

Welcome to the March 23, 2026 Development & Planning Council Subcommittee

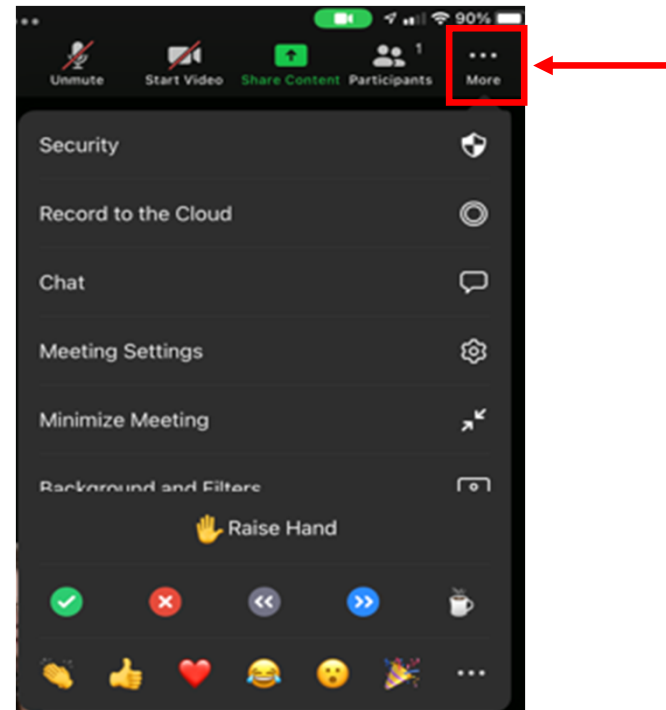
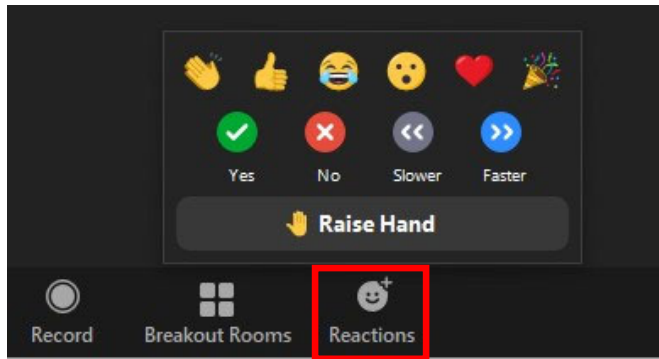
Here are a few housekeeping items before we get started:

- You will be muted by default when joining the meeting.
- If you would like to comment, please raise your hand to indicate you wish to speak. The Subcommittee Chair will then call on you and you will be unmuted.
- **If you are participating by phone, dial *9 to raise or lower your hand, dial *6 to unmute or mute**
- **If you are participating by computer or tablet:**



Raise Hand:

Depending on your device, Raise Hand can be found in the Reactions or the More (...) button on the Zoom toolbar:

