

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

Monday, February 19, 2024

Attending:

Council Member Matt McKinney	Fire/EMS Chief Craig Leu
Council Member Renee Hardman	City Engineer Brian Hemesath
City Manager Tom Hadden	Principal Engineer Ben McAlister
Deputy City Manager Jamie Letzring	Senior Engineering Technician Josh Clayworth
Assistant Attorney Jessica Grove	Traffic Engineer Eric Petersen
Development Director Lynne Twedt	Principal Engineer Jason Schlickbernd
Development Coordinator Linda Schemmel	Planner Brian Portz
Building Official Dennis Patrick	Planner Kara Tragesser
Parks & Recreation Director Ryan Penning	Associate Planner Emani Brinkman

No Outside Guests attended this meeting:

5 Staff were present online

The meeting of the Development and Planning City Council Subcommittee was called to order at 7:31 AM.

1. Digital Display Boards

Parks and Recreation Director Ryan Penning explained the request for digital information boards to be placed within the interior of Holiday Park, Raccoon River Park, and Valley View Park. These boards would not be visible to passing traffic and would enable Staff in City Hall to update providing City information, court reservations, concession information, weather bulletins. They would generate additional revenue in a classy way. There would be no cost for installation of the Boards or maintenance responsibility; the advertising revenue would be split with host Insane Impact. Norwalk has a similar digital display board, although it is much larger.

Director Twedt listed the applicable restrictions which the current sign code imposes on this type of display, noting that West Des Moines has chosen to avoid the cluttered sign look seen in Ames and Ankeny. She advised against setting a precedent for commercial use but suggested allowing this use within a recreational district with restrictions regarding illumination and advertising. Signs are allowed only on the primary location of a business, and not allowed off-site. Allowing advertising on the display boards would violate the prohibition against off-site signage.

Deputy City Attorney Grove advised that research is being conducted by City Attorney Greta Truman into the allowance of sponsorships rather than advertising.

Concerns expressed by Council Members Hardman and McKinney included the legality of advertising revenue with a display board and treating everybody the same. If Jordan Creek Town Center or DMU determine interior locations for display boards which do not impact drivers in the area, they should be allowed the same opportunity. Council Member McKinney advised that an analysis should include review of the 1st Amendment's "time, place and manner" allowable restrictions, and with respect to requirements Iowa's Ethics and Campaign Disclosure Board.

Council Member Hardman added that she supports the kiosk, and that we should be mindful of how the world is changing in accessing information.

Council Member McKinney asked to have the details worked on, and for the discussion to return to the Subcommittee, with examples from Ames and Ankeny of possible unintended consequences for allowing digital signage.

Direction: Council Members were supportive of allowing a digital display board within recreational use areas, with further research to be conducted regarding the allowance of advertising.

2. Trash Enclosures

Development Coordinator Linda Schemmel detailed the difference in requirements for Trash Enclosures as applied for new construction and retrofitting built sites, citing the difficulties of meeting the stricter higher standard in an already built location. She provided pictures showing trash enclosures that were in various stages of disrepair due to collisions, weather, material failure or poor design of the gate area. She asked the Council for input regarding allowing the retrofit standards for trash enclosures for new construction and possibly requiring more design detail to ensure that the structures would last a reasonable amount of time.

Senior Engineering Technician Josh Clayworth requested use of alternate materials for the trash enclosure to be constructed near a new Fire Tower, informing that this enclosure will have incidental use, will be screened, and will ultimately only serve the training tower as a separate permanent trash enclosure will be installed at the time of a new Fire Station in 3-4 years. He cited the difference in cost between a new construction trash enclosure and using the retrofit standards, noting the lack of visibility of this site, and the lower usage of the unstaffed location.

Deputy City Attorney Grove suggested allowing alternate materials for new construction when phased construction is planned.

Council Member McKinney asked what the Code requires, and whether this request meets Code. Ms. Schemmel replied that it goes to the intent of the Code.

Council Member McKinney stated he would rather have the city focus on compliance rather than materials, and if an applicant chose to construct something that did not last, it would be their responsibility to replace it. He added that he has spoken with City Manager Hadden about increasing compliance regarding other issues such as overgrown grass and trees, and he would prefer to see the City address this from a code compliance perspective, rather than requiring the stricter standards.

Deputy City Attorney Grove pointed out that there are currently two Code Compliance officers, and it would take one officer several years just to deal with compliance on the trash enclosure requirements. She added that she would go back and see if the request as presented by Fire meets the actual intent of the existing Code.

Building Official Dennis Patrick inserted an additional cost is the Code Enforcement. The biggest issue is the gates. Masonry enclosures have proven to be structurally sound and are architecturally compatible. There's more cost at the beginning but it performs better, there's less enforcement and less issues. It achieves the city goal of being architecturally compatible and it holds up. Using an alternative material will require a structural engineer to create a gate-structure that will hold up.

Council Member Hardman asked for clarification whether the applicant was meeting Code.

Development Coordinator Schemmel explained Staff are asking if they would be comfortable with other options if they could ensure the durability.

Council Member McKinney stressed the impact these stricter requirements could have on low impact housing; and concluded that he would like to see the Fire project to go forward as proposed, with the City working to ensure compliance on this issue.

Council Member Hardman agreed, stating she supported the use of alternate materials and staying flexible. She wanted to avoid setting a precedent, however if the alternate proposal works, it works, and if it breaks down, the owner would be responsible.

Direction: Council Members were supportive of allowing design standards for Trash Enclosures for new construction, with enforcement of code compliance for structures which fail to meet durability standards.

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

- a. Eagle Brook, South of Veterans Parkway at approx. SE 35th St: Establish R-1 Single-Family zoning consistent with Comprehensive Plan Land Use Map – ZC-006328-2024

4. Minor Modifications & Grading Plans

- a. West Bank ATM, 125 Grand Avenue: Increase parking lot island by 18” and replace existing ATM – MML1-006331-2024
- b. Home Grown Restaurant, 950 Jordan Creek Pkwy, Ste 1130: Add fence around outdoor patio, add exit door and sidewalk – MML1-006335-2024

Council Member McKinney asked the timing of the opening of this restaurant. Building Official Patrick responded it was expected to be open by mid-summer. Director Twedt pointed out that the PUD written for this site had anticipated 15,000sf total use as restaurant space, which was exceeded first by Ruth Chris’ at 16,000+sf. Homegrown uses an additional 3,000sf and a third restaurant has been applied for which will use another 2,000sf. Parking requirements were approved for reduction at the time of the development proposal, and rumors are already proving it to be a problem. There is no available area to add parking. The PUD may need to be revised, and staggered hours may be necessary for operation of the restaurants. The third restaurant proposal has been held up as Staff have requested information on patron area versus back of house from the developer to evaluate the issue.

- c. Morton Builders, 1817 Industrial Circle: Add propane tanks to allow temporary heat – MML2-006316-2024
- d. CTI Ready Mix, 1380 Hoak Dr: Replace pavement and modify building – MML2-006334-2024

Other Matters

None

The meeting adjourned at 8:44 AM. The next regularly scheduled Development and Planning City Council Subcommittee is March 4, 2024.

Lynne Twedt, Development Services Director

Jennifer Canaday, Recording Secretary