

Direction: CITY1555.DSS

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, April 11, 2016, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Present
Brown.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of March 28, 2016

Chairperson Erickson asked for any comments or modifications to the March 28, 2016 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Costa, the Plan and Zoning Commission approved the March 28, 2016 meeting minutes.

Vote: Costa, Erickson, Hatfield.....Yes
Andersen, Crowley, Southworth.....Abstain
Brown.....Absent

Motion carried.

Item 2 – Public Hearings

2-a Fox Valley, generally the area south of SE Adams Street and west of Orilla Road – Adjust single family and medium density land uses within the development - rezone property to adjust locations and acreages of Single Family and Medium Density Residential - Charles I. & Ruth Colby National Development Trust – CPA-003018-2016/ZC-002969-2016 - (Continued from the March 28, 2016 meeting)

Chairperson Erickson 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 April 1, 2016.

Chairperson Erickson 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 Andersen, seconded by Commissioner Costa, the Plan and Zoning Commission accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent

Motion carried.

Ed Arp, Civil Engineering Consultants, 2400 86th Street, Des Moines, representing the applicant, requested approval of both a Comprehensive Plan Land Use Map Amendment and a Rezoning for the property located in the area south of SE Adams Street and west of SE Orilla Road. Mr. Arp provided a vicinity sketch noting the location of the future Veterans Parkway, Fox Valley Plat 1, Plat 2, and the general area of Plat 3, Orilla Road, and the existing Adams Street. He stated that the Master Plan for the area has changed slightly and is more detailed. It has become apparent that the area south of Fox Valley Drive would be Single Family and the land north of Fox Valley Drive would be designated as Medium

Density Residential. Mr. Arp pointed out the large area that has been reserved for a future City park, and noted that the north-south connector through Fox Valley will connect to the future Veterans Parkway.

Planner Portz added that there was a minor change to the resolution with the addition of a legal description of the area.

Chairperson Erickson 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 to approve:

Comprehensive Plan Land Use Map

Moved by Commissioner Hatfield, seconded by Commissioner Crowley, the Plan and Zoning Commission approve a resolution recommending City Council adopt a resolution to approve the Comprehensive Plan Land Use Map amendment for approximately 1.2 acres from Single Family Residential (SF) to Medium Density Residential (MD) and 10.3 acres from Medium Density Residential (MD) to Single Family Residential (SF), subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Rezoning

Moved by Commissioner Hatfield, seconded by Commissioner Southworth, the Plan and Zoning Commission approve a resolution recommending City Council approve the rezoning request to amend the Zoning Map to designate the same 1.2 acres from Single Family Residential (R-1) to Medium Density Residential (RM-12) zoning and the same 10.3 acres from Medium Density Residential (RM-12) to Single Family Residential (R-1) consistent with the Comprehensive Plan Land Use designation, subject to the applicant meeting all City Code requirements.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

2-b Ordinance Amendment – Amend Title 9 (Zoning), Chapter 7, (Setback and Bulk Density Regulations) to modify the Bulk Regulations requirements for Office zoning districts – City Initiated – AO-003037-2016

Chairperson Erickson 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 April 1, 2016.

Chairperson Erickson 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 accept and make a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Development Coordinator Schemmel explained that current office related zoning districts are designated as Office or Professional Commerce Park (PCP) noting that the PCP designation has larger bulk density requirements and allows for additional commercial uses such as restaurants, hotels, etc. With the adoption of the Comprehensive Plan in 2010, PCP land use designations are no longer be used for undeveloped areas, instead they are being replaced with Office and a Support Office designations to provide more definition to where office uses and commercial uses are allowed. Current office zoning bulk density requirements include a maximum parcel size of two acres and will need to be modified to allow for larger parcel sizes for office uses. In addition, Ms. Schemmel explained that with potential redevelopment in older office areas, staff was discovering that the parcels developed in the older PCP districts did not meet current bulk requirement or had been split afterwards, creating non-conformities. In summary, this proposal would remove the maximum parcel size on office designations and provide a mechanism to address non-conforming parcels as they redevelop. Ms. Schemmel stated that the PCP zoning designation for currently zoned parcels would not be eliminated. Any projects in a PCP district that were considering taking advantage of the Office bulk requirements would need to rezone the property to Office.

Chairperson Erickson stated that would this be a policy issue and that new development could not be zoned PCP, but that the PCP designation would still exist as an official zoning category. Ms. Schemmel stated that this was correct.

Moved by Commissioner Costa, seconded by Commissioner Crowley, the Plan and Zoning Commission approve a resolution recommending City Council approve the ordinance amendment,.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent
Motion carried.

