



Roll Call Number

Agenda Item Number

18

Date April 23, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF PRELIMINARY PLAT "GRANDVIEW GARDENS" FOR PROPERTY LOCATED AT 1650 EAST WASHINGTON AVENUE

WHEREAS, on April 5, 2018, the City of Des Moines Plan and Zoning Commission voted 12-0 to APPROVE a request from Busskohl Family, LLC (owner), represented by Steve Busskohl (officer), on property located at 1650 E. Washington Avenue, to allow division of the property into two lots for industrial development, subject to the conditions of (1) compliance with all administrative review comments of the City's Permit and Development Center, and (2) provision by applicant of public sidewalks along East Washington Avenue; and

WHEREAS, the final subdivision plat will be submitted for City Council approval when completed.

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:

[Signature]
Lawrence R. McDowell
Deputy City Attorney

(13-2018-1.37)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and TOTAL. Includes MOTION CARRIED and APPROVED status.

CERTIFICATE

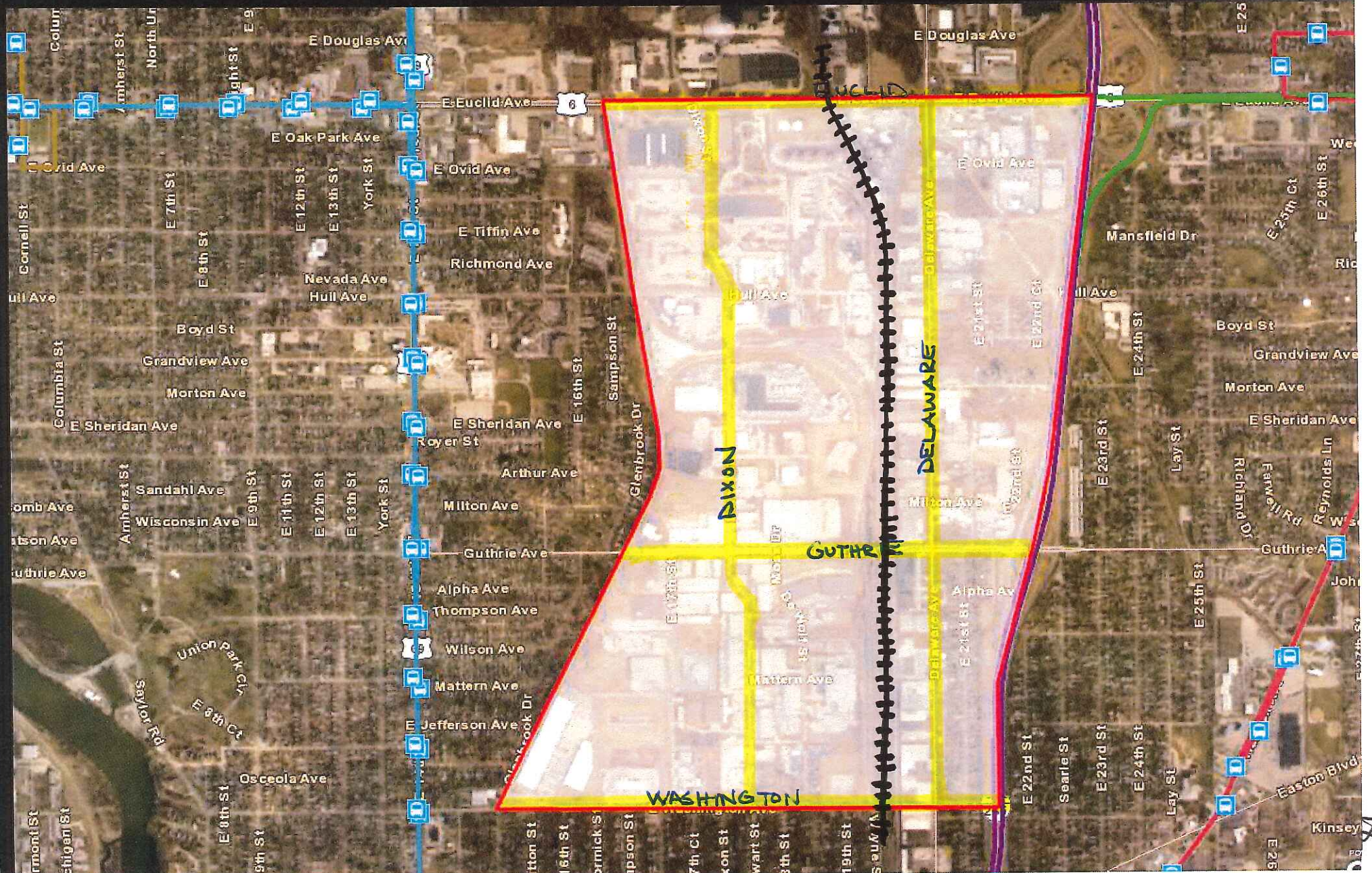
I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

