

Date February 14, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 20, 2011, its members voted 11-0 in support of a motion to recommend **APPROVAL** of a request from Army Post Development, LC (owner), to amend the "Airport Business Park Phase II" PUD Conceptual Plan to allow for changes to the public street network and lot configuration of the business park to allow the development of a new warehouse facility subject to the following:

1. Any future PUD Development Plan for any site within the PUD shall demonstrate landscaping and buffering to the satisfaction of the City's Planning Director.
2. Any future PUD Development Plan for any site within the PUD shall demonstrate that all loading docks will be adequately screened from view on adjacent streets, including Highway 5.

The subject property is more specifically described as follows:

LOTS 3, 7 AND EXCEPT THE WEST 2.9754 ACRES OF LOT 6 AND ALL OF OUTLOTS X AND Y, AIRPORT BUSINESS PARK PLAT 1, AN OFFICIAL PLAT AND THAT PART OF LOT A, OF SAID AIRPORT BUSINESS PARK PLAT 1, LYING SOUTH OF SAID LOT 3 AND LYING EAST OF THE SOUTH EXTENSION OF THE WEST LINE OF SAID LOT 3; AND THE SOUTH 1/2 F THE SOUTHEAST 1/4 AND THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND ALL THAT PART OF THE EAST 1/2 OF THE WEST 1/2 OF THE NORTHEAST 1/4 LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF RELOCATED ARMY POST ROAD, ALL IN SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., ALL NOW INCLUDED WITHIN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA, SUBJECT TO LEGALLY ESTABLISHED HIGHWAYS.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on February 28, 2011, at which time the City Council will hear both those who oppose and those who favor the proposal.

- Continue -

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February 14, 2011


Date

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2. That the City Clerk is hereby authorized and directed to cause notice of said proposal in the accompanying form to be given by publication once, not less than seven (7) days and not more than twenty (20) days before the date of hearing, all as specified in Section 362.3 and Section 414.4 of the Iowa Code.

MOVED by _____ to adopt.

FORM APPROVED:


 Michael F. Kelley
 Assistant City Attorney

(ZON2010-00230)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		
_____ Mayor				

CERTIFICATE

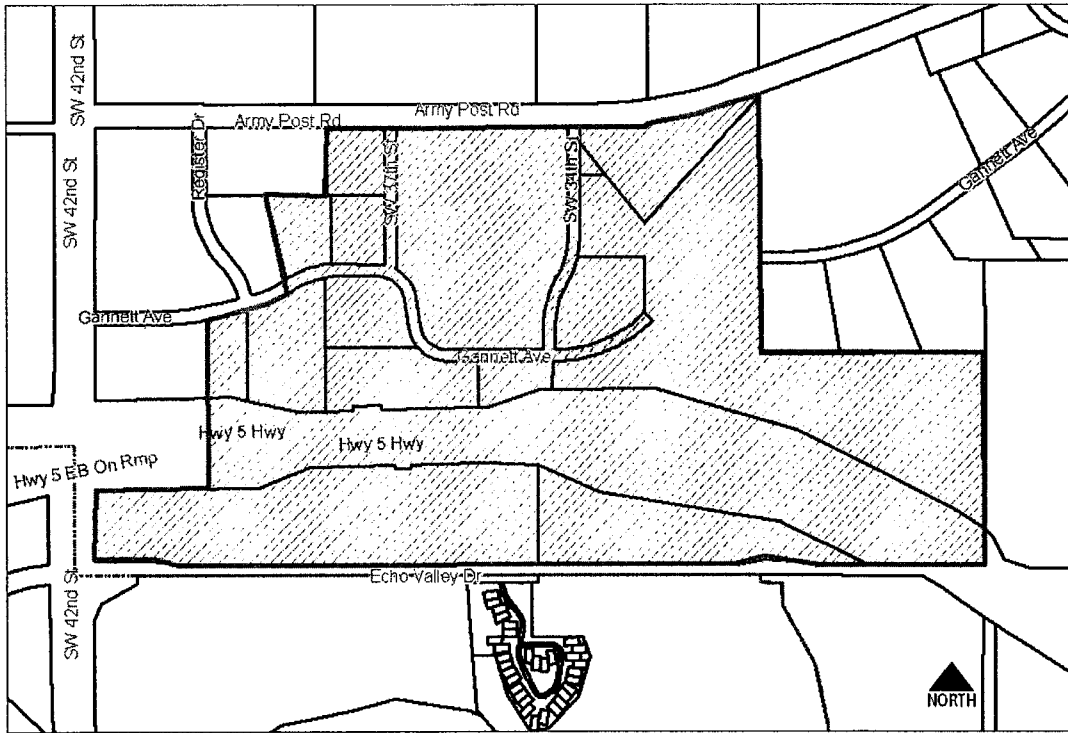
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.



