

★ Roll Call Number

Agenda Item Number

25

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May 7, 2007

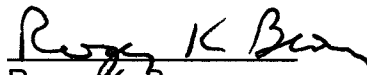
Date

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held April 19 2007, the members voted 12-0-1 in support of a motion to **APPROVE** the request from Kintz, Inc. (owner) represented by John Kintz (officer) for approval of a preliminary subdivision plat for "Kintz Commercial Plat 1" for property located at 5499 NE 14th Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines, to allow division of the property into two lots for Light Business use subject to the following conditions:

1. Provision of an ingress/egress easement across Lot 1 for access to Lot 2.
2. Compliance with all applicable subdivision requirements of the Permit and Development Center.

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.

(13-2007-1.56)

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

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.

Mayor

City Clerk

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Request from Kintz, Inc. (owner) represented by John Kintz (officer) for review and approval of a preliminary subdivision plat "Kintz Commercial Plat 1" for property located at 5499 NE 14 th Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines.				File # 13-2007-1.56	
Description of Action	Review and approval of a preliminary subdivision plat "Kintz Commercial Plat 1" for subject property to allow division of the property into two lots for Light Business use.				
2020 Community Character Plan	Not Designated.				
Horizon 2025 Transportation Plan	US Hwy 69 (NE 14 th ST) from NE 58 th Ave to I35/80 to widen from 4 lane undivided to 5 lane undivided.				
Current Zoning District	Polk County Zoning.				
Proposed Zoning District	N/A				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area					
Outside Area	N/A	N/A	N/A	N/A	
Plan and Zoning Commission Action	Approval	12-0-1	Required 6/7 Vote of the City Council	Yes	
	Denial			No	N/A

Kintz Commercial Plat 1 - Preliminary Plat - 5499 NE 14th Street

13-2007-1.56



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KINTZ COMMERCIAL PLAT 1

PRELIMINARY PLAT

POLK COUNTY, IOWA

Project No. 107052

Prepared by: T.C.

Checked by: T.C.