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

Mayor

City Clerk

Des Moines Maps



Date April 23, 2018
 Agenda Item 18
 Roll Call # _____

April 18, 2018

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 5, 2018, the following action was taken regarding a request from Buszkohl Family, LLC (owner) represented by Steve Buszkohl (officer) for review and approval of a minor Preliminary Plat "Grandview Gardens" on property located at 1650 East Washington Avenue, to allow the property to be divided into two lots for industrial development, with extension of the public sanitary sewer main in East 17th Street to serve the property.

COMMISSION ACTION:

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles				X
Chris Cutler	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 submitted Preliminary Plat subject to the following conditions:

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Provision of public sidewalk along the East Washington Avenue frontage.

(13-2018-1.37)

Written Responses

0 in Favor

0 in Opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the submitted Preliminary Plat subject to the following conditions:

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Provision of public sidewalks along East Washington Avenue and East 17th Street.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The subject property measures 585 feet by 741 feet. It is located on the northwest corner of the East 17th Street and East Washington Avenue intersection. The proposed Preliminary Plat would allow the applicant to subdivide the property into two lots. The southern lot would measure 385 feet by 741 feet and would have frontage on both streets. The northern lot would measure 200 feet by 741 feet and would have frontage on East 17th Street. The existing building and paved area would be located on the southern lot.
2. **Size of Site:** 3.4 acres.
3. **Existing Zoning (site):** "R1-60" One-Family Low Density Residential District, "M-1" Light Industrial District and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** Warehouse building, paved area and open space.
5. **Adjacent Land Use and Zoning:**

North - "M-1"; Use is a City-owned, regional storm water detention basin.
South - "R1-60"; Uses are single-family dwellings.
East - "M-2" & "R-2A"; Uses are warehousing and outdoor storage.
West - "M-1"; Use is a warehouse facility.
6. **General Neighborhood/Area Land Uses:** The area generally consists of industrial uses and single-family dwelling.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Martin Luther King, Jr. Park Neighborhood. All recognized neighborhood associations were notified of the public hearing by mailing of the preliminary agenda on March 19, 2018. Notifications of the hearing for this specific item were mailed on March 26, 2018 (10 days prior to the public hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A final agenda was mailed

to the neighborhood associations on March 30, 2018. The Martin Luther King, Jr. Park Neighborhood Association mailings were sent to Charice Williams, 1434 East 18th Street, Des Moines, IA 50316.

8. Relevant Zoning History: None.

9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Low/Medium Density Residential.

