

# PLANNING AND ZONING COMMISSION

PZ AF 05-22-2023

Chairperson Conlin called the regular meeting of the Planning and Zoning Commission to order at 5:30 p.m. on Monday, May 22, 2023, 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, McCoy, Shaw .....Present

## **Item 1- Consent Agenda**

Item 1a – Minutes of the meeting of May 8, 2023

Chair Conlin asked for any comments or modifications to the May 8, 2023, minutes.

Moved by Commissioner Crowley, seconded by Commissioner McCoy, the Planning and Zoning Commission approved the May 8, 2023, meeting minutes.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

## **Item 2 – Public Hearings**

There were 4 Public Hearing items.

### **Item 2a – Ordinance Amendment, Amend Title 9 (Zoning) to modify regulations pertaining to internal department processes and procedures associated with development application submittals and review – City Initiated – AO-005677-2022**

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 May 17, 2023.

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 Planning 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, McCoy, Shaw .....Yes  
Motion carried.

Karen Marren, Development Services Planner, provided a brief overview of the ordinance amendment, noting Staff are cleaning up language, and bringing consistency between the City Code and the State code. She stated that part of the language being removed pertains to policies which are not required to be codified.

Commissioner Crowley asked whether the processes would be available in writing or on the City website. Planner Marren replied that the instructions are included on the development applications and the City website.

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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 Davis, seconded by Commissioner McCoy, the Planning and Zoning Commission approved a resolution recommending the City Council approve the ordinance amendment.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 2b – Jordan Ridge, East side of current terminus of S. 81<sup>st</sup> Street – Amend Comprehensive Plan Land Use Map and Amend the Jordan Ridge Planned Unit Development Ordinance to designate and regulate single family development within current PUD Parcel B area – Jordan Ridge, LLC – CPAZC-005995-2023**

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 May 17, 2023.

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 Crowley, seconded by Commissioner Davis, the Planning 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, McCoy, Shaw .....Yes  
Motion carried.

Ed Arp, Civil Engineering Consultants, 2400 86th St, Urbandale, identified the location of the lot to be rezoned. He informed that the previous intent was to use this lot for park space, however the park has been relocated to an area to the south and west. This lot is sectioned off by a creek, and it has been determined that residential estate is the best use. Drive access to a nearby street has already been established.

Brian Portz, Development Services Planner, added that the lot is being rezoned from open space to single family residential.

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 Costa, seconded by Commissioner Crowley, the Planning and Zoning Commission approved a resolution recommending the City Council approve the Comprehensive Plan Land Use Map Amendment.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Planning and Zoning Commission approved a resolution recommending the City Council approve the Amendment to Planned Unit Development Ordinance.

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Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 2c – 7502 Raccoon River Drive – Amend the Zoning Map to consistency zone to Open Space zoning – GSS Midwest, Inc. – ZC-005973-2023**

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 May 17, 2023.

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 Crowley, seconded by Commissioner Shaw, the Planning 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, McCoy, Shaw .....Yes  
Motion carried.

Albert Aquirre, GSS Inc., 6255 Beechtree Drive, West Des Moines, summarized the application being presented by the property owner and GSS Midwest to rezone this site from unzoned to open space agricultural, for the purpose of construction a cell tower at this location. He informed that it fits the comprehensive plan land use and will provide improved cell phone coverage in the area while reducing the load on existing towers nearby. Mr. Aquirre added that this will improve emergency communication services. It will support the existing business operation of Raccoon River Kennels. The cell tower is planned to be a 130’ stealth monopole, housed within a 50x50’ vinyl fenced compound, landscaped on the eastern portion. An access drive will be connected to an existing access drive on the property.

Kara Tragesser, Development Services Planner, stated that Staff support the rezoning for consistency zoning. She noted that the information pertaining to the pole is extraneous and the site plan will be presented at a later date.

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 Crowley, seconded by Commissioner Davis, the Planning and Zoning Commission approved a resolution recommending the City Council approve Rezoning to Consistency Zone Property.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 2d – Bridge Lot, Northwest Corner of S. 19<sup>th</sup> Street and Fuller Road – Amend Comprehensive Plan Land Use Map and Amend the Zoning Map to establish Multi-family Residential land use and zoning – Walnut Creek Community Church – CPA-006010-2023/ZC-005988-2023**

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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 May 17, 2023.

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 Shaw, seconded by Commissioner Crowley, the Planning 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, McCoy, Shaw .....Yes  
Motion carried.

Ed Arp, Civil Engineering Consultants, 2400 86th St, Urbandale, presented on behalf of Walnut Creek Church, noting two representatives of the church were also present for the meeting. He summarized the request to change from Open Space to Mixed Residential comp plan use and to designate Residential medium density for the purpose of constructing townhome units on this site. He noted that there is a large portion of the 2 ½ acres taken up with Jordan Creek, which will likely become a greenbelt area. Several units of Townhomes are planned to be facing intersection of S. 19<sup>th</sup> Street and Fuller Road. He added that the site is being called Bridge Lot due to the nearby crossing of Jordan Creek at Fuller Road.

Commissioner Shaw asked if there were already structures located on this parcel. Mr. Arp stated there are not and indicated the proximity of the Jordan House.

Kara Tragesser, Development Services Planner, informed that Staff recommend approval.

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 Costa, the Planning and Zoning Commission approved a resolution recommending the City Council approve the Comprehensive Plan Land Use Map Amendment.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

Moved by Commissioner McCoy, seconded by Commissioner Shaw, the Planning and Zoning Commission approved a resolution recommending the City Council approve Rezoning to Consistency Zone Property.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

### Item 3 – Old Business

There were no Old Business items to address.

### Item 4 – New Business

There were 3 New Business items.

