAS MEASURED AS S00°38'49" W. THIS BEARING WAS DETERMINED FROM THE IOWA DEPARTMENT OF TRANSPORTATION REAL-TIME NETWORK CONVERTED TO IOWA STATE PLANE NAD1983(2011) SOUTH ZONE GRID NORTH.

- NOTES**
1. THE ALLOWABLE ERROR OF CLOSURE FOR THE BOUNDARY IS 1/10,000 AND THE ALLOWABLE ERROR OF CLOSURE FOR EACH LOT IS 1/5,000.
 2. THE EASEMENTS SHOWN ON ADJOINING OWNERS PROPERTY ARE NOT PART OF THIS PLAT AND ARE SHOWN FOR REFERENCE ONLY. THESE EASEMENTS SHALL BE ACQUIRED THROUGH A SEPARATE RECORDED DOCUMENT.
 3. THIS PARCEL MAY BE SUBJECT TO EASEMENTS OF RECORD. NO TITLE WORK HAS PROVIDED IN PREPARATION OF THIS SURVEY.
 4. MONUMENTS TO BE SET WITHIN ONE YEAR THE FINAL PLAT'S RECORDING DATE.
 5. ALL EASEMENTS SHOWN ARE EXISTING EASEMENTS UNLESS LABEL AS **PROPOSED**.
 6. THE 500 FOOT PUBLIC UTILITY EASEMENT AS SHOWN ALONG THE EAST LINE OF LOT 3, FORRET ACRES PLAT I (BK. 4, PG. 510) IS ASSUMED TO EXIST. THIS IS EASEMENT IS NOT SHOWN ON THE FINAL PLAT OF CORRECTED MICHAEL'S LANDING PLAT I (BK. 2007, PG. 3042); HOWEVER, THIS PROFESSIONAL LAND SURVEYOR HAS NOT FOUND THE EASEMENT WAS VACATED OR RELEASED.



BOUNDARY CLOSURE REPORT

SEGMENT #	LINE COURSE	LENGTH	EAST
1	N83°04'41"E	653.90'	1553105.2448'
2	S00°24'28"W	1312.96'	1558145.0843'
3	S83°11'15"W	655.36'	1558044.1723'
4	S83°26'45"W	848.91'	1552201.872'
5	N00°54'17"E	40.35'	1552201.8330'
6	S83°44'54"W	369.91'	1551834.1223'
7	N44°21'49"W	84.60'	1551780.4534'
8	N00°32'16"E	1225.77'	1551800.4588'
9	N83°44'54"E	1312.42'	1553105.2834'

PERIMETER: 6534.17' AREA: 2548350.51 SQ. FT.
ERROR CLOSURE: 0.0104' COURSE:
ERROR NORTH: 0.00063' EAST: -0.01088'
PRECISION: 1: 599466.06

LEGAL DESCRIPTIONS
OUTLOTS 'A' & 'B', CORRECTED MICHAEL'S LANDING PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 2007, PAGE 3042 & BOOK 2007, PAGE 1146 AT THE DALLAS COUNTY RECORDER'S OFFICE, CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

LAND AREA
5.61 ACRES
244,344 SQUARE FEET

PRELIMINARY PLAT APPROVAL:
NAME: FAREWAY STORES INC., (SITE PLAN & PRELIMINARY PLAT)
APPROVAL DATE: MARCH 21, 2022
CASE NO. PPSF-0058421-2021

CITY PLANNING NOTES
SPECIFIC FENCING AND STRUCTURE PLACEMENT AND DESIGN RESTRICTIONS EXIST WITHIN EASEMENT AREAS - PLEASE CONTACT THE CITY OF WEST DES MOINES FOR INFORMATION.

- EASEMENT NOTES**
1. THE EXISTING 25' PUBLIC UTILITY EASEMENT ALONG THE EAST LINE OF THE FORMER LOT 3, FORRET ACRES PLAT I, AN OFFICIAL PLAT RECORDED IN BOOK 4, PAGE 510 AND REPLATED AS OUTLOTS 'A' & 'B', CORRECTED MICHAEL'S LANDING PLAT I RECORDED IN BOOK 2007, PAGE 3042 WAS VACATED AS PER IOWA CODE 354.18.
 2. THIS PROFESSIONAL LAND SURVEYOR HAS FOUND NO EVIDENCE THAT ANY PUBLIC UTILITY LINES EXIST OR ARE PROPOSED IN THE EXISTING EASEMENT.
 3. THE IOWA ONE-CALL DESIGN LOCATE SERVICE MAPS AND FIELD LOCATES DID NOT IDENTIFY ANY UTILITIES WITHIN THE PLATTED EASEMENT.

INDEX LEGEND

COUNTY:	DALLAS
SUBDIVISION:	CORRECTED MICHAEL'S LANDING PLAT I
LOTS:	OUTLOT 'A', OUTLOT 'B'
PARCEL ID:	1615426001, 1615426002
CITY:	WEST DES MOINES
PROPRIETOR (S):	FAREWAY STORES, INC.
REQUESTED BY:	MARK DEYOUNG
PROFESSIONAL LAND SURVEYOR:	JEFFREY A. GADDIS, PLS 18381
COMPANY:	CIVIL ENGINEERING CONSULTANTS, INC. ATTN: JEFFREY A. GADDIS, PLS 2400 86TH STREET, URBANDALE, IA 50322 PHONE: 515-276-4884

LEGEND

▲	FOUND SECTION CORNERS
△	SET SECTION CORNERS (¾" I.R. W/ BLUE CAP #18381 UNLESS OTHERWISE NOTED)
●	FOUND CORNERS (¾" I.R. UNLESS OTHERWISE NOTED)
○	SET PROPERTY CORNER (¾" I.R. W/BLUE CAP #18381 UNLESS OTHERWISE NOTED)
---	PLAT BOUNDARY
---	EXISTING PROPERTY LINES
---	PROPOSED LOTS
---	EASEMENT LINES
---	BUILDING SETBACK LINES (B.S.L.)
---	CENTERLINE STREET
D.	DEEDED BEARINGS & DISTANCE
P.	PREVIOUSLY RECORDED BEARINGS & DISTANCE
M.	MEASURED BEARINGS & DISTANCE
I.R.	IRON ROD
I.P.	IRON PIPE
BK. XXX, PG. XXX	COUNTY RECORDER'S INDEXING BOOK
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT

CERTIFICATION



RETURN TO:
CIVIL ENGINEERING CONSULTANTS
ATTN: JEFFREY A. GADDIS, PLS
2400 86TH STREET, SUITE 12
URBANDALE, IA 50322
PHONE: 515-276-4884 ext221
EMAIL: GADDIS@CECLAC.COM

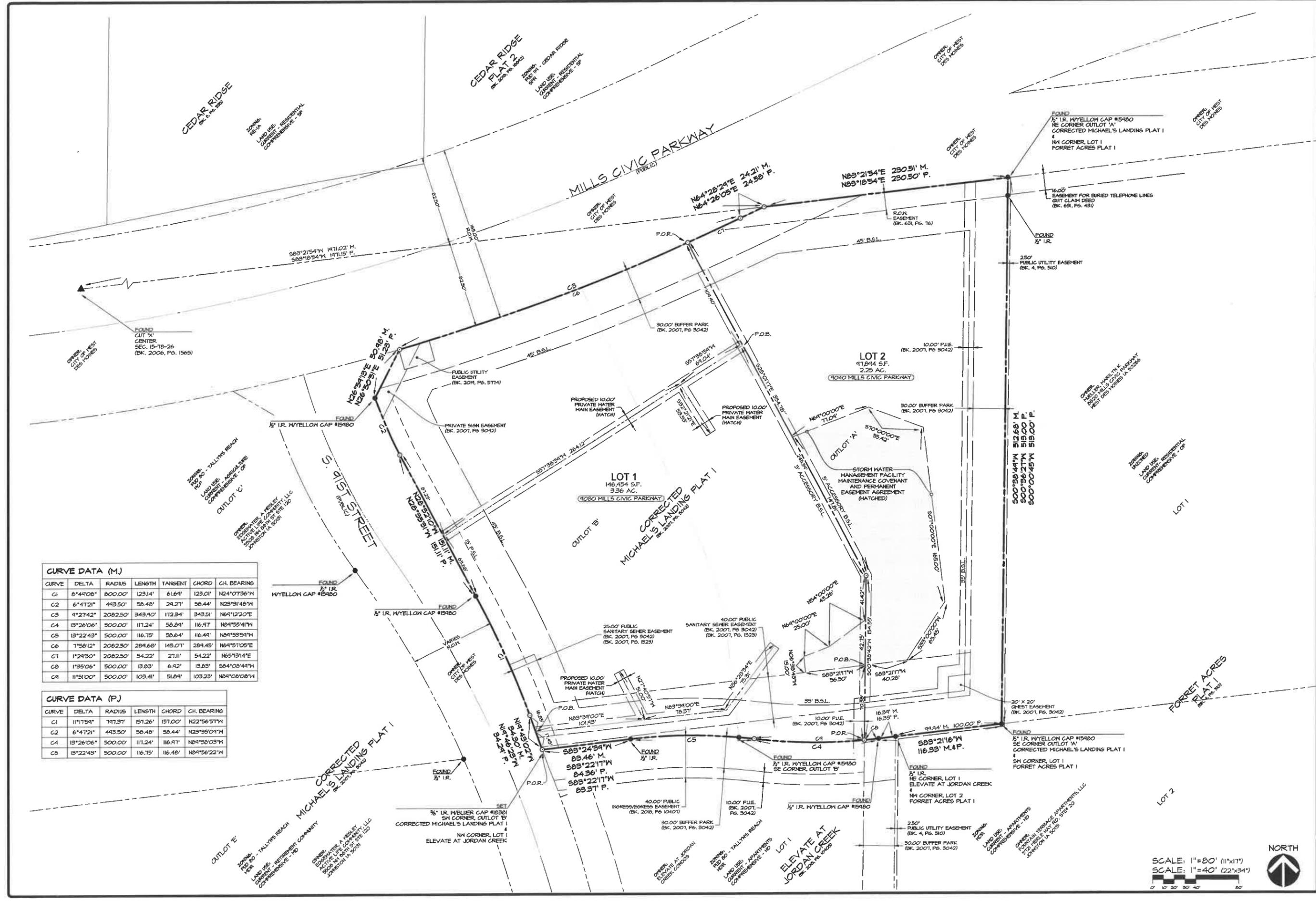
Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884, mail@ceclac.com