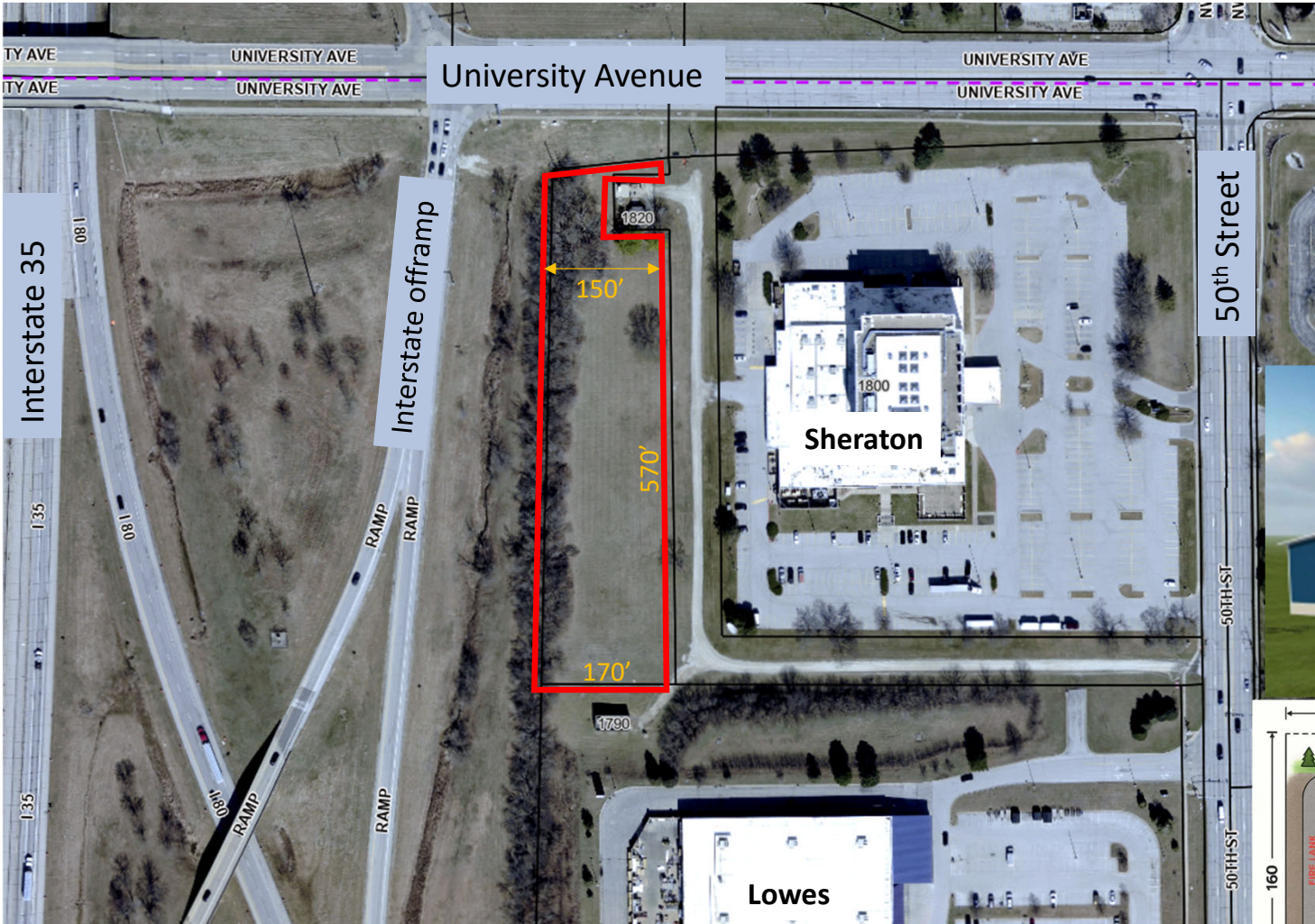


Item #1a – Contractor Storage -

To participate on this item:

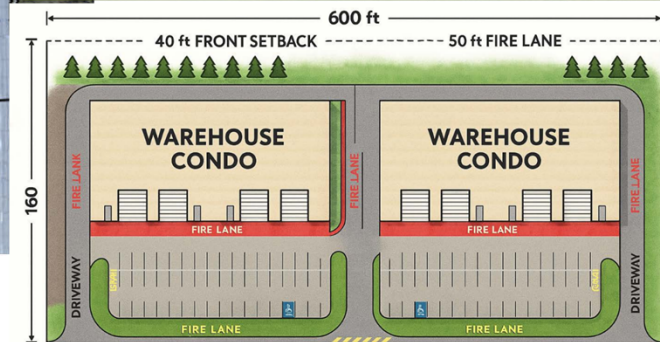
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Contractor's warehouse

- 2 primary buildings
- 100' wide x 264' long x 18' tall
- Metal 'Ag' building
- 11 overhead doors each building



- Property is zoned Support Commercial -- area is office and retail
- Contractor warehouse not allowed in Support Commercial
 - only type of warehouse allowed in office & commercial are interior accessed mini warehousing
 - performance standards for building design & materials to match commercial or office environment
 - max 2 overhead doors
 - looks and acts like office or retail
- Any other type of warehousing is inconsistent with commercial / office context of the area



- Rezone to industrial – if challenged, could be found to be Illegal Spot Zoning (*Perkins v. Bd of Supervisors of Madison County*)
- Use of PUD
 - intended for creative or innovative projects whose layout is not doable under typical district regulations
 - not intended to circumvent zoning 'just because'
 - not intended to allow a use(s) otherwise prohibited under the zoning district
 - shall demonstrate a community benefit and a better outcome than under standard zoning
 - no true argument that contractor warehouse fits test for use of PUD
- A difficult site, however other more acceptable uses allowed under current zoning are possible
 - not a lot different than any other multi-building commercial development – connected by interior drives and travel through parking lots