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### Item 4a – Iowa Army National Guard Readiness Center, 1625 SE County Line Road – Approve Site Plan to allow construction of a military readiness center – Iowa Army National Guard – SP-005770-2023

Leona Sears, Farnsworth Group, 14225 University Avenue, Waukee, presented the site plan for approval for a 45,000 sq ft readiness center with parking to be located on 35 acres of undeveloped land. The military center will occupy 2/3 of the site. There are existing wetlands which will be avoided or minimally mitigated if needed.

Chair Conlin asked if the applicant is in agreement with Staff recommendations and conditions of approval. Ms. Sears stated they are.

Commissioner Shaw asked what mission-ready operations will be shifted from Fort Dodge and other locations to this new location. Ms. Sears responded that there will be transportation and infantry companies occupying this site.

Kara Tragesser, Development Services Planner, informed that the City is still working with the applicant to finalize a 28E agreement, however the site plan is ready for review, and Staff recommend approval.

Commissioner Costa stated that he had not realized prior to reading the Staff report they would not have to abide by City Code. Planner Tragesser replied that they had been very good about accommodating City Code.

Commissioner McCoy asked about the 28E Agreement which had been referenced. Planner Tragesser clarified that this pertained to the State Code.

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 Crowley, the Planning and Zoning Commission approved a resolution recommending approval of the Site Plan, subject to the following conditions of approval:

1. Prior to issuance of a building permit for above ground construction, the associated Plat of Survey defining the National Guard's lease area must be approved by the City Council.
2. Prior to issuance of a building permit for above ground construction, the 28E agreement must be executed.
3. Prior to issuance of a building permit for footing and foundations or above ground construction, all development application and building permit fees must be paid. Site grading and private utility work may proceed prior to payment of fees.
4. Prior to connection to either the sewer or water line, the Sanitary Sewer and Water Connection Fee District fees must be paid.
5. As part of site development and prior to issuance of an Occupancy Permit for any portion of the National Guard's building, including issuance of Temporary Occupancy Permits, the sidewalk along Veterans Parkway adjacent to the National Guard's lease area must be installed. Additionally, sidewalks along SE Maffitt Lake Road and SE Orilla Road will need to be constructed, or financial surety for their future construction provided to the city prior to the issuance of any occupancy permits, temporary or final. (Sidewalks along SE County Line Road and adjacent to the balance of the City's property outside of the National Guard's defined lease area will be the responsibility of the City.)

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- 6. As part of site development and prior to issuance of an Occupancy Permit for any portion of the National Guard’s building, including issuance of Temporary Occupancy Permits, written proof of payment or other agreement with MidAmerican Energy for the installation of the streetlights along all roadways (Veterans Parkway, SE County Line Road, SE Maffitt Lake Road, and SE Orilla Road) abutting the National Guard’s defined lease area shall be provided to the City.
- 7. The City Council accepting those aspects within the site as outlined in this staff report that do not meet City Code requirements.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 4b – S. 11<sup>th</sup> Street Warehouse, 225 S. 11<sup>th</sup> Street – Approve Site Plan to allow construction of a 31,670 sq ft warehouse building – Steffes Holdings LLC – SP-005925-2023**

Nicole Neal, Civil Design Advantage, 4121 NW Urbandale Dr, Urbandale, summarized the site plan for the Andersen Renewal Warehouse. She detailed the zoning change, access, space to be used for warehouse, office and mezzanine, and future sidewalk to be located along S. 11<sup>th</sup> Street. Onsite parking will include 92 spaces on the North and East sides; 10 overhead doors will be installed in the loading area, with two loading zones on the back side of the warehouse. Existing utilities will serve the site.

Kate DeVine, Development Services Associate Planner, noted the condition of approval to address final architectural plans prior to Council approval.

Chair Conlin asked if the applicant was in agreement with Staff recommendations and conditions of approval. Ms. Neal responded that they are.

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 Crowley, seconded by Commissioner Davis, the Planning and Zoning Commission approved a resolution recommending approval of the Site Plan, subject to the following conditions of approval:

- 1. The applicant agreeing to continue to work with staff to address final architectural plans prior to City Council approval.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 4c – Law Enforcement Center, 250 Mills Civic Parkway – Approve Major Modification to Site Plan to allow construction of a garage extension and additional parking stalls – City of West Des Moines**

Ben McAlister, City of West Des Moines Principal Engineer, summarized the project for a 2,600 sq ft addition to the Law Enforcement Center garage, and addition of parking area. He noted there will be some interior modifications to the jail space and HVAC system.

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Chair Conlin commented that this appears to add a ton of parking. Engineer McAlister noted that it is needed as existing parking is not adequate for current usage.

Chair Conlin asked if the applicant is in agreement with Staff recommendation and conditions of approval. Engineer McAlister stated they are.

Kate DeVine, Development Services Associate Planner, noted that the City Parks & Recreation Department had worked closely with the applicant to minimize impact on the adjacent disc golf course.

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 Hatfield, seconded by Commissioner McCoy, the Planning and Zoning Commission approved a resolution recommending approval of the Major Modification to Site Plan, subject to the following conditions of approval:

1. The Applicant shall provide a final Stormwater Management Plan prior to proceeding to City Council.
2. The Applicant shall provide a final Stormwater Pollution Prevention Plan prior to proceeding to City Council.

Vote: Conlin, Costa, Crowley, Davis, Hatfield, McCoy, Shaw .....Yes  
Motion carried.

**Item 5 – Staff Reports**

The next meeting is scheduled for Monday, June 12, 2023.

**Item 6 – Adjournment**

Chair Conlin adjourned the meeting at 5:54 p.m.

  
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 Jennifer Canaday Recording Secretary

  
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 Andrew Conlin, Chair