CEC

FAREWAY DEVELOPMENT PLAT I
409B MILLS CIVIC PARKWAY, WEST DES MOINES, IA
COVER

SHEET
OF 2
A-2106

C:\APL\5-11-2023\106_C110\Drawings\Final\2106 Final Plat.dwg, 4/7/2023 3:49:11 PM, jgdlac, 1:1



CURVE DATA (M)

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD	CH. BEARING
C1	8°44'06"	800.00'	123.14'	61.64'	123.01'	N24°07'36"W
C2	6°47'21"	443.50'	58.48'	24.27'	58.44'	N23°51'48"W
C3	9°27'42"	2082.50'	343.90'	172.34'	343.51'	N64°12'20"E
C4	13°26'06"	500.00'	117.24'	58.24'	116.97'	N84°55'41"W
C5	13°22'43"	500.00'	116.75'	58.64'	116.44'	N84°53'59"W
C6	7°58'12"	2082.50'	284.68'	143.07'	284.45'	N64°57'05"E
C7	1°29'30"	2082.50'	54.22'	27.11'	54.22'	N65°13'14"E
C8	1°35'06"	500.00'	13.83'	6.92'	13.83'	S84°03'44"W
C9	11°51'00"	500.00'	103.41'	51.84'	103.23'	N84°08'08"W

CURVE DATA (P)

CURVE	DELTA	RADIUS	LENGTH	CHORD	CH. BEARING
C1	11°17'54"	747.37'	157.26'	157.00'	N22°56'57"W
C2	6°47'21"	443.50'	58.48'	58.44'	N23°55'09"W
C4	13°26'06"	500.00'	117.24'	116.97'	N84°58'03"W
C5	13°22'43"	500.00'	116.75'	116.48'	N84°56'22"W

SCALE: 1"=80' (11"x17")
SCALE: 1"=40' (22"x34")



FAREWAY DEVELOPMENT PLAT I
WEST DES MOINES, IA
FINAL PLAT

SHEET
N
OF
2

A-2106

DATE: DEC. 12, 2021
3rd Sub. Apr. 07, 2022
2nd Sub. Mar. 25, 2022
1st Sub. Feb. 09, 2022

DESIGNED BY: JAG
DRAWN BY: JDS

Civil Engineering Consultants, Inc.
2400 86th Street - Unit 12 - Des Moines, Iowa 50322
515.276.4884 - mail@cecinc.com

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320,
West Des Moines, Iowa 50265-0320 515-222-3620

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION #

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING AND RELEASING THE FAREWAY DEVELOPMENT PLAT 1 FINAL PLAT FOR THE PURPOSE OF CREATING TWO (2) LOTS FOR COMMERCIAL DEVELOPMENT

WHEREAS, pursuant to the provisions of Title 9, Zoning and Title 10, Subdivision Regulations, of the West Des Moines Municipal Code, the applicant, Mark DeYoung, and property owner, Fareway Stores, Inc., request approval of a Final Plat for the approximately 5.61-acre property located at the southeast corner of Mills Civic Parkway and S 91st Street and legally described in attached Exhibit 'B'. The applicant proposes to subdivide the property into two (2) lots for Commercial development; 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;

WHEREAS, this Final Plat complies with Iowa Code Chapters 354 and 414, the Comprehensive Plan and City Code; and

WHEREAS, the West Des Moines Plan and Zoning Commission reviewed the associated Preliminary Plat and recommended approval on March 8, 2022; and

WHEREAS, this Final Plat has been reviewed and determined to be generally consistent with the associated Preliminary Plat that was approved by the City Council on March 21, 2022; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the Final Plat application; and

WHEREAS, there are no public improvements required of this Final Plat; and

WHEREAS, the necessary easements have been established for Ingress/Egress/Cross Access and Shared Parking; and

WHEREAS, the City Council is accepting the Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement for this property; and

WHEREAS, the City Council is accepting an Agreement and Waiver acknowledging and committing to the applicant's participation in Traffic Signal Agreement at the intersection of Mills

Civic Parkway and S. 91st Street; and

WHEREAS, the City Council approves of the following address assignment(s);

Lot 1 Fareway Development Plat 1 9080 Mills Civic Parkway

Lot 2 Fareway Development Plat 1 9040 Mills Civic Parkway

WHEREAS, property subject of this action is located within the Tallyn's Reach Planned Unit Development with underlying zoning of Neighborhood Commercial (NC) and meets all requirements of the City's Zoning Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

SECTION 1: Fareway Development Plat 1 Final Plat (FP-005497-2022), is approved subject to compliance with all of the conditions of approval, including any conditions added at the meeting, 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.

SECTION 2: This resolution does release the Final Plat for recordation. The City Council of West Des Moines, Iowa directs the City Clerk to release said document for recordation.

PASSED AND ADOPTED on April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 18, 2022, by the following vote.

Exhibit A: Conditions of Approval

1. None

Exhibit B: Legal Description

OUTLOTS 'A' & 'B', CORRECTED MICHAEL'S LANDING PLAT 1,
AN OFFICIAL PLAT RECORDED IN BOOK 2007, PAGE 3042, &
BOOK 2007, PAGE 1146 AT THE DALLAS COUNTY RECORDER'S OFFICE,
CITY OF WEST DES MOINES, DALLAS COUNTY, IOWA

**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**

Meeting Date: April 18, 2022

ITEM: 111 5th Street – Approve Site Plan to allow construction of a 4,900-sf Restaurant and Office Building with outside patio – 111 5th Street, LLC – SP-005470-2022

Resolution: Approval of Site Plan

Background: Shane Devick with Civil Engineering Consultants Inc., on behalf of the applicant, Tim Rypma, and property owner, 111 5th Street, LLC, requests approval of a Site Plan for the approximately 0.2-acre property located at 111 5th Street. The applicant proposes to construct a 4,900-sf building incorporating 1,455-square feet for office use, 2,063-square feet for indoor restaurant use, and 1,382-square feet for restaurant patio use.

Staff Review & Comment:

- **Financial Impact:** Total construction costs for the buildings are estimated at \$2,259,715 and the City will rebate up to \$302,210 through the Property Tax Rebate program over a 10-year period.
- **History:** This property is within the Valley Junction Historic Business (VJHB) zoning district. In 2021, City Council established a moratorium for construction projects in the VJHB district. It is important to note that the developer proceeded through the moratorium exception process which included presentation of the proposed development to, and received support from, the Valley Junction Historic Master Plan Steering Committee on September 29, 2021, the Development and Planning City Council Subcommittee on February 7, 2022, and the City Council on March 7, 2022
- **Key Development Aspects:**
 - The existing building located on this site has been removed.
 - **VJHB Trash Program:** On February 22, 2022, the applicant submitted a letter from the Historic Valley Junction Foundation noting the developer's participation in their trash co-op program. Therefore, the proposed development is not required to provide any on-site trash receptacles
 - **Off-Street Parking:** The proposed development would require approximately 59 parking spaces (7 for the office component); however, City Code does not require off street parking for developments within the Valley Junction Historic Business (VJHB) zoning district. It is important to note, the Historic West Des Moines Master Plan Study indicated that there is available parking within Valley Junction overall. Additionally, there is an existing 34' Public Parking Facilities Easement abutting the alley located along the subject property's east lot line. Within this Public Parking Facilities Easement, the site plan identifies two parking spaces that will remain post-development. Additionally, there is existing paving within said easement in the northeast corner of the site that will also remain as-is but will not be improved to allow for off-street parking. This space was never used for off-street parking but rather for vehicle access to the rear of the previous building. If the developer wishes to use this area for off-street parking in the future a minor modification to this site plan for improvements needed to create the spaces will be required to be approved by city staff.