- Option #1 - rezone property (could be challenged as illegal spot zoning)
 - don't want heavy industrial uses – rezone to Light Industrial, Business Park or Warehouse Retail – Business Park most similar to retail/office
 - intend to allow wider variety of uses in Multi Use designated areas – but only uses that operationally and physically align with area context (types of traffic; no outdoor activities / storage; compatibility in design and materials (preserve neighboring sites valuations), etc.) – not intended as free-for-all (do not want to be Houston!)

- Option #2 - Amend city code to allow other types of warehouses in office and commercial areas
 - limitations -- no outside storage; size/type of vehicles;
 - performance standards to ensure compatibility with surroundings – expand mini warehouse approach – metal buildings are not in context to area

- Even with code changes, may still need PUD to make this proposed business on this site fit
 - require buildings face west (minimize views of numerous overhead doors)
 - prohibit removal of trees along west edge – provides screening of the garage doors – unknown if vegetation is within lot or on DOT property
 - may need setback reductions
 - developer may need to purchase road – road is gravel and not built to handle heavy trucks and equipment

- Concerns with proceeding:
 - erosion of mini warehouse standards
 - inserting obvious industrial use/buildings into non-industrial areas could erode office/retail corridor quality
 - potential impact on valuation of other properties – protection of adjacent property owners' investment
 - precedent – if okay here, argument for allowance on other sites
 - short-term tax gain outweigh long-term land use impact
 - illegal spot zoning and improper use of PUD

Item #1b – Administrative Approvals

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- **Current Administrative Approvals:**

- Grading Plans
- Minor Modifications (if comply with code or are not increasing a code deficiency)
- Town Center Overlay District Site Plans

- **Items that will still require P&Z and/or CC review:**

- All Public Hearing matters (comp plan, rezonings, PUDs, city code amendments)
- Final Plats (typically numerous legal documents being approved/accepted)
- Vacations of easements or ROW
- Projects using 'Community Benefit' provision

(9-3-3.D.1: Improvements undertaken by the City which the City Council determines serve a legitimate public purpose, but which may be contrary to or deviate from City zoning regulations shall be exempt from the requirements of the West Des Moines Code of Ordinances. ...)

- **Items that could be approved by staff IF they comply with city code:**

- Preliminary Plats
- Plats of Survey
- Site Plans
- Major Modifications

- Staff approval authority will save an applicant at least 2 weeks – often approvals could be 3+ weeks faster

- Internal time savings will be realized for Planners, Dev Coordinator, DS Director, Legal Dept, DS Admin staff, City Clerk; and to a lesser degree Engineering and P&R

Of the staff approvable development application types, any item that requires a deferral or waiver from code or has atypical conditions of approval, or at an ‘agree to disagree’ point would be brought to the P&Z &/or City Council for consideration.

6th & Walnut Parking Lot Site Plan:

Recommendation: Approve the Site Plan request and granting the following exemptions as allowed per city code provision stated in 9-3-3.D.1.g:

1. City Council exempting the provision of 24-foot-wide drive aisles within the parking lot; and
2. City Council exempting the requirement for parking lot screening along the north side of the parking lot abutting Walnut Street.

Merchants Bonding Major Modification:

Recommendation: Approve the Major Modification to Site Plan request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The City Council deferring the installation of up to 26 parking stalls of the 299 required by Code until such time that on-site events in which 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.

Ridgeview at Maffitt Lake Preliminary Plat:

Recommendation: Approve the Preliminary Plat subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The City Council granting allowance of the placement of Public Utility Easements (PUEs) in the front yard of lots 4-12, 17-22, 25-31, 36-45, 102-132.
2. The City Council granting the deferral of the buffer requirement along the southwest property line for this development until the type of adjacent development is known. If at time of presentation of the associated final plat the type of adjacent development is not yet known, the developer will need to provide surety and an agreement for the future installation of the buffer vegetation.
3. The developer acknowledging and agreeing that should he not develop the southern three properties, that 2.35 acres of the southern parcels, in a location mutually agreeable to the city and developer be retained and dedicated to the city prior to the sale of the balance of the southern properties to fulfill Parkland Dedication obligations of this plat. The developer has provided an executed Parkland Dedications Agreement for this plat.
4. The developer/property owner acknowledging that individual single-family driveways are encouraged to be located off of local roadways in lieu of off of roadways designated as minor-collectors or above, and no single-family driveways may be located off of SE Maffitt Lake Rd.
5. If a temporary second access is needed between SE Maffitt Lake Rd and Street “B”, the developer/property owner acknowledging and agreeing that it must function as a typical local street and it must be removed once future street connections are made to the east, west, or south that allow for a second way into the development.

