

**Comprehensive Plan Update
June 21, 2006**

Response to Questions Submitted as a result of the Plan & Zoning Commission public hearing regarding the Comprehensive Plan Update on May 24, 2006

Following are responses to correspondence received by the City Staff following the Plan & Zoning Commission's (Commission) May 24, 2006, meeting and from questions posed at the meeting. At that meeting, a public hearing was conducted where participants addressed the Commission regarding the proposed Circulation Plan, in particular the inclusion of a potential crossing at the Raccoon River generally aligning with South 35th Street. The responses are grouped into general areas as several of the correspondents and questions were similar.

Process

Can you outline for me the decision making process from this point forward? When does the P&Z vote on this issue? Can this go back to CAC to review the other options? If the bridge(s) is removed, will we have to fight this issue again? Do changes to the "draft" need to be reviewed and approved by P&Z as the changes are made or is that staff thing? (Cooper) The Raccoon River Neighborhood Association received an email from Kara Tragresser [sic] on April 21, 2006 stating that the Citizen's Advisory Committee did not meet from November 2003 to December 2005. Commissioner Gear was a member of the CAC and stated during the May 24, 2006 meeting that the CAC met during that time and that she has meeting minutes. Did the CAC meet during this time? If so, we would like the City to be provided with copies of the meeting minutes and copies to be forwarded to us as per our original request. (RRNA) In a Des Moines Register Article, dated April 1999, about the initial attempt to add the South 35th Street Bridge to the comprehensive plan Clyde Evans was quoted saying that the issue is so controversial that all residents within 370 feet of the proposed roadway between Mills Civic Parkway and relocated Highway 5 should be notified in writing. That proactive, precedent setting action was completed, and the residents were notified accordingly in response to Mr. Evans request. In the public hearing that followed staff asked the commission for time to provide the commission a complete traffic study. The agenda item is listed in the minutes as "postponed indefinitely", and citizens were never given the opportunity to comment. Years later in 2003 and 2004 when the subject resurfaced, with Clyde Evans still Director of Planning, why weren't letters sent to concerned citizens as they were originally? Also, knowing that the bridge crossing would be a "controversial issue" why was it simply a small part of a larger comprehensive plan amendment with notices only going to those citizens south of the river (most of whom will benefit from a crossing). (RRNA)

The Commission will take as long as they need be to complete its review of the transportation section; they typically will listen as long as necessary to gather the information they need. There are some other sections of the Plan that the Commission has yet to review, namely land use and implementation. So, we are unable to give a date where the Commission will make their final recommendation on the whole plan to the City Council.

The Citizens Advisory Committee has done their job as originally set out. That Committee is not a standing committee and was not intended to re-review the plan nor be the work group for the

Commission. The Commission will be the place to start review of any other options. The Citizens Advisory Committee did not meet from November 2003 until December 2005. There was one meeting in December 2005 and one in January 2006.

If either location, both, or any locations for crossings are removed from the plan at this time they almost certainly will be up for consideration in the future if/when the factors which indicate the need for a crossing come to fruition. Any/all changes to the draft plan will be brought before the Commission.

The proposed action in 1999 was for a specific segment change to the circulation plan. Neither State Code nor City Ordinance requires noticing of public hearings on Comprehensive Plan amendments; however, when there is a single amendment to the Comprehensive Plan, the City's policy is to send notices to individual property owners within 370 feet of the proposed change. The current action is to consider a city-wide circulation plan; therefore the City as a whole has been notified according to our noticing policies by publication, which includes notices printed in the newspaper and our regular broadcasting techniques on the website.

Why a Bridge?

Is it [the bridge] needed at all? (Williams) What purpose does any bridge serve? Regardless of where the bridge is to be built, the first questions is what is the purpose to be served by any bridge? If you build a bridge, it will create traffic, but what need is the bridge supposed to be addressing? (Blumenthal) Why can the existing interstate not accommodate the projected need? (Blumenthal) If we plan to update the comprehensive plan approximately every 7 years, then why do we need the bridge on South 35th Street, which clearly has huge heartburn for neighborhoods in this area? Why not remove the bridge on South 35th Street from the plan until there truly is a need? (RRNA) Why is it important that two Raccoon River crossings between Ist Street and I-35 be listed on the comprehensive plan? Has there been any correspondence with developers that the bridge plans are being used to promote growth and development south of the river? (RRNA)

The Transportation Plan represents the ultimate circulation system for the City and is not based on a timeline. Ultimate in this context means that if the land uses proposed at this point in time are developed to their highest use, the proposed circulation system is planned to accommodate the traffic generated from that development. As development occurs south of the Raccoon River, as traffic generated in that area starts to impact I-35 and Iowa 28, as safety and service provision by the City is negatively affected by the restricted access to this area, the need for a crossing will be more evident. The City of West Des Moines does not have its own crossing which we control for the provision of emergency services, to provide connectivity between all parts of our city, service to and from schools, general traffic circulation needs, and alternate routes in cases of emergencies.

