

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

Monday, July 18, 2022

Attending:

Council Member Matt McKinney
Council Member Doug Loots
City Manager Tom Hadden
City Attorney Richard Scieszinski
Assistant City Attorney Jessica Grove
Development Director Lynne Twedt

Development Coordinator Linda Schemmel
Chief Building Official Rod Van Genderen
City Engineer Ben Hemesath
Fire Marshal Mike Whitsell

Guests in room:

Item #1 –

Joel Romey, Raccoon Valley Land Surveying
Jesse Lindsay,

Item #2 –

Jared Murray, Civil Design Advantage
Jerry Bussanmus, Silo 9
Jake Reid, Silo 9
Mark and Sarah Theis
Stephanie Schroeder
Rick and Marilyn Reese
Jessica Carlson
Laura Kelly

Guests online:

Deputy City Manager Jamie Letzring
Eric Petersen, Traffic Engineer
Andrea Quann
Paul ?,
Brenda ? ,
Tim J?
Jeremy Coon

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:30 AM.

1. Lindsey Property

Department Director Twedt provided a brief background explaining that the Lindsey family approached the City in 2013 to do a subdivision to create lots for family members. In 2015, the City asked them to do a preliminary plat, which was ultimately approved, as well as the final plat. She noted that a developer is typically responsible to provide certain infrastructure (streets, utilities, sidewalks, etc.) as part of the development. Those requirements were initially waived with the 2015 platting with the assumption the City would obtain those with future platting. In 2016, the Lindsey family asked if they could create another lot. City Council again waived those obligations but indicated that with the next plat those requirements would need to be fulfilled. Now, they would like to take the other two lots and create two additional lots for family members. The family would like to know if the City will still waive those obligations typical for a subdivision plat or what would be required with this plat

Joel Romey, Raccoon Valley Land Surveying, representing the Lindsey Family, stated that he was not part of the preliminary plats but was a part of the final plat which split Lot 3 into two lots. Currently, there are four lots now and he would like to divide Lots 1 and 2 into similar situations. The sewer connection is not very close, there is not adequate water service to support the Fire Department, and the family handles maintenance of the roads as Dallas County has not stayed on top of such. At this time, the Lindsey family would like to waive the infrastructure requirements until such time the property is annexed or until the infrastructure is

available.

City Engineer Hemesath stated that the City would ask for the following to be set up for the future regarding the infrastructure requirements:

- Irrevocable offer of ROW (right-of-way) for the future improvement of the north/south road (Timber Brook Ave).
- Easement for future sewer will require rough design) to reserve proper locations so nothing is placed in that area.
- Agreement and Waiver for installation of the future north/south road (Timber Brook Avenue). Agree to be assessed and waive the right to appeal.
- Streetlight agreement.

City attorney Scieszinski stated that the issue is the timing of the need for when the infrastructure improvements are installed and at what point does the City insist they need to be installed. The property is outside the City corporate limits but within the ETR (extra-territorial review), therefore, we have the jurisdiction to impose those requirements where the county must abide. If we defer the requirements, we would want to draft an agreement to be recorded so that future purchasers would be put on notice. All property owners would be required to sign the agreement. He clarified that the obligation would be on the lot owners and not the city.

Jessie Lindsey was asked whether he and his relatives would be willing to sign the agreement to which he indicated he cannot say and would need to discuss it with them.

Development Services Director Twedt noted that the Lindsey's refused to sign agreements at the original plat approval process.

Council member Loots stated that he would be inclined to defer the requirements at this time but not waive them.

City Council Direction: Require the execution of the agreement(s) prior to consideration of the final plat.

2. Woodland Estates/Tiburon Connection

Principal Engineer McAlister explained the 3 projects that are a part of the discussion (Tiburon, Theis property and Woodland Estates (fka Neff property)). He indicated that the current proposal is for Bolero Court to be a cul-de-sac which would prevent residents from go west on Mills Civic Parkway because the future plan is to have a median with no signals at Tiburon. Construction of a future median will be years down the road; however, grading will occur for the entire future width of Mills Civic Parkway in the next 3-5 years. The City is planning for the long term. When Mills Civic Parkway is first extended it will be three lanes with no median.

Traffic Engineer Petersen stated that from now until some point in the future, there will be full access at Tiburon with a right-in/right-out in the future. Traffic volume on Bolero is expected to be low, specifically for "cut through" traffic.

The Theis property owners indicated that they recognize that the best use of their property is for future development but stated there are no plans to develop it while they currently reside on the property.

A caller suggested that a low median on Mills Civic would be an option that would solve the problem.

Fire Marshal Whitsell commented that there is concern with fire responder access as Tiburon already exceeds the dead-end length, but only because the City knew the plan for Bolero Court

was to go through and connect to the east. The proposed plan now will exacerbate the existing conditions by adding the second cul-de-sac. A low median would not be ideal as the fire trucks, and even ambulances sit so low to the ground and would drag on them. He noted that insurance companies take into consideration roadway access, water availability, response times, and make a determination as to whether they insure or not. The lack of a secondary access could affect their rates or prevent them from getting insurance.

