



Date April 23, 2018

**RESOLUTION SETTING HEARING ON REQUEST FROM
FDM DEVELOPMENT PARTNERSHIP, LLLP (OWNER) FOR SECOND AMENDMENT TO
THE WEST POINT SOUTH PUD CONCEPTUAL PLAN FOR PROPERTY
LOCATED AT 6700 CHAFFEE ROAD**

WHEREAS, on April 5, 2018, the City Plan and Zoning Commission voted 12-0 to APPROVE a request from FDM Development Partnership, LLLP (owner), represented by Justin Doyle (officer), to amend the West Point South PUD Conceptual Plan on property located at 6700 Chaffee Road ("Property") to allow a revised design for refuse collection container screening enclosures changing the material from masonry to wood, subject to the following revisions:

1. Compliance with all administrative comments prior to finalization of the record Mylar by the Planning Administrator.
2. Provision of requirement that any additional refuse collection containers deemed necessary in the future shall be kept in masonry enclosure with metal opaque gates located on the internal drives as a part of a Development Plan amendment.
3. Provision of a requirement that any treated wood enclosures shall be kept in good repair or the Zoning Officer may require them to be replaced with a masonry enclosures if there is a demonstrated pattern of disrepair; and

WHEREAS, the Property is legally described as follows:

PARCEL 'X' LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. AS SHOWN ON BOOK 8041 PAGE 37 AND PLAT OF SURVEY BOOK 7707 PAGE 337 EXCEPT PARCEL 'G' AS SHOWN IN BOOK 11614 PAGE 226, IN CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33-78-24; THENCE NORTH 00°10'50" EAST ALONG THE EAST LINE OF SAID SECTION, 660.35 FEET TO THE SOUTHEAST CORNER OF PARCEL 'X', THE NORTHEAST CORNER OF PARCEL 'B' AND THE POINT OF BEGINNING; THENCE NORTH 89°25'08" WEST ALONG THE SOUTH LINE OF SAID PARCEL 'X', 160.93 FEET; THENCE CONTINUING ALONG SAID LINE SOUTH 78°37'06" WEST, 240.98 FEET; THENCE NORTH 89°27'10" WEST, 267.08 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CARTER STREET; THENCE NORTH 00°28'25" EAST ALONG SAID RIGHT-OF-WAY LINE, 280.17 FEET; THENCE NORTH 89°30'18" WEST, 30.03 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CARTER STREET; THENCE NORTH 00°28'09" EAST ALONG SAID RIGHT-OF-WAY LINE, 214.70 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GRUBER STREET; THENCE NORTH 89°28'09" WEST ALONG SAID RIGHT-OF-WAY LINE, 304.97 FEET; THENCE SOUTH 00°28'58" WEST, 214.89 FEET

(continued)



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TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THAYER STREET; THENCE NORTH 89°30'18" WEST ALONG SAID RIGHT-OF-WAY LINE, 316.05 FEET; THENCE NORTH 00°39'53" EAST, 324.36 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 'X'; THENCE SOUTH 89°32'36" EAST ALONG THE NORTH LINE OF SAID PARCEL 'X', 1307.53 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'X' AND A POINT ON THE EAST LINE OF SAID SECTION 33; THENCE SOUTH 00°10'44" EAST ALONG SAID SECTION LINE, 556.34 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'X' AND THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 531,956.95 SQUARE FEET (12.21 ACRES±) MORE OR LESS.

AND

PARCEL 'G', AS SHOWN IN BOOK 11614, PAGE 226, IN CITY OF DES MOINES, POLK COUNTY, IOWA.