- **Outdoor Patio:** The restaurant is proposing an outdoor patio approximately 1,382-square feet in size. This patio is proposed to be located along the south and east sides of the restaurant. The building does include an operable storefront opening onto the patio. An amendment to City Code related to outdoor services areas in mixed use areas is in the process of being adopted. The intent of this amendment is to only provide mitigation of the activities with an outdoor service area when the surrounding residential uses are not part of a mixed-use development or building and when within 300 feet of the outdoor area or operable storefront. The patio will not require any screening or mitigation for the residential area to the east as it is situated behind the structures directly east of the subject property, thus directing light and sound away from the residential area along 4th Street. These homes are also over 300 feet away from the closest edge of the patio. With the adoption of the ordinance mentioned above, mitigation for any adjacent residential units within the Valley Junction Historic Business District will not be required as the area is intended as mixed use with residential above the businesses. The applicant has made mention that this patio is intended to be covered with a pergola and additional ornate fencing, however, this is not part of the approved site plan application and will require a Minor Modification to this site plan be approved by city staff once a tenant is identified and is ready to construct said improvements.
- **Building Architecture:** The proposed building is a one-story commercial building which will be clad on three facades with modular red brick utilizing multiple installation patterns to provide visual interest on the front façade along 5th Street. The rear façade will be clad with a bronze painted Hardie Plank fiber cement in a horizontal pattern providing compatibility with the patterning of typical rear facades on older buildings within the district. The building will provide window glazing and entrances along the west and south façades. The east facade includes an overhead roll up window system onto an outdoor patio space. Metal screening will be installed for the ground mounted transformer located along the east side of the building as well as the roof mounted HVAC equipment. The Historic West Des Moines Master Plan design guidelines for the mixed-use commercial area were used when reviewing the design of the proposed building.

A future pergola and decorative fencing is intended along the south and east facades over the patio, however, at this time these elements are not part of this site plan approval. A future modification application will need to be submitted for staff review of the pergola and fence materials.

- **Traffic Impact Study Findings:** A traffic study for this development was completed in February 2022. The review indicates that there are no significant traffic impacts to the public street system as a result of this development.
- **Conditions of Approval:**
 - **Construction & Staging:** The applicant is indicating that construction activities will not extend outside of the property. With the multiple construction projects going on in the vicinity and the special events in the district scheduled for this summer and fall, the applicant was required to submit a construction staging plan for review. The construction staging plan is part of this site plan application, but the drawings illustrate this area to be entirely within the confines of the subject property. It is important to note that if the developer wishes to expand the staging area off-site, that proposal will need to be reviewed and approved by the City as a separate action from the Site Plan. Lastly, the applicant for the project has been

reminded to be considerate of disruptions within the Valley Junction area during construction and that any closure of the public sidewalk, 5th Street or alley requires the approval of a permit from the Public Services Department prior to closure.

- Wastewater Reclamation Authority: The restaurant land use will require a grease interceptor to be installed. Since the grease interceptor sizing process needs specific tenant provided information (seating capacity, kitchen equipment, and hours of operation), the Wastewater Reclamation Authority (WRA) is unable to know for sure what size is needed until a tenant is identified. Once a tenant is identified the applicant must contact the WRA to receive specific sizing requirements and a Minor Modification development application will be needed to review the location and connections of the grease interceptor.
- Vesting of Entitlement: Per City Code, entitlement (approval to construct or implement) shall remain in effect so long as substantial site work has progressed beyond grading and completion of structural foundations and twenty-five percent (25%) of the total building area has occurred above grade within twenty-four (24) months of the effective date of the approval, unless a greater time period is authorized at time of the original entitlement, or by approval of an extension of the original entitlement. It is the responsibility of the developer to be aware of this deadline and request an extension of the approval prior to the expiration date.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: April 11, 2022
Vote: 7-0 for approval
Recommendation: Approval of a Site Plan

Plan and Zoning Commission Discussion:

Gregory Allen, 714 27th Street, requested clarification regarding the location of the business and if the proposed use met the zoning requirements for off-street parking and height. Commissioner Crowley responded that the proposal met these zoning requirements noting there are no off-street parking requirements in VJHB district and that the building was only one-story.

Recommendation: Approve the Site Plan request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant receiving City approval prior to any construction staging occurring off-site.
2. The applicant receiving City approval for improvements to allow vehicle parking in the northeast corner of the property.
3. The applicant receiving City approval for any future patio improvements, including, but not limited to, fences and pergola.
4. The applicant contacting the Des Moines Metropolitan Wastewater Reclamation Authority, when information on the future restaurant tenant is received to discuss requirements for the grease interceptor. Additionally, a Minor Modification development application for the location and connections of the grease interceptor will need to be submitted and approved prior to implementation.

Lead Staff Member: Bryce Johnson

Approval Meeting Dates:

Plan and Zoning Commission	April 11, 2022
City Council: First Reading	April 18, 2022

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input checked="" type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input checked="" type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

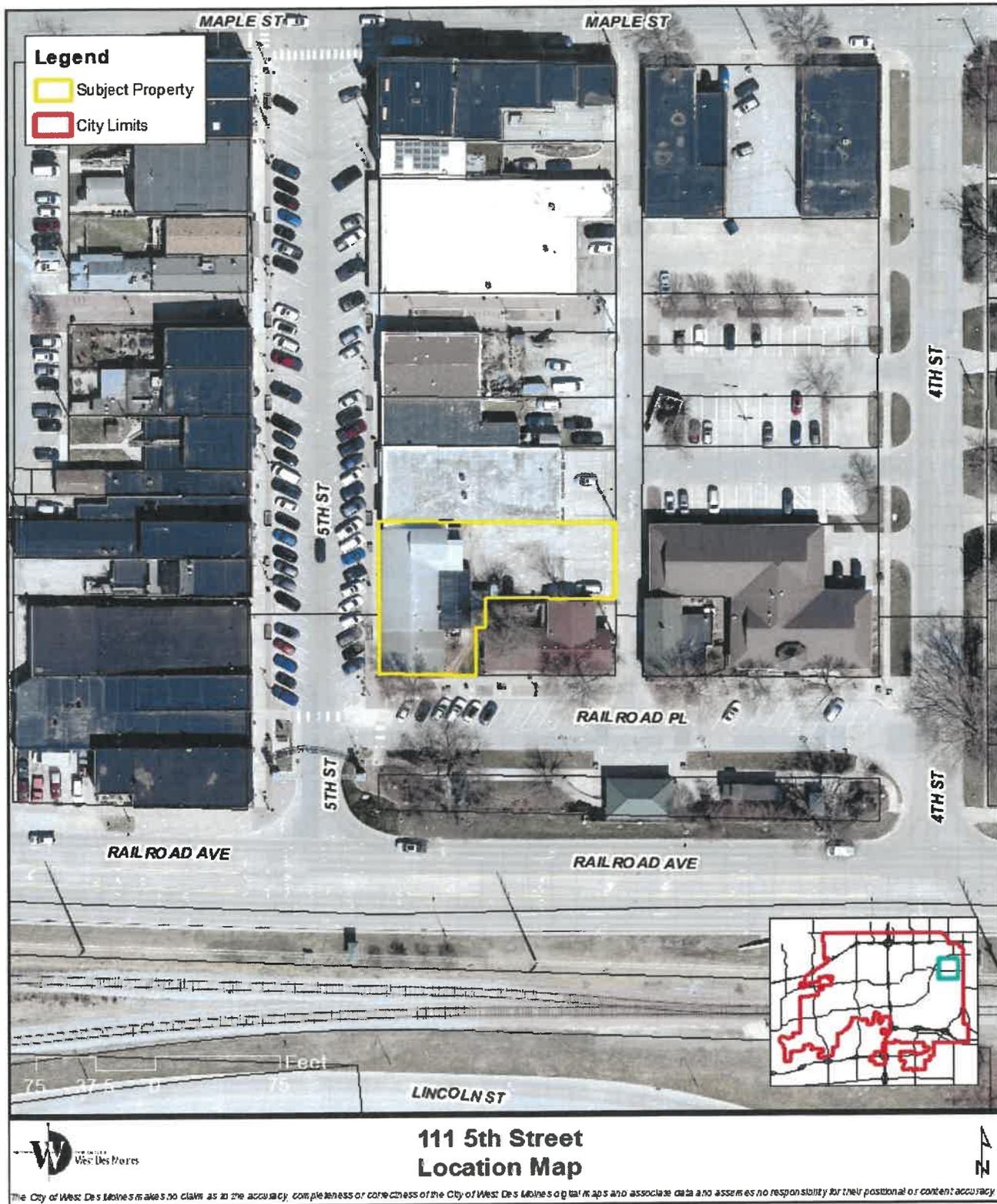
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	n/a
Date(s) of Mailed Notices	n/a

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	2/7/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



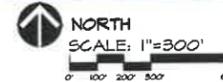
SITE PLAN OF 111 5TH STREET

PLANS INCLUDED ARE FOR ILLUSTRATIVE
PURPOSES ONLY - APPROVED PLANS ON FILE
WITH THE CITY

WEST DES MOINES, IOWA
SP-005470-2022



VICINITY SKETCH



Sheet List Table

Sheet Number	Sheet Title
C1	COVER
C2	NOTES & DETAILS
C3	DEMOLITION PLAN
C4	STAGING PLAN
C5	DIMENSION PLAN
C6	GRADING PLAN
C7	UTILITY PLAN
L1	PLANTING PLAN
L2	SITE DETAILS

PROPERTY OWNER / APPLICANT:

111 5TH ST, LLC
502 1/2 EAST GRAND AVENUE
DES MOINES, IA 50304

PROJECT MANAGER:

JUSTIN BURMAN
SUBSTANCE ARCHITECTURE
1300 WALNUT STREET, SUITE 201
DES MOINES, IA 50304
PH: 515-284-4407
EMAIL: JBURMAN@SUBSTANCEARCHITECTURE.COM

