

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

Monday, June 20, 2022

**Attending:**

Council Member Matt McKinney  
Council Member Renee Hardman  
City Manager Tom Hadden  
Deputy City Manager Jamie Letzring  
City Assistant Attorney Jessica Grove  
Development Director Lynne Twedt  
Development Coordinator Linda Schemmel  
Building Official Rod Van Genderen

Principal Engineer Ben McAlister  
Planner Kara Tragesser  
Fire Marshal Mike Whitsell  
Economic Development Director Clyde Evans  
Housing Planner Christine Gordon  
CED Planner Brad Munford

Guests present in room: (did not indicate which item)

David Voss, Slingshot Architecture  
Jim Beal, RSM US, LLP  
Sam Erickson, CHI  
Paul Filean  
Ralph Haskins  
Nick Waage  
Vicky Long Hill  
Cleo Underwood  
Christine Murphy, WDMWW

Guests present online:

Kathy Bolten, Business Record  
City Engineer Brian Hemesath  
Emily Osweiler, Greater DM Supportive Housing  
Meredith Wells  
Scott Hatfield  
Bill Mabuice, WDMWW  
Mitch Pinkerton  
Steve Frevort  
Mike (last name not included)

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:31 AM. Council Member McKinney noted that Council Member Hardman would need to leave by 8:30 AM. Council Member Hardman informed that she could join by phone in route to her meeting if needed.

**1. Greater Des Moines Supportive Housing**

Planner Kara Tragesser introduced the request for Valley West Inn to be purchased and used as permanent dwellings for homeless to live in residence and have support services. Zoning does not allow this use, so the zoning would need to be amended.

Emily Osweiler and Jim Beal, Greater Des Moines Supportive Housing, presented their proposal to redevelop the property located at 3535 Westown Parkway into permanent supportive housing. There will be 142 units with support services to benefit individuals transitioning from homelessness to traditional housing. Mr. Beal noted that this is not a shelter, nor leased apartments. Residents will have a permanent place to live with an address, and will receive case management services, basic physical needs will be provided, and 24/7 security will be present. A clothing pantry and food pantry will be there. There will be no restaurant onsite; food services will be provided by volunteers. Mental health services will be provided. Forecasted residents include persons such as those aging out of foster care, and individuals with brain injuries. Mr. Bean commented that there are a lot of different needs.

Council Member McKinney thanked Mr. Beal, noting that he sat in on the F&A Council Subcommittee the week previous and heard the presentation brought by Ms. Osweiler at that time. Mr. McKinney noted that there is also work being done by the County, the State, and the Federal Government as well as private organizations to assist with funding as a private/public partnership.

City Manager Hadden asked Housing Planner Christine Gordon to comment on the funding.

Housing Planner Christine Gordon informed that Greater Des Moines Supportive Housing is requesting \$2.84M from the City, through the City's workforce rental housing program. The first portion of \$840,000 was being requested at the June 20, 2022 City Council meeting. She noted that F&A Council Subcommittee was very supportive of the project, wanting to find a way to eventually get to the full \$2.84M being requested.

Council Member Hardman asked where the first \$840,000 of funding is coming from. Planner Gordon stated it is from the taxes being generated off of the project. Deputy City Manager Letzring added that a small portion of that \$840,000 is being provided from the Woodland Hills TIF.

Council Member McKinney stated that the funding would be considered that evening, and this morning the zoning was being discussed. He asked how this would fit with the proposed comprehensive plan, whether it would be a permitted use.

Director Twedt responded that this will align with the proposed comprehensive plan and implementation of residential in commercial areas, as well as it is believed this will be recommended as part of the University Ave Redevelopment Study currently being completed. *(audio recording cut out) 13:53 on recording*

Council Member Hardman asked if the 24-hour security would be onsite. Mr. Beal stated it would. Ms. Hardman asked what other projects they had done like this. Mr. Beal provided information about the YMCA Supportive Housing Campus in downtown Des Moines. He noted that Emily Osweiler was the executive director, and he was on the development team. Mr. Beal commented on the success of the project which has 140 units, and is always full, always has a waiting list. Crime studies find the area to be more secure than some regions in West Des Moines, and the residents are well supported.

Council Member McKinney asked whether this had been noticed to anyone in the area. Director Twedt stated it had not. *(audio recording cut out) 16:25 on recording* Council Member McKinney stated he is in support of the project and hadn't heard anything that caused him concern. Council Member Hardman affirmed her support as well, providing this kind of housing and support for residents of the area.

