

**CITY OF WEST DES MOINES
DEVELOPMENT AND PLANNING
CITY COUNCIL SUBCOMMITTEE MEETING
Training Room**

Monday, May 16, 2022

Attending:

Council Member Matt McKinney
City Manager Tom Hadden
Deputy City Manager Jamie Letzring
Development Director Lynne Twedt
Development Coordinator Linda Schemmel
Building Official Rod Van Genderen

Principal Engineer Ben McAlister
Planner Bryce Johnson
Associate Planner Kate DeVine

In Person Guest:

Josh Janeczko

Online Guests:

Kathy Bolten, Business Record
Eric Petersen, City Traffic Engineer
Brian Hemesath, City Engineer

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:30 AM. Council Member McKinney noted that Council Member Hardman had informed him she would not be able to attend.

1. Automotive Use at NE Corner of S. 51st Street and Bentley Drive – Jared Sullivan, The Lerner Co

This item was deferred to June 6 at the applicant's request.

2. Upcoming Projects – A map was provided with a brief description of each.

- a. 1710 Grand Avenue: Comprehensive Plan Amendment and Rezone to allow operation of a dollar store in existing structure (CPAZC-005470-2021) Planner Johnson provided an update of this project, which will involve rezoning this property and two others to Neighborhood Commercial. Council Member McKinney clarified that there was no action to be taken at this time, Development Coordinator Schemmel affirmed that.
- b. Champion's Hideaway: 315 5th Street: Permitted Conditional Use (Pc) request to operate bar and outdoor patio (PC-005614-2022) Planner Johnson provided noted this item will go before the Board of Adjustment to allow the patio use.
- c. Heart of Iowa Marketplace: 721 Railroad Avenue: Permitted Conditional Use (Pc) request to operate an Order Fulfillment Center (PC-005609-2022) Planner Johnson summarized this Board of Adjustment item, which follows an Ordinance Amendment being considered by Council to allow the use in this zoning district.
- d. Polo Club Apartments: 6201 EP True Parkway: Major Modification to remove existing garages and paving for a new 3 story apartment building (MaM-005555-2022) Associate Planner DeVine summarized this project. Council Member McKinney clarified that there are additional units being added.
- e. Kum & Go: Northeast corner of Grand Avenue and Raccoon River Drive: Preliminary Plat/Site Plan, Permitted Conditional Use, and Final Plat for construction of a Kum & Go convenience store with fuel pumps (PPSP-005616-2022/PC-005615-2022/FP-005617-2022) Development Coordinator Schemmel informed that this is a plan to provide a C-store on the identified parcel. She pointed out the access drives and future development to the north. Ms. Schemmel provided architecture sketches. Director Twedt asked Mr. Janeczko

if he wished to comment on this item. Mr. Janeczko noted he lives at 5637 Booneville Road and noted his proximity to the C-store location. He informed he has concerns about the zoning for the c-store and asked what the zoning is for this parcel. Director Twedt replied that its part of the Glen Oaks PUD and has been zoning as commercial use almost from the beginning. Mr. Janeczko asked why a conditional use permit would be required if commercial is allowed. Director Twedt responded that c-store uses requires such which allows the Board of Adjustment to put conditions on the site or operations to help mitigate concerns. Mr. Janeczko replied that the 24/7 aspect of the gas station is their concern. He pointed out where office use is approved and support commercial in another area. Mr. Janeczko mentioned a conversation with Director Twedt regarding locating the Kum & Go closer to the interstate. Ms. Twedt responded that commercial use has been a part of the PUD for a long time and a second c-store could locate back towards the interstate.

Assistant Attorney Jessica Spoden inserted that Council does not have authority over this use, but the Board of Adjustment will. She summarized that procedure, noting the Board has criteria they will have to meet, conditions they can apply, and that the properties located within 370 feet will receive public notice of the hearing.

Mr. Janeczko requested information pertaining to when the c-store was approved for this PUD. Director Twedt responded that Planner Portz will research this and respond to Mr. Janeczko. She noted that the PUD was put in place in 1992, and Staff will look into when different amendments took place and changes to the PUD. Mr. Janeczko asked if there were hours of operation listed in the PUD. Ms. Twedt responded there did not appear to be any restrictions written into the PUD. She concluded that the Board of Adjustment could impose restrictions. Mr. Janeczko asked whether this would be common. Ms. Spoden stated that restrictions can raise regulatory conflicts. It was noted that the Glen Oaks PUD had extended further into the area which is now Oaks on Grand. The zoning for that area was changed from support commercial to office. Mr. Janeczko concluded that they would prefer office use with restricted hours of operation.

Development Coordinator Linda Schemmel informed that there will be a preliminary plat, site plan and final plat review, none of which are public hearing items. Mr. Janeczko asked if the public would be informed of the details regarding the north building. Ms. Twedt responded that at this time Staff do not have any details and as just a site plan, no noticing is required: individuals would need to monitor agendas just a Mr. Janeczko did for this meeting.

Mr. Janeczko asked if the water main would have to be moved. Ben McAlister, Principal Engineer, responded that Kum & Go is aware the water main is there, and an easement is in place that grants Glen Oaks certain rights. If Kum & Go determines the water main needs to be relocated, they will need to work with Glen Oaks since it is a private water main.

Council Member McKinney asked what is going on the north part of the parcel. Director Twedt stated the parcel will be divided and Kum & Go will likely sell off the north portion. Anything that is allowed in support commercial could be placed there.

f. 1st Street Redevelopment: Southwest corner of 1st Street and Grand Avenue: PUD amendment to allow additional signage for buildings less than 1,000 square feet in size (ZC-005612-2022) Development Coordinator Schemmel provided a summary of this project, noting the recent approval of a small Scooter's store and how signage is restricted based on the small street frontage. Director Twedt informed that this was allowed with a similar kiosk for Scooters on University, and they were requesting consistency on this allowance. Council Member McKinney asked how much change was being requested. Director Twedt stated they would be allowed 18 feet today but with the amendment, they could use up to 38 square feet. She added that we expect there more kiosks will be coming forward, there may need to be a code amendment to increase the minimum square footage allowed.

3. Minor Modifications & Grading Plans

None

4. Other Matters

None

The meeting adjourned at 7:50 AM. The next regularly scheduled Development and Planning City Council Subcommittee is June 6, 2022.

Lynne Twedt, Development Services Director

Jennifer Canaday, Recording Secretary