

★ Roll Call Number

Agenda Item Number


21

.....
Date March 12, 2007
.....

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held March 1, 2007, the members voted 10-0 in support of a motion to **APPROVE** the request from United Properties Investment Company, LC (owner) represented by Michael Coppola (officer), for approval of a preliminary subdivision plat for "2100 Echo Valley" for property located southwest of 85th Avenue (extension of Fleur Drive) and Echo Valley Drive and north of Iowa Highway 5 subject to compliance with all comments outlined in the attached letter from the Permit and Development Administrator.

MOVED by _____ to receive and file.

FORM APPROVED:


Roger K. Brown
Assistant City Attorney

NOTE: The final subdivision plat will be submitted for City Council approval at a later date.

(13-2007-1.48)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

_____ Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

_____ City Clerk

Request from United Properties Investment Company, LC (owner) represented by Michael Coppola (officer) for review and approval of a preliminary subdivision plat for property located southwest of 85 th Avenue (extension of Fleur Drive) and Echo Valley Drive and north of Iowa Highway 5.			File # 13-2007-1.48	
Description of Action	Review and approval of a preliminary subdivision plat for "2100 Echo Valley".			
2020 Community Character Plan	Commercial: Auto-Oriented Small-Scale Strip Development			
Horizon 2025 Transportation Plan	No Planned Improvements.			
Current Zoning District	"C-2" General Retail and Highway-Oriented Commercial District.			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	0	0	0	N/A
Plan and Zoning Commission Action	Approval	10-0	Required 6/7 Vote of the City Council	Yes
	Denial			No
				N/A

2100 Echo Valley -Preliminary Plat - Fluer Dr & Echo Valley Dr

13-2007-1.48



March 12, 2007

Date _____

Agenda Item 21

Honorable Mayor and City Council
City of Des Moines, Iowa

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held March 1, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 10-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels				X
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones				X
Frances Koontz				X
Kaye Lozier	X			
Jim Martin	X			
Brian Millard	X			
Brook Rosenberg				X
Mike Simonson				X
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			

APPROVAL of a request from United Properties Investment Company, LC (owner) represented by Michael Coppola (officer), for approval of a preliminary subdivision plat for "2100 Echo Valley" for property located southwest of 85th Avenue (extension of Fleur Drive) and Echo Valley Drive and north of Iowa Highway 5 subject to compliance with all comments outlined in the attached letter from the Permit and Development Administrator. (13-2007-1.48)

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested preliminary subdivision plat subject to compliance with all comments outlined in the attached letter from the Permit and Development Administrator.



CITY PLAN AND ZONING COMMISSION
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4182

ALL-AMERICA CITY
1949, 1976, 1981
2003

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The developer is seeking to divide the site into one lot designated for commercial use and one outlot designated for future commercial development. "Lot 1" would have frontage along both Fleur Drive and Echo Valley Drive (formerly County Line Road) and its development would be subject to site plan review by the Permit and Development Center staff. "Outlot X" would be designated for future commercial development served by a future street across the site. "Outlot X" could not be developed until such time that the Plan and Zoning Commission approves a plat for such development.

The conditional zoning on the site requires that a unified architectural theme for the overall development of the property be approved by the Planning Director prior to approval of any site plan for the property. While the uniform architectural theme is not a requirement for the Plan and Zoning Commission's approval of this preliminary subdivision plat, the applicant has submitted conceptual elevations demonstrating an architectural theme for all future buildings on the site. The Planning Director will review these proposals prior to approval of any site plan for the property.