Mr. Beal stated he had started to notify the neighbors, but nothing formal as of yet.

Assistant City Attorney Grove asked whether only Polk County residents would be eligible for services given the funding, or other residents of other counties in West Des Moines eligible to live in this housing. Mr. Beal replied that they are stacking funds, including the State of Iowa, and will honor all of the agreements that they have. He stated there are no plans to restrict any residents, however some funds will be set aside.

*Direction: Council Members were supportive of allowing Residential Care as a PC Use in Regional Commercial zoning districts.*

## **2. Valley Junction Demolition Moratorium Ordinance**

Community and Economic Development Director Clyde Evans clarified that the proposal is for an ordinance rather than a moratorium. He informed that the city received a request from a member of the Historic West Des Moines Master Plan Steering Committee requesting that the

City look at creating a demolition ordinance. Having adopted design guidelines, it does prohibit a building owner from tearing down the structure. Mr. Evans summarized the purpose of the ordinance regulating the process to be prior to demolition. He noted that an ordinance is not allowed to be written that prohibits demolition, as this is considered the taking of private property. Regulations which are too restrictive could also be subject to a claim of taking. Location of a building within a historic district does not protect the building from demolition. A demolition ordinance is different from a Historic Preservation ordinance. He noted that the Cities of Des Moines and Dubuque have Demolition ordinances, with differing guidelines. Mr. Evans stated that the ordinance is typically administered by a committee of subject matter experts, including architects, historians, commercial contractors and structural engineers, rather than a citizen's advisory committee. Staff recommendation is to bring this to a future Council meeting, and to bring in an outside consultant as this is beyond the expertise of City staff. This would be a technical type of ordinance.

Council Member McKinney asked whether this had been discussed with consultant Teska. Mr. Evans stated he had discussed this with them, but they informed that they don't have any experience in this area. There is an architectural historian that's part of that group who may have some experience. He noted that this is beyond the scope of the what the Steering Committee was tasked to do, and what Teska was charged to do. This is a whole new type of project.

Council Member Hardman asked if this ordinance would be City-wide or regional. Mr. Evans stated it could be written as broadly as they wanted, it could be written for a specific block, or certain types of structures.

Ralph Haskins, 729 5<sup>th</sup> Street, informed that he's currently serving on the Steering Committee. He noted that the intent would be for the ordinance to serve the Historic Valley Junction area, and that Teska had told the Committee there were measures that could be implemented which would not jeopardize a person's property rights. Mr. Haskins stated he believed it was premature due to the status of the current study, however it would be appropriate in the future due to the unique character of Valley Junction and the historic features of it. Mr. Haskins stated preference to have buildings with value preserved rather than torn down for the historical component.

Council Member Hardman clarified that the purpose of the current project included protecting the buildings valued as historic and that they would not be torn down. Mr. Haskins stated they are not protected. Development Coordinator Linda Schemmel commented that a Historical Designation will not protect a building.

Mr. Haskins asked whether the recommendations from the committee regarding criteria that would have to be evaluated whether a building could be torn down, including whether it would be viable to maintain and restore it. Ms. Schemmel stated the first step is the Historical Designation and whether money was provided which has criteria, the property owner would be provided with a process to preserve and do it correctly. She noted that typically this is within a Historic Preservation ordinance, which has different levels including demolition and preservation. Staff concerns include that there are permits coming in now which will alter characteristics of a historic building and there is no guidance whether there should be a conversation to look at this closer or let them proceed. Ms. Schemmel noted a building which went through recent changes and lost some historical characteristics. She agreed with both the need for the ordinance and the belief that it might be premature at this time.

Mr. Haskins concluded that the committee needs to complete the work with Teska. He noted that the committee hasn't been exposed to a historian or any report possibly provided to the city by a historian. Mr. Haskins stated he believed the moratorium should continue until these other

things were worked out, in order to establish criteria regarding how to look at these buildings in the future. Assistant City Attorney Grove added that the current moratorium legally needs to be temporary. It can't remain in place very long, or it inches toward the potential claim of taking someone's property. She stated she believes the moratorium has continued so that it has been in place for a year and a half, but it isn't the answer. There are a lot of things to be worked out. The city does not have a Historic Preservation ordinance, as some other communities do. Ms. Grove noted the need might not just be for a demolition ordinance; it might need to address not just people who want to demolish a building but those who wish to change the façade. It would be valuable to create a Historic Preservation ordinance with criteria established similar to what other Cities have determined.