PROFESSIONAL LAND SURVEYOR:

BRUCE G. JOHNSON
CIVIL ENGINEERING CONSULTANTS, INC.
PH: JEFFERY A. GADDIS, PLS
2400 26TH STREET, SUITE 12
URBANDALE, IA 50322
PH: 515-278-4804 EXT. 221
EMAIL: GADDIS@CECLAC.COM

MUNICIPALITY PLANNER:

BRUCE G. JOHNSON
DEPARTMENT: DEVELOPMENT SERVICES
DIVISION: PLANNING DIVISION
TITLE: PLANNER
PHONE: (515) 222-3620
FAX: (515) 273-0602
EMAIL: BRUCE.JOHNSON@NDM.IOWA.GOV

TOTAL LAND AREA:

10,371 SF

EXISTING ZONING:

V.J.H. VALLEY JUNCTION HISTORIC BUSINESS

PROPOSED ZONING:

V.J.H. VALLEY JUNCTION HISTORIC BUSINESS

EXISTING COMPREHENSIVE PLAN DESIGNATION:

HEC-1 HISTORIC BUSINESS

PROPOSED COMPREHENSIVE PLAN DESIGNATION:

HEC-1 HISTORIC BUSINESS

BULK REGULATIONS

LOT AREA:	6,250 SQ. FT. MIN.
LOT WIDTH:	50' MIN.
FRONT YARD:	0'
SIDE YARD:	0'
REAR YARD:	0'
PRINCIPLE BUILDING HT.:	36' MAX.
OPEN SPACE:	0'

FLOOD ZONE

ZONE X (AREA WITH REDUCED FLOOD RISK DUE TO LEVEE CONSTRUCTION)
ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS.
COMMUNITY-PANEL #19188G0324F
MAP REVISED FEBRUARY 1, 2019.

LEGAL DESCRIPTION

-EX E74F 166F 166F 531F- LOT 4 & ALL LOT 10 BLK 4
VALLEY JUNCTION AN OFFICIAL PLAT POLK COUNTY, WEST DES MOINES,
IOWA AND CONTAINING 10,371 SF MORE OR LESS.

IMPERVIOUSNESS

SITE AREA: 10,371 SF.
EXISTING IMPERV.: 4,185 S.F. (40%)
PROPOSED IMPERV.: 6,870 S.F. (66%).

BENCHMARKS

City of West Des Moines, Iowa Vertical Control Network			Benchmark: 049
NAVD88 - FEET	812.36	LOCATION	
WDM DATUM - FEET	38.35	Intersection of 4th Street and Vine Street, Northeast corner of intersection, 50 feet East of the centerline of 4th Street, 50 feet North of the centerline of Vine Street.	
NAVD88 - METERS	247.600		
SECTION	11		
TOWNSHIP	T78N		
RANGE	R25W	DESCRIPTION	
COUNTY	Polk	Standard Benchmark.	

City of West Des Moines, Iowa Vertical Control Network			Benchmark: 058
NAVD88 - FEET	812.24	LOCATION	
WDM DATUM - FEET	38.23	Intersection of 4th Street and Railroad Avenue, Northwest corner of intersection, 41 feet West of centerline of 4th Street, 55.4 feet North of centerline of Railroad Avenue.	
NAVD88 - METERS	247.572		
SECTION	14		
TOWNSHIP	T78N		
RANGE	R25W	DESCRIPTION	
COUNTY	Polk	Standard Benchmark.	

BUILDING USE:

Collectively, building footprint 4,980 SF (gross), patio 1,362 SF
individually: retail 1,500 SF gross leasable, restaurant 3,385 SF
gross leasable

Existing/Demolished: 5,672 SF (gross area)

PARKING:

1,455 SF RETAIL @ 5/1000 SF = 7 SPACES
3,445 SF RESTAURANT @ 15/1000 = 52 SPACES
54 SPACES REQUIRED
PROVIDED: 0

PROJECT CONTACTS

SANITARY SEWER

WEST DES MOINES PUBLIC SERVICES DEPARTMENT
560 S 16th St
WEST DES MOINES, IA 50265
CONTACT: MIKE COUGHLON
PHONE: 515-222-3480

WATER MAIN

WEST DES MOINES WATER WORKS
1505 RAILROAD AVENUE
WEST DES MOINES, IA 50265
CONTACT: WILLIAM HANKE
PHONE: 515-222-3460

STORM SEWER

WEST DES MOINES PUBLIC SERVICES DEPARTMENT
560 S 16th St
WEST DES MOINES, IA 50265
CONTACT: RON WISSE
PHONE: 515-222-3480

NATURAL GAS UTILITY

MID AMERICAN ENERGY
666 GRAND AVENUE
DES MOINES, IA 50304
CONTACT: JIM KEISLAR
PHONE: 515-252-6472

ELECTRIC

MID AMERICAN ENERGY
666 GRAND AVENUE
DES MOINES, IA 50304
CONTACT: JIM KEISLAR
PHONE: 515-252-6472

TELEPHONE

CENTURY LINK
2105 E UNIVERSITY
DES MOINES, IA 50317
CONTACT: DAVE HARRIS
PHONE: 308-263-1250

BUILDING DEPARTMENT

4200 HILLS CIVIC PARKWAY, SUITE D
PO BOX 65320
WEST DES MOINES IA 50265-0920
PHONE: 515-222-3620

HEALTH DEPARTMENT

POLK COUNTY PUBLIC HEALTH
1307 CARPENTER AVENUE
DES MOINES, IA 50314
PHONE: 515-286-3748

FIRE DEPARTMENT

3421 ASHWORTH ROAD
WEST DES MOINES, IA 50265
PHONE: (515) 222-3420

GENERAL LEGEND

PROPOSED	EXISTING
PLAT BOUNDARY	LOT LINE
SECTION LINE	SANITARY/STORM MANHOLE
LOT LINE	WATER VALVE
CENTERLINE	FIRE HYDRANT
EASEMENT LINE	STORM SEWER SINGLE INTAKE
FLARED END SECTION	STORM SEWER DOUBLE INTAKE
DRAIN BASIN OR SEDIMENT RISER	STORM SEWER ROUND INTAKE
DRAIN BASIN WITH SOLID GRATE	FLARED END SECTION
WATER VALVE	DECIDUOUS TREE
FIRE HYDRANT ASSEMBLY	CONIFEROUS TREE
BLOW-OFF HYDRANT	SHRUB
SCOUR STOP MAT	POWER POLE
TURF REINFORCEMENT MAT	STREET LIGHT
STORM SEWER WITH SIZE	GUY ANCHOR
WATER SEWER WITH SIZE	ELECTRIC TRANSFORMER
WATER SERVICE	GAS METER
PROPOSED CONTOUR	TELEPHONE RISER
SILT FENCE	SIGN
ADDRESS	UNDERGROUND TELEVISION
RIPRAP	UNDERGROUND ELECTRIC
	UNDERGROUND GAS
	UNDERGROUND FIBER OPTIC
	UNDERGROUND TELEPHONE
	OVERHEAD ELECTRIC
	SANITARY SEWER WITH SIZE
	STORM SEWER WITH SIZE
	WATER MAIN WITH SIZE
	EXISTING CONTOUR
	TREELINE
	B.S.L. BUILDING SETBACK LINE
	P.U.E. PUBLIC UTILITY EASEMENT
	M.O.E. MINIMUM OPENING ELEVATION

CERTIFICATIONS



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.

SHANE J. DEVICK, IOWA LIC. NO. 16507 DATE
MY LICENSE RENEWAL DATE IS DECEMBER 30, 2022
PAGES OR SHEETS COVERED BY THIS SEAL: _____
SHEETS: 1/2



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

BRETT A. DOUGLAS DATE
LICENSE NO. 00089 LICENSE RENEWAL DATE: JUNE 30, 2023
1/1 COVERED BY THIS SEAL

1300 Walnut Street, Suite 201
Des Moines, Iowa 50309
Ph. 515 243 4407
www.substancearchitecture.com

CIVIL ENGINEER

Civil Engineering Consultants, Inc.
2400 26th Street, Unit 12
Urbandale, IA 50222
Ph. 515 276 4884
civilengineeringconsultantsinc.com

LANDSCAPE ARCHITECT

Genus Landscape Architects
325 E 5th Street
Des Moines, IA 50309
Ph. 515 284 1010
www.genus-ia.com

