

★ **Roll Call Number**

Agenda Item Number

25

Date: July 14, 2008

COMMUNICATION from the City Plan and Zoning Commission advising that at a public hearing held June 5, 2008, the members voted 13-0 in support of a motion to **APPROVE** the request from Flat Fender Properties, L.L.C (owner) represented by Dean Godwin (officer), for approval of a preliminary subdivision plat for "Good Trust Plat 2" located at 1556 NE 46th Avenue in unincorporated Polk county within the City's two mile jurisdiction for subdivision review, to allow division of 3.62 acres into three lots for heavy industrial development, subject to compliance with all applicable subdivision requirements of the City's Permit and Development Center.

MOVED by _____ to receive and file.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

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

(13-2008-1.55)

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.

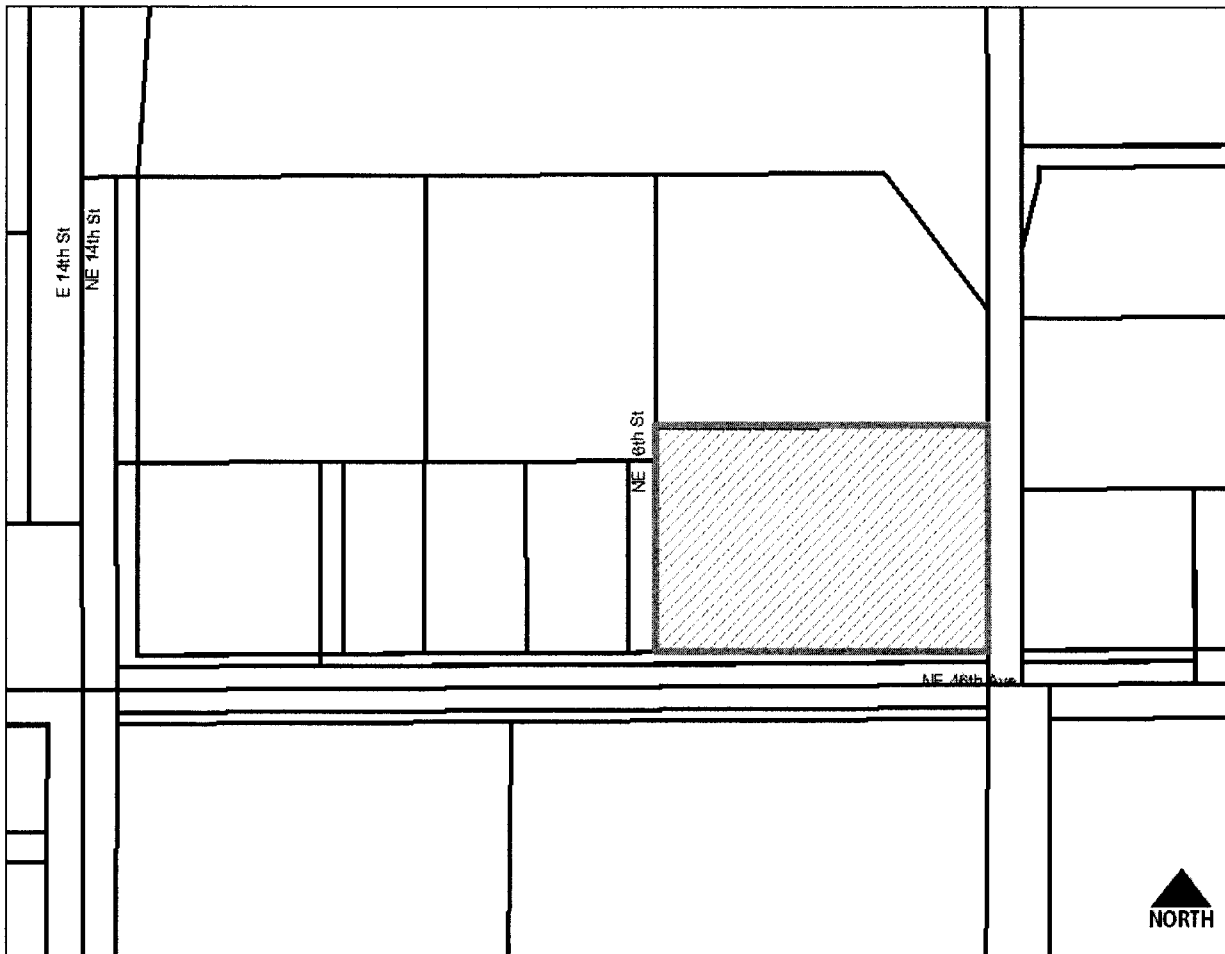
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

