



Date August 28, 2017

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "WOODSIDE ESTATES WEST COMMERCIAL PARK PLAT 1" ON PROPERTY LOCATED IN THE VICINITY OF 5500 NORTHWEST 2ND STREET

WHEREAS, on August 17, 2017, the City of Des Moines Plan and Zoning Commission voted 15-0 for APPROVAL of a Preliminary Plat "Woodside Estates West Commercial Park Plat 1" on property located in the vicinity of 5500 Northwest 2nd Street, to allow the 14.57 acre subject property to be divided into two parcels with frontage on Northwest 2nd Street in unincorporated Polk County, subject to compliance with all administrative review comments by the City's Permit and Development Center, and subject to the provision of a note on the plat document that "future development is subject to Article 7 Section 4 'Natural Resources Protection, Woodlands' of the Polk County Zoning Code."

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed.

MOVED by _____ to receive and file.

FORM APPROVED:

Glenna K. Frank (handwritten signature)

Glenna K. Frank Assistant City Attorney

(13-2018-1.02)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GATTO, GRAY, HENSLEY, MOORE, WESTERGAARD, and 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



CITY OF **DES MOINES**
COMMUNITY DEVELOPMENT

Date August 28, 2017

Agenda Item 22

Roll Call # _____

August 23, 2017

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 August 17, 2017, the following action was taken regarding a request from 2nd Avenue Business Park, LLC (owner) represented by Randy Krohn (officer) for review and approval of a Preliminary Plat "Woodside Estates West Commercial Park Plat 1" for property located at 5500 Northwest 2nd Street, in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow the 14.57-acre subject property to be divided into two parcels with frontage on Northwest 2nd Street.

COMMISSION ACTION:

After public hearing, the members voted 15-0 as follows:

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
Francis Boggus	X			
Dory Briles	X			
JoAnne Corigliano	X			
David Courard-Hauri	X			
Jacqueline Easley	X			
Jann Freed	X			
John "Jack" Hilmes	X			
Lisa Howard	X			
Carolyn Jenison	X			
Greg Jones	X			
William Page	X			
Mike Simonson	X			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			

APPROVAL of the requested Preliminary Plat for "Woodside Estates West Commercial Park Plat 1", subject to the following conditions:

1. Compliance with all comments of the administrative review by the Permit and Development Center.

- 2. Provision of a note on the plat document that “future development is subject to Article 7 Section 4 “Natural Resources Protection, Woodlands” of the Polk County Zoning Code.”

(13-2018-1.02)

Written Responses

0 in Favor

0 in Opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested Preliminary Plat for “Woodside Estates West Commercial Park Plat 1”, subject to the following conditions:

- 1. Compliance with all comments of the administrative review by the Permit and Development Center.
- 2. Provision of a note on the plat document that “future development is subject to Article 7 Section 4 “Natural Resources Protection, Woodlands” of the Polk County Zoning Code.”

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

- 1. **Purpose of Request:** The developer is seeking to subdivide the property into two separate parcels for commercial development within unincorporated area of Polk County. Polk County is requiring the subdivision into two parcels to go through their Preliminary Plat procedure.

§ 354.9 of the Iowa Code provides for review of land subdivision by a municipality within 2 miles of its corporate limit. When the territory overlaps with another municipal jurisdiction then the closer jurisdiction has right of review unless there is separate intergovernmental agreement pursuant to Chapter 28E of the Iowa Code. In this instance, the City of Des Moines is closer to the property than the City of Ankeny.

- 2. **Size of Site:** 14.57 acres.
- 3. **Existing Zoning (site):** “GC” General Commercial (Polk County).
- 4. **Existing Land Use (site):** The property contains a large woodland area. There are also gardening uses on the northern portion of the site.
- 5. **Adjacent Land Use and Zoning:**

North – “GC” General Commercial (Polk County), Use is a union hall for the International Union of Painters and Allied Trades.

South – “GC” (Polk County), Use is Saylor Township Fire Department.

East – “GC” (Polk County), Uses are an auto repair garage, single-family dwellings, vacant land, an auto dealership, an auto-body repair garage, and an equipment sales and rental business.

West – “LDR” Low Density Residential (Polk County), Uses are row townhomes and single-family dwellings.