Casey's on 88th St Preliminary Plat & Site Plan:

Recommendation: Approve the Preliminary Plat and Site Plan request, subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant acknowledging that no building permit will be issued for the convenience store building until the associated Final Plat is approved by City Council.
2. The applicant acknowledging that the hours of operation of this convenience store shall be limited to 5 AM to 11 PM each day.

Forest Place Preliminary Plat:

Recommendation: Approve the Preliminary Plat subject to the applicant meeting all City Code requirements, and the following conditions of approval:

1. The applicant/developer acknowledging that the appropriate road network will need to be constructed to support intended development and unless responsibilities are otherwise defined in a development agreement with the City, that the applicant/developer will be responsible for the implementation of the necessary roadways to serve their development. Furthermore, the applicant/developer acknowledging that development of any parcel being created with platting, may be restricted until adequate road and water infrastructure are completed to the satisfaction of the City's Fire Marshal. The restriction includes prohibiting above ground construction until the Fire Marshal determines appropriate accesses and water flows are installed and useable.
2. The developer acknowledging that vehicles backing out onto S. 81st Street is prohibited. The developer agrees to inform and require buyers of lots that front to S. 81st Street that all turns onto S. 81st Street are to be a forward movement, and the developer shall implement measures during the sale of the lot and their approval of a dwelling's layout on the lot to be such to ensure that the design of the garage(s) and driveway allow and promote vehicles to be able to orient for forward movement from the lot onto S. 81st Street.
3. The applicant acknowledging that a revised Parkland Dedication Agreement and 60/40 Trail Agreement will need to be executed for the ground within the Forest Place Preliminary Plat area.
4. The applicant acknowledging that the public trail will be constructed as part of the public improvements. The public improvements will need to be approved and accepted by the city prior to issuance of any building permits for lots which the trail crosses.

Typical/Standard COA

Preliminary Plat:

Plat Validity: Per City Code, the associated Final Plat must be presented to the City Council for approval within 12 months of the approval of this Preliminary Plat if surety is being posted for Public Improvements; or, within 18 months if Public Improvements are being constructed prior to Final Plat consideration. It is the responsibility of the developer to be aware of these deadlines and request an extension of the Preliminary Plat approval prior to the Preliminary Plat expiration date.

Site Plan:

Vesting of Entitlement: Per City Code, entitlement (approval to construct or implement) shall remain in effect so long as substantial site work has progressed beyond grading and completion of structural foundations and twenty twenty-five percent (25%) of the total building area has occurred above grade within twenty-four (24) months of the effective date of the approval, unless a greater time period is authorized at time of the original entitlement, or by approval of an extension of the original entitlement. It is the responsibility of the developer to be aware of this deadline and request an extension of the approval prior to the expiration date.

Plat of Survey:

1. The owner that is acquiring the Plat of Survey parcel shall notify the city assigned case planner upon completion of the transfer in ownership. The city shall then record the executed Lot-Tie Agreement.
2. This Plat of Survey is for the transfer of ownership. The current or future property owner(s) remains responsible for any public improvements required of the property.
3. No improvements shall be made to the property until such time that the property subject of the Plat of Survey is replatted through the City's Subdivision process. The applicant and property owner further acknowledging and agreeing that in the event subdivision of the property does not occur, no building permits for any structures shall be issued for the property until such time that public improvements necessary to serve the property are constructed and approved by the city or surety provided, all other financial obligations including Sanitary, Water, and Storm Water Connection Fee District fees, as applicable are fulfilled and all necessary legal documents are executed and provided to the city.