PARCEL 'X' LOCATED IN THE NORTHEAST QUARTER OF SECTION 33, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M. AS SHOWN ON BOOK 8041 PAGE 37 AND PLAT OF SURVEY BOOK 7707 PAGE 337 EXCEPT PARCEL 'G' AS SHOWN IN BOOK 11614 PAGE 226, IN CITY OF DES MOINES, POLK COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 33-78-24; THENCE NORTH 00°10'50" EAST ALONG THE EAST LINE OF SAID SECTION, 660.35 FEET TO THE SOUTHEAST CORNER OF PARCEL 'X', THE NORTHEAST CORNER OF PARCEL 'B' AND THE POINT OF BEGINNING; THENCE NORTH 89°25'08" WEST ALONG THE SOUTH LINE OF SAID PARCEL 'X', 160.93 FEET; THENCE CONTINUING ALONG SAID LINE SOUTH 78°37'06" WEST, 240.98 FEET; THENCE NORTH 89°27'10" WEST, 267.08 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF CARTER STREET; THENCE NORTH 00°28'25" EAST ALONG SAID RIGHT-OF-WAY LINE, 280.17 FEET; THENCE NORTH 89°30'18" WEST, 30.03 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CARTER STREET; THENCE NORTH 00°28'09" EAST ALONG SAID RIGHT-OF-WAY LINE, 214.70 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF GRUBER STREET; THENCE NORTH 89°28'09" WEST ALONG SAID RIGHT-OF-WAY LINE, 304.97 FEET; THENCE SOUTH 00°28'58" WEST, 214.89 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF THAYER STREET; THENCE NORTH 89°30'18" WEST ALONG SAID RIGHT-OF-WAY LINE, 316.05 FEET; THENCE NORTH 00°39'53" EAST, 324.36 FEET TO THE NORTHWEST CORNER OF SAID PARCEL 'X'; THENCE SOUTH 89°32'36" EAST ALONG THE NORTH LINE OF SAID PARCEL 'X', 1307.53 FEET TO THE NORTHEAST CORNER OF SAID PARCEL 'X' AND A POINT ON THE EAST LINE OF SAID SECTION 33; THENCE SOUTH 00°10'44" EAST ALONG SAID



Roll Call Number

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SECTION LINE, 556.34 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL 'X' AND THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 531,956.95 SQUARE FEET (12.21 ACRES±) MORE OR LESS.

AND

PARCEL 'G', AS SHOWN IN BOOK 11614, PAGE 226, IN CITY OF DES MOINES, POLK COUNTY, IOWA.

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 Second Amendment to the West Point South PUD Conceptual Plan is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa, at 5:00 p.m. on May 7, 2018, at which time the City Council will hear both those who oppose and those who favor the proposal.
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:

(ZON2018-00041)

Lawrence R. McDowell, Deputy City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED	APPROVED			