As a long-range planning tool, the circulation plan should indicate the City's intent for circulation and include as many pieces of information related to that intent as possible. In that way the future city staff, policy and decision makers, the public, and those building our city are aware of the needs for the circulation system and are more informed when making decisions to reserve the resources (physical and monetary) and put into place practice and policy to accomplish that development.

To our knowledge, no correspondence with developers regarding growth and development south of the river directly related to a bridge crossing has been exchanged with the City.

Size

Bridge size – why is this being discussed as 6 lanes? Can the P&Z or Council put limits on the size of the bridge it must happen? (Cooper) Why did Mr. Wittstock write in his memo dated May12, 2006 that “the crossings need to be of sufficient capacity to accommodate anticipated traffic or be capable of being expanded in the future,” yet he told the commission that it would only need to be a two lane facility? (RRNA) In Mr. Wittstock’s explanation of fiscal responsibility only building a two lane road initially then widening the road when necessary he did not mention this idea’s relationship to right of way. For example: if the South 35th Street bridge was left on the comprehensive plan as a 120 feet of right of way minor arterial street and it is eventually built, would the entire 120 feet of right of way be purchased when the road is initially constructed? This appears to be the case on 50th Street and other streets across the City. The addition of the mitigations and studies that would be required adds support to this idea. If this is true than would it not be important to tell the concerned citizens how much of the right of way will be purchased and the total roadway width be shared when discussing this important matters, not just using rhetoric to say it will only be a two lane facility? (RRNA)

City staff is proposing that the roadway leading up to the Raccoon River (whichever alignment might be chosen) and the crossing from the south be designated as a Minor Arterial roadway, which requires 120 feet of right-of-way. Minor Arterial road right of way is indicated in the Comprehensive Plan to accommodate five lanes of traffic, but can accommodate up to six lanes of traffic. The functional classification designation does not automatically determine the number of lanes constructed. The City Council has the authority to determine the size of a bridge.

Mr. Wittstock’s opinion considering the data currently available is that two lanes will accommodate the future traffic volumes. It is always prudent and good practice during design to be able to accommodate future modifications, including capacity enhancements so that future costs can be minimized. It is generally prudent to initially acquire the full amount of right of way according to the comprehensive plan designation of the roadway. Road corridors generally are utilized by utility providers to install underground utility services. The right of way along 50th Street was generally dedicated by property owners when they developed versus the City purchasing the right of way.

Highway 5 area

Why is the City concerned about the slow growth south of the Raccoon River? A consultant was hired to see if incentives should be given to developers in order to start the development in the area. Were there costs incurred by the City of WDM in the relocation of the Highway 5 and associated infrastructure? Was IDOT guaranteed anything to justify any of the access points to Highway 5? (RRNA)

The City has invested approximately \$12.1 million in the \$22 million Highway 5 project. In addition, \$9.9 million in grants were also used in the construction of the WDM portion of the highway. So far there has been little interest in developing in the Highway 5 area and the City

would like to see a return on this investment in an increased tax base and increased number of jobs.

IDOT was not guaranteed anything to justify the access points to Highway 5. Initially the City was to be responsible for the construction of the Southwest Connector from Army Post Road to Iowa Highway 28 within a defined timeframe. However, that requirement was later removed by IDOT.

Sanitary Sewers

Has there been, to date, any proposals submitted, reviewed, or approved regarding the extension of sanitary sewers or other utilities to the area south of the river under consideration for development? (Berkson)

Presently, sanitary sewer is at the Southwest Connector/Highway 5 intersection. The sewer system for this area is master planned and a fee district has been established. There is no additional construction scheduled at this time. Those are the only activities that have taken place and there is nothing currently in the works to develop the system in that area. As far as development proposals, we have not received any recent applications for development in that area, nothing is under review for that area, and nothing has recently been approved for that area.

