

**CITY OF WEST DES MOINES  
BOARD OF ADJUSTMENT COMMUNICATION**

**Meeting Date:** May 18, 2016

**Item:** WDM Law Enforcement Center, 250 Mills Civic Parkway – Approval to construct an approximately 500sf building addition – City of West Des Moines – MML2-003061-2016

**Requested Action:** Approval of an Amendment to a Permitted Conditional Use Permit

**Case Advisor:** Brian Portz 

**Applicant's Request:** The City of West Des Moines is requesting approval to construct an approximately 500 sf remodel/addition to the West Des Moines Law Enforcement Center at 250 Mills Civic Parkway. The proposed project includes demolition of the existing evidence vehicle garage for new restrooms, a secured armory, an area for report writing, and police officer storage. The proposed addition will be located under a first floor building projection, remaining contained within the existing footprint of the building.

**History:** This property is the location of the West Des Moines Law Enforcement Center, constructed in 1990. In June 1999 a Minor Modification to the Site was administratively approved to add 14 parking stalls to the east side of the site. In April 2001, a Minor Modification was administratively approved to add 42 parking stalls to the north parking lot. In 2013, a Major Modification was approved to install new parking lot lighting and 3 flag poles on the property.

**City Council Subcommittee:** This item was presented to the Development and Planning City Council Subcommittee on May 2, 2016. There was no discussion on the item.

**Staff Review and Comment:** This request was distributed to other City departments and other agencies for their review and comment. There are no outstanding issues. Staff would summarize the following key points of interest:

- **Expansion of Use:** Law enforcement buildings are designated as a Permitted Conditional Use in all zoning districts and the proposed building addition is considered an expansion of the use, necessitating a review by the Board of Adjustment.
- **Parking Space Deferral:** Per City Code, a public safety building is required to provide 1 parking space per 175 square feet of building gross floor area. Based on 43,830 square feet of total building area, the Law Enforcement Center is required to have 251 parking spaces on the site. The proposed building addition will result in the loss of 2 covered parking stalls. After the building addition, there will be 8 covered stalls remaining, 67 spaces in the employee area and 65 spaces for public use for a total of 140 spaces on the site. The applicant is requesting that the installation of 111 parking spaces be deferred until such time that it is proven (patrons parking on grass or off-site due to lack of available stalls) they are needed. The applicant has indicated that existing number of parking spaces is adequate for current operational needs and has provided a sheet within the site plan packet demonstrating where the additional parking could be accommodated should installation be necessary. Typical City practice is to allow deferral of parking as long as it has been demonstrated that the additional parking required to comply with city code minimums can be provided on-site.

**Comprehensive Plan Consistency:** The project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan and the land use map of the Comprehensive Plan.

**Findings:** This proposed project was distributed to various city departments for review and comment. Based upon that review, the following findings have been made on the proposed project:

1. The proposed development and use is consistent with the West Des Moines Comprehensive Plan in that the project has been reviewed for consistency with the Comprehensive Plan. Based upon that review, a finding has been made that the proposed project is consistent with the Comprehensive Plan in that the project is consistent with all of the goals and policies of the Comprehensive Plan.
2. The proposed development and use does assure compatibility of property uses within the zone and general area in that this project was reviewed by various City Departments for compliance with the Zoning Ordinance.
3. All applicable standards and conditions have been imposed which protects the public health, safety and welfare in that this project was reviewed by various City Departments and public agencies for compliance with the various state and local regulations. Based upon that review a finding is made that the project has been adequately conditioned to protect the health, welfare and safety of the community.
4. There is adequate on-site and off-site public infrastructure to support the proposed development in that this project was reviewed by various public agencies and City Departments and public utilities to ensure that either the petitioner will construct or the project has been conditioned to construct adequate public infrastructure to serve the development.
5. The proposed development and use has met the requirements contained in the City Code in that this project was reviewed by various City Departments and the project has complied with or has been conditioned to comply with all City Code requirements.
6. The proposed development and use is in keeping with the scale and nature of the surrounding neighborhood in that the proposed project is consistent with the zoning designation and Comprehensive Plan which designates this site as suitable for development such as that proposed by this project.

**Noticing Information:** On May 6, 2016, notice of the May 18, 2016 Board of Adjustment Public Hearing on this project was published in the Des Moines Register. Notice of this public hearing was also mailed to all surrounding property owners within 370 feet of the subject property on April 29, 2016.