2. **Size of Site:** Total site is 17.21 acres.
-Lot 1: 1.00 acre (43,378 square feet).
-Outlot X is 16.21 acres.
3. **Existing Zoning (site):** Limited "C-2" General Retail and Highway-Oriented Commercial District. (Conditions are listed in section on Relevant Zoning History.)
4. **Existing Land Use (site):** Undeveloped site temporarily used for agricultural production.
5. **Adjacent Land Use and Zoning:**
 - North* - "PUD", Use is a business park.
 - East* - "A-1", Use is agricultural production.
 - South/West* - "A-1", Use is the Relocated Highway 5 bypass.
6. **General Neighborhood/Area Land Uses:** The subject property is located along the Fleur Drive commercial corridor just north of the interchange with Highway 5.
7. **Applicable Recognized Neighborhood:** N/A.
8. **Relevant Zoning History:** On June 9, 2003 by Ordinance 14,242, the subject property was rezoned from "A-1" District to Limited "C-2" District with the following conditions:
 - A. The following uses of structures and land shall not be permitted upon the Property:
 - 1) Adult entertainment business;
 - 2) Automobile display, hire, rental and sales;
 - 3) Mobile home parks;
 - 4) Off-premises advertising signs;
 - 5) Used car sales lots;
 - 6) Taverns, night clubs and package goods stores for the sale of alcoholic beverages, except that this shall not prohibit a tavern, night club or package goods store for the sale of alcoholic beverages otherwise permitted by the Zoning Ordinance if they are part of a commercial development under common ownership containing five (5) acres or more.

- B. A unified landscaping theme for the overall development of the Property shall be prepared by the owners of the Property and approved by the Planning Director prior to approval of any site plan for the Property. No site plan shall be approved for the Property which does not conform to the approved unified landscaping theme.
- C. A unified architectural theme for the overall development of the Property shall be prepared by the owners of the Property and approved by the Planning Director prior to approval of any site plan for the Property. No site plan shall be approved for the Property which does not conform to the approved unified architectural theme. The unified architectural theme shall include a requirement for a predominance of quality materials such as brick, EFIS, glass, and/or masonry block.

9. 2020 Community Character Land Use Plan Designation: Commercial: Auto-Oriented Small-Scale Strip Development.

- 10. Applicable Regulations:** The Commission shall determine if such preliminary plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code, and the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Drainage/Grading:** The plat must address the issues as noted in the attached letter from the Permit and Development Center Administrator with regards to drainage and grading of the site.
- 2. Utilities:** The developer would be responsible for all costs associated with extending utilities on the site. The plat must provide easements for existing and future utilities.
- 3. Traffic/Street System:** The proposed plat does not include any public streets. It is anticipated that future platting of "Outlot X" for commercial development will include a new east/west public street across the site.
- 4. Access or Parking:** "Lot 1" would be accessed by a drive approach across "Outlot X" from Echo Valley Drive. The preliminary plat provides an ingress/egress easement for this driveway. A portion of this driveway would be converted to public streets at such time that "Outlot X" is platted.

The plat must be amended to provide a 4'-wide sidewalk along all street frontages, including Fleur Drive and Echo Valley Drive.

- 5. Urban Design:** The conditional zoning on the site requires that a unified architectural theme for the overall development of the property be approved by the Planning Director prior to approval of any site plan for the property. While the uniform architectural theme is not a requirement for the Plan and Zoning Commission's approval of this preliminary subdivision plat, the applicant has submitted conceptual elevations demonstrating an architectural theme for all future buildings on the site. The Planning Director will review these proposals prior to approval of any site plan for the property.

SUMMARY OF DISCUSSION

Jason Van Essen: Presented staff report and recommendation

Larry Hulse: Noted the subject area would be expected for commercial development so the zoning placed on it is appropriate. Indicated the action is a minor subdivision creating the lot lines. If staff felt there was a reason to not go forward with it, they would advise the Commission not to move forward, however they are only setting up the lotting for the property and staff is recommending approval.

Jason Van Essen: Noted the architecture and theme for the area is to be approved by the Director, which has yet to take place, but staff has been very happy with the early ideas the developer has presented. Indicated the architecture would be all brick. Presented a concept for the entire area to show how it would lay out.

Bruce Heilman: Asked if the Casey's would be limited to C-1 for the number of fueling stations.

Mike Ludwig: Indicated that the property is zoned C-2, which does not limit the number of fueling stations. Noted the only concerns staff had is the current size/boundary of the lot being platted. Typical layouts for similar sized facilities are normally on a slightly larger parcel of land. Staff believes the setbacks and landscaping are critical and at the time they come in with their final plat, staff may need to work with them. The parcel may have to be a bit larger.

Tim Urban: Asked what the right of way for Fleur Drive is, including the property. Expressed concern for future traffic volumes and questioned if there would be adequate right of way coming down Fleur Drive.

Mike Ludwig: Noted that the City had vacated and conveyed excess Fleur Drive right-of-way to the developer.