Maps

Prior to May 24, 2006, the Ultimate Streets Map dated 2/2/06 in the comprehensive plan showed South 35th Street as a minor collector. The "baseline map" introduced on May 24, 2006 shows South 35th as a major collector. If residents had reviewed the map dated 2/2/06 online or in the hardcopy draft and saw that South 35th Street was a minor collector and were okay with that, they may not have commented to the Commission. This doesn't seem like a fair depiction of the Ultimate Streets data in the comprehensive plan. How can better version control practices be used in the future, so the residents are provided with the most current information in the future? (RRNA) It is important to point out that the 2/2/06 Ultimate Streets Map is titled Preliminary Draft, which could mislead residents into believing that changes were depicted on the draft. Why does the City include the current map and not the proposed map with the comprehensive plan draft? This practice doesn't seem to make sense. For instance, the City wouldn't provide the current comprehensive plan and then the suggested revisions on the day of the Commission's discussion. (RRNA) The current "baseline map" was only produced May 2006 (only days before the P&Z meeting), and posted to the website shortly thereafter. The City knew that there was going to be concerns with the Ultimate Street Map yet they never informed the citizens or the Commission that the map in the draft version of the comprehensive plan was not the correct map. Was there a reason this map was not shared with the citizens and the commission or was this a minor oversight in the future plan of the City? (RRNA)

The preliminary draft map included with the preliminary Comprehensive Plan was clearly identified as a preliminary draft, specifically to identify the information as preliminary and that changes could be expected. The map distributed to the Commission for its May 24, 2006, meeting included changes to the ultimate streets map as was expected and was included in their staff report and available to the public in the same manner as any proposed action. The map included in the February 2006 draft plan was not incorrect at that time. The map included in the

Commission's May 24, 2006, meeting material is appropriately identified as the proposed ultimate streets map, upon which further changes can be expected as is normal through the public hearing, review, and adoption process. The public can expect the document and any maps contained therein to change over the course of the review and approval period until the City Council adopts the Comprehensive Plan.

Location of Bridge

Why in 2004 if Kay [Rosene] is correct did the CAC move forward with a 35th Street crossing recommendation, using the school districts need for a school south of the river, when in 2002, the District removed it from there plans? (Trebilcock) Is it not a fact that if a bridge is built at 35th that future access to Grand Avenue from Commerce Drive will not be possible? (Trebilcock) Why is this proposed bridge on 35th still an issue when so many reasons and obstacles stand in it's way? Why is the 50th Street option not the right choice, as was determined in the 90's when the monies were spent to build the road and purchase the right-of-ways for it, concluding with the construction of a fire station at 50th and Grand? (Trebilcock) Why was there a design change? Who made this recommended design change? Was the DOT involved? If the DOT was involved, what was its rationale for making the changes? Who initiated the decision at the DOT and why? Did they hold meetings for public input? Did they meet with representatives of the City; and if so, who? Did they meet with developers; and if so, who? What was said? What facts were gathered? Will you share with us the underlying DOT records? Has the P&Z had access to all DOT documentation? Has anyone reviewed all the DOT records required by State law? Has the CIP committee been consulted on the change? What is the basis for the design change from South 50th to South 35th Street? Why would moving the bridge from the 50th Street to the 35th Street plan make any difference? Why has all this [change from S 50th Street to S 35th Street] been changed? What reasons exist to justify shifting mid-stream: is this simply an admission that the prior planning of P&Z and the City was flawed at the taxpayers' expense? (Blumenthal)

There has been no determination that the potential river crossing is changing from South 50th to South 35th Street, nor has there been a design proposed. The purpose of identifying additional crossings, as proposed by City Staff and the Citizens Advisory Committee, is to make it known that there is a feasible alternative for crossing the river which has become more feasible due to, at a minimum, the expanded mining south of the river and the constructed location of an interchange with Iowa 5. There has been no determination made at this point in time that one is better than the other. A location for a school may be considered an indication for a location selection, but it is not the determining factor; there are other indicators that have previously been identified. The Iowa Department of Transportation is not involved in determining the need for local streets, besides indicating that the local street network needs to support local traffic.

The construction of a bridge between 1st Street and I-35 has not been programmed in the City's CIP; therefore the CIP Committee has not discussed it.

Effects on Property

Who will benefit most from the bridge? Whose property would be affected if the South 50th Street plan were to be implemented? Whose property would be directly affected with the South 35th Street location? Has any of the land been purchased yet? (Blumenthal) On May 16, 2006

Jeffery Vonk Director of the DNR wrote a letter to the P&Z indicating his objection to any encroachment that a proposed bridge at 35th Street would have on Walnut Woods State Park. The public works director of West Des Moines palmed this off as nearly an open invitation for negotiations on the subject. Do the city, community development staff and the P&Z members really believe as the public works director does? (Trebilcock) Why is the park more important than the 3rd oldest house in WDM? As Mr. Evans noted, “it’s just a line on the map”, so why not make it through the park, not through two residential areas with major impacts to people’s lives no matter which you choose. (Cooper)

It currently is unknown which properties will be directly affected by the construction of either or any river crossing. Since no design has been done, no construction feasibility assessment, or engineering studies completed, the City can not determine the affect on property. No right of way for either crossing has been acquired by the City at this time. The City can not at this point assess the impacts of a particular infrastructure improvement as no improvement has been definitively identified. The circulation plan is just that, a plan which identifies potential needs for the future for infrastructure which may be needed.