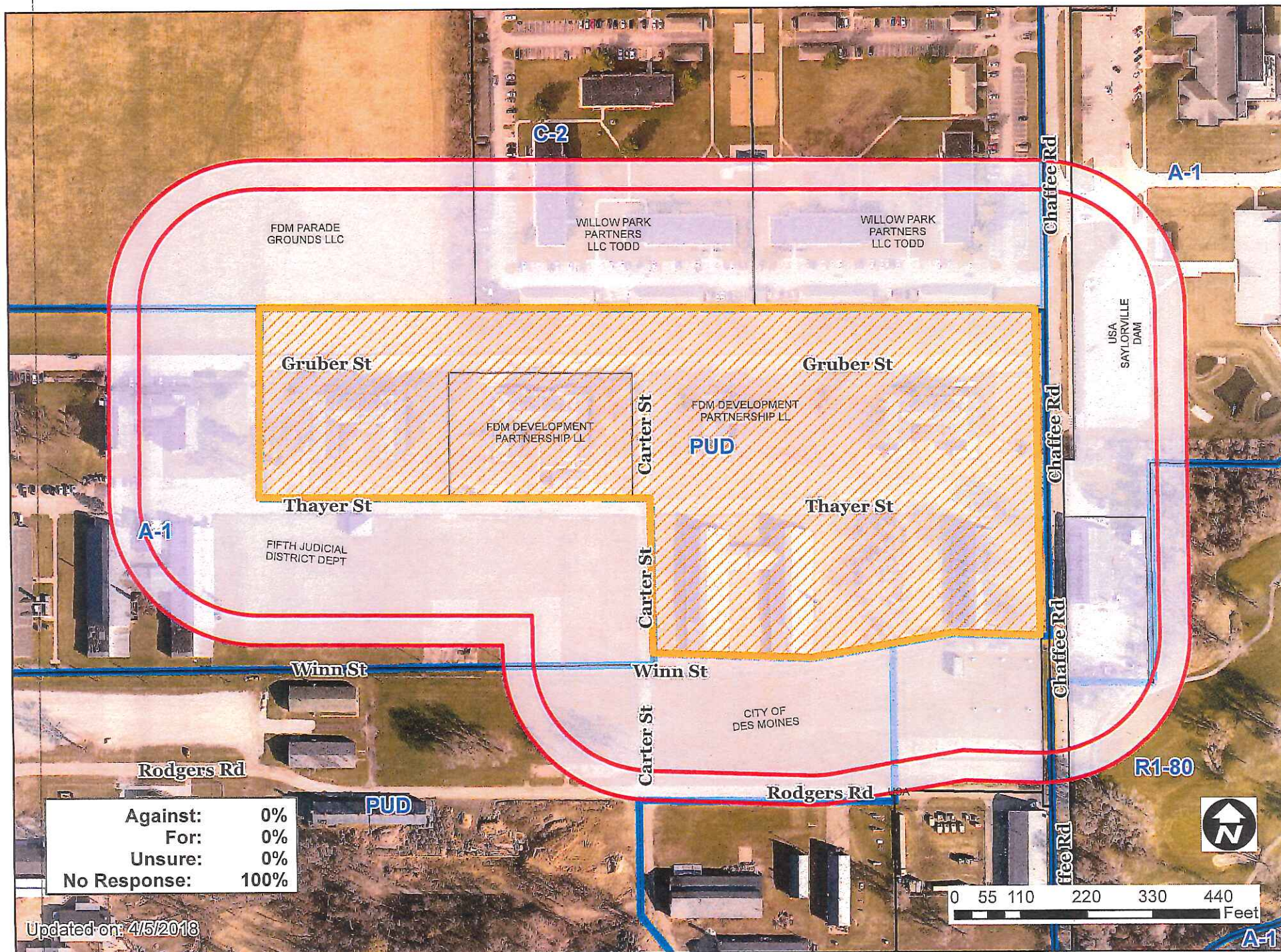
CERTIFICATE

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 April 23, 2018
Agenda Item 25
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 April 5, 2018 meeting, the following action was taken regarding a request from FDM Development Partnership, LLLP (owner) represented by Justin Doyle (officer) for review and approval of a 2nd Amendment to the West Point South PUD Conceptual Plan on property located at 6700 Chaffee Road, to allow a revised design for refuse collection container screening enclosures changing the material from masonry to wood.

COMMISSION RECOMMENDATION:

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 requested amendment to the West Point South PUD Conceptual Plan subject to providing the following revisions:

1. Compliance with all administrative comments prior to finalization of the record Mylar by the Planning Administrator.
2. Provision of requirement that any additional refuse collection containers deemed necessary in the future shall kept be in masonry enclosure with metal opaque gates located on the internal drives as a part of a Development Plan amendment.
3. Provision of a requirement that any treated wood enclosures shall be kept in good repair or the Zoning Officer may require them to be replaced with a masonry enclosure if there is a demonstrated pattern of disrepair. (ZON2018-00041)

Written Responses

0 in Favor

0 in Opposition

STAFF RECOMMENDATION

Staff recommends approval of the requested amendment to the West Point South PUD Conceptual Plan subject to providing the following revisions:

1. Compliance with all administrative comments prior to finalization of the record Mylar by the Planning Administrator.
2. Provision of requirement that any additional refuse collection containers deemed necessary in the future shall kept be in masonry enclosure with metal opaque gates located on the internal drives as a part of a Development Plan amendment.
3. Provision of a requirement that any treated wood enclosures shall be kept in good repair or the Zoning Officer may require them to be replaced with a masonry enclosure if there is a demonstrated pattern of disrepair.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to revise the standard in the PUD Conceptual plan for refuse collection container enclosure design. The current approved standard requires that the enclosures be masonry brick material walls with a stone cap and durable, opaque metal gates.

The proposed revision would require wood construction for the enclosures except for the enclosures identified in the Plan at the southeast and southwest corners of the site, which would have a masonry design with metal gates. These wood enclosures would be 4-foot 3-inches in height and have horizontal treated wood siding with 6-inch by 6-inch treated wood posts. They would accommodate 4-foot 1-inch by 6-foot 9-inch tote bins for trash and recycling that are 4-foot tall. The enclosures would not be gated but would have the opening oriented away from driveway views.

This is part of a PUD approved for development a maximum of 163 multiple-family housing units within seven (7) former barrack buildings and three (3) former stables on the historic Ft. Des Moines property. This would be at a proposed density of approximately 13.3 units per acre.

2. **Size of Site:** Approximately 12.21 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development.
4. **Existing Land Use (site):** Former Ft. Des Moines barracks and stables being converted to 163 residential dwelling units, including two barracks buildings (Buildings 59 & 60) which have been restored for 8-units of condominiums each.

5. Adjacent Land Use and Zoning:

North – "C-2", Uses are vacant parade ground, off-street parking lot, and multiple-family residential dwellings.

South – "PUD" and "A-1", Uses are vacant property owned by the 5th Judicial District and vacant property owned by City of Des Moines maintained under contract with Blank Park Zoo.

East – "A-1", Uses are military buildings within active Ft. Des Moines.

West – "A-1", Use is a correction facility operated by 5th Judicial District.

