

Date December 4, 2017

RESOLUTION HOLDING HEARING ON REQUEST FROM ATLANTIC BOTTLING CO. REGARDING THE SECOND AMENDMENT TO THE AIRPORT BUSINESS PARK PHASE II PUD CONCEPTUAL PLAN (3600 ARMY POST ROAD)

WHEREAS, on November 20, 2017, by Roll Call No. 17-1954, the City Council received a communication from the City Plan and Zoning Commission advising that at a public hearing held on November 2, 2017, its members voted 12-0 in support of a motion to recommend **APPROVAL** of a request from Atlantic Bottling Co. (lessee), represented by Jeff Kinzie (officer), for review and approval of the 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan for property located at 3600 Army Post Road ("Property"), to allow an 18-foot tall freestanding pole sign with four 36-square foot internally illuminated sign faces, and to allow up to a 300-square foot internally illuminated wall mounted sign on the south façade; and

WHEREAS, on November 20, 2017, by Roll Call No. 17-1954, it was duly resolved by the City Council that the application of Atlantic Bottling Co. for the 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan, for Property legally described below, be set down for hearing on December 4, 2017 at 5:00 p.m. in the Council Chamber at the Municipal Service Center; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed Plan Amendment; and

WHEREAS, in accordance with said notice, those interested in said proposed Plan Amendment, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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 and any statements of interested persons and arguments of counsel, any and all objections to the proposed 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan for the Property, locally known as 3600 Army Post Road and legally described as follows, are hereby overruled, and the hearing is closed:

Amendment Area

LOT 4, AIRPORT BUSINESS PARK PLAT 2, AN OFFICIAL PLAT, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

Overall PUD

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;

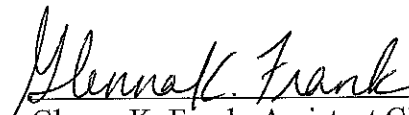
Date December 4, 2017

AND THE SOUTH 1/2 OF 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.

2. The proposed 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan, as on file in the Community Development Department, is hereby found to be in conformance with the PlanDSM: Creating Our Tomorrow Land Use Plan and is hereby approved, subject to the revisions set forth above.

MOVED BY _____ TO ADOPT.

FORM APPROVED:


 Glenna K. Frank, Assistant City Attorney

(ZON2017-00176)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GATTO				
GRAY				
HENSLEY				
MOORE				
WESTERGAARD				
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



Date _____

Agenda Item 53

Roll Call # _____

November 8, 2017

Honorable Mayor and City Council
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their November 2, 2017 meeting, the following action was taken regarding a request Atlantic Bottling Co. (lessee) represented by Jeff Kinzie (officer) for review and approval of a 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan on property located at 3600 Army Post Road, to allow an 18-foot tall freestanding pole sign with four 36-square foot internally illuminated sign faces, and to allow up to a 300-square foot internally illuminated wall mounted sign on the south façade. The subject property is owned by IPE1031 REV235, LLC.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 12-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
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 amendment to the Airport Business Park Phase II PUD
Conceptual Plan. (ZON2017-00176)

Written Responses

2 in Favor

0 in Opposition

STAFF RECOMMENDATION

Staff recommends approval of the requested amendment to the Airport Business Park Phase II PUD Conceptual Plan.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** Atlantic Bottling Company has recently occupied a majority of the building formerly housed by Hewlett-Packard. They have relocated from Waukee. They propose to relocate an existing clock pedestal sign from their former site to a location near the northeast corner entrance to the 407,938-square foot building. The sign has four 36-square foot faces with a functioning clock on two faces and "Coca-Cola" logo on the other two faces. Additionally, the applicant is proposing a 300-square foot wall mounted sign for "Coca-Cola" on the south façade oriented toward Iowa Highway 5. The PUD sign allowance which references sign earnings in the "C-1" District would permit a 200-square foot sign by right on that southern building wall based on a 100% bonus for the building setback from Gannett Avenue.
2. **Size of Site:** The entire Airport Business Park Phase II PUD measures approximately 242 acres. The subject property within the PUD impacted by the proposed amendment measures 27.97 acres.
3. **Existing Zoning (site):** Airport Business Park Phase II PUD and "FSO" Freestanding Sign Overlay District.
4. **Existing Land Use (site):** 407,938-square foot office and warehouse building.
5. **Adjacent Land Use and Zoning:**
 - East* - "PUD", Use is vacant land and Des Moines Water Works booster station.
 - West* - "PUD"; Use is vacant land.
 - North* - "M-3"; Use is the Des Moines International Airport.
 - South* - "PUD"; Use is vacant land.
6. **General Neighborhood/Area Land Uses:** The subject property is within a business park complex in close proximity to the Des Moines International Airport. It fronts Army Post Road, with the overall business park being located along Iowa Highway 5.