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

_____ City Clerk

Request from Army Post Development, LC (owner) represented by Richard Margulies (officer) for review and approval of an amendment to the "Airport Business Park Phase II" PUD Conceptual Plan to allow for changes to the public street network and lot configuration of the business park to allow the development of a new warehouse facility within the Airport Business Park Phase II PUD.				File # ZON2010-00230	
Description of Action	Review and approval of an amendment to the "Airport Business Park Phase II" PUD Conceptual Plan				
2020 Community Character Plan	Planned Business Park				
Horizon 2035 Transportation Plan	No Planned Improvements				
Current Zoning District	"PUD" Planned Unit Development District				
Proposed Zoning District	"PUD" Planned Unit Development District				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	1	0		N/A	
Outside Area					
Plan and Zoning Commission Action	Approval	11-0	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Army Post Dev LC - Airport Bus Pk Phase II PUD Amendment - Army Post Rd & SW 34th St ZON2010-00230



 Existing "PUD" to be amended
  ROW to be vacated

January 27, 2011

32B

Roll Call:

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 January 20, 2011, the following action was taken:

COMMISSION RECOMMENDATION:

After public hearing, the members voted 11-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley	X			
Dann Flaherty	X			
John "Jack" Hilmes	X			
Joel Huston				X
Ted Irvine	X			
Greg Jones	X			
Jim Martin				X
Brian Millard	X			
William Page	X			
Mike Simonson	X			
Kent Sovern	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 Army Post Development, LC (owner) to vacate and convey a segment of Gannett Avenue running east of Southwest 34th Street and a segment of Southwest 34th Street running north of Gannett Avenue; **APPROVAL** to amend the "Airport Business Park Phase II" PUD Conceptual Plan to allow for changes to the public street network and lot configuration of the business park to allow the development of a new warehouse facility subject to the following: 11-2010-1.20 & ZON2010-00230

1. Any future PUD Development Plan for any site within the PUD shall demonstrate landscaping and buffering to the satisfaction of the City's Planning Director.
2. Any future PUD Development Plan for any site within the PUD shall demonstrate that all loading docks will be adequately screened from view on adjacent screens, including Highway 5 and

APPROVAL to amend the Preliminary Plat for “Airport Business Park” subject to the following conditions:

1. Compliance with all requirements of the City’s Permit and Development Center.
2. The Preliminary Plat shall ~~identify all trees 6 inches in caliper or greater, and~~ comply with all tree removal and mitigation requirements established in the City Code.

Written Responses

1 In Favor

0 In Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the requested vacation of a segment of Gannett Avenue running east of Southwest 34th Street and a segment of Southwest 34th Street running north of Gannett Avenue, subject to reservation of easements for any public utilities in place to remain until such time the adjoining property owner either assumes private ownership of the facilities or relocates the utilities with creation of new public easements.

Part B) Staff recommends approval of the amendment to the “PUD” Concept Plan subject to the following:

1. Any future PUD Development Plan for any site within the PUD shall demonstrate landscaping and buffering to the satisfaction of the City’s Planning Director.
2. Any future PUD Development Plan for any site within the PUD shall demonstrate that all loading docks will be adequately screened from view on adjacent screens, including Highway 5.

Part C) Staff recommends approval of the amendment to the Preliminary Plat for “Airport Business Park” subject to the following conditions:

1. Compliance with all requirements of the City’s Permit and Development Center.
2. The Preliminary Plat shall identify all trees 6 inches in caliper or greater, and comply with all tree removal and mitigation requirements established in the City Code.

STAFF REPORT

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is proposing to reconfigure the lots within the Airport Business Park by relocating a segment of Gannett Avenue and eliminating a segment of Southwest 34th Street. The proposed changes require amendments to both the “Airport Business Park Phase II” PUD Conceptual Plan and the Preliminary Plat for “Airport Business Park”. The proposed PUD Conceptual Plan amendments do not alter the established permitted uses, landscaping requirements, or bulk regulations.

2. **Size of Site:** 288 acres.
3. **Existing Zoning (site):** “PUD” Planned Unit Development.
4. **Existing Land Use (site):** Airport Business Park, including the existing HP facility and a portion of the Katecho building.

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

North – “M-3”. Use is the Des Moines International Airport.

South – “PUD” (Warren County), Use is vacant land and Country Club development with Golf course and town homes and single-family development.

East – “PUD” & “R-5”, Uses are Airport Commerce Park South and Meadows Mobile Home Community.

