

PLAN AND ZONING COMMISSION

PZ AF 08-08-2022

Vice Chair Conlin called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, August 8, 2022, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines, and Electronically through Zoom.

Roll Call: Conlin, Costa, Crowley, Davis, Hatfield, ShawPresent
Drake.....Absent

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of July 25, 2022

Vice Chair Conlin asked for any comments or modifications to the July 25, 2022, minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission approved the July 25, 2022, meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

There was 1 Public Hearing item.

Item 2a – Parkhaven PUD Parcel C Amendment, Northeast corner of Fuller Road and S. 33rd Street – Amend the Parkhaven Planned Unit Development Ordinance to remove restrictions within Parcel C – John Wheeler – ZC-005668-2022

Vice Chair Conlin opened the public hearing and asked the Recording Secretary to state when the public notice was published. The Recording Secretary indicated that the notice was published in the Des Moines Register on July 29, 2022.

Vice Chair Conlin asked for a motion to accept and make a part of the record all testimony and all other documents received at this public hearing.

Moved by Commissioner Costa, seconded by Commissioner Crowley, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, ShawYes
Drake.....Absent

Motion carried.

John Wheeler, 500 S 33rd St, West Des Moines, summarized his request to approve the amendment which will allow him to build a detached garage.

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Bryce Johnson, Development Services Planner, informed that Staff reviewed the PUD when Mr. Wheeler submitted a building permit, and found that the PUD did not allow detached garages, although two of Mr. Wheeler's neighbors have detached garages. It was decided that portions of this older PUD needed updating to bring the lots into compliance, and to remove language restricting number of dwellings allowed and minimum house sizes, which is typically governed by covenants and not PUD ordinances. Staff recommend approval of the PUD amendment.

Vice Chair Conlin asked if anyone from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion.

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission approved a resolution recommending the City Council approve the PUD amendment.

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

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There was 1 New Business item.

Item 4a – Grace Creek Apartments, 9710 Ashworth Road – Approve Site Plan to allow construction of a senior apartment building with 34 dwelling units – Tim Mauro, Curly Top, LLC dba CT Development – SP-005629-2022

Tim Mauro, 1173 S 49th St, West Des Moines, owner of CT Development, noted that he had been present at a recent Plan & Zoning Commission meeting which approved the PUD created which includes this parcel. He informed that Staff had been working with him to develop a site plan which will enable the senior apartment building to fit on this parcel and they are very close to being ready to construct. Mr. Mauro informed that tax credits have been received to use toward this project which will provide affordable housing for seniors. He complimented Brian Portz and Jenna Gilliam for helping work through the process to fit the two access points for the project and the adjacent development. The site is walkable with trails, there is parkland dedicated, and enhanced outdoor living with patio to the SE corner of the site. Mr. Mauro noted that he has 7 other projects in the metro area for seniors and they never fill up the parking area. He is requesting the waiver of 11 spaces, and there is available area to develop them later if needed.

Commissioner Shaw asked if the site plan change from the individual private (balcony) spaces to the enhanced patio area was a design decision. Mr. Mauro noted they do not include balconies for seniors, partly because balcony access in handicapped accessible units would be required to accommodate wheelchairs. He noted that his projects typically have patios with grills and outdoors areas for the residents to congregate.

Jenna Gilliam, Development Services Intern, presenting on behalf of Brian Portz, stated that Tim had done a good job of presenting the project. She informed that there are several conditions of approval, including the deferral of the 11 parking spaces, a parkland dedication

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agreement in progress which will come before the Parks and Recreation Advisory Board, and an ingress egress access easement, and Engineering is requiring an Iowa DNR General Permit and Stormwater Pollution Prevention Plan.

Vice Chair Conlin asked Mr. Mauro if he was in agreement with those conditions. Mr. Mauro affirmed that he is and stated that most of them have been completed or are in the process of being completed.

Commissioner Costa questioned whether it was considered to have the building positioned closer to Ashworth. Mr. Mauro stated it was not, due to the challenges in fitting the building on this site including access on the south end with the elevations.

Commissioner Costa asked whether going forward, buildings along Ashworth would be parking between the building and Ashworth Road or putting the building on the street with parking interior. He voiced that hopefully this won't set a precedent.

Development Coordinator Schemmel added that this will not be a precedent going forward, as the normal intent is to have the building closer to the street with better access. She noted this was a triangle shaped lot and it was a little tight to move it closer to the front. Ashworth Road will be a busy corridor and they are trying to be respectful of the senior residents.

Commissioner Davis asked what would trigger the construction of the additional 11 parking spaces if needed. Ms. Schemmel responded that this would typically be implemented based on resident complaints or residents using other parking nearby.

Vice Chair Conlin asked if anyone from the audience would like to speak to this item, seeing none, asked for continued discussion or a motion.

Moved by Commissioner Costa, seconded by Commissioner Davis, the Plan and Zoning Commission approved a resolution recommending approval of the site plan, subject to the following conditions:

1. The applicant shall provide an executed copy of the Parkland Dedication Agreement to the City prior to issuance of any building permit.
2. The applicant providing Iowa DNR General Permit No. 2 authorization and complete Stormwater Pollution Prevention Plan (SWPPP) prior to City Council approval.
3. The applicant shall provide the executed ingress/egress access easement to the City prior to City Council consideration of the Site Plan.
4. Prior to issuance of any building permits for above ground construction, appropriate emergency vehicle access and water service to the satisfaction of the City Fire Marshal shall be provided.
5. The City Council approving the deferral of the installation of 11 parking spaces until such time that the parking stalls are needed.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, ShawYes
Drake.....Absent

Motion carried.

Commissioner Crowley commented that this is a nice project.

Item 5 – Staff Reports

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The next meeting is scheduled for Monday, August 22, 2022.

Item 6 – Adjournment

Vice Chair Conlin adjourned the meeting at 5:42 p.m.

Jennifer Drake, Chairperson

Jennifer Canaday, Recording Secretary