Dann Flaherty: Asked when the rezoning to C-2 occurred.

Mike Ludwig: Noted it was done in 2003.

Larry Hulse: Explained there was no moratorium on anything along IA 5. This was zoned C-2 and the area will be commercial in time. This is a subdivision and staff has asked the applicant to show how they plan to develop it. Staff is also asking for a concept to show how everything will work together. Staff has asked the developer to provide the highest quality that they can for the site and staff is happy with what they have provided for the Casey's.

Mike Ludwig: Noted it ties in well with what the developer showed for their other character elevations with a prairie style architecture for future buildings.

Larry Hulse: Noted staff appreciated what the developers did to convince staff with their unified theme and the developer has a right to start setting up his lot lines. Noted the request is a subdivision and staff will be working with the applicant all the way through to ensure roof pitches, materials and things that work correctly on the project.

Scott Mc Murray, 4521 Fleur Drive, Coppolla Enterprises: The zoning approval in 2003 requires an architectural theme throughout and they are here to get the lots split off and they have convinced Casey's that an all brick building would be better received and they have agreed to that.

Bruce Heilman: Asked if there is a median at the southern most access to Fleur.

Scott McMurray: Noted there is only one access onto Fleur and it is right in/right out. There is a median on Fleur and it will probably not be changed because of the DOT. Noted the current access is the only one onto Fleur Drive and the only one approved by DOT during construction of IA 5.

Tim Urban: Asked how pedestrians would move throughout the site.

Scott McMurray: Indicated he could not provide that, as yet.

Mike Ludwig: Noted during future platting of the outlot is where they would be required to make those determinations. Could look at pedestrian connections from the store, but without it being platted at this time makes it difficult.

Scott McMurray: Noted the only existing development is the dental office ½ mile to the north. The conceptual ideas for the site are that it is the airport exit, which dictates convenience store, hotel, restaurant and office; highway commercial and if there is a hotel there will be internal pedestrian traffic to the convenience store and other commercial uses and will be planned as the rest of the site gets developed. The subject on the agenda at this time is splitting off the front corner for the Casey's site.

Larry Hulse: Noted there are three elements staff always focuses on: pedestrian linkages and access; having unified architecture throughout the development; and the landscaping to tie everything together.

Dann Flaherty: Thought town center type development is what was being sought and it fits with highway commercial.

Tim Urban: Noted town center concepts normally fit into the larger context and need a decent scale of site and need surrounding residential areas. In trying to create a mixed use village or town center this is a tough site to do that with; could devote part of the western portion of the site to some mixed use concepts.

Dann Flaherty: Does not want it to look like the University Avenue/IA 5 interchange in Pleasant Hill. Wants a place that looks good where people will want to stay.

Scott McMurray: Noted it is difficult because they have to work with a variety of government entities. Everything they are doing is an identity with Echo Valley Drive. They will not do something that is simpleton or ugly or something they cannot be proud of. It is the first part of what they hope to be a significant development at the airport exit from IA 5.

Tim Urban: Questioned if there was an opportunity for a village center.

Scott McMurray: Explained the place for the village center is on Hwy 28 on Echo Valley Drive and is not in the city of Des Moines. Noted the subject site is a very confined 17 acres that sits on the airport exit and does not tie into anything. They cannot get sidewalks across the Iowa Highway bridge to tie it into residential south of Hwy 5. It is a stand-alone site, but they have agreed to zoning restrictions to make it as nice as possible.

Larry Hulse: Noted staff has been discussing the styles and getting everything to link together with the applicant and it would not be a town center. There are other opportunities for that and staff recommends the lot sizes and it does meet the recommendation.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one in the audience to speak on this item.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Bruce Heilman: Moved staff with the provision that they look at the setbacks on the corner lot and make sure it will work. Also commended the developer and staff. Regardless of what goes in, they have set the standard with materials and architecture to give the Commission leverage on the Highway 5 corridor as other requests come in for development.

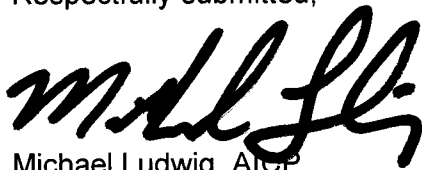
Dann Flaherty: Commended the developer; felt the project looked great, but expressed concern for revisiting another Easter Lake where there is a rampant development that is out of control. Concerned about not having the sorts of development that will be high quality; other developers wanting to do the same thing. He felt it was important to properly develop the area in such a manner of high-quality development, but also the type of development that will be lasting and create the type of image desired for Fleur Drive and Iowa 5 and be beneficial to the City.