6. **General Neighborhood/Area Land Uses:** The subject area of the amendment is located on property that was formerly Ft. Des Moines in a transition area between the Army Post Road commercial corridor, the 5th Judicial correctional facility, active Ft. Des Moines military installation and the Blank Park Zoo.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within a recognized neighborhood or within 250 feet of a recognized neighborhood. All neighborhood associations were notified of the meeting by mailing of the Preliminary Agenda on March 19, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on March 16, 2018 (20 days prior to the hearing) and March 26, 2018 (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 overall PUD Conceptual Plan boundary. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on March 30, 2016.
8. **Relevant Zoning History:** The property was rezoned to PUD with approval of the West Point South PUD Conceptual Plan by the City Council on September 23, 2002. This allowed for renovation of the barracks and stable buildings for up to 116 units.

On June 8, 2015 the City Council approved a First Amendment to the PUD Conceptual Plan for renovation of the barracks and stables for 163 residential dwelling units. At that time Buildings 59 & 60 had already been renovated for 16 dwelling units.

9. 2020 Community Character Land Use Plan Designation: Medium Density Residential.

- 10. Applicable Regulations:** The application, accompanying evidence and Conceptual Plan amendment required shall be considered by the Plan and Zoning commission at a public hearing. The Commission taking into consideration the criteria set forth in Chapter 18B of the Iowa Code shall review the conformity of the proposed development with the standards of the Zoning Ordinance 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 amendment 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. Landscaping:** The typical landscaping design proposed in the submitted amendment is a revision to the currently approved amendment. While less plant material is proposed, staff believes that it provides sufficient amount of plant material compared the typical commercial development standard and provides better location for tree plantings along the internal driveways. All final planting plans would be administratively approved with the Development Plan by the Planning Administrator.
- 2. Urban Design:** Exterior improvements and site modifications are limited to Secretary of the Interior Standards to be reviewed by the State Historic Preservation Office. The intent is to preserve the historic character of the National Register listed site as dictated in the restrictive covenants of the property. There is a note on the Concept Plan indicating that "evidence of review and approval of the State Historic Preservation Office shall be provided for all exterior modifications to the existing buildings or for any new buildings or site modifications prior to issuance of any required permit." This continues to place the burden on the developer to obtain the necessary historic review prior to any City resources being used to review permit activity.

There were previous wooden trash enclosures with the original developer that were not properly maintained. These were for full sized containers serviced directly by the hauler at the driveways. The proposed locations and typical elevations for the enclosures are included with the PUD Conceptual Plan amendment. The proposed wooden enclosures would be tucked into the courtyard areas of the barracks buildings with the bins being moved to the driveways for pick up days. There would be no interface with the enclosures by the hauling trucks. For this reason, staff is not as concerned about the durability of the treated wood material. The stable buildings to the south would still be proposed to be served by full-sized containers kept within the masonry enclosures. A typical elevation detail and locations for these are also included in the PUD Conceptual Plan amendment.

Staff would want to ensure that if the method for hauling were to revert to full size containers for the barracks buildings, that these shall be accommodated with masonry enclosures at that time. In any event the enclosures should be adequately sized or

provided in such number to accommodate both solid waste and recycling containers. They should also accommodate efficient pedestrian access.

SUMMARY OF DISCUSSION

Jaquelyn Easley asked if anyone was present to speak on this item. No one was present or requested to speak.

COMMISSION ACTION:

Greg Jones made a motion to recommend approval of the requested amendment to the West Point South PUD Conceptual Plan subject to providing the following revisions:

1. Compliance with all administrative comments prior to finalization of the record Mylar by the Planning Administrator.
2. Provision of requirement that any additional refuse collection containers deemed necessary in the future shall kept be in masonry enclosure with metal opaque gates located on the internal drives as a part of a Development Plan amendment.
3. Provision of a requirement that any treated wood enclosures shall be kept in good repair or the Zoning Officer may require them to be replaced with a masonry enclosure if there is a demonstrated pattern of disrepair.

Motion Passed: 12-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

EML:tjh

FDM Development Partners, LLLP (owner) represented by Justin Doyle (officer) for property located at 6700 Chaffee Road.				File # ZON2018-00041	
Description of Action	Review and approval of a 2nd Amendment to the West Point South PUD Conceptual Plan to allow a revised design for refuse collection container screening enclosures changing the material from masonry to wood.				
PlanDSM Future Land Use	Current: Medium Density Residential. 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	% 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

Ft. Des Moines Renovation, LLC, West Point South, 6700 Chaffee Road

ZON2018-00041



1 inch = 214 feet