

Direction: CITY1654.DSS

Chairperson Erickson called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, September 26, 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, Brown, Costa, Erickson, Hatfield.....Present
Crowley, Southworth.....Absent

Item 1 - Consent Agenda

Item 1a - Minutes of the meeting of September 12, 2016

Chairperson Erickson asked for any comments or modifications to the September 12, 2016 minutes.

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission approved the September 12, 2016 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

2a - Browns Woods Estates, on the west side of Veterans Parkway approximately 500 ft. south of SE Browns Woods Drive – Change the Comprehensive Plan Land Use designation from Low Density Residential (LD) to Single Family Residential (SF) and change the zoning of the property from Residential Estate (RE-1A) to Residential Single Family (RS-20) and Residential Single Family (R-1) – Venture Homes LLC – ZC-003167-2016

A memo was received from staff requesting that this item be deferred to the October 10, 2016 Plan and Zoning Commission meeting to allow additional time for discussion regarding the proposal.

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission defer this item to the October 10, 2016 Plan and Zoning Commission meeting.

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

Motion carried.

2-b Della Vita, Northwest corner of EP True Parkway and 88th Street – Amend Comprehensive Plan Land Use Map to change approximately 36 acres from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres from Office (OF) to Medium Density Residential (MD) and designate the entire 65 acres from ‘Unzoned’ to Della Vita Planned Unit Development (PUD) – Interchange Partners, LLC – CPA-002900-2015/ZC-002901-2015

A memo was provided to the Commissioners at the dais from a resident expressing opposition to the Della Vita project.

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 September 16, 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 Hatfield, seconded by Commissioner Brown, 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, Brown, Costa, Erickson, Hatfield.....Yes
Crowley, Southworth.....Absent
Motion carried.

Dean Roghair, Civil Design Advantage, 3405 SE Crossroads Drive, Grimes, representing the applicant, requested approval for both a Comprehensive Plan Land Use Amendment and a rezoning for the property located west of 88th Street, north of EP True Parkway, and southeast of the interstate. Mr. Roghair pointed out this location on a map indicating that work on this project has been taking place for well over a year with many neighborhood meetings being held. Essentially, the proposal is for the construction of medium density residential to the west (townhomes) and single family to the east. The townhomes are next to the interstate with future single family development to the south to match development to the north. Mr. Roghair continued by pointing out the proposed street connections and noted that Aspen Drive was shown to extend to the north with future development, but the specific alignment has not yet been determined. Mr. Roghair elaborated on the proposed townhome and single family offerings.

Mr. Roghair continued that lengthy discussions took place with staff regarding the property zoning and land use classifications, and it was decided that a Planned Unit Development (PUD) was the best course of action given the timing of a proposed City Code amendment pertaining to the building separation requirements for townhome development. He continued that architectural standards were added as a part of the PUD, and since the reason for the PUD was a bridge to the eventual Code amendment for building separation, the applicant was requesting that the architectural standards be deleted from the PUD.

Joe Pietruszynski, Hubbell Realty Company, 6900 Westown Parkway, West Des Moines, provided that the reason for the request for a PUD was to provide a bridge to the proposed Code amendment. He continued that the property owner was anxious to sell the property, and one of the key elements associated with this property is zoning. Mr. Pietruszynski has worked with staff regarding the Robel alignment with EP True Parkway, building out 88th street to its entirety on the east side of the property while working with future buyers, and determining street alignment with the property owner to the west; all of which has been very complex. The only mechanism that would meet the owner’s timeframe would be a PUD until a new standard set of zoning rules was adopted. The architectural standards presents a challenge based on what the site was designed for, which is housing for West Des Moines that was more conventional in nature and provided options in price. This new element creates complexity and something that was not anticipated. Mr. Pietruszynski asked that the PUD be approved without the architectural standards, since proposed zoning standards may be adopted in the future. He requested approval to allow the PUD as a mechanism until the property can flow into standard zoning.

Mr. Roghair added that the neighbors have been confused with the road alignments, especially on Aspen Drive. He confirmed that Hubbell does not own the property to the north and the alignment will be a future decision made by a future developer.

Commissioner Costa asked where Aspen Drive would lead to when extended. Mr. Roghair stated that the alignment could either be to Wendover Lane or to EP True Parkway (*Aspen Drive*). He pointed out the potential alignment noting that the property owners would work together to determine the location when there was development in the future.

Planner Portz provided the current comprehensive plan map for this property and the surrounding area noting that blue on the map was office and the brown was high density residential. The proposal is to change the area in brown from high density to single family, and the area in blue to a medium density designation. Mr. Portz stated that Aspen Drive would not be installed by Hubbell, but was identified only as a potential future connection.

Planner Portz continued that City Code requires a 30 ft. buffer between medium density and single family uses, which staff is requesting be added to the PUD language. This would apply along the north property line of the medium density residential.

Mr. Portz continued that the proposed architecture regulations are standard for PUDs. The standards are general statements and not specific to this project. The Plan & Zoning Commission and City Council have recently approved similar architectural requirements for the Roger's Farm development, the Jordan West development, and the Tallyn's Reach development.

Chairperson Erickson asked if this would only affect the multi-family. Mr. Portz responded that the standards are written for multi-family, but there are regulations for single family, basically to prevent a "snout house" where the garage was located in front of the house. The architectural requirements stipulate that if the garage is located six feet or more in front of the house, a porch would have to be added onto the house.

Chairperson Erickson questioned if he were to build a project across the street, would the same rules apply. Chairperson Erickson commented that the architectural standards for multi-family would be governed by the site plan approval process.

