

PLAN AND ZONING COMMISSION

PZ AF 08-24-2020

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, August 24, 2020, in the Council Chambers of the West Des Moines City Hall, located at 4200 Mills Civic Parkway, in West Des Moines.

Roll Call: Andersen, Conlin, Costa, Crowley, Drake, Hatfield, Southworth..... Present

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of August 10, 2020

Chairperson Andersen asked for any comments or modifications to the August 10, 2020 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Drake, the Plan and Zoning Commission approved the August 10, 2020 meeting minutes.

Vote: Conlin, Costa, Crowley, Drake, Hatfield..... Yes
Andersen, Southworth..... Abstained
Motion carried.

Item 2 – Public Hearings

There was one Public Hearing item.

Item 2a – M&W Mini Storage, 2001 Grand Avenue – Approval of Establishment of a Planned Unit Development (PUD) – MHC 80 (Des Moines, IA) LLC, d/b/a CubeSmart – ZC-004808-2020

Chairperson Andersen 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 August 20, 2020.

Chairperson Andersen 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 Southworth, the Plan and Zoning Commission accepted and made a part of the record all testimony and all other documents received at this public hearing.

Vote: Andersen, Conlin, Costa, Crowley, Drake, Hatfield, Southworth..... Yes
Motion carried.

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Dan Manning, Lillis O'Malley Olson Manning Pose Templeman LLP, 317 6th Ave, Des Moines, introduced the application and noted that Norm Kotoch representing the owner and Joel Jackson with Bishop Engineering were also present for questions. Mr. Manning began by noting the location and stating that the property was purchased in 2019 by Merit Hill Capital and will be managed by CubeSmart. He informed that there were some issues that needed to be addressed including putting in a sidewalk. They appreciate staff's guidance to address these issues by creating a PUD and note their support. He stated there will be additional details to be resolved in a site plan, which he hopes to have presented in September to be approved by Council at the same time as the PUD ordinance.

Norm Kotoch, NAK Management and Consulting LLC, 7607 Ellington Place, Mentor, Ohio, briefly summarized the history from 1991 forward, when outdoor storage was implemented by the owner. A request for a cell tower was presented, along with a request for outdoor storage, which was approved with conditions which were not met. At the time of Merit Hill Capital's purchase, it was found that the site was non-compliant. The new owner agreed to take care of the issues and bring the site into compliance. He referred to a discussion at Development and Planning Subcommittee, and staff's guidance to proceed with a PUD rather than seeking to obtain variances through the Board of Adjustment. The applicant agrees with Staff's recommendations.

Lynne Twedt, Development Services Director, noted the previous non-compliance of the site listed in the staff report and requested direction from the Commission regarding whether they were in agreement with a one-year deadline for the sidewalk installation, and offered three options pertaining to the right-of-way agreement. She informed that the City recommends an irrevocable offer of dedication rather than an easement or requiring that the area be deeded to the City.

Chairperson Andersen 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.

Commissioner Drake questioned the applicant's preference regarding the right-of-way, commenting that she agreed that the irrevocable offer of dedication was the best option. Mr. Kotoch responded that the applicant is in agreement with this option.

Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission approved a resolution recommending the City Council approve the PUD subject to the applicant meeting all City Code requirements and the following conditions:

1. The property owner executing an irrevocable Offer of Right of Way Dedication for ten feet (10') of additional Grand Avenue right of way prior to City Council consideration of the associated site plan detailing site improvements.

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2. Prior to publication of the PUD Ordinance, the applicant addressing all city comments on the associated site plan which reflects existing site conditions and all improvements to be made.

Vote: Andersen, Conlin, Costa, Crowley, Drake, Hatfield, Southworth..... Yes
Motion carried.

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There were no Old Business items.

Item 5 – Staff Reports

The next meeting is scheduled for Monday, September 14, 2020.

Item 6 – Adjournment

Chairperson Andersen adjourned the meeting at 5:48 p.m.

Erica Andersen, Chairperson

Jennifer Canaday, Recording Secretary