**Staff Recommendation And Conditions Of Approval:** Based upon the preceding review and a finding of consistency with the goals and policies of the Comprehensive Plan and the findings necessary for approval, staff recommends the Board of Adjustment adopt a resolution approving the modification to a Permitted Conditional Use Permit to allow the construction of an approximately 500sf building addition within the existing footprint of the building, subject to the applicant meeting all City Code requirements and the following:

1. Deferral of the installation of up to 111 parking stalls required until such time that need for all or part of the deferred parking is warranted as determined by vehicles parking on the grass or other non-designated parking areas occurs or parking off-site is occurring due to the lack of available parking stalls. Prior to implementation of additional parking to satisfy the deferred parking stalls, the applicant shall submit and receive approval of a Minor Modification Level 2 application to the City identifying the location and engineering details for the stalls to be implemented and impacts of the installation on storm water management facilities that may be required of the site.

**Property Owner:** City of West Des Moines  
4200 Mills Civic Parkway  
West Des Moines, IA 50265  
Attn: Ben McAlister ([ben.mcalister@wdm.iowa.gov](mailto:ben.mcalister@wdm.iowa.gov))

**Applicant's Representative:** Design Alliance, Inc.  
14225 University Avenue, Suite 110  
Waukee, IA 50263  
Attn: David Harrison ([dharrison@designallianceinc.com](mailto:dharrison@designallianceinc.com))

**ATTACHMENTS:**

|              |   |                                |
|--------------|---|--------------------------------|
| Attachment A | - | Board of Adjustment Resolution |
| Exhibit A-   | - | Conditions of Approval         |
| Attachment B | - | Location Map                   |
| Attachment C | - | Site Plans                     |
| Attachment D | - | Building Elevations            |

Prepared by B. Portz, West Des Moines Development Services, PO Box 65320 West Des Moines IA 50265-0320 515-222-3620  
When Recorded, Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines IA 50265-0320

**RESOLUTION**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A MODIFICATION OF A PERMITTED CONDITIONAL USE PERMIT (MML2-003061-2016) TO CONSTRUCT AN ADDITION TO THE WEST DES MOINES LAW ENFORCEMENT CENTER ON THAT PROPERTY LOCATED AT 250 MILLS CIVIC PARKWAY**

**WHEREAS**, pursuant to the provisions of Title 9, Chapter 1 et seq, of the West Des Moines Municipal Code, the applicant, City of West Des Moines, has requested approval of a modification to a Permitted Conditional Use permit to allow the construction of an approximately 500 sf building addition on that 17.83 acre property located at 250 Mills Civic Parkway, and legally described as follows:

**Legal Description of Property**

**EX ALL LYING NORTH OF GEORGE MILLS CIVIC PARKWAY AND ALL LYING WEST OF SOUTH 35<sup>TH</sup> STREET AND NORTH 1317 FEET MEASURED ON THE EAST LINE OF THE EAST ½ NE ¼ SEC 17-78-25**

**WHEREAS**, studies and investigations were made, and staff reports and recommendations were submitted which is made a part of this record and herein incorporated by reference;

**WHEREAS**, on May 18, 2016, the Board of Adjustment held a duly-noticed public hearing to consider the application for modification to a Permitted Conditional Use Permit (MML2-003061-2016);

**NOW, THEREFORE**, THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES DOES RESOLVE AS FOLLOWS:

**SECTION 1.** The findings, for approval, in the staff report, dated May 18, 2016 , or as amended orally at the Board of Adjustment hearing of May 18, 2016, are adopted.

**SECTION 2.** MODIFICATION TO A PERMITTED CONDITIONAL USE PERMIT (MML2-003061-2016) is approved, subject to compliance with all the conditions in the staff report, dated May 18, 2016, including conditions added at the Hearing, and attached hereto as Exhibit "B", if any. Violation of any such conditions shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

PASSED AND ADOPTED on May 18, 2016

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Erik P. Christiansen, Board of Adjustment Chairperson

ATTEST:

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Recording Secretary

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment for the City of West Des Moines, Iowa, at a regular meeting held on May 18, 2016, by the following vote:

AYES:  
NAYS:  
ABSTAIN:  
ABSENT:

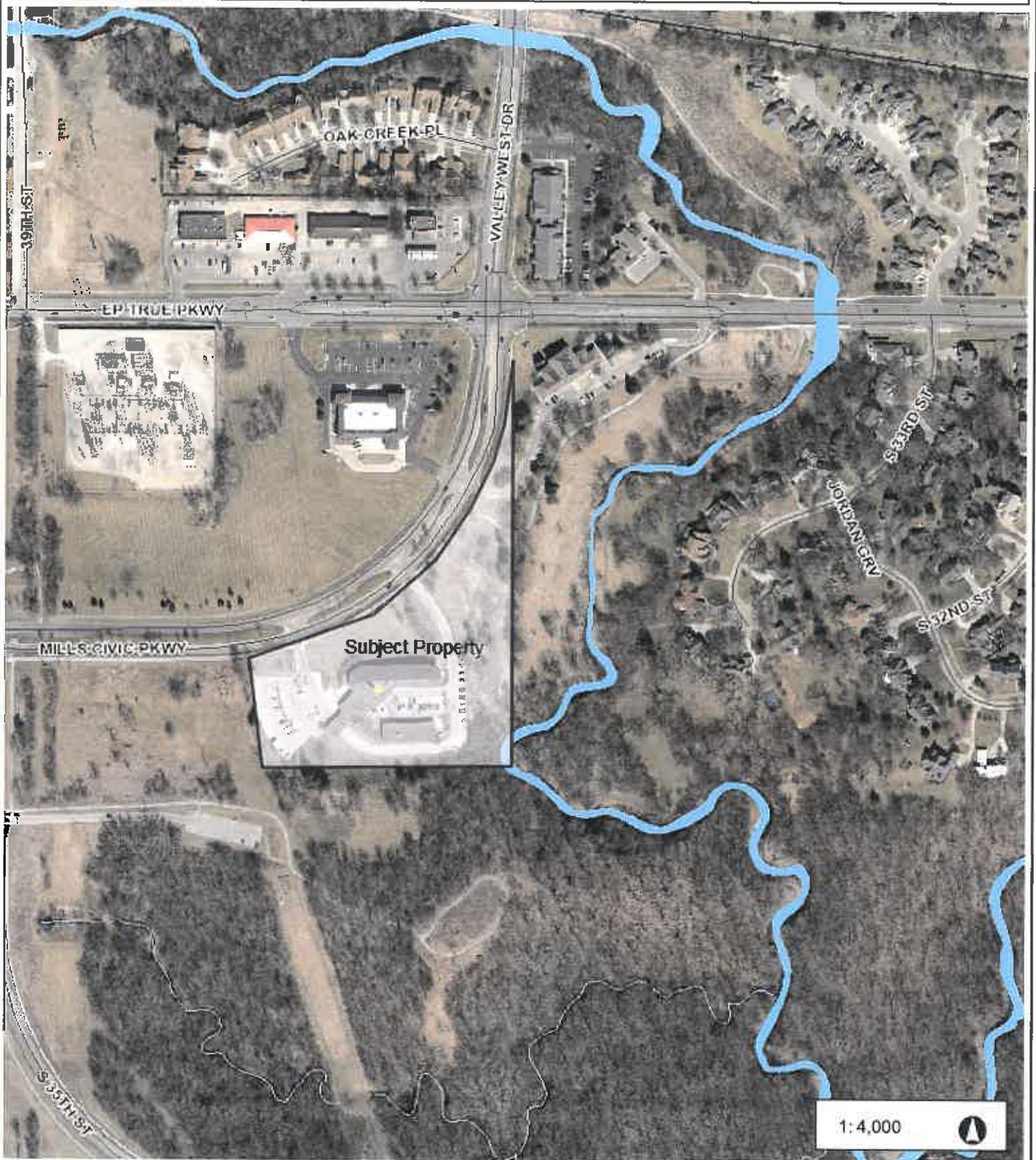
ATTEST:

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Recording Secretary

Exhibit A  
CONDITIONS OF APPROVAL

1. Deferral of the installation of up to 111 parking stalls required until such time that need for all or part of the deferred parking is warranted as determined by vehicles parking on the grass or other non-designated parking areas occurs or parking off-site is occurring due to the lack of available parking stalls. Prior to implementation of additional parking to satisfy the deferred parking stalls, the applicant shall submit and receive approval of a Minor Modification Level 2 application to the City identifying the location and engineering details for the stalls to be implemented and impacts of the installation on storm water management facilities that may be required of the site.