• **2025 staff reports: 112 items**

- **41 Public Hearing Items // 16 Final Plats // 8 Misc (vacation or accept legal docs) would automatically go to P&Z/CC**
- **2 Preliminary Plats // 11 Site Plans with atypical COA, deferral or waiver which would be presented to P&Z/CC**
- **4 Preliminary Plats // 18 Site Plans // 12 Plats of Survey which staff could have approved**

Upcoming Projects

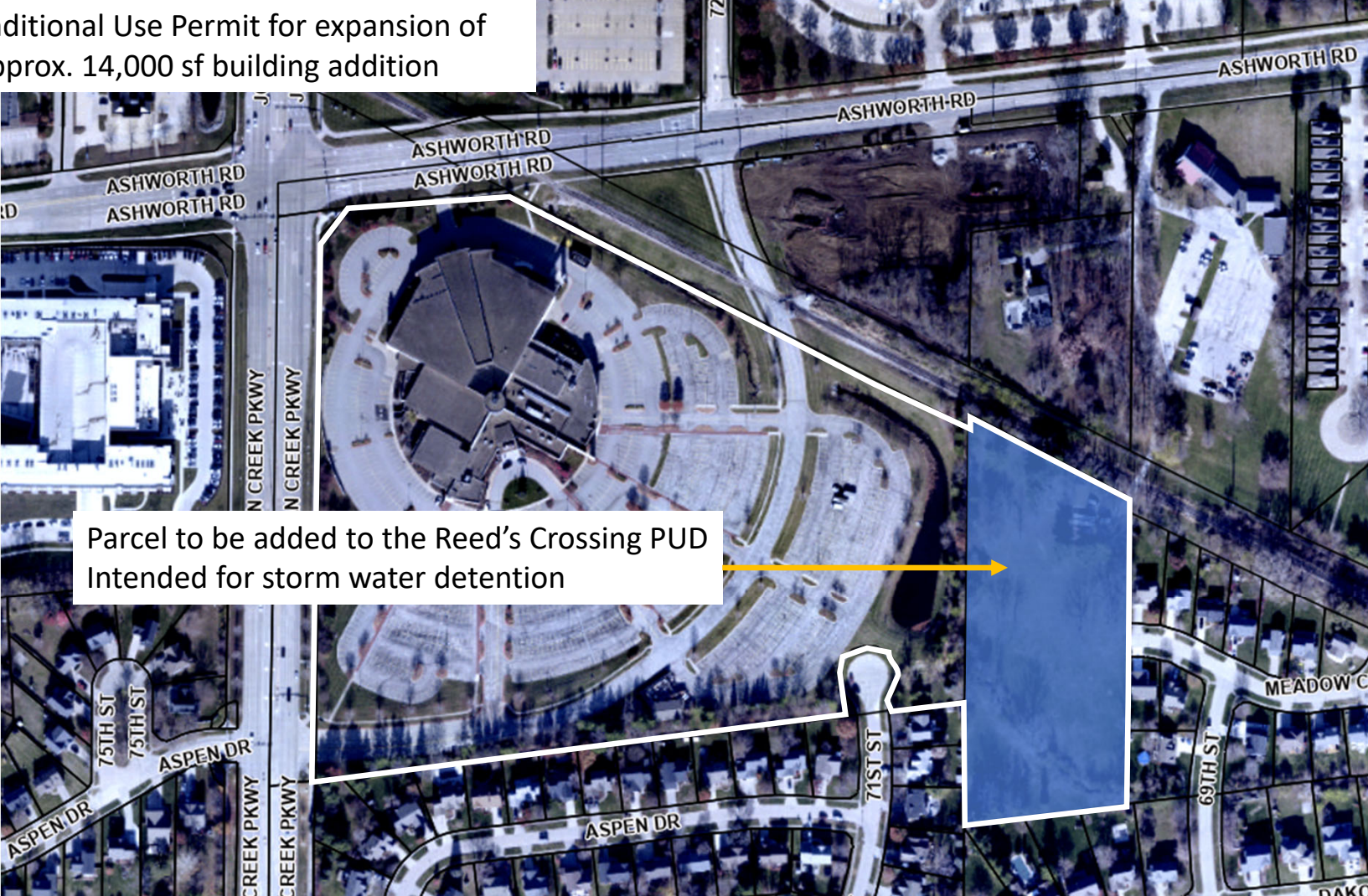
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Item a & b: Lutheran Church of Hope

