

PLANNING AND ZONING COMMISSION

PZ AF 10-28-2024

Chairperson Shaw called the regular meeting of the Planning and Zoning Commission to order at 5:30 p.m. on Monday, October 28, 2024, 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: Costa, Crowley, Hatfield, McCoy, Shaw.....Present
Conlin, Davis.....Absent

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of October 14, 2024

Chair Shaw asked for any comments or modifications to the October 28, 2024 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Planning and Zoning Commission approved the October 28, 2024 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

There were 2 Public Hearing items.

Item 2a – Ridgeview at Maffitt Lake, 3760 SE Maffitt Lake Road – Amend the Zoning Map to establish Single Family Residential Zoning – Jared Johnson with Palamar Farms, LLC – ZC-006540-2024

Chair Shaw 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 October 18, 2024.

Chair Shaw reported that Commissioner Conlin had joined the meeting at 5:31 PM.

Chair Shaw 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 Costa, 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, Hatfield, McCoy, ShawYes
Davis.....Absent

Motion carried.

Dean Roghair, Civil Design Advantage, 4121 NW Urbandale Dr, Urbandale, stated he was representing Palomar Farms, and Jared Johnson who was also present. He summarized the request to change the zoning for a single-family development, pointing out the location. Mr.

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Roghair informed that this zoning is consistent with the comp plan and added that the applicant is in agreement with Staff's condition in the Staff Report for no driveways onto Maffitt Lake Road.

Emani Brinkman, Development Services Associate Planner stated she had nothing to add to the Staff Report but was available for questions.

Chair Shaw 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.

Dan Dutcher, 625 SE Southfork Drive, Waukee, informed that he was representing the Wittern Partnership. He informed that they had attempted to submit a letter earlier that day however were not aware that they had missed the deadline for doing so. Mr. Dutcher summarized the contents of the letter and provided it to the Recording Secretary as part of the record, along with a photograph of the road. He noted that they did not object to the zoning change but requested clarification regarding a provision regarding the mixed residential area, the 25 acres on the Southeast side of Maffitt Lake Road. There is a provision in the comp plan where the developer can make a determination where there's a transition area between the single-family area and the land the Wittern family owns, which more along the industrial side. He stated that they want to make sure that the transition area, if there is one, will be put in solely on the south side of SE Maffitt Lake Road and not impact the Wittern property to the north.

Mr. Dutcher pointed out that the Staff Report referred to SE Maffitt Lake Road being a rural cross section but corrected that it is an urban cross-section with rolled curbs, storm sewer and intakes.

He concluded that they would like it clearly stated in the rezoning that any transition areas will be on the south side of Maffitt Lake Road.

Commissioner Costa asked guidance from the City as to whether the Street would serve as a transition. Planning Administrator Linda Schemmel replied that the mitigation would still be the obligation of the higher intensity use, the north side of SE Maffitt Lake Road. No matter what residential, the obligation to mitigate would still be there.

She added that the single family zoning proposed for the mixed residential land use is compatible, and that the applicant is not down-zoning. There is expectation that there will be some mitigation based on the orientation of the lots, such as double frontage lots. So, there may be some mitigation on the south side, but that is not connected to any mitigation required for the higher intensity use to the north. Ms. Schemmel referred to Principal Engineer Ben McAlister as to whether the street was part of the transition.

Principal Engineer McAlister confirmed that the street is curb and gutter west of SE 35th Street, however it will be widened in the future. As to whether it is considered part of the transition area, he deferred back to Ms. Schemmel. Ms. Schemmel stated it is not.

Moved by Commissioner McCoy, seconded by Commissioner Crowley, the Planning and Zoning Commission approved a resolution recommending the City Council approve the zoning change.

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

Motion carried.

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Item 2b – Cascade Avenue Vacation – Vacate 189 square feet of Cascade Avenue right-of-way west of S. 93rd Street – City of West Des Moines – VAC-006640-2024

Chair Shaw 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 October 23, 2024.

Chair Shaw 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 McCoy, 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, Hatfield, McCoy, ShawYes
Davis.....Absent
Motion carried.

Ben McAlister, Principal Engineer, City of West Des Moines, provided the history behind the ROW section being vacated by the City. Cascade was originally intended to be a major collector with a 100-foot right-of-way. The City’s transportation plan has changed since then and Cascade Avenue is now classified as a minor collector. When Woodland Estates Plat 2 was constructed grading affected the adjacent property and existing utilities. The ROW of Cascade Avenue was transitioned down to 70 feet to minimize these impacts. The developer built a retaining wall to protect existing utility boxes, and the City has chosen to vacate the ROW to allow the retaining wall.

Chair Shaw 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 vacation.

Vote: Conlin, Costa, Crowley, Hatfield, McCoy, ShawYes
Davis.....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 – Valley Church, 4343 Fuller Road – Approve Level 1 Minor Modification to Site Plan to allow a 38’ foot tall cross to be installed on the building – Eagle Signs – MML1-006645-2024

John Glad, Valley Church, 5100 Brookview, West Des Moines, introduced himself as the Executive Pastor of Valley Church, and noted that Engineer Greg Gear from their building team was also present. He pointed out that they had been before the Commission a few weeks ago for an addition planned for Valley Church Community Center. They are in the process of remodeling

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the church including adding a brick façade on the backside of the building. They are creating a more prominent entrance with more lighting, including adding a 54' high cross, which extends 12' above the building height. This is the maximum allowed by Code. The aluminum structure will be backlit.

Chair Shaw asked if they were in agreement with Staff's recommendations and conditions of approval. Mr. Glad indicated they are, adding that they will be utilizing only white lights, with a timer to turn the lights off at night.

Emani Brinkman, Development Services Associate Planner, stated she had nothing to add to the Staff Report, noting that typically minor modification requests are not required to come before the Planning and Zoning Commission and City Council, with exceptions including religious symbols.

Commissioner McCoy stated she was curious as to whether there was any sort of path to this, like a structure of rules, since this is a modification, from what they would normally have. Planner Brinkman replied that Code requires that this is the process for it,

Commissioner McCoy added that there's no visual specifications that go along with it, it would just come to the Board. Planner Brinkman agreed.

Chair Shaw 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 Conlin, the Planning and Zoning Commission approved a resolution recommending approval the minor modification, subject to the following conditions:

1. Valley Church acknowledging and agreeing that the cross illumination shall be static in color and intensity for a minimum of twenty-four (24) hours and that blinking, rotating, cycling, flashing, or moving illumination is prohibited.

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

Item 5 – Staff Reports

The next meeting is scheduled for Monday, November 11, 2024.

Item 6 – Adjournment

Chair Shaw adjourned the meeting at 5:45 PM.

Tina Shaw, Chair

Jennifer Canaday, Recording Secretary