West – “PBP”, Uses is the Airport Business Park Phase 1, which includes Katecho, the Des Moines Register facility, and offices for IPERS.

6. **General Neighborhood/Area Land Uses:** The surrounding area is generally undeveloped land south of the Des Moines International Airport with planned use for business park and support commercial.
7. **Applicable Recognized Neighborhood(s):** NA.
8. **Relevant Zoning History:** On December 17, 2001, the City Council rezoned the site from “PBP” Planned Business Park District to “PUD” Planned Unit Development and approved the Airport Business Park Phase 2 “PUD” Conceptual Plan.
9. **2020 Community Character Land Use Plan Designation:** Planned Business Park.
10. **Applicable Regulations:** The Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

The Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and conceptual plan shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of this division and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the conceptual plan and request for rezoning as submitted, or to

recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Drainage/Grading:** The Conceptual Plan demonstrates two large stormwater retention lakes within the business park and also states that each lot will provide stormwater detention on site. Engineering staff has reviewed the Conceptual Plan and believes the conceptual locations for drainage and storm water management are adequate. Approval of any future Development Plan will be subject to compliance with grading/silt control, storm water management requirements, and Site Plan policies for drainage and grading.
2. **Natural Site Features:** There is a north south drainage way dividing approximately the western third of the site with proposed lake wetlands. The plan calls for a future trail development around the wetlands areas.
3. **Utilities:** Easements for existing facilities within the requested segments of Gannett Avenue and Southwest 34th Street right-of-way must be provided until they are removed or relocated at the applicant's expense.
4. **Landscaping & Buffering:** The PUD Concept Plan states that all unpaved areas of each lot shall be landscaped. No landscaping of any lot shall be permitted without first submitting a complete and detailed landscaping plan to the declarant. The declarant believes that the landscaping will to maintain the park as a high quality and aesthetically pleasing business park. Street trees will be provided by the developer of each lot. Staff believes a note should be added to the PUD to state that any future PUD Development Plan for any lot within the PUD shall demonstrate landscaping and buffering to the satisfaction of the City's Planning Director.

The Conceptual Plan states that truck dock doors shall not face any street within the business park, unless the dock doors are screened, fenced, or landscaped in a manner that prevents visibility from adjoining streets and lots. The proposed amendment demonstrates that the future building on "Lot 8" would have multiple overhead doors on the south façade, which faces Highway 5. Staff believes a note should be added to the PUD to state that any future PUD Development Plan for any lot within the PUD shall demonstrate that all loading docks will be adequately screened from view on adjacent screens, including Highway 5.

5. **Traffic/Street System:** The proposed amendment would relocate a segment of Gannett Avenue and eliminate a segment of Southwest 34th Street. The Conceptual Plan and Preliminary Plat demonstrate that Southwest 34th Street and relocated Gannett Avenue would be connected. Traffic and Transportation Division staff has indicated that the surrounding street network is adequately designed for any future use and development proposed by the Concept Plan. A turnaround would be provided at the eastern terminus of the resulting dead end segment of Gannett Avenue.

6. **2020 Community Character Plan:** The proposed Conceptual Plan is consistent with the Des Moines' 2020 Community Character Plan future land use designation of Planned Business Park. The Concept Plan does not alter the proposed uses already approved under "PBP" regulations and Concept Plan,
7. **Urban Design:** The "PUD Conceptual Plan establishes permitted building materials, including precast concrete, brick, architectural concrete block, stucco, ornamental concrete, glass, and aluminum covered panels. The Conceptual Plan prohibits metal walls, composite siding, and asphalt shingles. The submitted elevations for the proposed building on Lot 8 demonstrate that it would be constructed primarily with precast concrete.

SUMMARY OF DISCUSSION

There was no discussion.

CHAIRPERSON OPENED THE PUBLIC HEARING

There was no one to speak in support or opposition of applicant's request.

COMMISSION ACTION

Kent Sovern moved staff recommendation Part A) To approve the requested vacation of a segment of Gannett Avenue running east of Southwest 34th Street and a segment of Southwest 34th Street running north of Gannett Avenue, subject to reservation of easements for any public utilities in place to remain until such time the adjoining property owner either assumes private ownership of the facilities or relocates the utilities with creation of new public easements.

Part B) To approve the amendment to the "PUD" Concept Plan subject to the following:

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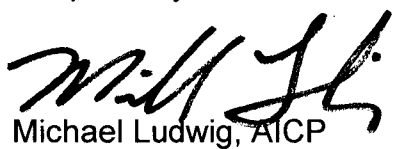
Part C) To approve of the amendment to the Preliminary Plat for "Airport Business Park" subject to the following conditions:

1. Compliance with all requirements of the City's Permit and Development Center.

2. The Preliminary Plat shall identify all trees 6 inches in caliper or greater, and comply with all tree removal and mitigation requirements established in the City Code.