6. **General Neighborhood/Area Land Uses:** The subject property is located in the Saylor Township highway commercial area along the NW 2nd Street corridor between Des Moines and Ankeny.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the unincorporated area of Polk County in Saylor Township. Notifications of the hearing for this specific item were mailed on August 7, 2017 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the Preliminary Plat amendment boundary. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on August 11, 2017.
8. **Relevant Zoning History:** N/A.
9. **PlanDSM Land Use Plan Designation:** N/A. However, Polk County’s Comprehensive Plan 2030 Land Use map designates the property as Agricultural.
10. **Applicable Regulations:** In consideration of the criteria set forth in Chapter 18B of the Iowa Code, the Commission shall determine if the Preliminary Plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code. The Commission shall also determine if it conforms to 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.

The Preliminary Plat is concurrently reviewed and would be given final approval by Polk County Board of Supervisors.

II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Site Features:** The subject property contains tree canopy through a majority of the property. Any future development is subject to enforcement of Polk County’s Ordinance for tree preservation which is contained in Article 7 Section 4 of the Polk County Zoning Code. Polk County has different methodology for preservation of existing woodlands and requires protection of different percentages of woodland areas depending on the maturity of the canopy. Staff is recommending that a notation be included on the plat document that future development is subject

to Article 7 Section 4 "Natural Resources Protection, Woodlands" of the Polk County Zoning Code.

- 2. **Drainage/Grading:** The subject property generally drains to the southern portion of the property. There is no proposed grading activity or changes to the existing drainage patterns as part of the proposed subdivision process. With any future development, Polk County will have enforcement of drainage and storm water management under site plan development standards within their adopted Ordinances and standards.
- 3. **Utilities:** The developer proposes to extend an existing 12-inch Des Moines Water Works main from the south within NW 2nd Street frontage to the northern limit of the property. The developer also proposes to extend an existing 8-inch Polk County sanitary sewer main within NW 2nd Street frontage from the south to the northern property limit.
- 4. **Traffic/Street System:** There are no proposed modifications to the surrounding public street network. The subject property currently has the ability to develop commercial driveway access from NW 2nd Street. There is also a 28-foot wide east/west ingress egress easement proposed to provide a share access location. This easement is centered over the lot line proposed between Lot 1 and Lot 2.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if anyone was present to speak on this item. None were present or requested to speak.

COMMISSION ACTION:

Greg Jones made a motion to approve Consent Agenda Items 2, 3 and 7 per staff recommendation.

Motion passed 15-0.

Respectfully submitted,



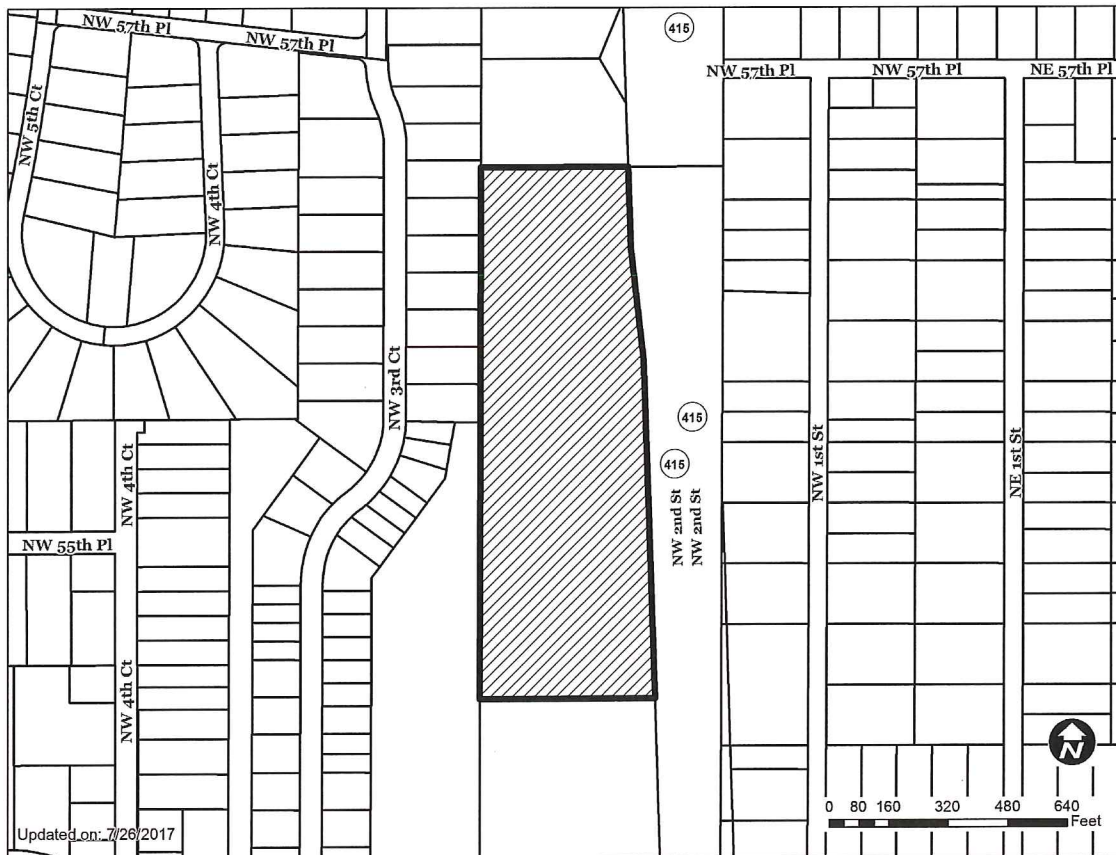
Michael Ludwig, AICP
Planning Administrator