Cost of Bridge

Clyde Evans in a December 2005 meeting estimated the cost of a bridge at 35th to be \$25-\$30 million dollars [todays dollars or tomorrow dollars?] The city engineer, Duane Wittstock takes a completely different view saying although the river itself is a shorter distance across at 35th the topography is such that a bridge there would have to be over a –half mile long. If Duane is correct, Clyde’s estimate is way off the mark. Who is correct as the financial costs between a 50th and a 35th bridge are incredible and make a bridge location at 50th, if needed, a financial right choice. (Trebilcock) What has been the cost analysis? Has anyone performed a cost analysis as to the difference between a South 50th Street and South 35th Street bridge? Who performed it? Where is it? Who is burdened with any increased costs? Look at a photograph and a map of where water is located, and what does common sense suggest as to which bridge would be more expensive to construct? What are the direct and indirect cost savings to use South 50th Street as originally planned? If traffic is not funneled to South 50th Street, how much City and private money has been wasted in an effort to design that street to carry the traffic envisioned with the bridge on that street? Is it not paved with the necessary reinforcement? Does it not already have the necessary right-of-way and landscaping that anticipated the South 35th Street bridge? (Blumenthal) Can the City start a proactive relationship with IDOT to solve the crossing issue with shared funds for infrastructure during their redesign of I-35 south of Mill Civic Parkway? (RRNA)

Cost analysis typically is done closer to the time that a specific infrastructure improvement is identified. Any estimate of cost at this time for either crossing is speculative. Representatives of the City are called upon to estimate the costs of improvements and provide a best guess based upon past, similar experiences more to provide quantifiable information and convey a sense of magnitude, rather than estimate an actual cost. Actual costs can only be determined upon extensive analysis that is not appropriate at this macro-planning stage.

The cost for construction of improvements is either borne by the developer, those property owners benefiting from the improvement, or the taxpayer. Unimproved roadways (those that are gravel or do not have curb, gutter, and storm sewer) are typically improved by developers or put

into an assessment district. New facilities are funded by the City or the developer needing the facility to support their development, or specially assessed to benefiting property owners.

The City can work with the Iowa Department of Transportation; however, the State and Federal governments (the interstate is a Federal facility) have maintained a position that local traffic needs to be accommodated on local facilities and not directed to the interstate system. The interstate system is intended for regional transportation. This is the reason the number of interchanges and the spacing of interchanges is controlled to provide appropriate merge distances for high speed traffic.

Traffic Analysis/Special Studies

There are serious errors in the future traffic analysis that was conducted. Has anyone attempted if this information was used to justify the bridge at 35th street to get corrected data. (Trebilcock) If there are traffic studies, who performed them? (Blumenthal) Were they asked to justify an end already determined? (Blumenthal) The Comprehensive Plan for the Raccoon River Corridor Subarea called for a special study to be completed to consider the impact of any development on that environmentally sensitive area; has that been done? If it has been done, where is it? When was it done? Who completed it? What input did citizens have in the study? (Blumenthal) Commissioner Schemmel asked questions related to traffic modeling and counts if no bridges were built on South 35th or 50th Streets. Kara Tragresser was going to check on that information. What are the answers to Commissioner Schemmel's questions? Can we trust this data knowing that Mr. Wittstock already explained that the MPO data is unreliable? (RRNA) Can the City use incorrect data to substantiate the need for a bridge crossing? (RRNA) Is there a traffic modeling of the "no bridge" scenario? (Schemmel)

The traffic model the City requested the Des Moines Area Metropolitan Planning Organization to use to forecast traffic in this area is a regional model available to the City. The traffic assignments resulting from the use of such a model are only one piece of information when considering infrastructure improvements – not a determining factor or justification. The model indicates that the facility will be used to circulate traffic within the area and that the comprehensive infrastructure indicated in the model will accommodate the traffic generated in the area (an assessment of the entire infrastructure in total). The model was run with three scenarios: only the South 50th Street crossing, only the South 35th Street crossing, and both crossings. No model run was requested which did not include either crossing.