666.7      0      333.33      666.7 Feet

NAD\_1983\_StatePlane\_Iowa\_South\_FIPS\_1402\_Feet  
© City of West Des Moines, Iowa

Disclaimer: The City of West Des Moines makes no warranties regarding the accuracy or completeness of the data provided herein.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**LEGAL INFORMATION:**

ALL THAT PART OF THE NORTH 13 1/7 FEET OF THE E 1/2 OF THE NE 1/4 OF THE NE 1/4 OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 25 WEST OF THE 5TH P.M., WEST DES MOINES, POLK COUNTY, IOWA, LYING SOUTH OF MILLS CIVIC PARKWAY AND EAST OF SOUTH 35TH STREET. SAID TRACT OF LAND CONTAINS 17.83 ACRES, MORE OR LESS (APPROXIMATELY 776,674 SF).

**SITE LEGEND:**

-  EXISTING STRUCTURE
-  FUTURE PAVING/ STRIPING
-  FUTURE STRUCTURE
-  PROPERTY LINE
-  DEDICATED OPEN SPACE
-  EASEMENT/ SETBACK
-  ACCESSIBLE PARKING STALL
-  FLOOD BOUNDARY LINE

**DESIGN ALLIANCE**  
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 FAX 515.225.9649  
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**CITY OF WEST DES MOINES LAW ENFORCEMENT CENTER  
 LOWER LEVEL REMODEL PHASE 2 - 0510-052-2015**