City of Des Moines, Iowa

7777 SW SWANSON BLVD.

AMES, IOWA 50010

915-940-0099

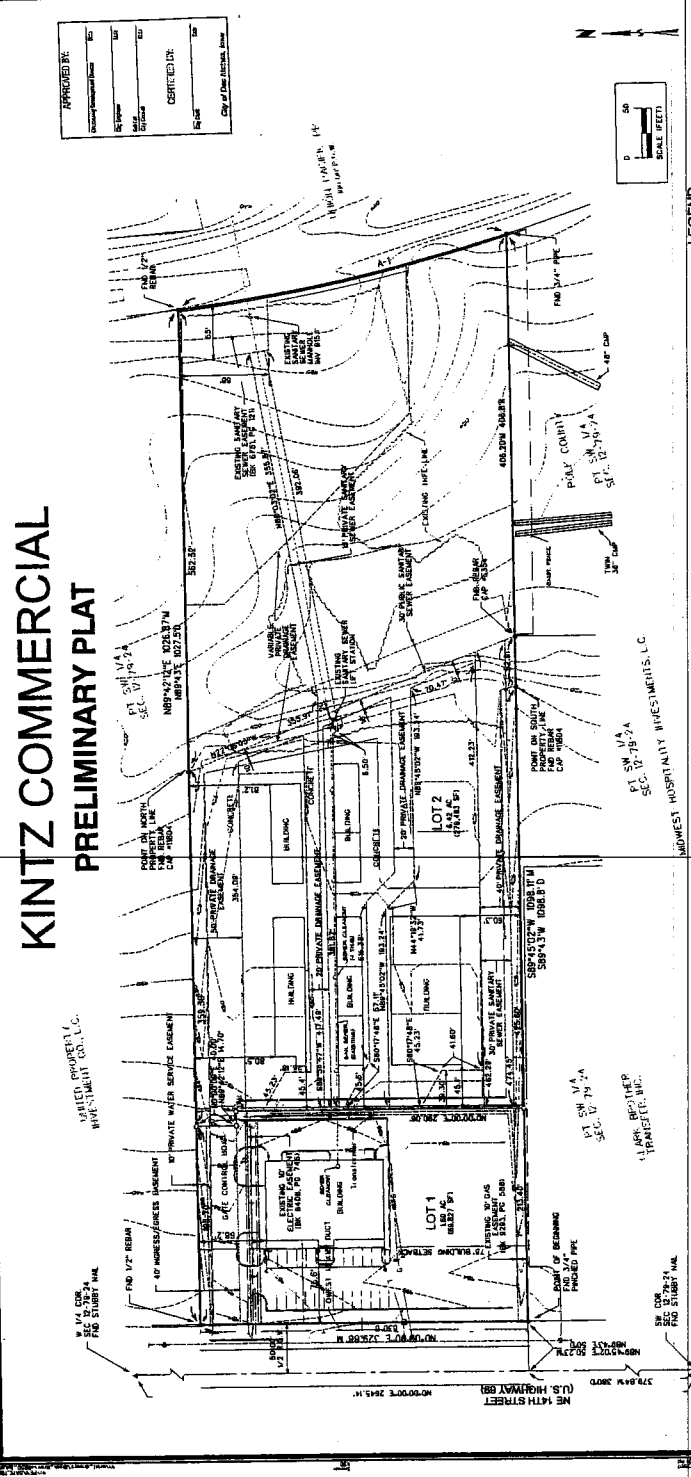
Snyder & Associates

200 E. Locust St., Suite 200

Des Moines, IA 50319

Sheet 1 of 1

KINTZ COMMERCIAL PRELIMINARY PLAT



Approved by: _____

CERTIFICATION: _____

CITY OF DES MOINES, IOWA

Scale: 1" = 40'

North Arrow

LEGEND

Symbol	Description
(Symbol)	Proposed Building Footprints
(Symbol)	Proposed Driveways
(Symbol)	Proposed Parking & Drive
(Symbol)	Proposed Utilities
(Symbol)	Proposed Easements
(Symbol)	Proposed Encroachments
(Symbol)	Proposed Setbacks
(Symbol)	Proposed Easements
(Symbol)	Proposed Encroachments

OWNER/DEVELOPER
POLK COUNTY - LIGHT BUSINESS

DATE OF SURVEY
05/10/17

PLAT DESCRIPTION
THE PLAT SHOWS THE PROPERTY TO BE SUBDIVIDED INTO TWO LOTS, LOT 1 AND LOT 2, TOGETHER WITH THE NECESSARY UTILITIES, EASEMENTS, AND SETBACKS. THIS PLAT IS BEING FILED FOR RECORD IN THE OFFICE OF THE REGISTER OF DEEDS IN POLK COUNTY, IOWA, FOR THE PURPOSE OF RECORDING AND SUBSEQUENTLY BEING RECORDED IN BOOK 848, PAGE 563.

NOTES

1. SOURCE OF WATER SUPPLY - USE MONROE WATER WORKS COMPANY.
2. ALL NEW WATER SERVICES MUST COMPLY WITH DUMP WATER & REGULATION.
3. ALL NEW WATER SERVICES 3" DIAMETER OR LARGER REQUIRE SUBMITTALS FOR REVIEW.
4. DUMP WATER REQUIREMENTS THROUGH THE EXISTING 8" MCH WATER MAIN IN W/4 CORNER OF LOT 1.
5. WATER SERVICES SHALL BE PROVIDED TO EACH LOT THROUGH THE EXISTING 8" MCH WATER MAIN IN W/4 CORNER OF LOT 1.
6. ALL NEW WATER SERVICES SHALL BE PROVIDED TO EACH LOT THROUGH THE EXISTING 8" MCH WATER MAIN IN W/4 CORNER OF LOT 1.
7. ALL NEW WATER SERVICES SHALL BE PROVIDED TO EACH LOT THROUGH THE EXISTING 8" MCH WATER MAIN IN W/4 CORNER OF LOT 1.
8. MAINTENANCE OF ALL DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE INDIVIDUAL PROPERTY OWNER.
9. POST DEVELOPMENT RUNOFF WILL NOT ADVERSELY AFFECT DOWNSTREAM DRAINAGE FACILITIES OR PROPERTY OWNERS.
10. EXISTING CONTIGUES ARE SHOWN AND NO CHANGES WILL BE INCLUDED WITH THIS PLAT.

PROPERTY MAP

NO SCALE

NO SCALE

May 7, 2007

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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 April 19, 2007, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0-1 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			



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

APPROVAL of a request from Kintz, Inc. (owner) represented by John Kintz (officer) for approval of a preliminary subdivision plat for "Kintz Commercial Plat 1" for property located at 5499 NE 14th Street in Polk County within the two mile jurisdiction for extraterritorial review by the City of Des Moines, to allow division of the property into two lots for Light Business use subject to the following conditions: (13-2007-1.56)

1. Provision of an ingress/egress easement across Lot 1 for access to Lot 2.
2. Compliance with all applicable subdivision requirements of the Permit and Development Center.