Meredith Wells, Board President of Historic Valley Junction, asked whether the demolition ordinance would require approval from the property owners to go forward, similarly to the Historic Preservation ordinance in Dubuque. Council Member McKinney agreed that there would need to be a lot more known before moving forward with an ordinance such as this.

Council Member Hardman stated she agreed with Mr. Haskins that there is a lot going on that hasn't yet be resolved, and it would be difficult to put together a demolition ordinance which would have so much meat to it, and so many implications without fully understanding them. She noted that Mr. Evans asserted a consultant would be needed, and she stated her desire that the city be very measured and intentional about how they go about the process. Council Member Hardman stated that the steering committee needed to get their work finished first without adding another layer that would take them in a whole different direction.

Ms. Wells added that Preservation is a top goal of their Main Street Program and using the incentives the city is offering to fix up buildings and avoid demolition would be helpful.

Mr. Evans responded that one of the problems being faced within the Commercial district is buildings over 100 years old, many of which have a lot of deferred maintenance. He asserted that it can be overwhelming to the property owner to correct issues in their building due to the cost, which can be safety hazards. There's a need for sprinkler systems in some buildings. The city has had some programs to assist with Sprinkler systems. The buildings are going to continue to deteriorate, and the city needs to assist the owners to identify resources, not just City but other potential funding mechanisms. He noted some owners' reluctance to engage in the process, but that process can assist them to evaluate the historical significance of their building.

Scott Hatfield agreed that he believed the demolition ordinance was premature and the work with Teska should be finished first.

Steve Freburg, Executive Director of the Historic Valley Junction foundation agreed with Ms. Wells and Mr. Hatfield. He voiced a concern regarding the different maps, regions, and neighborhoods, noting that a City-wide demolition ordinance could get out of hand quickly. He recognized that the city did not have anyone on staff at this time to dedicate to a Preservation ordinance and cautioned against making the ordinance too broad and far-reaching.

Council Member McKinney stated that the Steering committee had done a lot of work in the past 2 years, and the city desired to preserve the look and the feel of Valley Junction. He commended the improvements being done in that community. He commended those participating in this first phase of work and agreed with Ms. Grove that the moratorium could not go on forever. Summarizing the comments made at the meeting, Council Member McKinney concluded that he would like to know more in order to proceed regarding this item.

Council Member Hardman agreed, stating there was much more work to be done, and to learn as much as possible in the gap between concluding the current Steering Committee work and

moving forward.

Council Member McKinney asked City Manager Hadden for direction moving forward. City Manager Hadden advised forming a plan of what the city needs to address, including the future formation of a Historic Preservation committee outlining the steps that need to take place including the possible demolition ordinance.

Council Member Hardman recommended having a Council workshop dedicated to this subject. There was a brief discussion regarding the timing of that workshop. Mr. Evans advised that staff need sufficient time to prepare. Council Member McKinney agreed to having a full Council review.

*Direction: Council Members were supportive of Staff accumulating more information in the direction of a demolition ordinance and Historic Preservation committee.*

### **3. Affordable Housing at Phenix**

Community and Economic Development Director Evans provided an aerial drawing and summary of current use of lots surrounding the Phenix Housing. Two of the areas are owned by the City and CED is exploring the possibility of using these for addition housing. At the time of the original Historic West Des Moines Master Plan, in 2016, there was a proposal to relocate the parking lot to the north side of the building, moving the playground area there, and using small lots of single family detached or townhomes with about 5 units together in a row for a total of 15-20 units. With the advancement of the Phenix project, it was decided to take no action on these lots at that time. The lots are included in the PUD, with no underlying zoning, but designated as medium density residential and does not allow for development of new housing. Mr. Evans stated they would need to look at whether the entire west side of the street could be developed at this time, with input from Community Housing Initiative due to restrictions on the use of their property with HUD funding being used. The city could develop their two lots separately. Parks and Rec has done a study which determined there is plenty of open space in this part of the city. There was concern about sanitary sewer running through the lots which might prohibit development. Mr. Evans stated there was a storm sewer easement that runs through, however either could easily be relocated. There were concerns expressed that the neighbors at the apartment use the space to walk their dogs. Management indicated there is adequate open space on the Phenix site to accommodate the pet population. There was concern expressed regarding the neighbors not wanting the site developed, however in reaching out, it has been determined that adjacent neighbors do want the property developed and would want to partner with the City on potential redevelopment of those sites. There is zoning on the site which does not allow development of the open space however the PUD could be amended to allow future development of the site. Next steps if the Steering Committee wishes to proceed with development; staff will schedule for discussion with full City Council; the city would need to determine whether to develop both North and South areas currently owned. Staff recommend consider proposal to non-profit housing community to solicit applications for development of the site. The city would need to determine whether they would prefer single family detached or leave the density open to see what type of proposals are received from the non-profit housing community.