250 Mills Civic Parkway - West Des Moines, Iowa 50265

OWNER  
 City of West Des Moines

TITLE  
 Site Plan

PROJECT NO.  
 218004

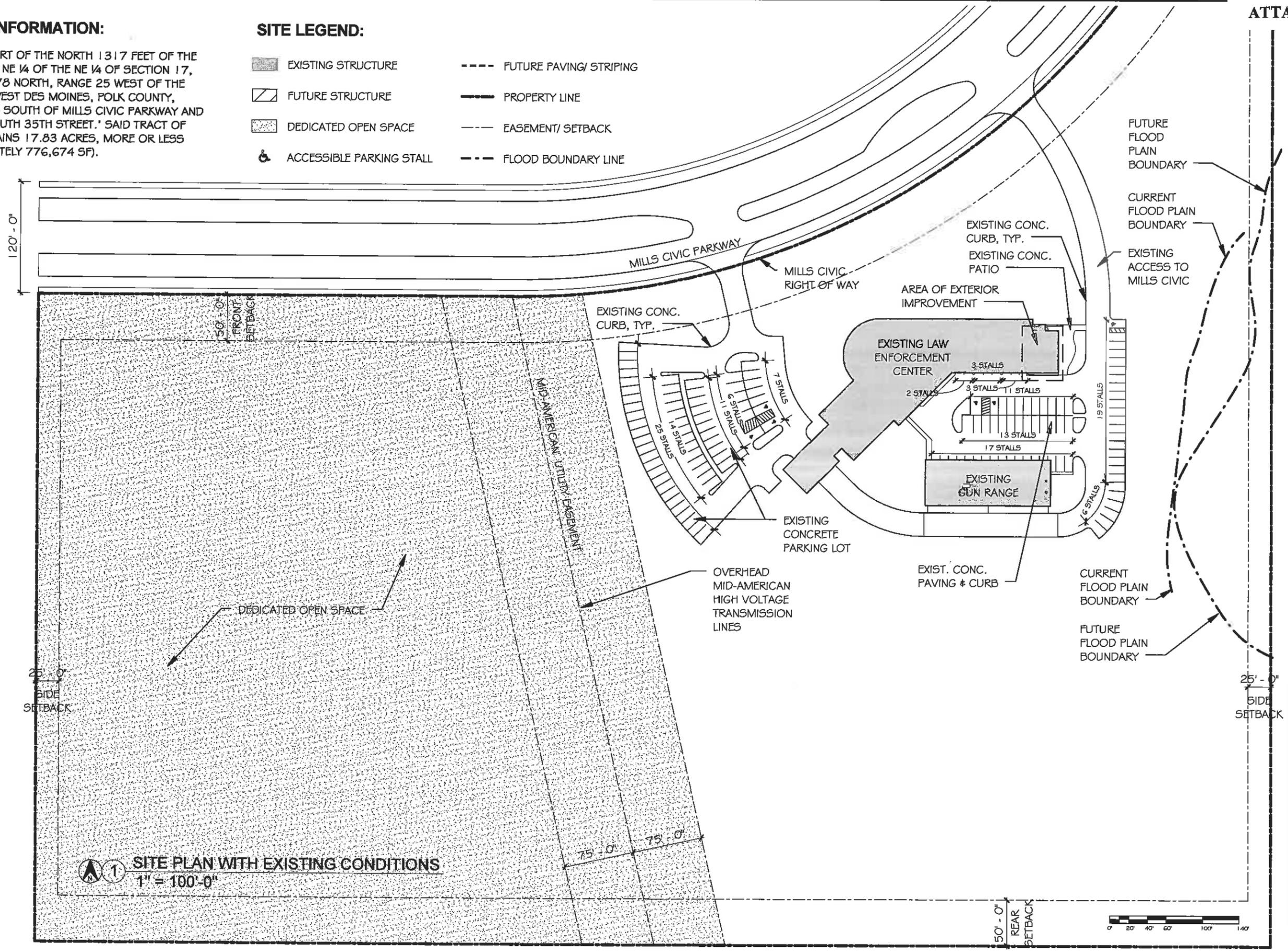
DATE  
 04/20/16

REVISIONS

 City Review Comments  
 05.13.2016



**CR.3**



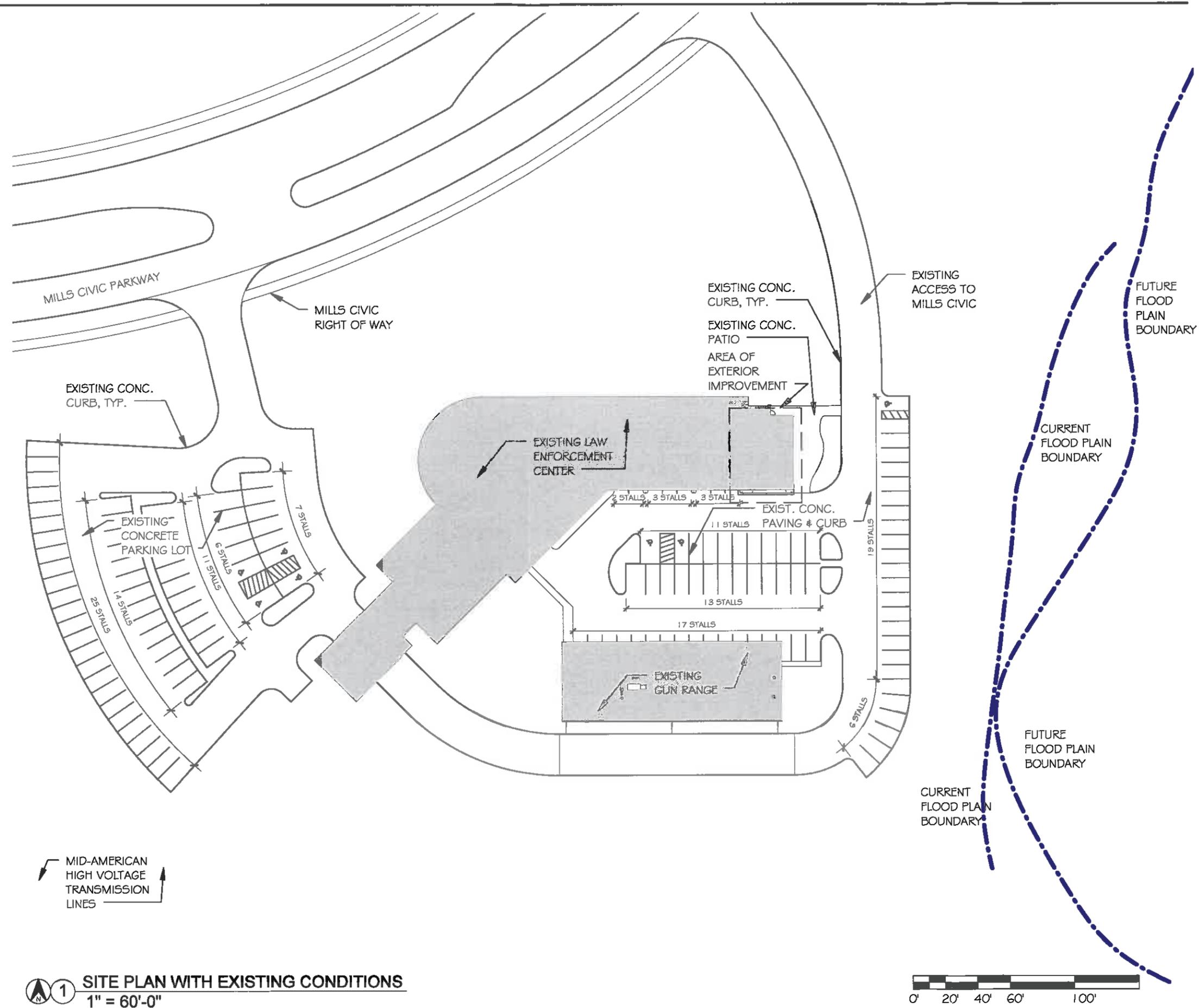
**SITE PLAN WITH EXISTING CONDITIONS**  
 1" = 100'-0"