These scenarios will be tested again when other factors mentioned previously indicate that the time has come to consider constructing a river crossing. At that time, normal practice would include all of these scenarios, plus any other options for addressing the factors. Also when that time comes, the data will be comprehensively checked, updated, and the model itself evaluated. The data used in the current model was sufficient to give the City an indication of the effectiveness of the proposed circulation system as a whole; it is not currently designed and was not used for a micro-level analysis of a specific improvement.

Since a bridge construction project has not been initiated, there has been no special study for the Raccoon River Corridor Subarea initiated or completed.

S 35th Street, north of Grand

What is the time frame, even if in estimated terms, for widening 35th Street from Mills to Grand? What is the timeframe for improvements to Grand Avenue from I-35 to Railroad? (Sue Nesbit-Fisher) As I live on the corner of S 35th Street and Valley View, can you define what a Major Collector – 100 ROW means? Does this mean we are going to have a 4-lane street at some point? This is totally contrary to a meeting I had with Larry Read just 18 months ago. He specifically told me this would never become a 4-lane street. (Cooper) Can we limit the street improvements as part of this Comprehensive Plan? Is there something happening north of Fuller, EP True that we are not being told which would need this to be wider? How will this be assessed? Bottomline, Is it time to fight this battle along with the bridge? (Cooper) Has 35th Street from Grand to George Mills been changed to a major arterial as was exposed and questioned at the most recent meeting? If so, why? Who had the authority to mandate this change as the P&Z members seemed surprised as well. (Trebilcock) What is the direct and indirect cost to South 35th Street? How can making South 35th Street four lanes north of Grand be avoided? How can a two-lane street carry the traffic? Is South 35 Street to be reclassified? Would there not be a need to rebuild all of South 35th Street between Grand and Fuller with reinforcement and thicker concrete to carry the traffic? Would there not be culverts to rebuild that would carry extra costs? Would there not be significant right-of-way and excavation costs? And who pays? Is a special assessment anticipated? (Blumenthal) The Comprehensive Plan directs that there be consideration given to mitigation measures for impacts of increased traffic upon existing contiguous developments. Has this been done? What has been done? (Blumenthal) Duane Wittstock stated that when South 35th Street was being paved the City Council at that time assured residents in multiple instances that South 35th Street wouldn't become a major street. Was there a vote of record at that time stating this fact? Is this documented in meeting minutes during that time? Is there a system of accountability for the current Council to maintain this position? (RRNA)

South 35th Street north of Grand Avenue has been identified on the City's Ultimate Street Map/Comprehensive Plan as a Minor Collector since at least 1993. The proposed Ultimate Street map indicates a change to a Major Collector. This change is not mandated, but proposed based upon its function now and anticipated in the future. This is the appropriate time to propose any changes to the circulation system plan. The classification of a roadway is based upon its function in the hierarchy of the roadway system. A collector street gathers traffic from the surrounding local streets and funnels that traffic onto higher level (classified) streets. A Major Collector roadway calls for 100 feet of right of way (this is indicated in the Comprehensive Plan). A right of way of this size can accommodate a four lane street. However, the classification of the roadway does not immediately call for the construction of a four lane street; that determination is made based upon expected traffic volumes. The specific improvements and method of financing can not be determined at this time; those details will be obtained when/if an improvement is called for and the appropriate analysis is conducted.

Specific street improvements are not accommodated in the Comprehensive Plan. The Comprehensive Plan is a general planning document which outlines, plans for, and guides the development and redevelopment of the City. It is not the appropriate document for implementing specific improvements, developments, or redevelopments. Other studies, documents, policies, regulations, and standards are the appropriate vehicles for determining these specific details.

The widening of South 35th Street north of Grand Avenue currently is not under consideration. No improvements to South 35th Street are programmed in the current Capital Improvement Program; no timeframe has been identified. Improvements to Grand Avenue from Railroad Avenue to the entrance to Raccoon River Park are identified in the current Capital Improvement Program and may commence within the next couple of years.

Any development, infrastructure improvements, or construction is evaluated against the goals, policies, and guidelines of the Comprehensive Plan at the time it is subject to actual implementation; it is not feasible or appropriate to attempt those assessments at this planning stage.

The City Council is the decision making body for the City. Any sitting City Council has the authority to change the ordinances, polices, practices, and regulations governing the City at any time. City staff can not state that decisions made by the current City Council will not be changed by future Councils. City staff also can not state that upon adoption of this updated Comprehensive Plan (containing the recommendations from the Commission and further modified by the City Council) will not be changed prior to the next regular comprehensive update.