Ralph Haskins, 729 5<sup>th</sup> Street, advised keeping single family detached in keeping with the surrounding neighborhood, and preferred market rate housing as opposed to non-profit housing, in order to enhance the community and add to the value of the properties. He commented that there's still a sore feeling from the Phenix project and it was important to keep the neighbors in the discussion.

Nick Waage, 136 3<sup>rd</sup> Street, agreed with Mr. Haskins, stating single family was much more desirable in this neighborhood and in keeping with the existing housing.

Mr. Haskins added that this discussion might be premature as there is a rehabilitation housing initiative coming forward just this week, and that is what he believes this area needs, rehabilitation of existing properties. He stated that single family home ownership needs to be emphasized in this region, as you can drive through the region and see the disparity between owning and leasing based on how the properties are kept up.

Vicky Long Hill, 136 10<sup>th</sup> Street, stated she is in favor of adding single family housing to this neighborhood and that this is a timely project given the CED funding opportunities being offered. Serving on the Historic West Des Moines Master Plan Steering Committee, she noted her focus is on ensuring improvements, benefits, assistance given to residents in that area, so they have a voice. Ms. Long Hill commented that those voices have been heard, as evidenced by the programs coming out this week. When Teska did the study about 5 years ago, their recommendation was that this property be used for infill housing, and that continues to be their recommendation. At the same time, there was a concern about open space availability in this area, however the Parks & Rec report shows that need is met. She asserted that now is the time to move forward on this recommendation. Ms. Long Hill stated that greenspace is a privilege. She stated that the city should use these lots to provide the needed affordable housing that is much discussed and now there is an opportunity to provide it.

Sam Erickson, CEO of Community Housing Initiative, owner of Phenix, thanked the neighbors and City for supporting the project which she deems successful. She expressed her support toward developing this additional land and desire to work with the city in any way possible. Ms. Erickson clarified that partnering with a non-profit did not mean the housing would not be market-rate. She noted that Phenix is a home-ownership incubator, and that many of the 17 families have decided that Valley Junction is where they want to make their home. She acknowledged that there are many homes that are leased and not available for purchase. Ms. Erickson referred to an incubator project in Cedar Rapids which allows renters to set aside a portion of their payment toward a down payment and noted she would like to see a similar project here. She concluded that they would support redevelopment of this area.

Mr. Evans added comments regarding land prices being prohibitively expensive for builders to place a home in this neighborhood at a cost similar to the value of the adjacent properties. The homes to be developed would not be cheap but would be high quality and would raise the property values of the surrounding properties.

Council Member Hardman thanked everyone for their comments and expressed a desire to see the affordable housing profile enhanced for the city and dispersed throughout the City and not just focused on one area. She stated her support of creative solutions allowing for opportunities for residents to be able to afford to live in West Des Moines, noting she hears from people all the time that they can't afford to live here. Opportunities are slim, so she wanted to use those available.

Council Member McKinney noted there are a number of projects moving forward and asked next steps. Mr. Evans responded that he would like this discussed by the full City Council to advise how to proceed regarding what type of proposal to put out, which type of housing, which lots should be involved.

*Direction: Council Members were supportive of bringing the discussion before the full City Council for direction.*

Council Member Hardman left the meeting at 8:47 AM.

#### 4. Antenna Screening on Water Towers

Director Twedt introduced the subject, explaining that screening is required for antenna at the top of the water towers. West Des Moines Water Works is requesting to have the screening requirement waived. Recently screening pieces have blown down during storms and pose a safety hazard due to their size. Staff are not comfortable removing the requirement for the water towers to screen antennas, as other entities are required to screen antenna, as well as rooftop equipment. She asked for Council direction on whether to allow the antenna on top of the water tower without screening, or should the city require screening. Based on lease agreements, could the cost of replacing screen be worked into the lease agreement.