 City Clerk

Request from Flat Fender Properties, L.L.C (owner) represented by Dean Godwin (officer) for review and approval of a preliminary subdivision plat located at 1556 NE 46 th Avenue in unincorporated Polk county within the City's two mile jurisdiction for subdivision review.				File # 13-2008-1.55	
Description of Action	Review and approval of a preliminary subdivision plat to allow division of 3.62 acres into three lots for heavy industrial development, subject to compliance with all applicable subdivision requirements of the City's Permit and Development Center.				
2020 Community Character Plan	Polk County Land Use				
Horizon 2025 Transportation Plan	No Planned Improvements				
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					
Plan and Zoning Commission Action	Approval	13-0	Required 6/7 Vote of the City Council	Yes	N/A
	Denial			No	N/A

Flat Fender Properties LLC - Preliminary Plat - 1556 NE 46th Avenue

13-2008-1.55



Date _____

Agenda Item 25

Roll Call # _____

July 9, 2008

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 June 5, 2008, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 13-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Leisha Barcus	X			
JoAnne Corigliano				X
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 Millard	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			

APPROVAL for request from Flat Fender Properties, L.L.C (owner) represented by Dean Godwin (officer) for the "Good Trust Plat 2" preliminary subdivision plat located at 1556 NE 46th Avenue in unincorporated Polk county within the City's two mile jurisdiction for subdivision review, to allow division of 3.62 acres into three lots for heavy industrial development. (13-2008-1.55)

STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the submitted preliminary subdivision plat subject to compliance with all applicable subdivision requirements of the City's Permit and Development Center.



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 applicant is proposing to divide the property into three parcels. Lot 1 would consist of the western 1.30 acres, Lot 2 would consist of the middle 1.31 acres and Lot 3 would consist of the eastern 1.00 acres. All lots would have frontage on NE 46th Avenue.
2. **Size of Site:** 484' x 325.6' or 3.62 acres.
3. **Existing Zoning (site):** "HI" Heavy Industrial District (Polk County).
4. **Existing Land Use (site):** Undeveloped land.
5. **Adjacent Land Use and Zoning:**
 - North** – "HI" (Polk County); Use is warehousing and outdoor storage.
 - South** – "HI" (Polk County); Uses are office and warehousing.
 - East** – "HI" (Polk County); Use is office and warehousing.
 - West** – "HI" Light Business (Polk County); Use is adult entertainment establishment.
7. **General Neighborhood/Area Land Uses:** The subject property is located in a heavy commercial/light industrial area near the Interstate 80 and NE 14th Street interchange.
8. **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. **Grading & Utilities:** The proposed preliminary plat does not identify any proposed grading. The site is relatively flat and contains 4 trees. All four trees will be located within proposed Lot 3. Two of these trees are located in a setback near the northeast corner of the lot and likely will not be disturbed when the site is developed. The other two trees may be impacted by future development. The development of these lots will be subject to meeting the landscaping requirements of the Polk County Zoning

Ordinance. This includes providing parking lot plantings and a street bufferyard along NE 46th Street. Staff believes the overstory tree requirement of the Polk County landscaping standards will adequately mitigate the potential loss of the 2 trees on Lot 3.

The plat includes a note stating that each lot shall have on-site storm water detention facilities. All necessary utilities are available in the NE 46th Street right-of-way. The plat identifies a sanitary sewer easement running along the shared property line of Lots 1 and 2 to provide access to sewer for the property to the north.

- 2. **Access or Parking:** All three lots have frontage on NE 46th Street. Lot 1 is shown with an access easement to an existing driveway to the west. Lots 2 and 3 are shown with a joint access easement to allow the lots to be served by one driveway off of NE 46th Street.

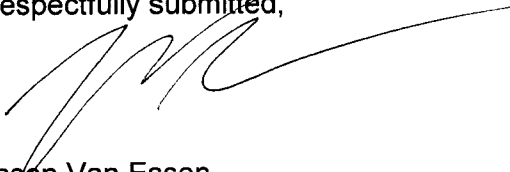
SUMMARY OF DISCUSSION

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

Kent Sovern: Moved to approve the submitted preliminary subdivision plat subject to compliance with all applicable subdivision requirements of the City's Permit and Development Center.

Motion passed 13-0.

Respectfully submitted,



Jason Van Essen
Senior City Planner

JV:clw

Attachment