STRUCTURAL ENGINEER

KPFF

604 Locust Street, Suite 202
Des Moines, IA 50309
Ph. 515 279 3600
www.kpff.com

111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

CONSTRUCTION DOCUMENTS

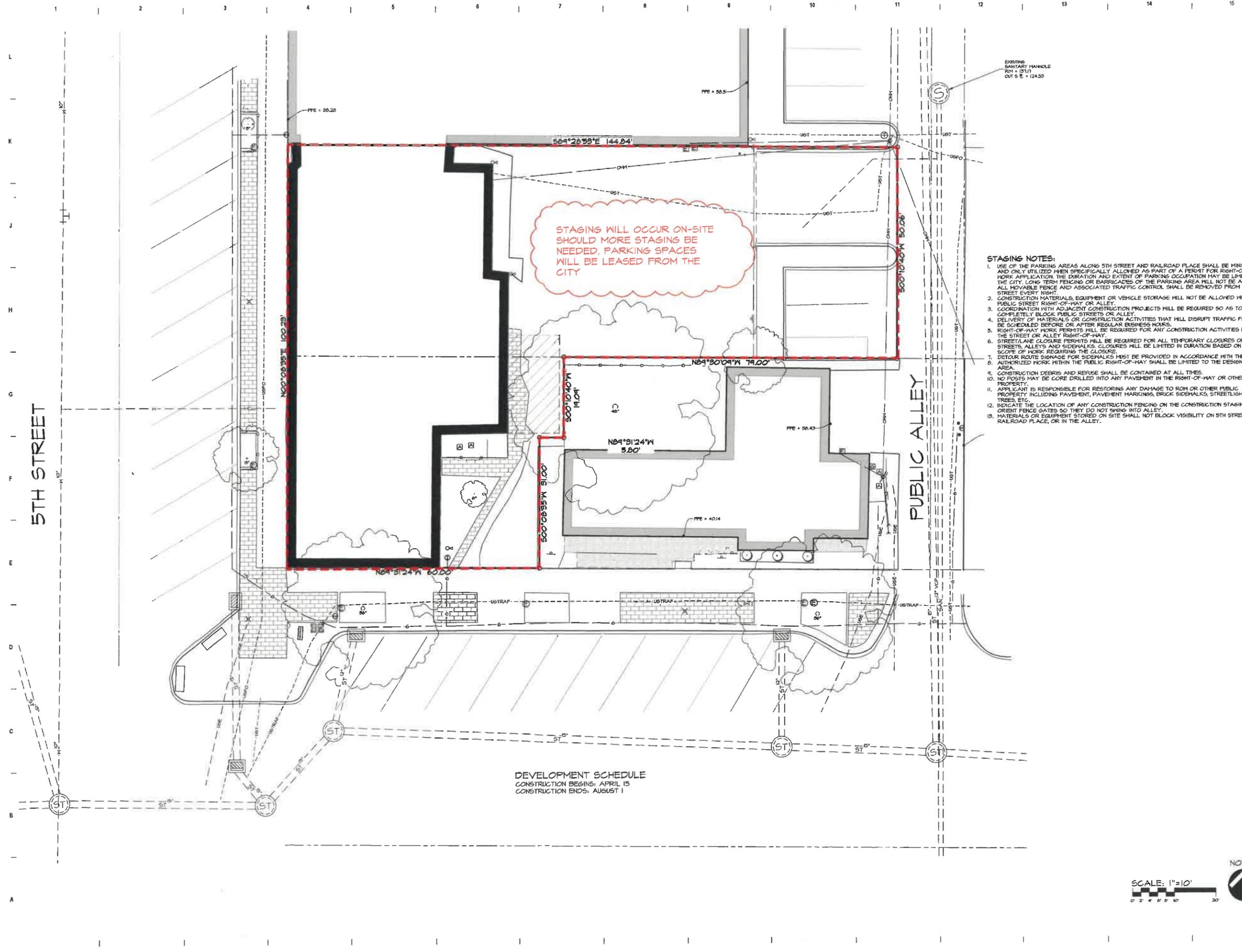
Substance No.: 0632

Date: 04/07/2022

Revisions: MARK, DESCRIPTION DATE

COVER

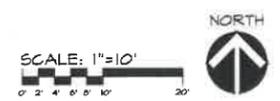
C1



STAGING WILL OCCUR ON-SITE SHOULD MORE STAGING BE NEEDED, PARKING SPACES WILL BE LEASED FROM THE CITY

- STAGING NOTES:**
1. USE OF THE PARKING AREAS ALONG 5TH STREET AND RAILROAD PLACE SHALL BE MINIMIZED AND ONLY UTILIZED WHEN SPECIFICALLY ALLOWED AS PART OF A PERMIT FOR RIGHT-OF-WAY WORK APPLICATION. THE DURATION AND EXTENT OF PARKING OCCUPATION MAY BE LIMITED BY THE CITY. LONG TERM FENCING OR BARRICADES OF THE PARKING AREA WILL NOT BE ALLOWED. ALL MOVABLE FENCE AND ASSOCIATED TRAFFIC CONTROL SHALL BE REMOVED FROM THE STREET EVERY NIGHT.
 2. CONSTRUCTION MATERIALS, EQUIPMENT OR VEHICLE STORAGE WILL NOT BE ALLOWED WITHIN ANY PUBLIC STREET RIGHT-OF-WAY OR ALLEY.
 3. COORDINATION WITH ADJACENT CONSTRUCTION PROJECTS WILL BE REQUIRED SO AS TO NOT COMPLETELY BLOCK PUBLIC STREETS OR ALLEY.
 4. DELIVERY OF MATERIALS OR CONSTRUCTION ACTIVITIES THAT WILL DISRUPT TRAFFIC FLOW MUST BE SCHEDULED BEFORE OR AFTER REGULAR BUSINESS HOURS.
 5. RIGHT-OF-WAY WORK PERMITS WILL BE REQUIRED FOR ANY CONSTRUCTION ACTIVITIES WITHIN THE STREET OR ALLEY RIGHT-OF-WAY.
 6. STREET/LANE CLOSURE PERMITS WILL BE REQUIRED FOR ALL TEMPORARY CLOSURES OF PUBLIC STREETS, ALLEYS AND SIDEWALKS. CLOSURES WILL BE LIMITED IN DURATION BASED ON THE SCOPE OF WORK REQUIRING THE CLOSURE.
 7. DETOUR ROUTE SIGNAGE FOR SIDEWALKS MUST BE PROVIDED IN ACCORDANCE WITH THE MUTCD.
 8. AUTHORIZED WORK WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE LIMITED TO THE DESIGNATED AREA.
 9. CONSTRUCTION DEBRIS AND REFUSE SHALL BE CONTAINED AT ALL TIMES.
 10. NO POSTS MAY BE CORE DRILLED INTO ANY PAVEMENT IN THE RIGHT-OF-WAY OR OTHER PUBLIC PROPERTY.
 11. APPLICANT IS RESPONSIBLE FOR RESTORING ANY DAMAGE TO ROW OR OTHER PUBLIC PROPERTY INCLUDING PAVEMENT, PAVEMENT MARKINGS, BRICK SIDEWALKS, STREETLIGHTS, SOD, TREES, ETC.
 12. INDICATE THE LOCATION OF ANY CONSTRUCTION FENCING ON THE CONSTRUCTION STAGING PLAN. ORIENT FENCE GATES SO THEY DO NOT SWING INTO ALLEY.
 13. MATERIALS OR EQUIPMENT STORED ON SITE SHALL NOT BLOCK VISIBILITY ON 5TH STREET, RAILROAD PLACE, OR IN THE ALLEY.