Christina Murphy, General Manager of West Des Moines Water Works, stated they have 6 elevated towers, one still under construction. A panel fell from the 50<sup>th</sup> Street tower during the derecho, raising concerns for safety and liability for Water Works. They removed the shroud from the Home Depot tower in 2019 and received no comments that it was missing. It came down due to materials missing after a storm. The water tower was painted and put back into service this spring. The City's emergency communication antennas are located on the water towers. Fiberglass and plastic materials, including bolts, are used for the shrouds. Metal can not be used due to antenna signal interference. West Des Moines is the only community in the metro that requires screening on top of the towers. Cost is between \$125,000-150,000 to remove and replace shrouds, which occurs every 7-10 years. The city has a 28E agreement whereby they do not pay to have their antennas on top of the towers. Cell phone companies pay roughly \$250,000 per year. She asked that the subcommittee remember painting the towers is costly, at about \$800,000 per tower every 10 years. Ms. Murphy recommended using the leased funding to invest in the aesthetic of the painting, rather than the shroud. Based on the signal interference of the shroud, she requested that the requirement be waived. Ms. Murphy stated they had looked at alternatives. Many communities are no longer allowing antennas on towers and the trend is to go toward using a large metal pole next to the tower, which she stated she finds personally much less appealing.

Council Member McKinney clarified that aside from West Des Moines, the area metro towers do not require screening. Ms. Murphy stated they do not require screening of antennas. Council Member McKinney asked if it's required elsewhere. Ms. Murphy stated she didn't think it was very common. She noted that they were not required in Ames, however they antennas were required to be painted to match the tower.

Council Member McKinney asked how long ago the screening requirement went into effect. Director Twedt responded that screening of mechanical devices had been a requirement for as long as she had worked for the city. She noted that it can be difficult to determine where to draw the line to minimize visual clutter.

Ms. Murphy stated she recognized the need for consistency in application of the requirements, however she believed there was some hardship with the materials that are allowed on water towers.

Council Member McKinney noted the addition of lighting to the towers, and that the screening is for aesthetics. Ms. Murphy responded that the lighting is on the City Logo and that the antennas are not visible at night.

Council Member McKinney asked for clarification regarding the ask of the meeting today. City Manager Hadden stated Water Works is asking that the screening requirement be waived for antennas on Water Towers. Ms. Murphy agreed, noting there are currently two towers without screening at this time, and a third tower under construction, so they would need an answer within

the next 30-60 days regarding installation of the shroud.

Council Member McKinney asked whether waiving screening requirements would be changing with the new Comp plan adoption. Director Twedt stated there had been no discussion of waiving the requirements, and the language in the comp plan would support continuing the requirement. She added that regarding the option of a separate pole on the site, she didn't know who would bear the cost of that for existing sites that already have antennas located on the tower.

Council Member McKinney noted issues in recent years regarding continuity of application across the City of measures applied to City and private projects. He stated his position to support what the Comprehensive Plan prescribed for aesthetic requirements. At this point, he supported maintaining the current requirement, and replacing the shroud every 7-10 years as needed.

Ms. Murphy stated she wasn't sure how the 28E agreement entered into by the city factors into the cost and questioned whether the City would be willing to partner with WDMWW with the need to replace the shrouds. Council Member McKinney agreed it would need to be evaluated.

Director Twedt asked how many of the antennas on the towers belong to the city and not cell providers. Ms. Murphy replied, a handful. Director Twedt stated that perhaps limiting the number on top of the towers to avoid the clutter could be considered, including allowing a minimum number that did not need to be screened, and then moving toward a cell pole for other services. She concluded that this did not help with existing towers.

Ms. Murphy agreed that moving toward a cell pole might be a better direction and offered to send a picture over to the City. Council Member McKinney agreed to keep an open mind.

*Direction: Council Members were not supportive of waiving the screening requirement for antennas on water towers.*

**5. Upcoming Projects – Due to meeting time constraints, no projects were presented.**

**6. Minor Modifications & Grading Plans**

- a. Eastwood on Grand Apartments – 2168 Grand Ave: Install dog park fence – MML1-005626-2022
- b. Krispy Kreme – 206 Jordan Creek Pkwy: Install drive-up canopy – MML1-005659-2022

**7. Other Matters**

None

The meeting adjourned at 8:53 AM. The next regularly scheduled Development and Planning City Council Subcommittee is July 5, 2022.

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Lynne Twedt, Development Services Director

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Jennifer Canaday, Recording Secretary