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the submitted preliminary subdivision plat subject to the following conditions:

1. Provision of an ingress/egress easement across Lot 1 for access to Lot 2.
2. Compliance with all applicable subdivision requirements of the Permit and Development Center.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to divide the property into two parcels. Lot 1 would consist of the western 1.6 acres of the subject property. It would have frontage on NE 14th Street and contain an existing commercial building. Lot 2 would consist of the eastern 6.42 acres and would contain 5 existing storage buildings.

It is staff's understanding that the purpose of the lot split is to allow for the commercial building and the storage buildings to have separate ownership. If this property were within the City limits, the proposed lot split would be eligible for administrative review as a Plat of Survey.

2. **Size of Site:** 8.02 acres.
3. **Existing Zoning (site):** "LB" Light Business District (Polk County).
4. **Existing Land Use (site):** Office and warehousing.
5. **Adjacent Land Use and Zoning:**

North – "LB" (Polk County); Use is agricultural production.

South – "LB" (Polk County); Uses are truck terminal, adult entertainment and vacant land.

East – "GB" (Polk County); Uses are Union Pacific Railroad line, office and warehousing.

West – "LB" Light Business (Polk County); Uses are apartments, auto sales and warehousing.

6. **General Neighborhood/Area Land Uses:** The subject property is located in a heavy commercial/light industrial area near the Interstate 80 and U.S. Highway 69 interchange.
7. **Applicable Regulations:** The Commission reviews all preliminary subdivision plats within the two-mile extraterritorial jurisdiction of the City of Des Moines. 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/Utilities:** The property is generally built out and the applicant is not proposing any significant site work. The plat identifies private drainage easements to allow for storm water to drain from Lot 1 across Lot 2. The plat also includes an easement for an existing public sanitary sewer line and lift station.
2. **Access or Parking:** Proposed Lot 2 does not have direct access to a public street. Staff recommends that an ingress/egress easement across Lot 1 be provided.

SUMMARY OF DISCUSSION

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

Tim Urban: Moved, as part of the Consent Agenda, to approve the submitted preliminary subdivision plat subject to the following conditions:

1. Provision of an ingress/egress easement across Lot 1 for access to Lot 2.
2. Compliance with all applicable subdivision requirements of the Permit and Development Center.

Motion passed 12-0-1 (Brook Rosenberg abstained).

Respectfully submitted,


Erik Lundy, AICP
Senior Planner

EML:dfa

Attachment

25

April 26th, 2007

Terry Coady
Snyder & Associates
2727 SW Snyder Boulevard
Ankeny, IA 50023

RE: Kintz Commercial Plat 1, Preliminary Plat

13-07-1.56

Dear Terry:

We have reviewed the first (1st) submittal of the preliminary plat for Kintz Commercial Plat 1, located in unincorporated Polk County, and have determined that the following conditions must be satisfied before plat approval can be granted.



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

ALL-AMERICA CITY
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Engineering

1. Legal Description—Typically, we see legal descriptions that use the measured dimensions with the previously recorded dimensions noted along the boundaries on the plat.

For subdivisions within the City of Des Moines, we ask that abbreviated legal descriptions be supplied for adjoining property which cannot be described as a complete lot(s) of a recorded subdivision.

2. Surveyor/Engineer Certification—Preliminary plats in Des Moines are also required to be certified by an engineer licensed in Iowa.

3. Existing Contours—Shown. For subdivisions in the City of Des Moines, we ask that the benchmark on which the elevations are based are noted on the plat.

Planning

4. Be sure that the correct plat name is shown on the plat. The letter of transmittal submitted with the plat shows an official name of Kintz Commercial Plat 1. If this is indeed the name of the plat, it should be shown on the plat map.

5. Better delineate or make the lot boundary line between lots 1 and 2 more bold.

6. A copy of the recorded ingress/egress easement allowing access to Lot 2 will need to be submitted with future submittals. Note the book and page number of the recorded easement on the plat.
7. Provide lot address of lots 1 and 2 on the plat.
8. Identify any trees 6" caliper or larger on the plat.
9. Place the date of the P & Z approval on the plat.

Please submit **two (2) 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, appearing to read "Phillip Delafield", with the letters "RUM" written to the right of the signature.

Phillip Delafield
Permit & Development Administrator