Larry Hulse: Noted the Iowa 5 study is boiling down some measures, goals and guiding principles to judge other developments as they come in. Noted several ways were looked at to develop the IA 5 corridor.

David Cupp: Noted the Hwy 5 corridor needs to get started; impressed with the architecture and the submitted drawings and will be a nice standard to begin development with.

Motion passed 10-0.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'M. Ludwig', written in a cursive style.

Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment

Date _____
Agenda Item 21
Call # _____

February 22nd, 2007

Rick Baumhover
Bishop Engineering Company
3501 104th Street
Urbandale, IA 50322

RE: Preliminary Plat, 2100 Echo Valley
13-07-1.48

Dear Rick:

We have reviewed the first (1st) submittal of the preliminary plat for 2100 Echo Valley in Des Moines and have determined that the following conditions must be satisfied before final plat approval can be granted.

Engineering

- 1 Both P.E. and L.L.S. signed and dated certification statements are required on plats.
- 2 Our recent electronic level circuit in this area found the reference benchmark to be elevation 148.69 rather than the original 148.49.
- 3 Dimension the sanitary sewer easement limit shown from the proposed sewer line location.
- 4 Sanitary sewers flatter than 1% must be accompanied by engineered calculations showing a minimum 2 fps cleansing velocity during peak flow.
- 5 This property is located within the SE Airport Trunk Sanitary Sewer connection fee area. Contact Dave Miller (323-8170) with service area information so that he can calculate the current fee amount due.
- 6 The storm water management plan discussion submitted is adequate for this minor plat. However, we strongly encourage the use of conservation or low impact development practices to help recharge the ground water during normal rain events.
- 7 A Grading Permit will be required per Code prior to the proposed rough grading in the area of Lot 1.



PERMIT AND
DEVELOPMENT CENTER
ARMORY BUILDING
602 ROBERT D. RAY DRIVE
DES MOINES, IOWA 50309 -1881
(515) 283-4200

ALL-AMERICA CITY
1949, 1976, 1981
2003

8. Staff would normally require preliminary plat detail information to be shown within Proposed Outlot X. However, Engineering staff is OK with the plat, as submitted.

Planning

9. Provide the official name of what the plat will be on future submittals. A name will need to be decided and conveyed to Warren County. Has the Warren County Planning Office been contacted on this intent to plat?
10. Is Lot 1 realistically large enough to accommodate proposed development? Based on previously submitted conceptual site plan designs for development on this parcel, the site has difficulty meeting open space requirements and will not meet parking setbacks if a public road were installed to the west of Lot 1 in the future. It is suggested that the lot size be increased in area.
11. Warren County Assessor's records show that there is a separate parcel under common ownership on the NW side of this plat. This parcel should be combined with the larger parcel (Outlot 'X').

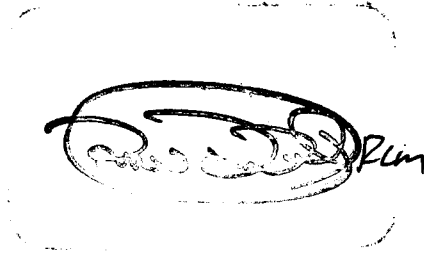
Des Moines Water Works (Responses or requests need to be coordinated with DMWW)

12. A new public water main will need to be installed to provide water service to this parcel.
13. The new main needs to be installed within public ROW. If a new road is being installed behind this property, it needs to be noted as such.
14. We will require a 12-inch main instead of a 10-inch main. If this ends up being a private water service, it will need to be off of a new distribution main instead of off of the feeder main as shown.
15. There will be System Development Fees, based off of the size and type of service that feeds this property.

Please submit **three (3) review copies** of the revised plat satisfying the above listed items. Failure to resubmit such amended plat within 90 days from the date of this letter shall cause the application to lapse, and will require the payment of a new application fee to resume the application process.

If you have any questions contact Ryan Moffatt @ 283-4975 or email him @ rlmoffatt@dmgov.org.

