

PLAN AND ZONING COMMISSION

PZ AF 11-25-2019

Chairperson Andersen called the regular meeting of the Plan and Zoning Commission to order at 5:30 p.m. on Monday, November 25, 2019, in the Law Enforcement Large Conference Room, located at 250 Mills Civic Parkway, West Des Moines.

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

Item 1- Consent Agenda

Item 1a – Minutes of the meeting of November 11, 2019

Chairperson Andersen asked for any comments or modifications to the November 11, 2019 minutes.

Moved by Commissioner Crowley, seconded by Commissioner Drake, the Plan and Zoning Commission approved the November 11, 2019 meeting minutes.

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

Motion carried.

Item 2 – Public Hearings

There were three (3) Public Hearing item.

Item 2a – Comprehensive Plan Amendment and Zone Change, 1913 Grand Avenue – Change the Comprehensive Plan Land Use Map from Single Family Residential to Office land use designation and change the zoning designation from Residential Single Family (R-1) to Office (OF) – Mark Shrum – CPA- 004526-219/ZC-004527-2109 (Continued from November 11, 2019)

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 November 1, 2019.

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 Crowley, seconded by Commissioner Erickson, 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, Costa, Crowley, Drake, Erickson, Hatfield.....Yes
Southworth.....Absent

Motion carried.

Mark Shrum, 5020 Cherrywood Drive, West Des Moines requested the rezoning of his residential property at 1913 Grand Avenue from single family residential to office.

Commissioner Crowley asked what is located to the east and west of the property. Mr. Shrum pointed out the surrounding single family homes, and the location of the Valvoline store, the Hy-

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Vee store and apartments across the street. He noted that his wife, a counselor, wanted a residential format for her practice; one bedroom would be used for play therapy for children, the other for counseling offices. The owners are requesting that Council approve the use of a fence in lieu of the otherwise required 30 foot buffer as the buffer requirements would render the property unusable for an office use.

Kara Tragesser, Development Services Planner, provided zoning for the surrounding area; noting another site designated as office in the area. Ms. Tragesser provided history of the southern four lots which have changed zoning from single family to office and back to single family, also being leased as rentals at one time. There is a history of zoning office against residential zones to buffer against commercial and high density uses. Staff does not consider this to be spot zoning as the zoning has a relationship with the other zones adjacent or near the subject property. There are no projected changes to the outside of this property beyond paving and adding an accessibility ramp. Staff support the request and recommend approval.

Commissioner Erickson expressed his agreement with the transition and use, raising the question of a potential need for a broader policy discussion for what will happen along the Grand Avenue corridor over time. Planner Tragesser responded that it has not yet been addressed with the new comp plan project, however the existing comp plan does address this issue with a clear intent to avoid allowing commercial such as in the 12th and 13th Street area creep into this residential area. Office use is supported within the residential area.

Commissioner Drake questioned if the owners elected to remove and replace the existing house, would there be limitations to the site. Ms. Tragesser responded that they would be required to provide two means of access and that parking requirements would preclude the construction of anything larger than the existing structure.

Commissioner Erickson followed this comment with asking if the Commission could condition the approval such the use would be limited. Commissioner Crowley inserted that the owners would have to return for approval from the Commission if they changed the plan. Planner Tragesser informed that the City does not do conditional zoning, however the owners being present were aware of the concerns raised at this meeting.

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. Moved by Commissioner Crowley, seconded by Commissioner Hatfield, the Plan and Zoning Commission adopted a resolution recommending the City Council approve amending the comp plan land use map.

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

Moved by Commissioner Hatfield, seconded by Commissioner Drake, the Plan and Zoning Commission adopted a resolution recommending the City Council approve amending the zoning designation.

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

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Item 2b – 4th and Railroad PUD, 101 and 107 4th Street – Amend the Comprehensive Plan Land Use Map and Establish a Planned Unit Development (PUD) to allow vertical commercial and residential mixed use building – Cutler Development LLC – CPA-004541-2019 (Continued from November 11, 2019)

Chairperson Andersen informed that there was a memo on the table requesting that Item 2b be continued to Monday, December 9, 2019.

Moved by Commissioner Hatfield, seconded by Commissioner Erickson, the Plan and Zoning Commission continued Item 2b to December 9, 2019.

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

Item 2c – Amendment to City Code – Amend Title 9 (Zoning), Chapter 11 (PCP Professional Commerce Park District) to remove specific bulk regulations that are specified elsewhere in Title 9 – City Initiated – AO-004543-2019

Chairperson Andersen informed that there was a memo on the table requesting that Item 2c be withdrawn.

Moved by Commissioner Drake, seconded by Commissioner Crowley, the Plan and Zoning Commission approved the withdrawal.

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

Item 3 – Old Business

There were no Old Business items to address.

Item 4 – New Business

There were two New Business items.

Item 4a – Review of Alluvion Renewal Plan Amendment #4 for Conformity with the General Plan (Comprehensive Plan)

Clyde Evans, Community and Economic Development Director for the City of West Des Moines informed the Commission that adding area to a renewal plan required approval by the Plan and Zoning Commission and City Council. He noted the additional area on an area map, and stated that this amendment was to accommodate development in this area, specifically for Allied Construction. Allied Construction intends to relocate to the intersection of SE Salix Drive and 1st Street. He concluded that Staff support this amendment and recommend for approval.

Chairperson Andersen 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 Erickson, seconded by Commissioner Drake, the Plan and Zoning Commission recommended finding of conformity for the Alluvion Renewal Plan Amendment #4.

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

Item 4b – Willow Creek Villas Row Homes, West Side of Veterans Parkway North of the Intersection with S. 11th Street – Subdivide the property into 46 townhome lots and one outlet and construct 46 townhomes – Jerry’s Homes – PP-004328-2019/SP-00427-2019

Emily Harding, Civil Design Advantage, 3405 SE Crossroads Dr, Ste G, Grimes, requested approval of the preliminary plat and site plan for 46 townhomes. She noted the two public access points, detention, private water and private sewer. Ms. Harding stated that the applicant is in agreement with staff recommendations and conditions of approval.

Kara Tragesser, Development Services Planner noted the location of the site relative to SE Willow Creek Drive, Veterans Parkway, Browns Woods Hollow, and SE Salix Drive. She provided a sketch showing the Willow Creek Villas single family homes and the site for the new row homes which will be separated by a drive connected at the north. Planner Tragesser also provided elevations showing three color options to be approved. She concluded that Staff are recommending approval of the preliminary plat and site plan with phased construction as there are some outstanding comments to be addressed regarding the storm water management plan. The applicant would like to get started grading and improving the lot before the final plat.

Chairperson Andersen 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 Costa, the Plan and Zoning Commission recommended approval of the preliminary plat and site plan, subject to the following conditions:

Conditions of Approval

1. That no above ground construction or footing and foundation permits will be allowed for any building on the site, including models, until all staff comments are addressed and final drawings are submitted.
2. That the City Council approves the initiation of grading upon approval of the request and that private infrastructure may commence with the submittal and staff acceptance of final site plans.

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

Item 5 – Staff Reports

The next meeting is scheduled for Monday, December 9, 2019.

Item 6 – Adjournment

Chairperson Andersen adjourned the meeting at 5:50 pm.

Erica Andersen, Chairperson

Jennifer Canaday, Administrative Secretary