

Date April 10, 2006

RESOLUTION DENYING PROPOSED AMENDMENT TO THE PUD CONCEPTUAL PLAN FOR AIRPORT CROSSROADS

WHEREAS, on March 20, 2006, by Roll Call No. 06-531, it was duly resolved by the City Council, that the City Council consider a proposal submitted by Michael Barnes, as President of Fleur Properties, LLC, to amend the approved "PUD" Conceptual Plan titled "Airport Crossroads Conceptual Plan" for property it owns west of Fleur Drive and north of County Line Road, and that such proposal be set down for hearing on April 10, at 5:00 P.M., in the Council Chambers at City Hall; and,

WHEREAS, due notice of said hearing was published in the Des Moines Register on March 30, 2006, as provided by law, setting forth the time and place for hearing on said proposed amendment to the Zoning Ordinance; and,

WHEREAS, the Plan and Zoning Commission has recommended that the proposed amendment to the approved "PUD" Conceptual Plan be denied for the reasons set forth in the attached letter from the Planning Administrator; NOW, THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, as follows:

1. Upon due consideration of the facts, statements of interested persons and arguments of counsel, the objections to the proposed amendment to the approved "PUD" Conceptual Plan titled "Airport Crossroads Conceptual Plan" are hereby sustained and the hearing is closed.

2. The proposed amendment to the approved "PUD" Conceptual Plan for Airport Crossroads is hereby denied for the reasons set forth in the attached letter from the Planning Administrator.

MOVED by _____ to adopt.

FORM APPROVED:

Roger K. Brown
 Roger K. Brown, Assistant City Attorney

G:\SHARED\LEGAL\BROWN\WORK\REZONING\Barnes.doc

| COUNCIL ACTION | YEAS | NAYS | PASS | ABSENT |
|----------------|------|------|------|--------|
| COWNIE | | | | |
| BROOKS | | | | |
| COLEMAN | | | | |
| HENSLEY | | | | |
| MAHAFFEY | | | | |
| KIERNAN | | | | |
| VLAŠSIS | | | | |
| TOTAL | | | | |

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.

MOTION CARRIED

APPROVED

 Mayor

 City Clerk

April 10, 2006

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held March 16, 2006 the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 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 | | | |
| Brian Meyer | X | | | |
| Brian Millard | X | | | |
| Brook Rosenberg | X | | | |
| Mike Simonson | X | | | |
| Kent Sovern | X | | | |
| Tim Urban | X | | | |
| Marc Wallace | X | | | |



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

DENIAL of a request from Fleur Properties, LLC, represented by Michael Barnes (President) for approval of an amendment to the approved PUD conceptual plan titled "Airport Crossroads Conceptual Plan" for the property located west of Fleur Drive north of County Line Road. (ZON2006-00024)

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends denial of the requested amendment to the "Airport Crossroads" PUD Conceptual Plan.

STAFF REPORT

I. GENERAL INFORMATION

- Purpose of Request:** The applicant is seeking to revise permitted materials listed on the PUD Conceptual Plan for Airport Crossroads to allow "shadow effect" architectural asphalt shingles as an acceptable roofing material for buildings within the business park.
- Size of Site:** 38.92 acres
- Existing Zoning (site):** "PUD" Planned Unit Development (Airport Crossroads Conceptual Plan)

4. **Existing Land Use (site):** The subject property consists of predominantly vacant land developed with streets and public utilities. A medical office building site is currently under construction at 7401 SW 22nd Street on the northeastern portion of the subject property.

5. **Adjacent Land Use and Zoning:**

North – “PUD” (Airport Commerce Park South Conceptual Plan), Uses are Leuwerke and Associates office building and vacant land.

South – “C-2”, Use is vacant land.

East – “R1-80”, Uses are Sunset Memorial Gardens Cemetery, agricultural land, and Communications Towers.

West – “R-5”, Use is Meadows land lease residential community.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the Fleur Drive gateway corridor into the City from Iowa Highway 5 to the south. It is within the business park neighborhood surrounding the Des Moines International Airport.

7. **Applicable Recognized Neighborhood(s):** N/A.

8. **Relevant Zoning History:** The City Council rezoned the subject property to “PUD” and approved the Conceptual Plan on May 7, 2001. Subsequently, the Plan and Zoning Commission approved a preliminary subdivision plat for “Airport Crossroads” on July 19, 2001. A final subdivision plat was recently approved by the City Council for “Airport Crossroads” on September 12, 2005.

9. **2020 Community Character Land Use Plan Designation:** Planned Business Park.