DEVELOPMENT SCHEDULE
CONSTRUCTION BEGINS: APRIL 15
CONSTRUCTION ENDS: AUGUST 1



111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

Substance No.: 0632

Date: 04/07/2022

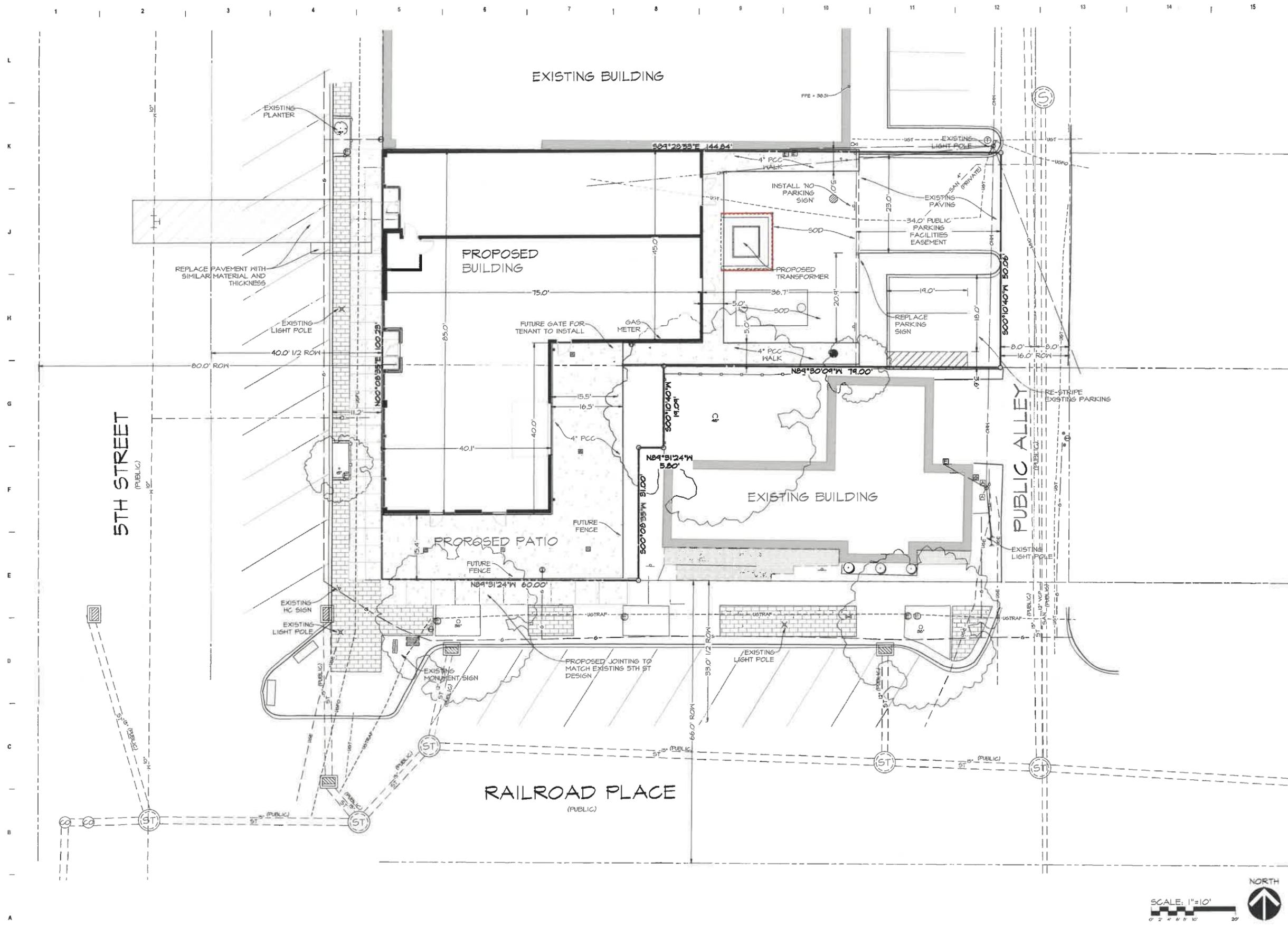
Revisions	DATE
MARK DESCRIPTION	

CONSTRUCTION DOCUMENTS

STAGING PLAN

E-8746

C4



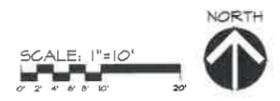
111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

CONSTRUCTION DOCUMENTS

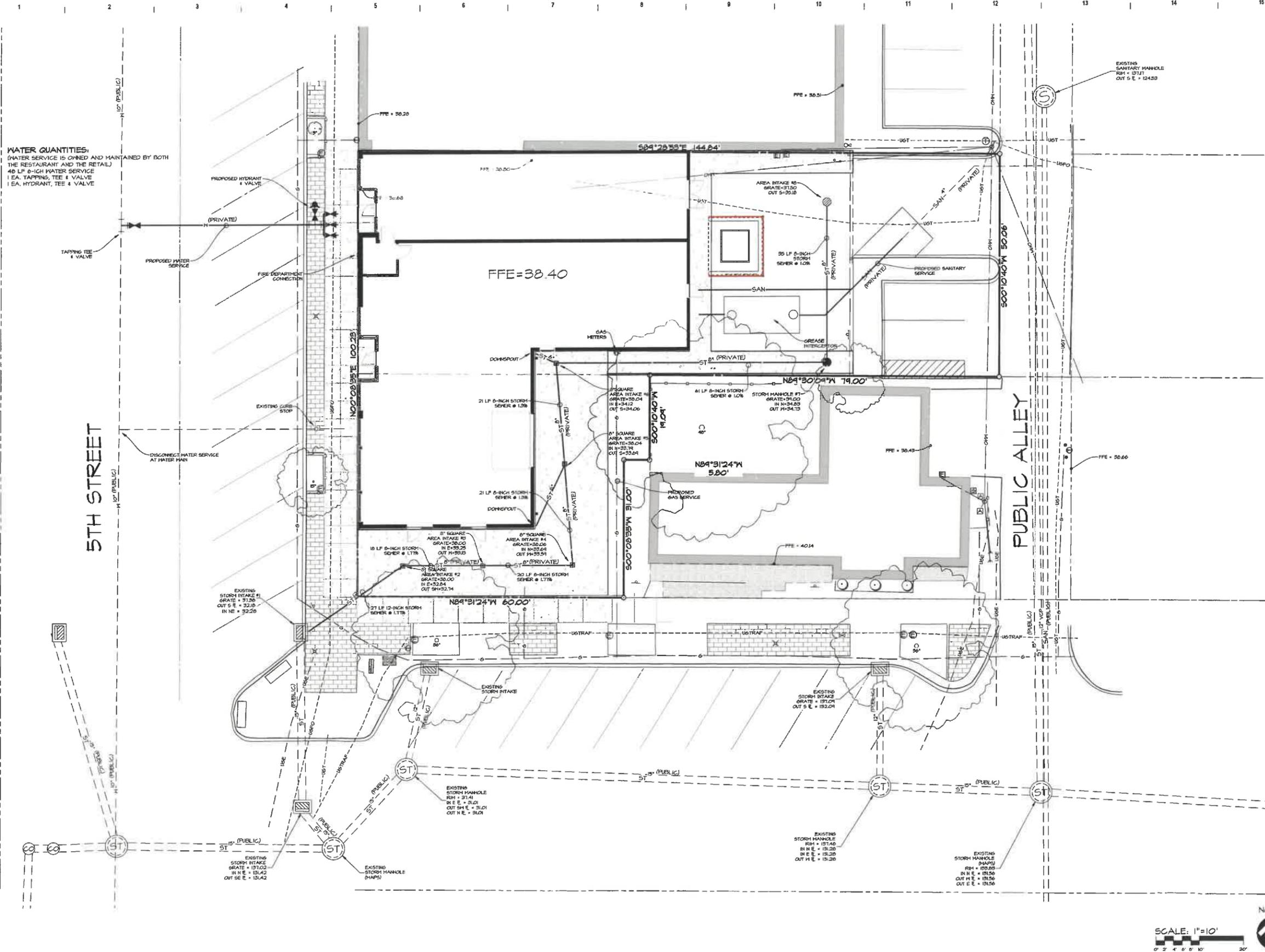
Substance No. 0632

Date: 04/07/2022

Revisions: MARK DESCRIPTION DATE



DIMENSION PLAN



WATER QUANTITIES:
 WATER SERVICE IS OWNED AND MAINTAINED BY BOTH
 THE RESTAURANT AND THE RETAIL.
 40 LF 6-INCH WATER SERVICE
 1 EA. TAPPING, TEE & VALVE
 1 EA. HYDRANT, TEE & VALVE

5TH STREET

PUBLIC ALLEY

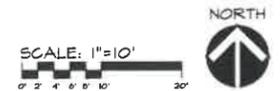
111 5TH ST.
 111 5TH STREET
 WEST DES MOINES, IA 50265