Chairperson Erickson clarified that the Commission was asked to approve a Land Use Map Amendment and not approving a specific site plan. Mr. Portz responded that the PUD was being proposed at this time, and the actual development of the project would have to go through Preliminary Plat and Site Plan review.

Chairperson Erickson stated that for those attending this meeting, it is a standard City process to identify possible road alignments, lots, buffer location, etc. until such time there was future development which then determined the details.

Chairperson Erickson stated that the road to the north is required for all development in terms of connectivity for access, fire protection, and public safety, which is part of a standard review process. At some point, a permanent access would be identified if and when adjacent property develops.

Commissioner Costa asked when Ashworth Road would be expanded. Director Twedt stated that the City Council has pledged \$2 million a year towards the expansion of Ashworth Road. It was hoped to be under construction with the first segment by this spring, but was pushed back until right-of-way can be obtained. The first phase will be from Jordan Creek Parkway to 81st Street; then 81st Street to 88th Street; then, it will take a few years to build up funds to enable a bridge to be constructed over the interstate.

Jeff Schultz, 9010 Wendover Road, West Des Moines, stated he was a resident to the north of this development, and that he was representing those that owned property to the north of the area. He informed the Commission that his property was straight north where Aspen Drive was located on the map provided.

Chairperson Erickson asked if Mr. Schultz understood that Aspen Road would only be constructed at this location if and when development occurred, and that the road would not be constructed until that time. Also, there would be an opportunity to discuss alignment during the Preliminary Plat/Site Plan

review process. Mr. Schultz clarified that he just wanted to ensure that he would not lose his land or existing property line location. Chairperson Erickson assured Mr. Schultz that there would be an opportunity for discussion during the site plan/plat approval process.

Chairperson Erickson expressed that there has been the assumption that this area would be office. He continued that the area dynamics have changed, particularly with the addition of Grand Prairie Parkway and a shift in the traffic pattern. He believed that the staff report referred to taking another broader look at the area and encouraged staff to provide the area property owners an update on the whole area future land use designations. He continued that the Jordan Creek area has historically been designated as office, but that the market place no longer supports office in large volume.

Chairperson Erickson asked if anyone else from the audience would like to speak to this item; seeing none, closed the public hearing and asked for continued discussion or a motion. He clarified that there would be two separate motions, first the land use map amendment and second the rezoning request to a PUD.

Comprehensive Plan Land Use Map

Moved by Commissioner Costa, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Comprehensive Plan Land Use Map amendment for approximately 36 acres on the eastern portion of the property from High Density Residential (HD) to Single Family Residential (SF) and approximately 29 acres on the western portion of the property from Office (OF) to Medium Density Residential (MD), subject to the applicant meeting all City Code requirements.

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

Chairperson Erickson solicited Commission comment on architectural standards and buffer language.

Commissioner Hatfield stated that with regard to the architectural standards, he agreed with the applicant and felt that there should be a modification to the standards.

Commissioner Erickson stated that the Commission was comfortable with the buffer language as it seemed standard and consistent with what the Commission has supported in the past.

Commissioner Erickson reiterated that the Commission supported the buffer language as outlined by staff and was in favor of excluding the single family residential from the architectural standards, but retaining the standards for multi-family.

Rezoning

Moved by Commissioner Hatfield, seconded by Commissioner Andersen, the Plan and Zoning Commission approve a resolution recommending the City Council adopt a resolution to approve the rezoning request to amend the Zoning Map to designate Della Vita Planned Unit Development (PUD) zoning for approximately 65 acres located at the northwest corner of 88th Street and EP True Parkway adding the buffer language as provided by staff and removing the single family portion of the architectural standards, subject to the applicant meeting all City Code requirements.

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

Chairperson Erickson informed those in the audience that with this rezoning, remaining actions would not be noticed to property owners. The Comprehensive Plan Land Use amendment and rezoning will go to City Council on Monday, October 3, 2016, for approval. If the residents are interested in the Site Plan component relative to road alignments and property impacts, staff can be contacted or information can be obtained from agendas placed on the City’s website.

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

4a – West Green Industrial Park, 175 S. 9th Street – Approval of Preliminary Plat to subdivide the property into 36 lots for industrial development and one outlot – Next Phase Development, LLC. – PP-003125-2016

Brad Overturf, Cooper Crawford and Associates, 475 S. 50th Street, West Des Moines, representing the applicant, requested Preliminary Plat approval to create 36 lots for multi-tenant industrial development. Each individual unit is to be platted and could be sold separately.

Chairperson Erickson asked if these units would be used for storage. Mr. Overturf responded that there would be storage units, as well as small business uses. He continued that there would be an owner’s association for the open space and maintenance of the roads.

Planner Tragesser had nothing further to add and recommended approval. She commented that there was an approved site plan and the applicant was beginning construction.

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 Brown, seconded by Commissioner Andersen, the Plan and Zoning Commission adopt a resolution recommending the City Council approve the Preliminary Plat to create 36 lots for industrial development and one outlot for common area, subject to the applicant meeting all City Code requirements and the following:

1. The applicant providing final drawings of the preliminary plat which addresses staff remaining comments prior to the final plat proceeding to the City Council for approval.

Item 5 – Staff Reports

There were no staff reports.

Item 6 - Adjournment

Chairman Erickson asked for a motion to adjourn the meeting.

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

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

Motion carried.

The meeting adjourned at 5:58 p.m.

Craig Erickson, Chairperson

Kimberly Taylor, Recording Secretary