7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on October 13, 2017. Additionally, separate notifications of the hearing for this specific item were mailed on October 13, 2017 (20 days prior to the hearing) and October 23, 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 requested rezoning. A Final Agenda for the meetings were mailed to all the recognized neighborhood associations on October 27, 2017.
8. **Relevant Zoning History:** The original PUD zoning was approved along with the Airport Business Park PUD Conceptual Plan on December 17, 2001, by Ordinance No. 14,031. It was amended on February 28, 2011 to reconfigure the street network to sever a portion of Gannett Avenue for redevelopment.
9. **PlanDSM Land Use Plan Designation:** The proposed project area is designated as "Business Park" on the Future Land Use Map.
10. **Applicable Regulations:** In consideration of the criteria set forth in Chapter 18B of the Iowa Code, the application, accompanying evidence and proposed amendment to a PUD 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 the City Code 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 amended PUD Conceptual Plan 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.

The applicable provisions of the Zoning Ordinance for the "FSO" Freestanding Overlay District are as follows:

The provisions of the "FSO" Freestanding Sign Overlay are intended to implement the PlanDSM. The definitions of the Zoning Ordinance create the standards for such signs.

Any on-premises advertising sign that is a freestanding sign shall be a monument sign, and shall comply with the following height restrictions measured from grade to the highest point on the sign:

1. If located at or within 25 feet from the front lot line, the sign shall be no more than 8 feet in height.
2. If located more than 25 feet from the front lot line, the sign shall be no more than 15 feet in height.

Sign, monument means a sign affixed to a structure built on grade, having a solid opaque base, constructed of brick, stone, concrete block or other durable material matching the exterior of the primary building and extending from grade to the bottom of the sign face across the entire width of the sign face. The height of the sign base must

be not less than the larger of 2 feet or 25 percent of the total sign height. Monument signs are sometimes referred to in this chapter as monumental signs.

II. ADDITIONAL APPLICABLE INFORMATION

1. **PUD Standards:** The following is the applicable standards from Section 134-704 of the City Code that provide the foundation that all PUD Conceptual Plans should be based on.

A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

Staff believes that this is the primary applicable criterion for the amendment in question. The proposed location of the sign is near the principle entrance to the office building for the applicant. It is not intended to serve as the primary identification sign at street along Army Post Road. Rather it is a piece of nostalgia that is intended to have more value such as a display of public art.

Staff believes that the additional proposed sign area for the propose wall mounted sign should be looked at similar to an Exception appeal in other zoning districts. The typical test would be practical difficulty. In this situation the south façade of the building sets back over 700 feet from the travelled portion of Iowa Highway 5. Therefore the sign could be larger and would still be within the character of proportion and scale of the business park relative to that distance.

B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

N/A.

C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

N/A.

D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

N/A.

- E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

N/A.

- F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

N/A.

- 2. **Staff Rationale:** Staff believes that PUDs are intended to maintain a character in accordance with standard Zoning regulations. In this instance, the appellant proposes a sign that does not fit the definition of a freestanding monument sign. However, Staff does believe the sign is intended to serve a more artistic value for visitors to the site rather than serve as an advertising or identification sign for the location. The sign would not be out of character or proportion with the building or site.

The proposed 330-square foot sign on the south façade would not be out of character with the proportion and scale of the site or the building. Based on the distance from the intended target, motorists on Iowa Highway 5, it is practically necessary to exceed the maximum area allowance in this instance.

SUMMARY OF DISCUSSION

Erik Lundy presented the staff report and recommendation.