10. **Applicable Regulations:** The Commission reviews all amendments proposed for approved “PUD” Conceptual Plans in the same manner as the consideration of the original Conceptual Plan and rezoning. The recommendation of the Commission is forwarded to the City Council for their final review and consideration.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Urban Design:** The Conceptual Plan as approved in 2001 contains the following language in reference to building design standards applicable to the “PUD”:

“All buildings shall be designed to ensure their individual attractiveness, compatibility with each other, and with the Airport Crossroads environment. Buildings within the Airport Crossroads shall be constructed of permanent materials such as brick, architectural pre-cast panels, tilt-up concrete panels, stone, EFIS, metal and glass. Material innovation and progressive structural design are encouraged when permanency and structural building strength are the result. Building plans shall be submitted for approval by the Airport Crossroads Architectural Review Committee and the City of Des Moines.”

The Conceptual Plan also included a listing of prohibited building materials with minor exception to be allowed when they were used as accent materials. Both asbestos cement shingles and asphalt shingles were prohibited as roofing materials. Typical elevations adopted with the Conceptual Plan described metal materials on roofing that had a pitched surface for support commercial uses. The applicant is now requesting modification to allow the limited category of “shadow effect” asphalt shingles.

The original adopted Conceptual Plan for Airport Crossroads was modeled after the Airport Commerce Park South and Airport Business Park areas immediately to the north and west. However, it contained flexibility to have more land devoted to support commercial uses because of its proximity to the Iowa Highway 5/Fleur Drive interchange.

The Des Moines' 2020 Community Character Plan includes policies for Planned Business Park areas to "ensure design, pedestrian connections, and landscaping are part of an adopted overall plan for the development." The proposed amendment would revise such overall plan for the subject property. The primary concern of staff is that the proposed changes in roof material will modify the vision for the subject property and encourage a building character that is more neighborhood office/retail or residential in nature. While these developments could still have individual attractiveness and compatibility with each other under the proposed amendment, staff believes that they will no longer be compatible with the standards for the established large business park districts in the immediate proximity.

- 2. **Tax Abatement:** On February 28, 2005, The City Council amended the restated Citywide Urban Revitalization Plan to expand the Airport Commerce Park sub-area to include the subject property as an area eligible for tax abatement. This area was included to encourage commercial and industrial development by allowing qualifying commercial and industrial improvements to receive tax abatement. Staff has interpreted qualifying as meeting the covenants for "Planned Business Park" and meeting minimum zoning requirements as established by the "PUD". Staff believes this amendment would modify the type of development eligible for tax abatement and encourage a building character that is not consistent with the character and vision established for adjoining business park development.

Written Responses

2 In Favor
2 In Opposition

This item would not require a 6/7 vote by City Council.

SUMMARY OF DISCUSSION

Erik Lundy: Presented staff report and recommendation.

Greg Jones left the meeting at 7:30 p.m.

CHAIRPERSON OPENED THE PUBLIC HEARING

Dr. Willham, 6101 SW 9th Street: Medical/dental complex; intent was to build a very nice structure that is pleasing and to upgrade Fleur Drive south of the Airport; not a strip-mall type of building. There is parking and a lot of green space for a welcome gateway into the downtown area.

Phil Parrot, Durrant, 303 Locust: Explained there were two requirements of the applicant: high quality and prairie style architecture. Looked at not only developing the 3.5 acres, but also the 10 acres to develop a series of buildings that would surround a pond with a walking path and pedestrian amenities. Crafted the building for a prairie style, which was the reason for specifying the shadow-effect shingles. Proposed the rest of the buildings be similar in design and the plan is to put four buildings on the site with a two-tiered pond with walking path and waterfalls. Disseminated a written response to the staff recommendations.

Mike Barnes, Fleur Properties: Explained the building plans are an asset to the area; noted he believes in the project and indicated they are willing to rewrite the covenants to allow the shingles. Noted they have looked at alternative materials, but they want the monolithic style of the asphalt "shadow effect" shingles.

Mike Simonson: Noted granting relief to the applicant would allow relief to others in the future. Unable to support the request.

Fran Koontz: Indicated there are several alternatives that would be acceptable to the Commission and suggested they seek a continuance for further discussion.

Mike Barnes: Noted they are open to other products, but their desire was asphalt and that was their preference.

Tim Urban: Noted asphalt shingles are explicitly prohibited in the concept plan.

Marc Wallace: Asked for alternatives for the prairie style design and what would fit in.