CONSTRUCTION DOCUMENTS

Substance No.: 0632

Date: 04/07/2022

Revisions
 MARK DESCRIPTION DATE

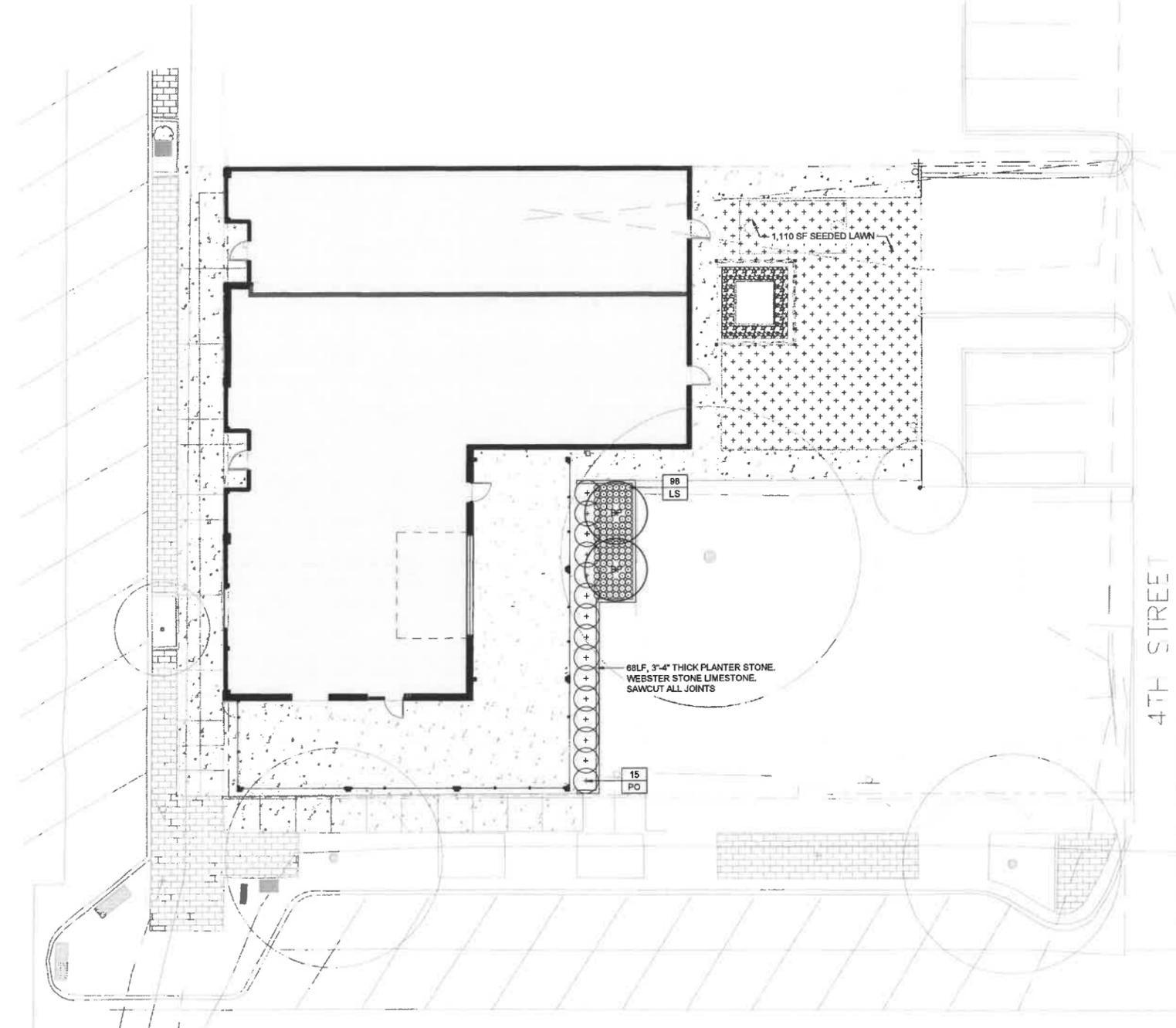


UTILITY PLAN

C7

5TH STREET

4TH STREET

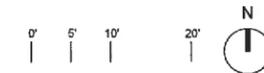


ORNAMENTAL TREES						
QTY	KEY	BOTANICAL	COMMON	SIZE	ROOT	NOTES
2	BP	BETULA PLATYPHYLLA 'FARGO'	DAKOTA PINNACLE JAPANESE WHITE BIRCH	1.75" CAL.	B&B	SINGLE STEM
SHRUBS AND PERENNIALS						
QTY	KEY	BOTANICAL	COMMON	SIZE	ROOT	NOTES
98	LS	LIRIOPE SPICATA	CREeping LIRIOPE	#1	CONT.	SPACING AS SHOWN
15	PO	PHYSOCARPUS OPULIFOLIUS 'DONNA MAY'	LITTLE DEVIL NINEBARK	#3	CONT.	SPACING AS SHOWN



CONSTRUCTION NOTES

- APPROXIMATE LIMITS OF SEEDING. CONTRACTOR TO SEED ALL DISTURBED AREAS.



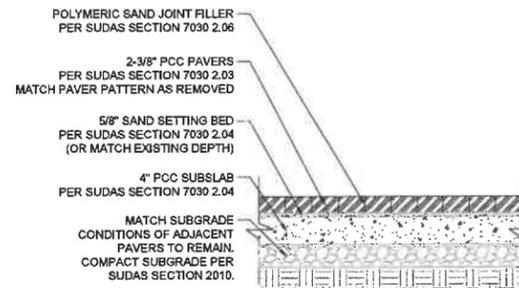
111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

Preliminary - Not for Construction
Project Status

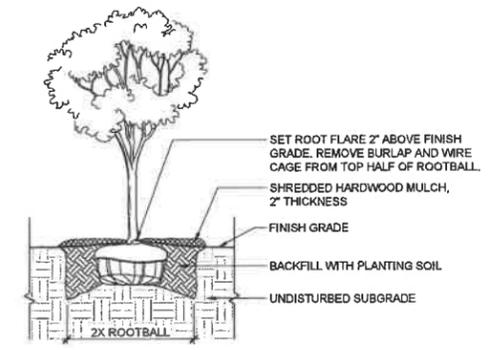
Substance No.: 0632

Date: 02-25-2022

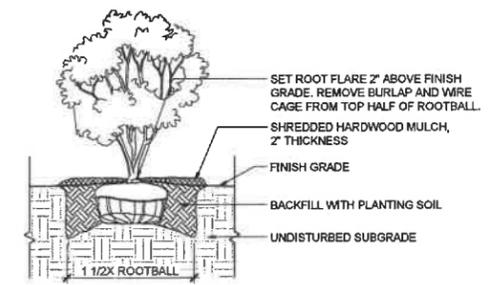
Revisions
MARK DESCRIPTION DATE



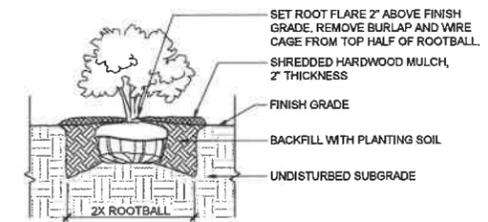
05 PEDESTRIAN PAVERS
NOT TO SCALE



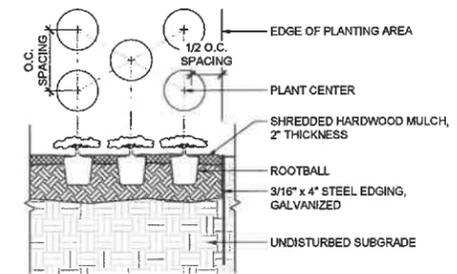
01 OVERSTORY TREE PLANTING
NOT TO SCALE



02 ORNAMENTAL TREE PLANTING
NOT TO SCALE



03 SHRUB PLANTING
NOT TO SCALE



04 PERENNIAL PLANTING
NOT TO SCALE

111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

Preliminary - Not for Construction
Project Status

Substance No.: 0632

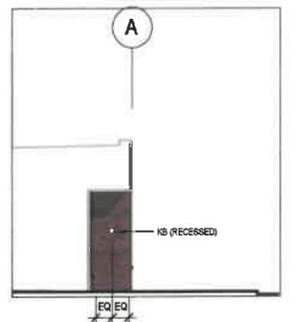
Date: 02-25-2022

Revisions	DATE
MARK DESCRIPTION	

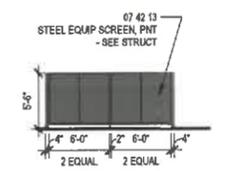
NEW CONSTRUCTION KEYNOTES	
KEY	NOTE
1	TENANT IMPROVEMENT: FOR FUTURE REFERENCE, PERGOLA AND FENCING WILL NEED TO BE SUBMITTED FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION - INCLUDING WDM DEVELOPMENT SPS.



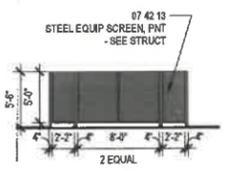
J1 AXON - SOUTHEAST
SCALE: 1/8" = 1'-0"



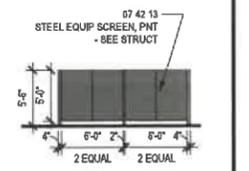
J7 NORTH ENTRY - SOUTH
SCALE: 1/8" = 1'-0"



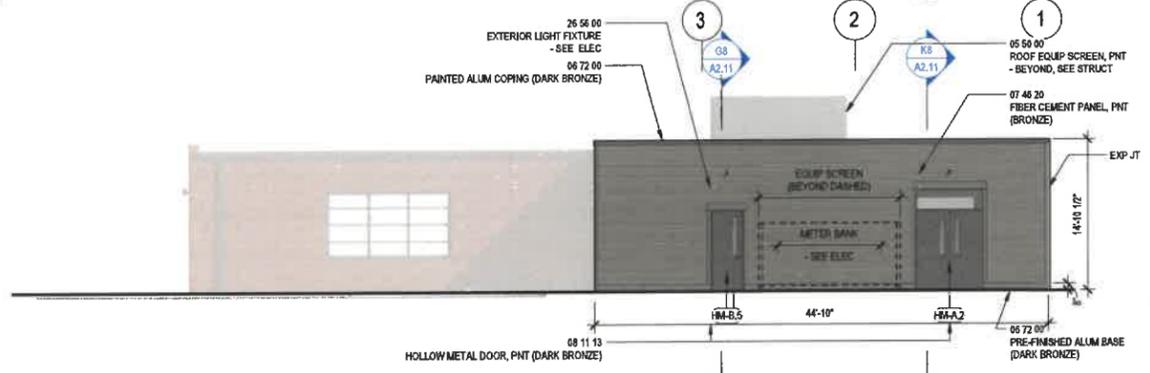
J10 MECH SCREEN - NORTH
SCALE: 1/8" = 1'-0"



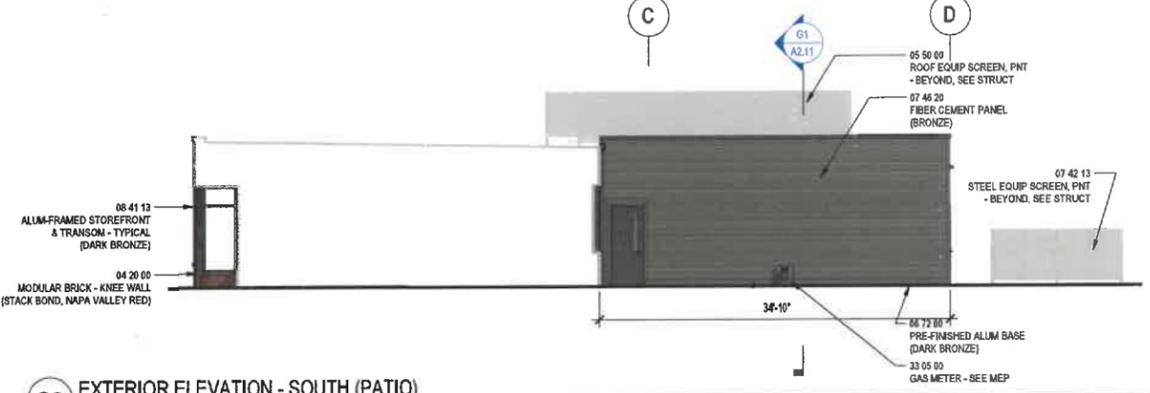
J12 MECH SCREEN - EAST
SCALE: 1/8" = 1'-0"