JoAnne Corigliano asked if there was already a Coca-Cola sign along Highway 5.

Erik Lundy stated he wasn't aware of any existing sign facing Highway 5.

Rocky Sposato asked if the concern is just about the lighting of the sign.

Erik Lundy suggested the citizen discuss that further.

Greg Jones asked how much distance separates Echo Valley and the building.

Erik Lundy stated it is over 1,500 lineal feet.

Ed Arp Civil Engineering Consultants, Inc. appeared on behalf of the applicant and stated believes the subject property is about 2,000 feet to the front doors of Echo Valley. The existing approved business park would allow a 200 square foot lighted sign with no amendment.

Kirk Tyler, applicant, stated his family has been in the Coca-Cola business for 108 years and bought the Des Moines franchise in the mid 70's. This building has been vacant for one year and they have already made improvements to it. They painted the outside of the building, improved in the inside, along with the parking lots around the building. There are other buildings along Highway 5 that have larger lighted signs. Having one of the most recognized signs in the country would be a good addition to that.

Greg Wattier asked if they have looked at the difference between a 200 and 300 square foot sign.

Ed Arp stated they believe 300 square foot is an appropriate size to allow the sign to be recognized.

Greg Wattier asked if the sign would be lighted all night?

Ed Arp stated yes.

Will Page asked about the flourish underneath the "Coca-Cola" text on the pole sign?

Kirk Tyler stated they call that the "dynamic ribbon". It's only proposed on the pole sign design and will not be part of the building sign.

JoAnne Corigliano again asked about an existing sign along Highway 5.

Kirk Tyler stated he wasn't aware of any sign visible from Highway 5, but there is an existing building that is visible from Army Post Road.

CHAIRPERSON OPENED THE PUBLIC HEARING

Scott McMurray stated he is representing 1,200 acres of development to the south of this building. The business park development sits about 100 feet above Echo Valley drive and the residents don't want to be staring directly at this sign each time they leave the development. He believes it will be a great logo in the day time, but just doesn't want the sign to be illuminated.

Ed Arp stated they think this a reasonable request for the location and size of the building. He noted that the land between the subject property and Echo Valley will be developed someday.

CHAIRPERSON CLOSED THE PUBLIC HEARING

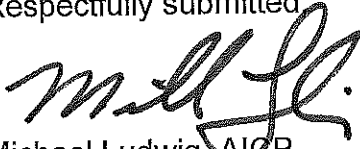
Greg Wattier presented a street view from the intersection of Echo Valley Drive looking back towards the subject building. The street view reflected a significant distance between Atlantic Bottling Company and Echo Valley Drive.

COMMISSION ACTION:

Jann Freed moved staff recommendation for approval of the requested amendment to the Airport Business Park Phase II PUD Conceptual Plan.

Motion Passed: 12-0

Respectfully submitted

A handwritten signature in black ink, appearing to read "M. Ludwig". The signature is stylized and written over the printed name below.