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Copyright: 2016



MID-AMERICAN  
HIGH VOLTAGE  
TRANSMISSION  
LINES

1 SITE PLAN WITH EXISTING CONDITIONS  
1" = 60'-0"

**CITY OF WEST DES MOINES LAW ENFORCEMENT CENTER  
LOWER LEVEL REMODEL PHASE 2 - 0510-052-2015**

250 Mills Civic Parkway - West Des Moines, Iowa 50265

OWNER  
City of West Des Moines

TITLE  
Site Plan

PROJECT NO.  
216004

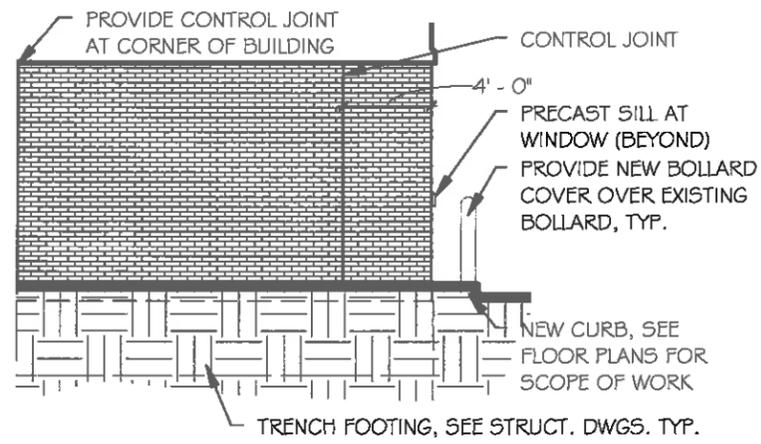
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04/20/16