Mike Barnes: Indicated his first choice would be a slate type roofing material or the rubber material or Bermuda style mellow roofing but it doesn't have the texture that a slate or asphalt roof would have, but does have the horizontal lines.

Mike Simonson: Noted asphalt does not last as long and suggested the alternatives mentioned would be "prairie style" and would last longer.

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

CHAIRPERSON CLOSED THE PUBLIC HEARING

Mike Simonson: Moved staff recommendation for denial of the request.

Tim Urban: Added that the recommendation would not preclude the use of alternative roofing materials that comply with the existing PUD limitations.

Kent Sovern: Complimented the applicant on the plan. Supportive of the motion to approve the staff recommendation (deny the request).

Motion passed 12-0.

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:dfa

Attachment



DURRANT®

March 15, 2006

Plan and Zoning Commission
City of Des Moines

303 Locust Street
Suite 210
Des Moines, IA 50309

RE: Airport Crossroads

T 515.309.0945
F 515.309.0944

Plan and Zoning Commission

www.durrant.com

Following are some points that the Plan and Zoning Commission should consider.

I can't help but think that people are reacting to one product and not looking at the whole project. In the PUD Development Standards, under the Building Design Standards, it indicates that all buildings, within Airport Crossroads, will be compatible with each other. With Dr. Willham's building being the first, the standard has been set for the rest of the development. With Dr. Willham's building, the standard has been set high. Over 3.5 million dollars are being spent on this project that translates to \$175/square foot. This is far above the estimated \$110/square foot cost of the buildings in the Airport Commerce South Development. The adjacent building owners should be elated. Dr. Willham's building is a good upscale neighbor that could only elevate the perceived value of the surrounding developments and area. The second reason the developments should be elated is that Dr. Willham's building could assist the adjacent property owners in marketing. Not all prospective buyers or builders would be willing to put forth the resources that Dr. Willham has spent on his building. In comparison, Airport Commerce South could promote a more inexpensive solution if their development is selected.

- Architecture
- Engineering
- Planning
- Project Delivery
- Financing
- Interior Design
- Graphic Design

Dr. Willham and his partners own other properties within the Airport Crossroads Development. The subject building is located on the northern 3 acres of a 10 acres site. The plan is to build 4 more medical office buildings grouped around a two tiered pond. The buildings will be design to match Dr. Willham's building. And the pond will have a waterfall, landscaping and a pedestrian walking path. This fits well into Des Moines' 2020 Community Character Plan. Why do Airport Crossroad's building designs have to match the design of buildings of Airport Commerce? Why should medical buildings look like a flex space warehouse? Where, on the south side of Des Moines, is there an upscale medical office complex like that in West Des Moines?

- Chicago, IL
- Denver, CO
- Des Moines, IA
- Dubuque, IA
- Hilo, HI
- Honolulu, HI
- Madison, WI
- Milwaukee, WI
- Minneapolis, MN
- Phoenix, AZ
- St. Louis, MO
- Tucson, AZ

Most of Dr. Willham's patients are from the south side or surrounding communities. They are excited to have a facility of this quality in their neighborhood.

Money, talent and resources are being spent on the Des Moines Gateway (the route from the Airport to downtown Des Moines) but the way south leading to the only future growth area of Des Moines proper, is being littered with mediocre buildings. Fleur Drive Fleur Drive deserves it share of nice buildings.



Airport Commerce's type of development has its place but it should not dictate the development of other properties just to save profits; to continue to provide inexpensive buildings.

The Southside deserves something better.

Sincerely,

Phillip Parrott, Project Manager
Durrant

CC: Michael Barnes, Fleur Properties, LLC
Lee Willham, Willham Properties, LLC

| | | | | |
|--|--|--------------|--|--------------|
| Request from Fleur Properties, LLC (owner) represented by Michael D. Barnes (officer) to amend the Airport Crossroads PUD Conceptual Plan for property located in the vicinity of 7401 SW 22 nd Street. Additional subject property owned by Willham Properties, LLC. | | | File # | |
| | | | ZON2006-00024 | |
| Description of Action | Amend the Airport Crossroads PUD Conceptual Plan to allow for asphalt shingles as a permitted building material. | | | |
| 2020 Community Character Plan | Planned Business Park | | | |
| Horizon 2025 Transportation Plan | County Line Road from Iowa Highway 28 to Fleur Drive widen from 2 lane undivided to 4 lane undivided | | | |
| Current Zoning District | "PUD" Planned Unit Development | | | |
| Proposed Zoning District | N/A | | | |
| Consent Card Responses | In Favor | Not In Favor | Undetermined | % Opposition |
| Inside Area | | | | |
| Outside Area | 2 | 2 | 0 | <20% |
| Plan and Zoning Commission Action | Approval | 12-0 | Required 6/7 Vote of the City Council | Yes |
| | Denial | | | No |