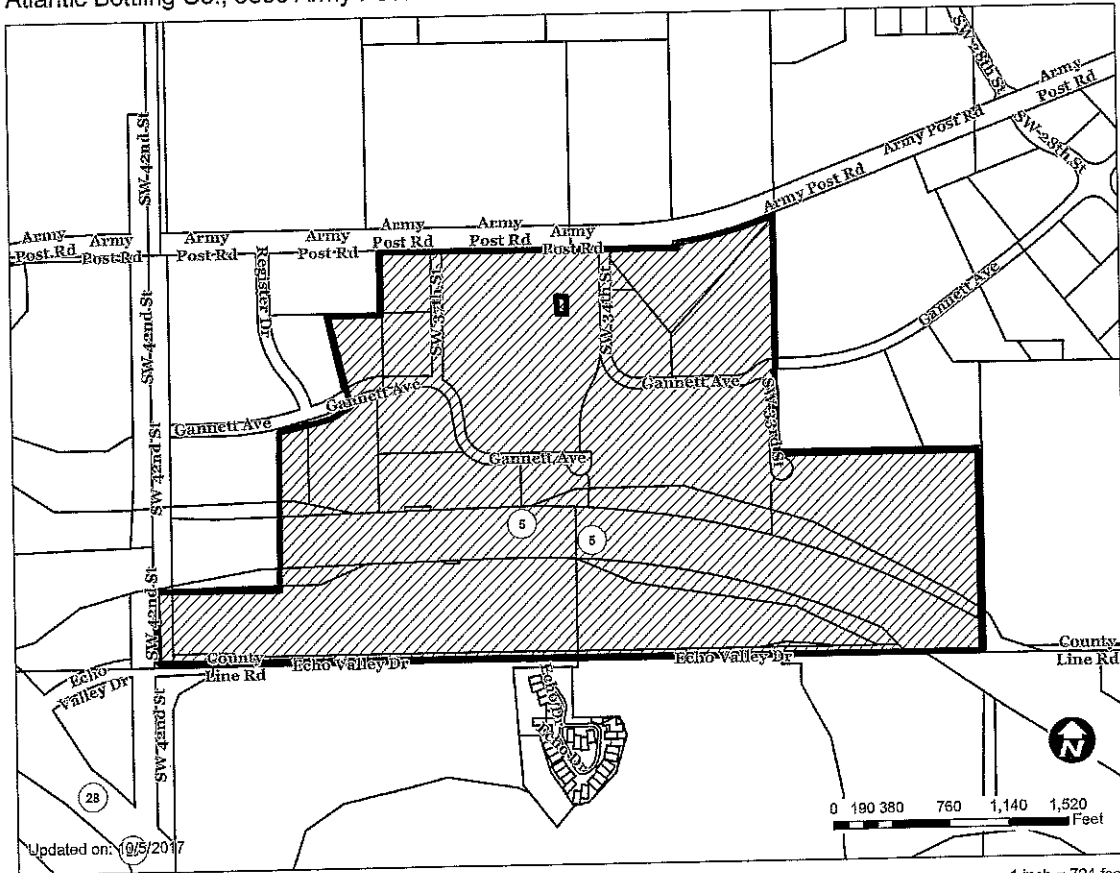
Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

Atlantic Bottling Co. (lessee) represented by Jeff Kinzie (officer) for property located at 3600 Army Post Road. The subject property is owned by IPE1031 REV235, LLC.		File # ZON2017-00176	
Description of Action	Review and approval of a 2nd Amendment to the Airport Business Park Phase II PUD Conceptual Plan to allow an 18-foot tall freestanding pole sign with four 36-square foot internally illuminated sign faces, and to allow up to a 300-square foot internally illuminated wall mounted sign on the south façade.		
PlanDSM Future Land Use	Current: Business Park. Proposed: N/A.		
Mobilizing Tomorrow Transportation Plan	No planned improvements.		
Current Zoning District	"PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.		
Proposed Zoning District	N/A.		
Consent Card Responses	In Favor	Not In Favor	Undetermined
Subject Property	2	0	
Outside Area (200 feet)			
Plan and Zoning Commission Action	Approval	12-0	Required 6/7 Vote of the City Council
	Denial		
			Yes
			No
			X

Atlantic Bottling Co., 3600 Army Post Road

ZON2017-00176



1 inch = 724 feet

ZON2017-00176

Date 10/27/17

(am not) in favor of the request.

SUBJECT PROPERTY

(Circle One)

RECEIVED

Print Name James Kinzie

COMMUNITY DEVELOPMENT

Signature [Handwritten Signature]

OCT 30 2017

Address 3600 Army Post Rd

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

Four horizontal lines for handwritten notes.

ZON2017-00176

Date 10-25-17

(am not) in favor of the request.

(Circle One)

RECEIVED

Print Name Lonnie Schramberg

COMMUNITY DEVELOPMENT

Signature [Handwritten Signature]