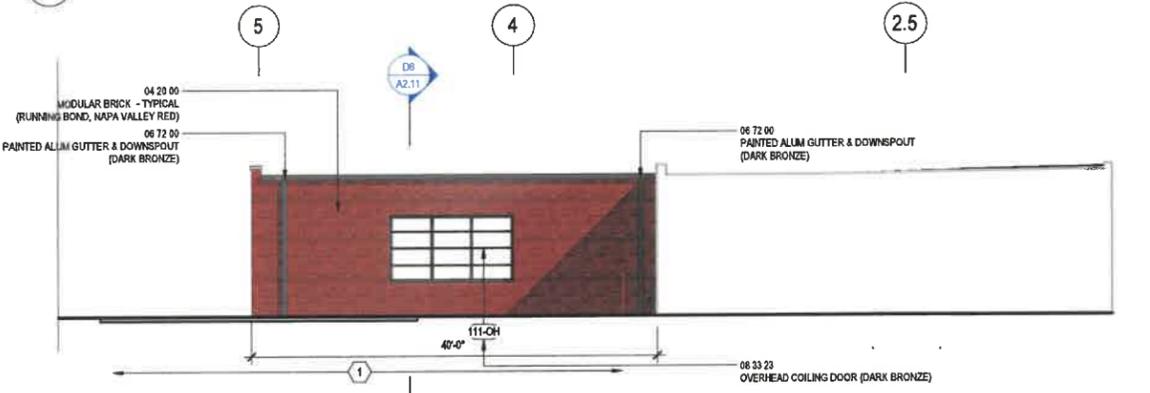
J14 MECH SCREEN - SOUTH
SCALE: 1/8" = 1'-0"



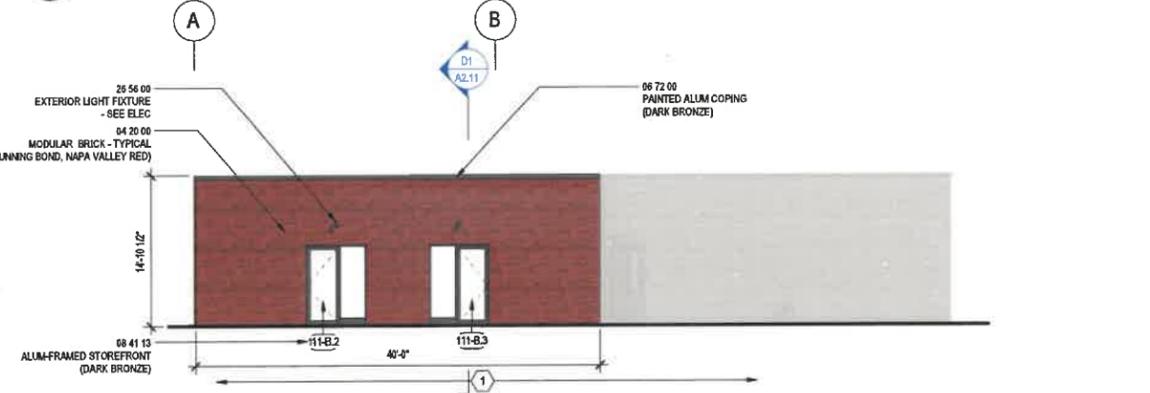
G1 EXTERIOR ELEVATION - EAST (PARKING)
SCALE: 1/8" = 1'-0"



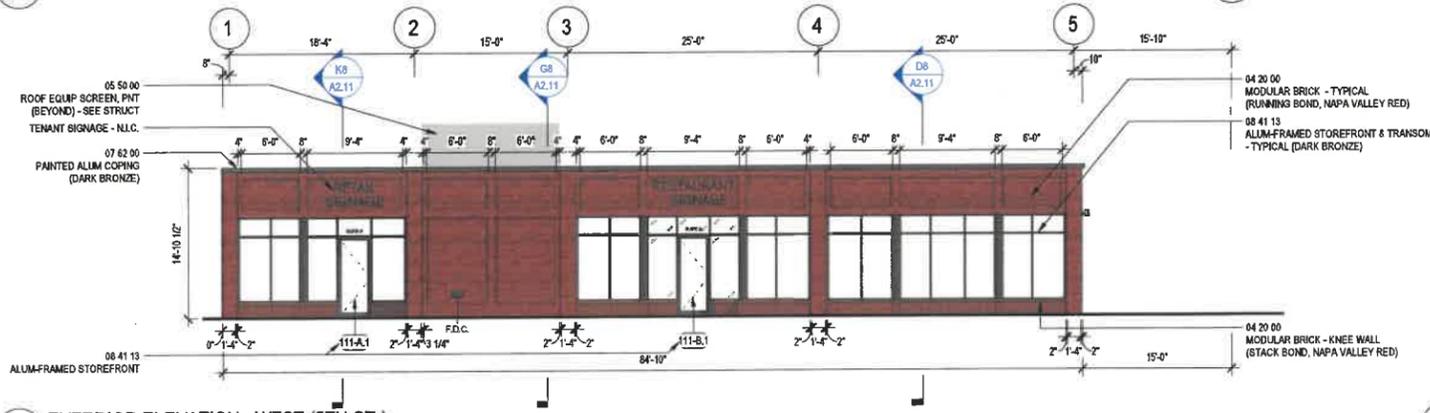
G8 EXTERIOR ELEVATION - SOUTH (PATIO)
SCALE: 1/8" = 1'-0"



D1 EXTERIOR ELEVATION - EAST (PATIO)
SCALE: 1/8" = 1'-0"



D8 EXTERIOR ELEVATION - SOUTH (R.R. PLACE)
SCALE: 1/8" = 1'-0"



A1 EXTERIOR ELEVATION - WEST (5TH ST.)
SCALE: 1/8" = 1'-0"



A10 AXON - SOUTHWEST
SCALE: 1/8" = 1'-0"

111 5TH ST.
111 5TH STREET
WEST DES MOINES, IA 50265

CONSTRUCTION DOCUMENTS

Substance No.: 0632
City Project No.: SP-005470-2022
Date: 03/17/2022
Revisions:
1. ADDENDUM 1 DATE: 03/17/2022

BUILDING ELEVATIONS

A2.01

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-037**

WHEREAS, pursuant to the provisions of Title 9, Zoning of the West Des Moines Municipal Code, the applicant, Tim Rypma, and property owner, 111 5th Street, LLC, request approval of a Site Plan for the approximately 0.2-acre property located at 111 5th Street as depicted on the location map included in the staff report. The applicant requests approval to construct a 4,900-square foot restaurant and retail building, and associated site improvements; and

WHEREAS, the Site Plan request complies with the findings stated in the applicable provisions of Title 9, the Comprehensive Plan and City Code.

NOW THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends the City Council approve the Site Plan (SP-005470-2022), subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 11, 2022.



Jennifer Drake, Vice Chair
Plan and Zoning Commission

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 on April 11, 2022, by the following vote:

AYES: Conlin, Costa, Crowley, Davis, Drake, Hatfield, Shaw

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:


Recording Secretary

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., PO Box 65320, West Des Moines, Iowa
50265-0320 515-222-3620
When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, APPROVING A SITE PLAN TO ALLOW CONSTRUCTION OF A 4,900 SQUARE FOOT MIXED USE BUILDING

WHEREAS, pursuant to the provisions of Title 9, Zoning of the West Des Moines Municipal Code, the applicant, Tim Rypma, and property owner, 111 5th Street, LLC, request approval of the Site Plan for the approximately 0.2-acre property located at 111 5th Street and legally described in attached Exhibit 'B' for the purpose of constructing a 4,900-square foot mixed use building, and associated site improvements; 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, the Site Plan complies with findings stated in the applicable provisions of Title 9, Chapter 1, Subsection 8, the Comprehensive Plan and City Code.

WHEREAS, on April 11, 2022, the Plan and Zoning Commission recommended to the City Council, by a 7-0 vote, for approval of the Site Plan; and

WHEREAS, on this day the City Council held a duly noticed meeting to consider the application for the Site Plan.

NOW, THEREFORE, The City Council does approve the 111 5th Street Site Plan (SP-005470-2022), subject to compliance with all of the conditions of approval, including any conditions added at the meeting, 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 April 18, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Des Moines, Iowa, at a regular meeting held on April 18, 2022, by the following vote.

Exhibit A: Conditions of Approval

1. The applicant receiving City approval prior to occurring for any construction staging which is to occur off-site.
2. The applicant receiving City approval for improvements to allow vehicle parking in the northeast corner of the property.
3. The applicant receiving City approval for any future patio improvements, including, but not limited to, fences and pergola.
4. The applicant contacting the Des Moines Metropolitan Wastewater Reclamation Authority, when information on the future restaurant tenant is received to discuss requirements for the grease interceptor. Additionally, a Minor Modification development application for the location and connections of the grease interceptor will need to be submitted and approved prior to

Exhibit B: Legal Description

LOT 9 (EXCEPT THE EAST 79 FEET AND ALSO THE EAST 6 FEET OF THE SOUTH 31 FEET OF THE WEST 66 FEET) AND LOT 10 IN BLOCK 4 IN VALLEY JUNCTION, AN OFFICIAL PLAT, NOW INCLUDING IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA , SUBJECT TO EASEMENTS OF RECORD