Permitted Conditional Use Permit for expansion of church use (approx. 14,000 sf building addition)



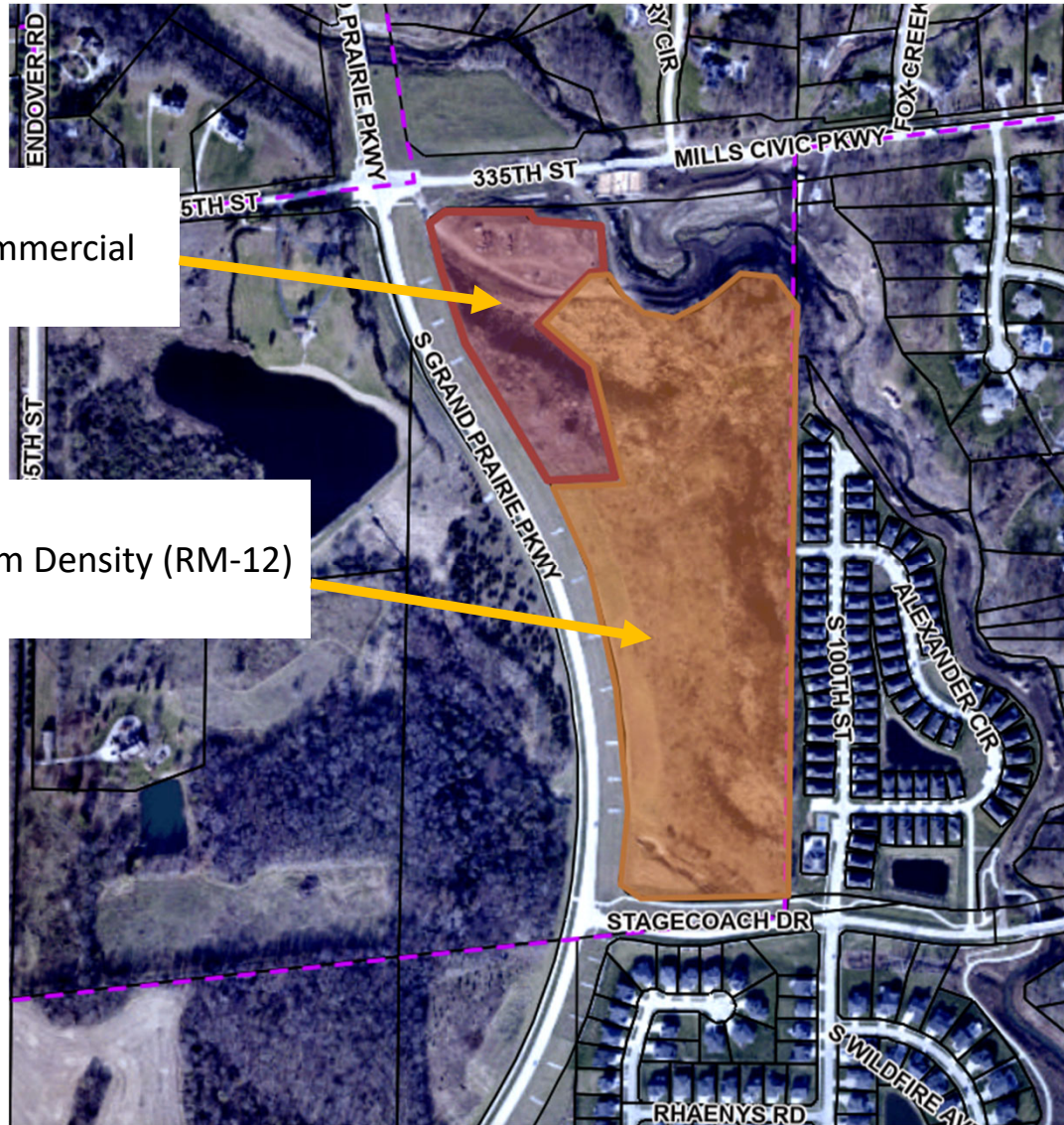
Parcel to be added to the Reed's Crossing PUD
Intended for storm water detention



Item c: Sugar Bend

Current: Unzoned
Proposed: Neighborhood Commercial

Current: Unzoned
Proposed: Residential Medium Density (RM-12)



** Annexation required
before zoning can be
established

Item e: Plat of Survey – Glen Oaks