Airport Crossroads PUD Amendment - 7400 Fleur Drive

ZON2006-00024





Durrant
 CIVIL ENGINEER
 DERRICK J. DARRANT
 1000 UNIVERSITY AVENUE
 DES MOINES, IOWA 50319
 (515) 281-1111
 WWW.DURRANT-DESIGN.COM

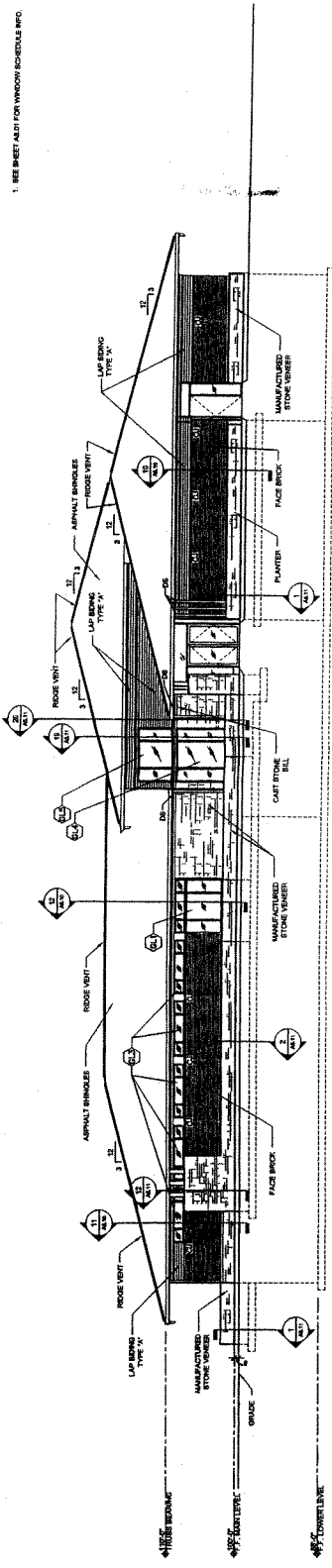
REVISIONS

| | |
|-------------|------------|
| PROJECT NO. | 0082002 |
| DATE | 06/20/2002 |
| DRAWN BY: | MBF |
| CHECKED BY: | JRS |

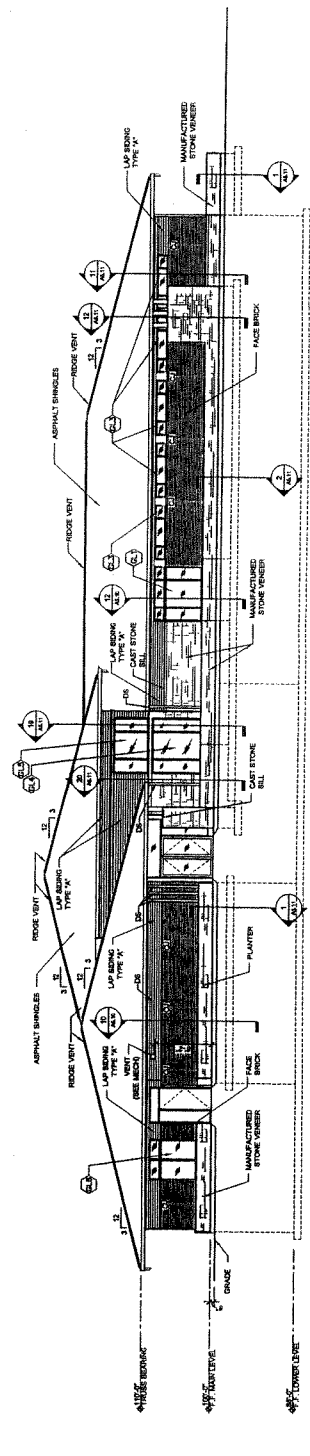
SHEET CONTENTS
 EXTERIOR ELEVATIONS

SHEET
A4.01

GENERAL NOTES:
 1. SEE SHEET A4.01 FOR WINDOW SCHEDULE INFO.



1 EXTERIOR ELEVATION
 SOUTH EAST VIEW



2 EXTERIOR ELEVATION
 SOUTH WEST VIEW