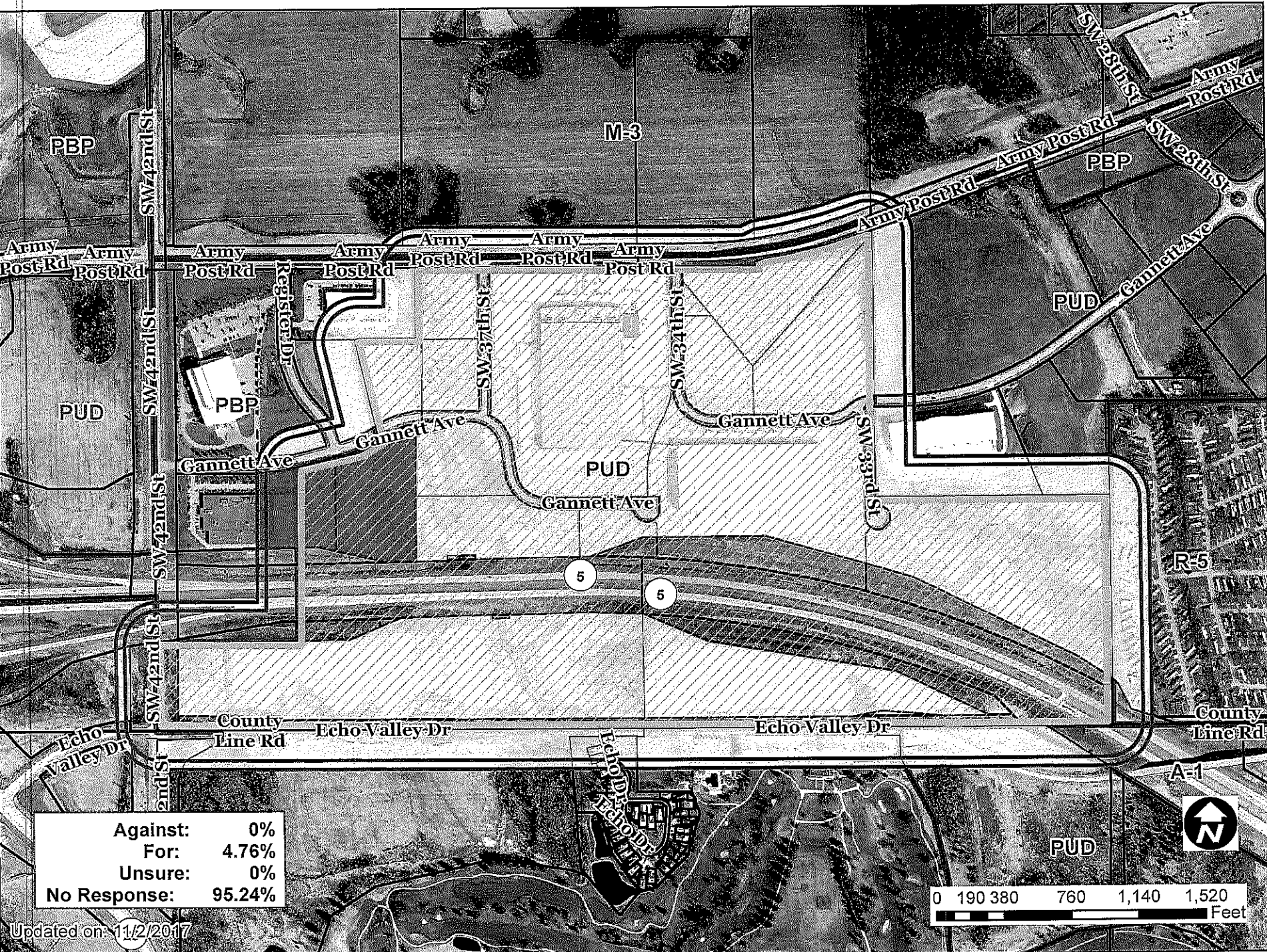
CEO Katschko, Inc

OCT 30 2017

Address 4070 Gannett Ave., D.M., IA.

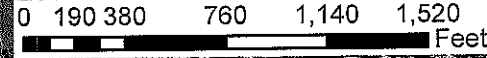
Reason for opposing or approving this request may be listed below.

Handwritten notes: They are making the property look fantastic! Repainted the Bld., etc. Good neighbors. Three horizontal lines for additional notes.