Item 3 – Old Business

Item 4 – New Business

4-a West Green Industrial, 175 S. 9th Street and 250 S. 11 Street – Approval of a Phased Site Plan to allow grading, installation of private utilities, and footings and foundations – Next Phase Development – SP-003001-2016

Brad Overturf, Cooper Crawford & Associates, 475 S 50th Street, representing the applicant, requested phased Site Plan approval to allow for grading and installation of utilities, footings, and foundations. Mr. Overturf expressed that the applicant was anxious to begin the first stage of this project with interest in beginning grading between S. 9th and S. 11th Street south of Railroad Avenue.

Mr. Overturf expressed agreement with all Staff Recommendations and Conditions of Approval.

Chairperson Erickson asked if anyone from the audience would like to speak to this item; seeing none, asked the Commission for continued discussion or a motion.

Moved by Commissioner Crowley, seconded by Commissioner Costa, the Plan and Zoning Commission adopt a resolution approving the phased site plan to allow grading and the installation of site infrastructure and building footings and foundation, subject to the applicant meeting all City Code requirements and the following:

- 1. The applicant acknowledges that the approval to allow the applicant to proceed with grading the site is at their own risk as the grading plan is subject to the risk of change stemming from the

continued review of the Major Modification for the construction of the office building and development of the site;

- 2. The applicant install and maintain all necessary soil erosion measures;
- 3. The applicant agrees that any site infrastructure work and installation of building footings and foundations done to the site prior to the full approval of the site plan which contains all site development details is at their own risk, and that the final site development will need to comply with any changes that are deemed necessary as part of those subsequent approvals. The applicant further acknowledges and agrees that should the continued review, development and finalization of the site’s details warrant changes to the utilities or building design or locations resulting in changes to the grades, utilities or footings or foundation, that the applicant will need to make the necessary changes at their own cost with no compensation from the City; and,
- 4. The applicant acknowledges that approval of this site plan does not allow for any above ground construction of any type and that subsequent site plan approval and submittal of final plans to the City is required before any above ground work can be started.
- 5. That City-approved construction drawings for the public sanitary sewer be obtained prior to any work on the sanitary sewer.
- 6. The applicant agrees to obtain all appropriate building and construction permits prior to initiation of any site work
- 7. The applicant agrees to obtain a NPDES permit prior to commencing grading on the site.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
Brown.....Absent

Motion carried.

4-b Mill Ridge, Southwest corner of S. 88th Street and Stagecoach Drive – Approval of a Phased Site Plan to allow grading of the site and installation of private site infrastructure – Hubbell Realty Company - SP-002936-2015

Josh Trygstad, Civil Design Advantage, 3405 SE Crossroad Drive, Grimes, representing the applicant, requested approval for a phased site plan to initiate grading and allow for the installation of utilities. He provided a map noting that the site consists of two areas located south of the future Stagecoach Drive and west of S 88th Street. Overall the two areas will consist of 75 medium density lots of which nine will be detached with 24 duplexes through the center along future Stagecoach Drive. There will be 18 row houses along S 91st Street with a mix of units located in the remnant area. Water, detention, sanitary sewer, landscaping, streetscape, buffering, etc. locations were identified. Mr. Trygstad commented that the site meets the current zoning requirements of the Tallyn’s Reach PUD.

Mr. Trygstad expressed agreement with Staff Recommendations and Conditions of Approval.

Planner Munford added that the architecture for this project will be forth coming at a later time. Also, Miller Land Partnership was listed as the owner, but the property has been sold to the Mill Ridge LLC. The Owner’s information will be updated before proceeding to City Council for approval.

Chairperson Erickson 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 Crowley, the Plan and Zoning Commission adopt a resolution approving the phased site plan to allow grading and the installation of site infrastructure, subject to the applicant meeting all City Code requirements and the following:

1. The applicant install and maintain all necessary soil erosion measures;
2. The applicant agrees that any infrastructure work done to the site prior to the full approval of the site plan which contains all site development details is at their own risk, and that the final site development will need to comply with any changes that are deemed necessary as part of those subsequent approvals. The applicant further acknowledges and agrees that should the continued review, development and finalization of the site’s details warrant changes to the utilities or building design or locations resulting in changes to the grades, or utilities, that the applicant will need to make the necessary changes at their own cost with no compensation from the City; and,
3. The applicant acknowledges that approval of this site plan does not allow for any above foundation work or ground construction of any type and that subsequent site plan approval and submittal of final plans to the City is required before any above ground work can be started.
4. The applicant agrees to obtain all appropriate building permits prior to initiation of any site work

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
 Brown.....Absent
 Motion carried.

Item 5 – Staff Reports

There were no staff reports.

Item 6 - Adjournment

Chairperson Erickson asked for a motion to adjourn the meeting.

Motion by Commissioner Hatfield, seconded by Commissioner Costa, to adjourn the meeting.

Vote: Andersen, Costa, Crowley, Erickson, Hatfield, Southworth.....Yes
 Brown.....Absent
 Motion carried.

The meeting adjourned at 5:45 p.m.

Craig Erickson, Chairperson

Kimberly Taylor, Recording Secretary