REVISIONS

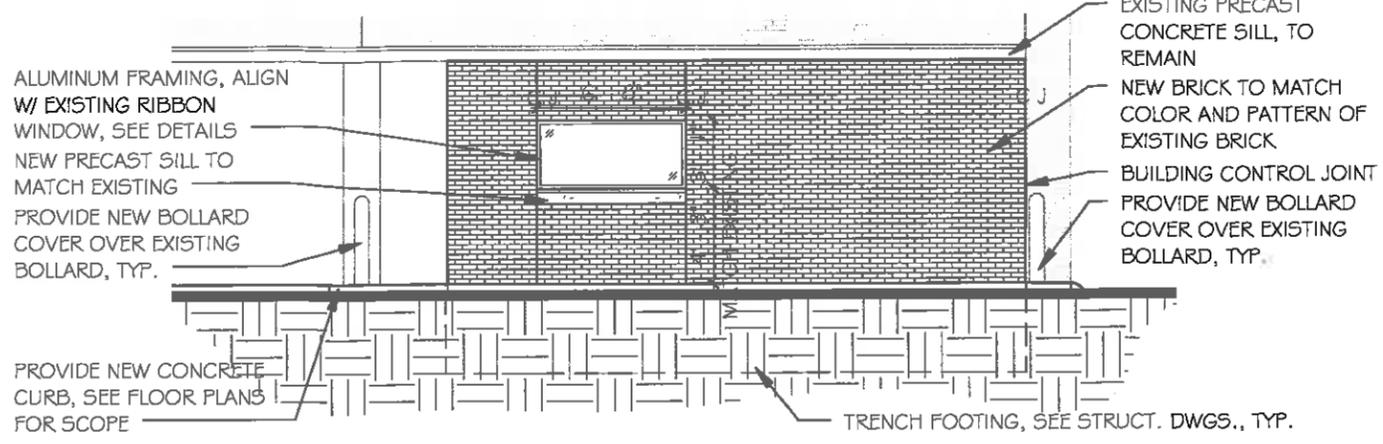


**CR.3**

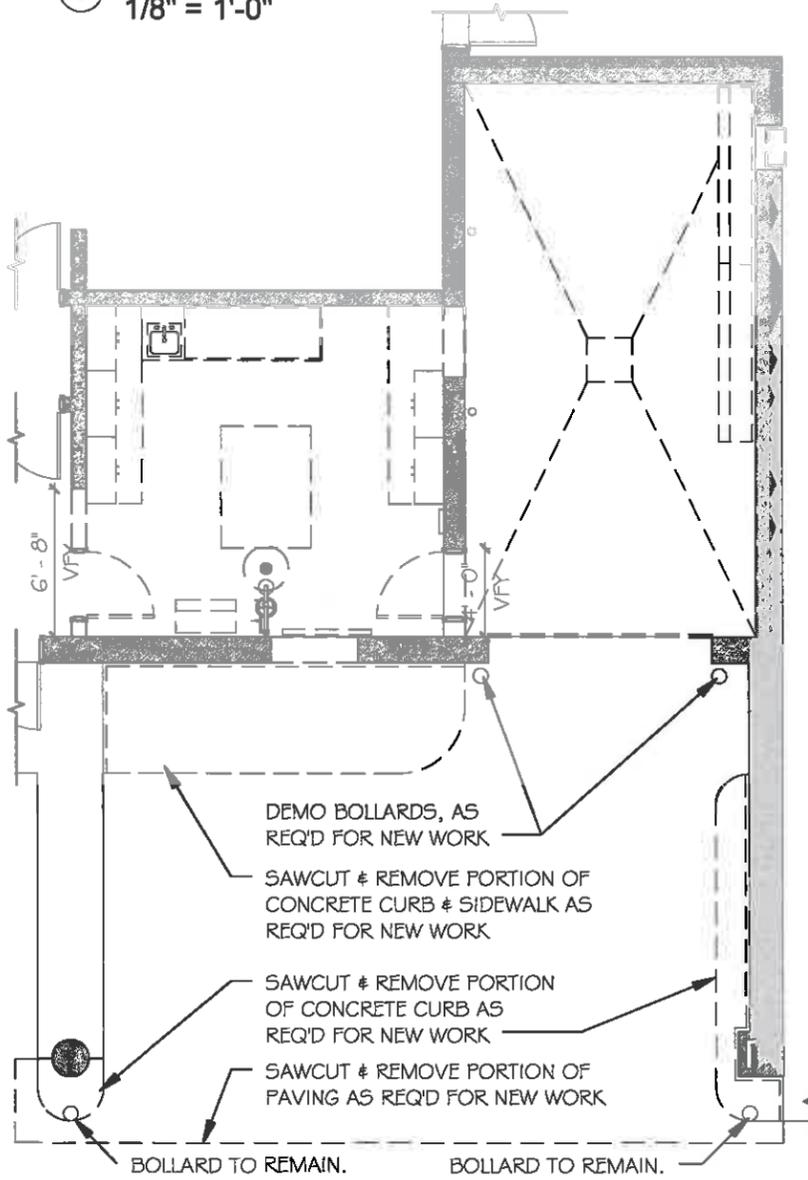




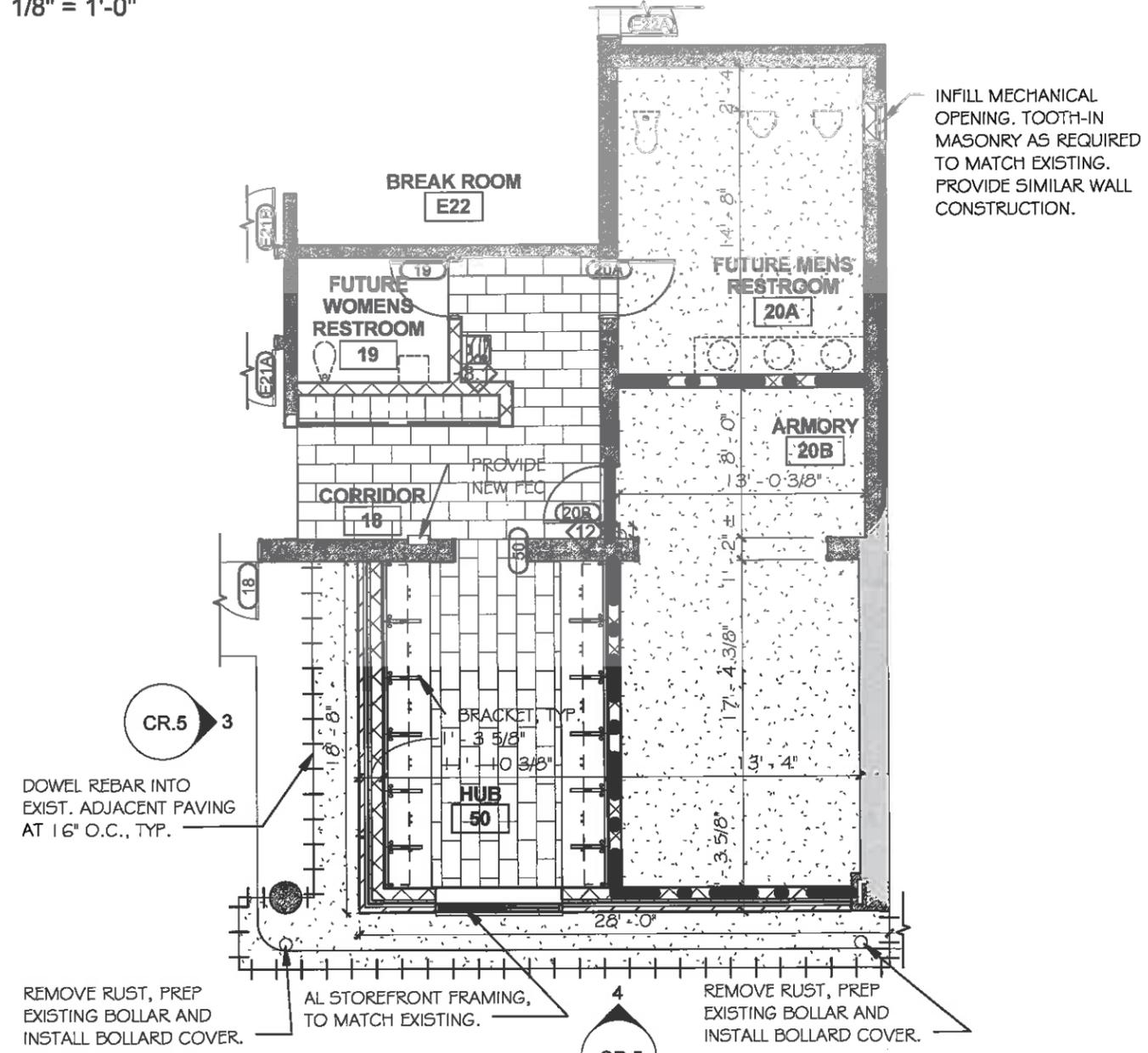
3 EXTERIOR ELEVATION - WEST ELEVATION  
 1/8" = 1'-0"



4 EXTERIOR ELEVATION - SOUTH ELEVATION  
 1/8" = 1'-0"



1 ENLARGED DEMOLITION PLAN - VEHICLE EVIDENCE  
 1/8" = 1'-0"



2 ENLARGED PLAN - ARMORY & HUB  
 1/8" = 1'-0"

4/20/2016 3:02:12 PM C:\Users\mdeane\Documents\216004 WDM PD Armory R-6.mxd



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**CITY OF WEST DES MOINES LAW ENFORCEMENT CENTER  
LOWER LEVEL REMODEL PHASE 2 - 0510-052-2015**

250 Mills Civic Parkway - West Des Moines, Iowa 50265

OWNER  
City of West Des Moines

TITLE  
Photographs of  
Existing Conditions

PROJECT NO.  
216004

DATE  
04/18/16

REVISIONS



**CR.6**



INFILL EXHAUST LOUVER W/ BRICK TO MATCH (TOOTH-IN)



REWORK SOFFIT AS REQ'D FOR NEW WORK

ALIGN NEW WINDOW W/ ELEVATIONS  
OF EXISTING WINDOWS

REWORK PORTION OF CURB AS  
REQUIRED FOR NEW WORK

NEW CURB TO ALIGN WITH EXISTING

CLAY BRICK TO MATCH EXISTING

PRECAST SILL TO MATCH EXISTING

ADDITION TO BE FLUSH WITH FACE OF WALL

NEW BOLLARD COVER

EXISTING BOLLARD TO BE REMOVED

EXISTING PAVING TO BE REMOVED AS REQ'D FOR NEW WORK