MGL:mgl
Attachments

2nd Avenue Business Park, LLC (owner) represented by Randy Krohn (officer) for property located at 5500 Northwest 2 nd Street.		File # 13-2018-1.02		
Description of Action	Review and approval of a Preliminary Plat "Woodside Estates West Commercial Park Plat 1" in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow the 14-57-Acre subject property to be divided into two parcels with frontage on Northwest 2nd Street in unincorporated Polk County.			
PlanDSM Future Land Use	Current: N/A. (Agriculture In Polk County Comprehensive Plan 2030) Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"GC" General Commercial District. (Polk County)			
Proposed Zoning District	N/A.			
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition
Subject Property	0	0	0	N/A
Outside Area (200 feet)	0	0	0	N/A
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	
	Denial		Yes	No
				X

2nd Avenue Business Park, LLC, 5500 Northwest 2nd Street

13-2018-1.02

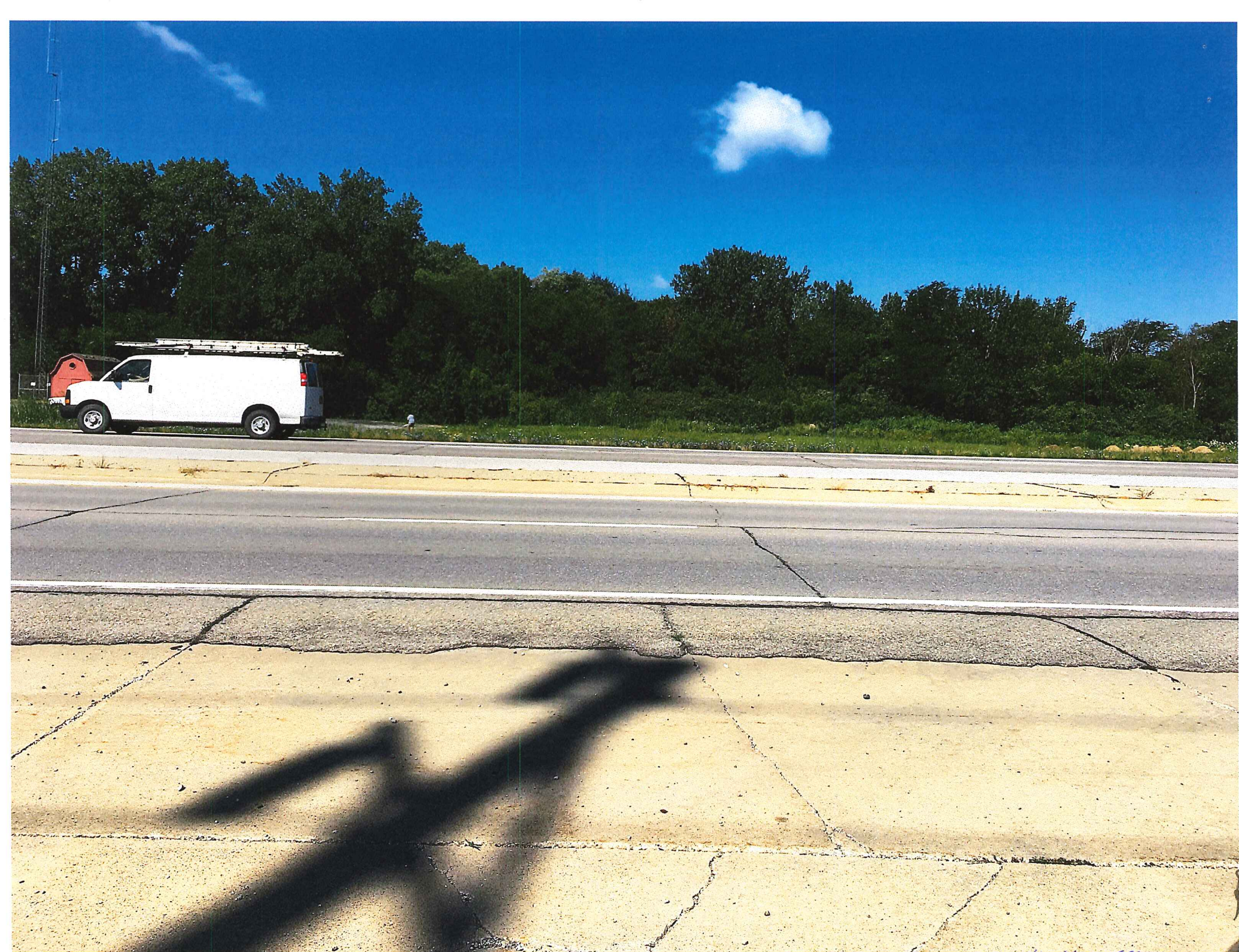


1 inch = 305 feet

2nd Avenue Business Park, LLC, 5500 Northwest 2nd Street

13-2018-1.02



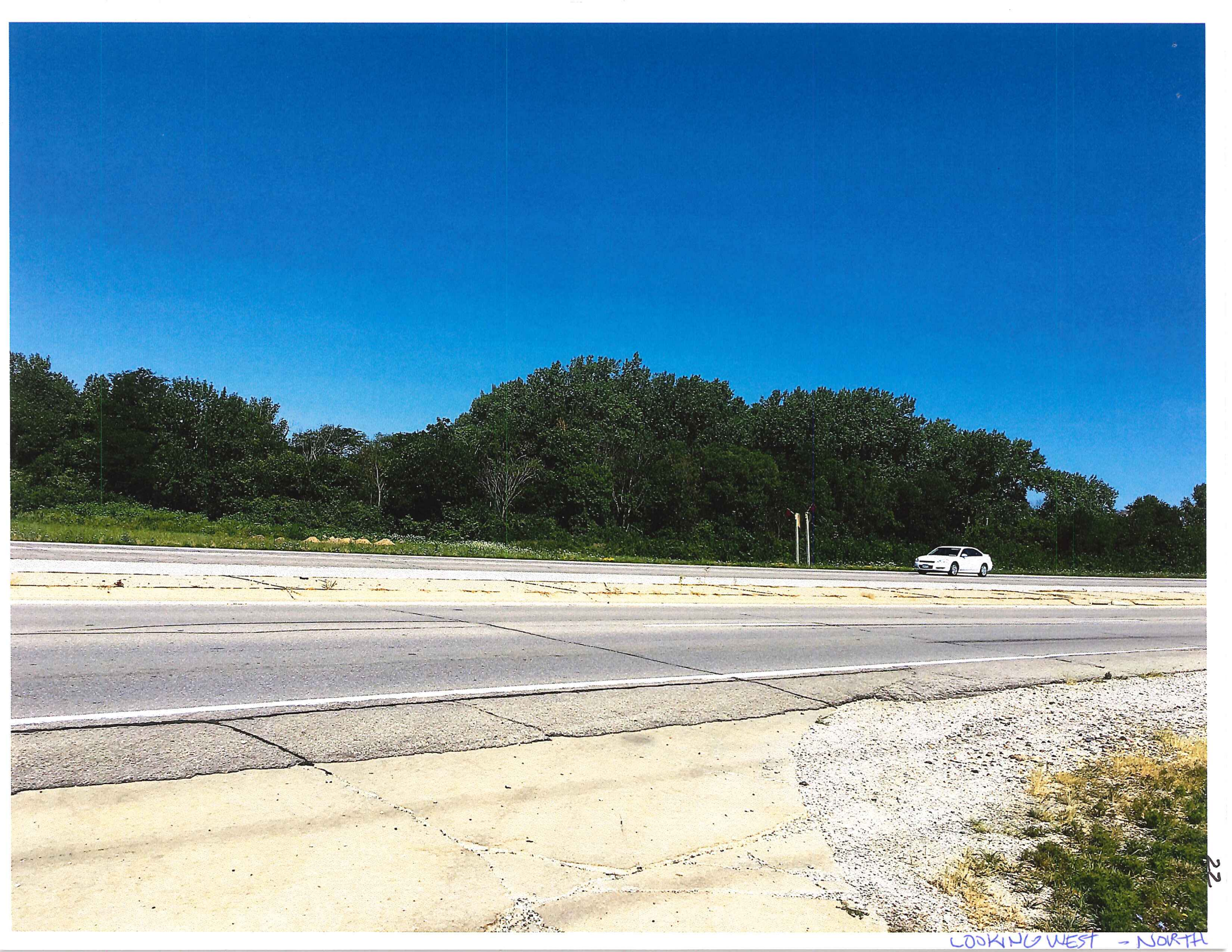


22

LOOKING WEST - SOUTH

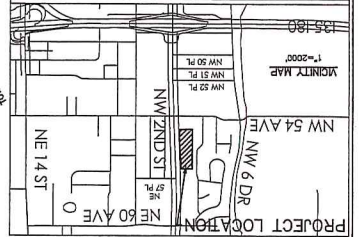
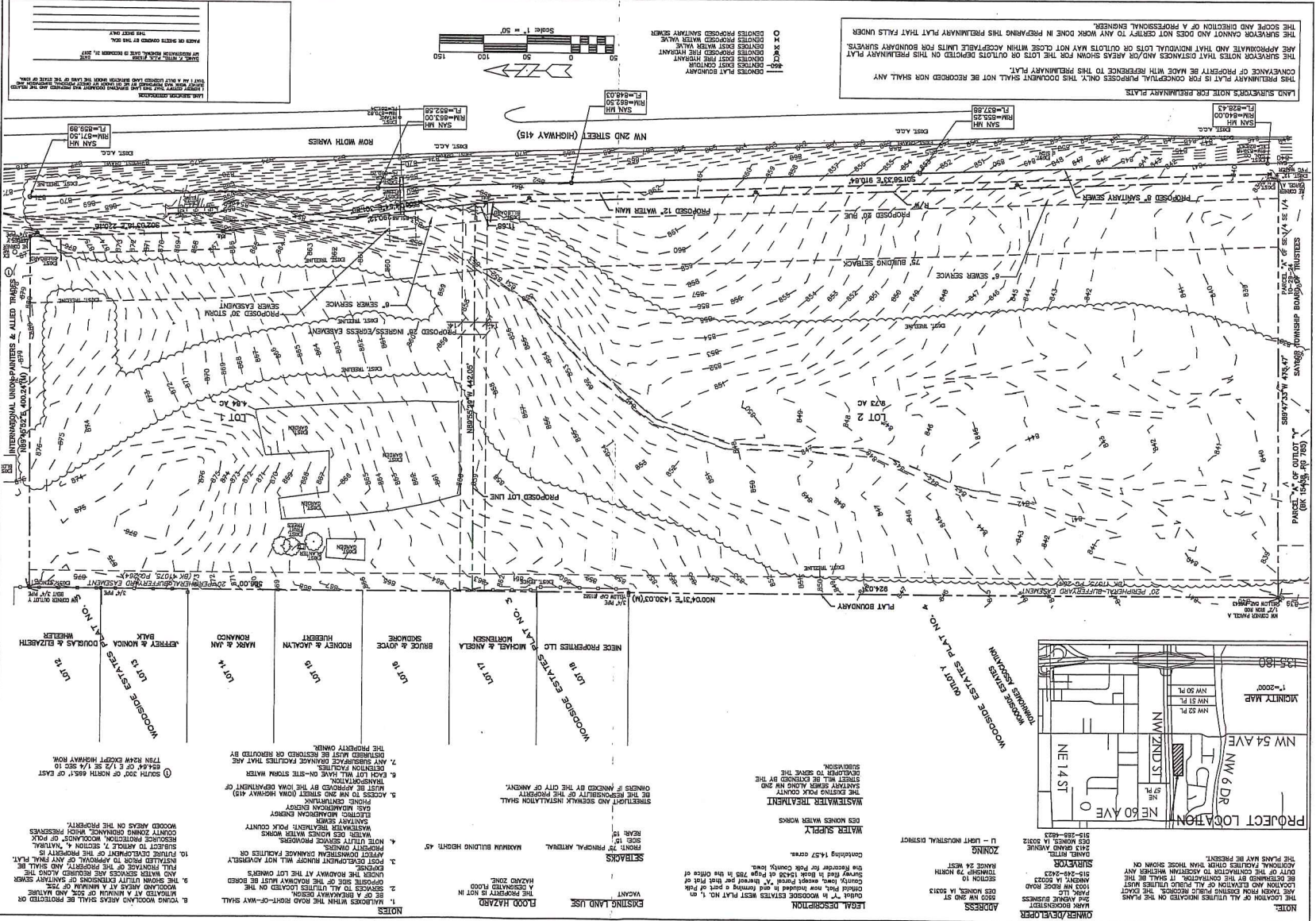