Sincerely,

A handwritten signature in black ink, enclosed in a faint rectangular border. The signature is cursive and appears to read "Phillip Delafield".

Phillip Delafield
Permit & Development Administrator

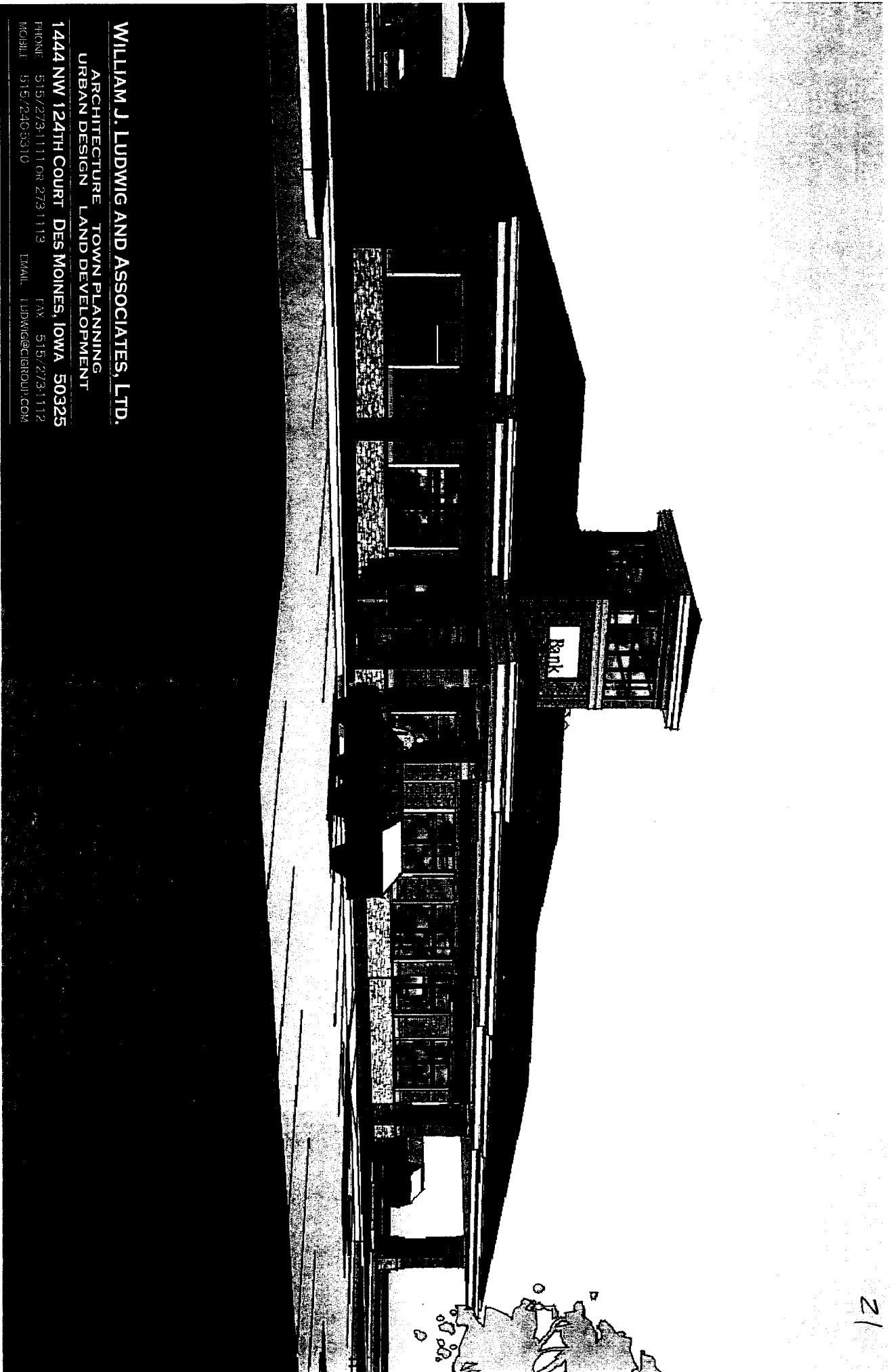


WILLIAM J. LUDWIG AND ASSOCIATES, LTD.

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