The applicant is requesting a cul-de-sac due to grading for Bolero Court, which would require additional trees to be removed. Engineering Services did note that the roadway could for the most part be placed outside the existing tree line. The proposal (slide 15 of the presentation) does not currently meet the City's design standards. Engineer McAlister indicated that it would be doable but that it would need some work.

Woodland Estates developer, Jerry Bussanmus commented that the road and achieving grades per design standards would necessitate removal of majority of the trees.

The Tiburon neighbors commented that:

- the plan has been in motion for many years. Bolero Court has also been there and they knew that it would be the access out of the property to a full access point.
- At this time, they feel that the rug is being pulled out from under them when the conditions not having changed. They would like an east/west access out of Bolero Court.
- They are in the Waukee School district so they would need to make a left-handed turn and would only be able to do so if they have access through the Theis property.

Council member Loots indicated that he does not feel that traffic will significantly increase with Bolero Court going through. However, he is of the opinion that they should not force people to do things they are not comfortable with.

Council member McKinney stated that he has concern with public safety. As the proposal is presented today, he would be much more inclined to require Bolero Court to go through.

City Council Direction: Both Council members do feel that the access needs to go through. They are not supportive of the proposal for two cul-de-sacs (slide 16 of the presentation). Although this is one proposal, there should be another way to do it that would be mutually agreeable to all parties. The main concern is to protect the access.

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

- a. R2 Financial – 901 S 50th Street – Site plan for the construction of a 5,135 sq. ft. office building (SP-005687-2022) – the proposal is for an office building and continue the east-west connection to S 51st Street. Engineer McAlister mentioned that there's a city project in process to widen S 51st to 3 lanes, eliminate the cul-de-sac and connect 51st Street to Fieldstone Dr. This and a secondary connection to S 51st from the site is the only way to get two points of access. They are currently in right-of-way negotiations with the property owner for S 51st Street. It is the obligation of the developer to build that connection and dedicate the right-of-way.

3. Minor Modifications & Grading Plans

- a. Farmers Mutual Hail – 6875 Westown Pkwy: Addition of sewer line (MML2-005663-2022)
- b. Strathmore Apartment Houses – 1260 S Jordan Creek Pkwy: Construct a 15'x18' package delivery hub (MML1-005673-2022)

- c. Courtyards at Sugar Creek – 947 S 100th St: Landscape modifications (MML1-005681-2022)
- d. First National Bank – 301 5th St: Landscape modifications and screening of meters (MML2-005607-2022)

4. Other Matters

None

The meeting adjourned at 8:48 AM. The next regularly scheduled Development and Planning City Council Subcommittee is August 1, 2022.

Lynne Twedt, Development Services Director

Michelle Riesenberg, Recording Secretary

From: [Schemmel, Linda](#)
To: [Tom Jackson](#)
Cc: [Twedt, Lynne](#); [McAlister, Ben](#); [Canaday, Jennifer](#)
Subject: RE: [EXT] Woodland Estates / Tiburon Connection
Date: Wednesday, July 20, 2022 8:27:17 AM

Good Morning Tom,

We did received your email and we will include as an attachment to the meeting notes. The subcommittee members did ask the applicant to work with city staff to explore other options for the road network and connections. The item will be brought back to the Subcommittee once those options have been evaluated.

Would it be helpful to have Engineering Services staff contact you to review the plans and timing for the widening of Mills Civic Parkway?

Linda Schemmel, AIA, NCARB

Development Coordinator

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From: Tom Jackson <jacksonmaha@gmail.com>
Sent: Monday, July 18, 2022 10:04 AM
To: Development Services Inbox <DevelopmentServices@wdm.iowa.gov>
Subject: [EXT] Woodland Estates / Tiburon Connection

Development & Planning Subcommittee,

My name is Tom Jackson and I live at 568 South Tiburon Cove. I was in attendance today via Zoom for the discussion item #2: Woodland Estates / Tiburon connection. I left the meeting confused, as it was "punted" to be worked on some more, and I'm not sure what that means?

The discussion point was to connect Bolero to S. 95th street through the Theis property to the proposed Woodland Estates. I want to be on the record, that I am not in favor of this. It will drastically increase traffic through our neighborhood, as people circumvent traffic and proposed traffic lights on Mills Civic Parkway to get to multiple destinations to the East and South. With children, our cul de sac is quiet and safe for play, but with Bolero as a through street it would no longer be like this, as I have lived on cut through streets before.

It was said that Bolero was always in the city's plans, yet through multiple discussions with your

planning department prior I was never able to get a clear answer on this, let alone plans showing this. I have also pressed for plans showing the proposed expansion of MCP to better understand how far it will encroach south into our neighborhood, only to be told there were no plans. So it would seem that this is very fluid and also in the distant future.

During this recess I would ask that the city consider alternatives to allow Tiburon residents left out and left in access to our development. During the meeting these alternatives ranged from a low or no median for that section, or potential for lights. I don't think this is asking too much of the city to review these ideas.

Again, I thank you for your time and want to once again be on record that I do not want to see Bolero Drive connected to South 95th street.

Can someone please confirm receipt of this email and that it has been recorded for this meeting?

Thank you,
Tom Jackson
402-650-1123