LOOKING WEST - MIDDLE



LOOKING WEST - NORTH

FRG Engineering Francisco Group, Inc. 2415 JONES ROAD DALLAS, TEXAS 75243 (972) 342-4500		
WOODSIDE ESTATES WEST COMMERCIAL PARK PLAT I - PRELIMINARY PLAT		
NO.	SECTION	DATE
BY		
FROM		
LOCATION		
SCALE	TITLE	DESIGNED BY
1"=50'	1508	DSS
1:100-8104(A) (4/2016)		DRYAN BR
FIELD BOOK		7/22/2017
	SHEET 1	OF 1
THE NO.	1508	



NOTE:
THE LOCATION OF ALL UTILITIES INDICATED ON THE PLANS SHALL BE VERIFIED BY THE APPLICANT.
1. ALL UTILITIES SHALL BE SHOWN ON THE PLANS.
2. THE LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE APPLICANT.
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LEGAL DESCRIPTION
Parcel 7, in Woodside Estates West Plat No. 1, is vacant and is being offered for sale as a part of the property shown hereon.
Parcel 8, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 9, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 10, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 11, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 12, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 13, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 14, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 15, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 16, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 17, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 18, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.
Parcel 19, in Woodside Estates West Plat No. 1, is a 2.0-acre parcel and is being offered for sale as a part of the property shown hereon.

EASTING LAND USE
Vacant

BLOOD HAZARD
None

SEPARATORS
None

WATER SUPPLY
None

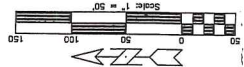
MASTHEAD TREATMENT
None

MAINTENANCE
None

OTHER/GENERAL
None

LAND SURVEYOR'S NOTE FOR PRELIMINARY PLATS
CONVEYANCE OF PROPERTY MADE WITH REFERENCE TO THIS PRELIMINARY PLAT.
THE SURVEYOR NOTES THAT INDIVIDUAL LOTS OR OUTLOTS DEPICTED ON THIS BOUNDARY SURVEY ARE APPROXIMATE AND THAT INDIVIDUAL LOTS OR OUTLOTS MAY NOT CLOSE WITHIN ACCEPTABLE LIMITS FOR BOUNDARY SURVEYS.
THE SURVEYOR CANNOT AND DOES NOT CERTIFY TO ANY WORK DONE IN PREPARING THIS PRELIMINARY PLAT THAT FALLS UNDER THE SCOPE AND DIRECTION OF A PROFESSIONAL ENGINEER.

MARK
M DENOTES PLAT BOUNDARY
O DENOTES EXISTING UTILITIES
S DENOTES PROPOSED WATER MAINS
W DENOTES PROPOSED SANITARY SEWER
X DENOTES PROPOSED WATER MAINS



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Item #2