Motion passed 11-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:clw

Attachment

Item 2010-00230 Date 1-13-11

(am) (am) (oppose) (oppose) the request.

RECEIVED
COMMUNITY DEVELOPMENT
JAN 18 2011
DEPARTMENT

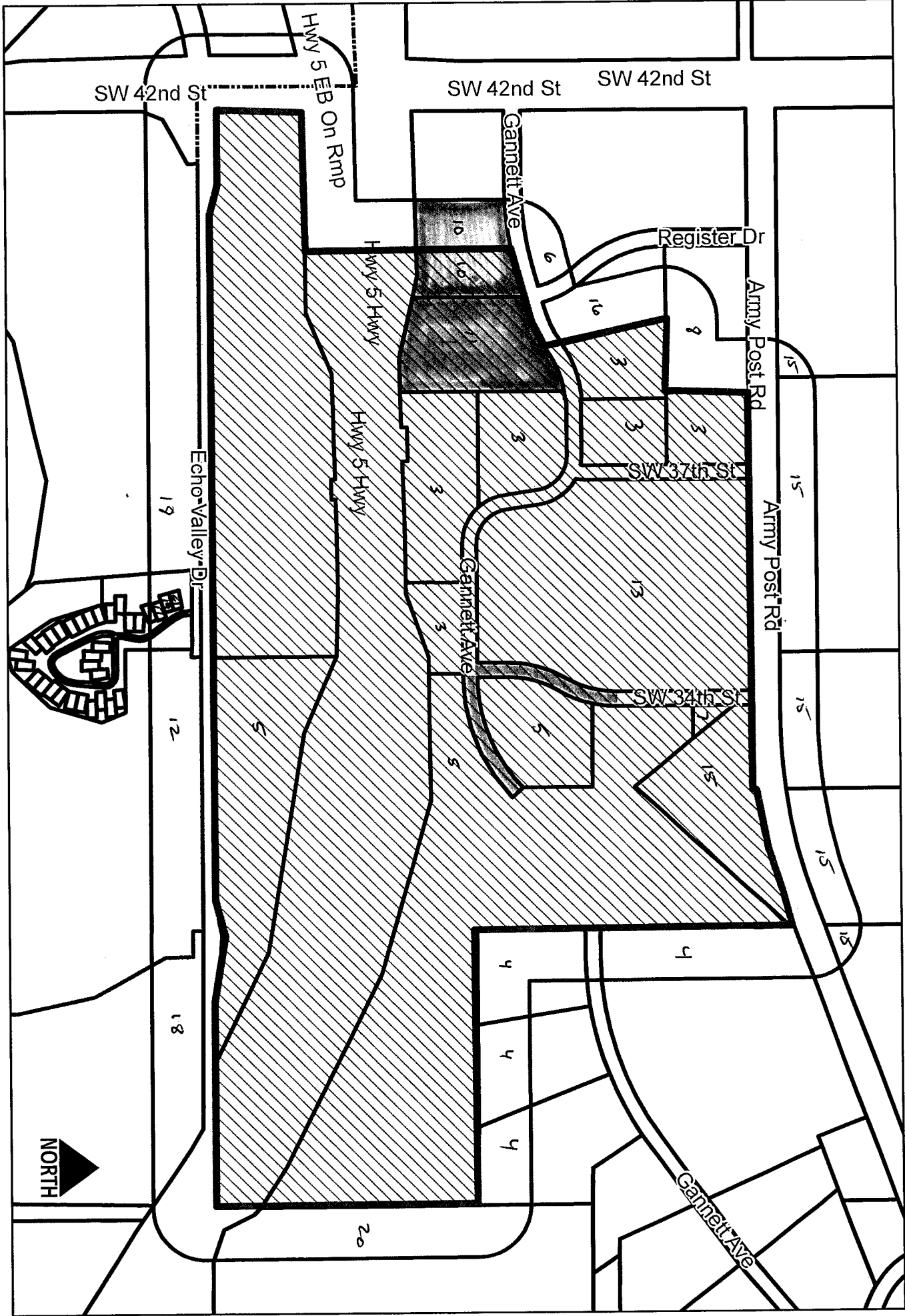
Print Name Lorne Scharnberg

Signature Lorne Scharnberg

Address 4020 Gannett Ave.
Des Moines

Reason for opposing or approving this request may be listed below:

Great opportunity for the community to
be further developed, the city for additional
revenues and employment.



Existing "PUD" to be amended



ROW to be vacated