10. Applicable Regulations: Taking into consideration the criteria set forth in Chapter 18B of the Iowa Code, 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. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation:** The subject property is designated as "Industrial" on the Future Land Use Map. PlanDSM describes this designation as accommodating "industrial development and limited supporting commercial uses; development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated."
- 2. Natural Site Features:** Development of the site must be in compliance with the City's Tree Removal and Mitigation Ordinance (Section 42-550 of the City Code). The applicant is required to demonstrate compliance with this ordinance as reviewed by the Permit and Development Center.
- 3. Utilities:** The proposed southern lot would have access to all necessary utilities in the adjoining segments of right-of-way. Sanitary sewer must be extended to service the proposed northern lot. The applicant is proposing to extend a line from a manhole location to the northeast of the site on the opposite side of East 17th Street. The applicant has submitted an easement exhibit illustrating this extension. All other utilities are currently available.
- 4. Drainage/Grading:** All grading is subject to an approved grading permit and soil erosion control plan. The applicant is required to demonstrate compliance with the City's Stormwater Management requirements to the satisfaction of the City's Permit and Development Center.

5. Transportation Network: All necessary infrastructure is required to be installed when property is subdivided. The proposed subdivision would utilize the existing East Washington Avenue and East 17th Street rights-of-way. The existing roadway is adequate for vehicle access to serve the Plat. The adjoining rights-of-way does not contain public sidewalks.

Section 106-137 of the Subdivision Ordinance states “sidewalks shall be constructed by the subdivider on all new and existing streets, within the street right-of-way and public pedestrian walk right-of-way in accordance with the standard specifications.” The submitted Plat does not address this standard. Staff recommends approval subject to the provision of public sidewalk along East Washington Avenue and East 17th Street.

SUMMARY OF DISCUSSION

Jason Van Essen presented staff recommendation.

CHAIRPERSON OPENED THE PUBLIC HEARING

Joel Romey, 33235 L Avenue representing Des Moines feed, stated they are requesting not to install sidewalks along this quarter mile stretch due to no presence of sidewalks currently and other development in the area gaining variances. All the owner wants to do is grow trees and implementing this sidewalk would kill the project.

Mike Ludwig presented a map of the Guthrie Park Business area showing the “spine” network they have reviewed with Traffic and Transportation, along with the Parks and Recreational division. The recommendation was to have sidewalks along Washington Avenue, Guthrie Avenue and Euclid Avenue with Hull Avenue now being closed. They chose the North, South spines because it went the full distance between Euclid Avenue to Washington Avenue. With the previous waivers granted and staff analysis designating minimum spines expected, the Commission could waive sidewalk along 17th Street indefinitely but sidewalk along Washington Avenue should be required.

Mike Simonson asked if there are public sidewalks the entire length of Washington Avenue on the Southside.

Mike Ludwig stated he wasn’t sure about the full frontage of Washington Avenue but a majority of the residential blocks do have sidewalks. Staff recommends sidewalks on both sides so they aren’t picking and choosing which side has it and which side doesn’t.

Joel Romey stated there are sidewalks along the Southside of Washington but nothing he knows of along the Northside. Even if they were to put sidewalks along the Northside, there wouldn’t be any pedestrian use due to the fencing that already exists.

CHAIRPERSON CLOSED THE PUBLIC HEARING

COMMISSION ACTION:

Greg Jones made a motion to approve the submitted Preliminary Plat subject to the following conditions:

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Provision of public sidewalk along the East Washington Avenue frontage.

Motion passed 12-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

Busskohl Family, LLC (owner) represented by Steve Busskohl (officer) for on property located at 1650 East Washington Avenue.				File #	
				13-2018-1.37	
Description of Action	Review and approval of a minor Preliminary Plat "Grandview Gardens", to allow the property to be divided into two lots for industrial development, with extension of the public sanitary sewer main in East 18th Street to serve the property.				
PlanDSM Future Land Use	Current: Industrial. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"M-1" Light Industrial District, "R1-60" One-Family Low-Density Residential District, and "FSO" Freestanding Signs Overlay District.				
Proposed Zoning District	N/A.				
Consent Card Responses	In Favor	Not In Favor	Undetermined	% Opposition	
Subject Property	0	0			
Outside Area (200 feet)					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Busskohl Family, LLC, Grandview Gardens, 1650 East Washington Avenue

13-2018-1.37



1 inch = 164 feet