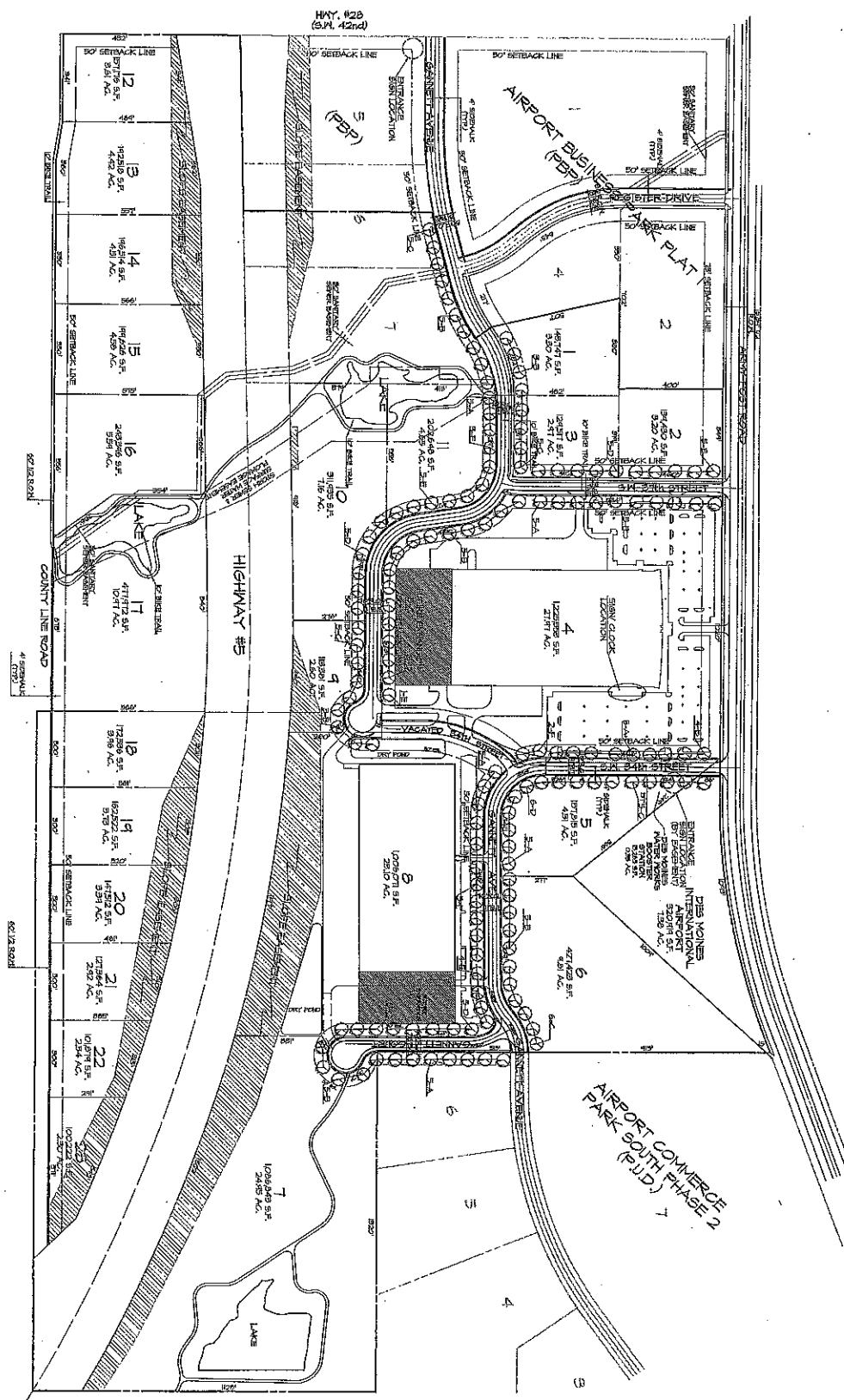


Against:	0%
For:	4.76%
Unsure:	0%
No Response:	95.24%

Updated on: 11/2/2017



53



HWY. #28
(S.R. 42nd)



AIRPORT BUSINESS PARK PHASE 2
DES MOINES, IA
PLANNED UNIT DEVELOPMENT

DATE	CHG#	REVISION	COMMENTS

DATE OF SURVEY: _____
DESIGNED BY: _____
DRAWN BY: _____



Civil Engineering Consultants, Inc.
2400 86th Street, Unit 12, Des Moines, Iowa 50322
515.276.4884 • Fax: 515.276.7084 • mail@ceclao.com