



Roll Call Number

Agenda Item Number

16

Date May 7, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING APPROVAL OF PRELIMINARY PLAT "SKYLINE PLAT 1" FOR PROPERTY LOCATED AT 3343 AND 3349 MCKINLEY AVENUE

WHEREAS, on April 19, 2018, the City of Des Moines Plan and Zoning Commission voted 10-0 to APPROVE a request from Truview Enterprises, Inc. (developer), represented by Chad Hutchison (officer), for Preliminary Plat "Skyline Plat 1" for property located at 3343 and 3349 McKinley Avenue, to remove the restriction requiring one drive approach access per two lots fronting McKinley Avenue to allow a separate access for said properties, subject to the conditions of (1) Lots 4 and 5 (3343 and 3349 McKinley Avenue) are required to construct turnaround parking to provide better access to McKinley Avenue in accordance with City zoning, traffic, and other ordinance requirements; (2) the amended Preliminary Plat shall be signed and dated by a licensed engineer and land surveyor; and (3) compliance with all platting requirements of the Permit and Development Center; 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:

Glenna K. Frank, Assistant City Attorney

(13-2018-1.45)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, 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



May 4, 2018

Honorable Mayor and City Council
City of Des Moines, Iowa

Date _____

Agenda Item 16

Roll Call # _____

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 19, 2018, the following action was taken regarding a request from Truview Enterprises, Inc. (owner) represented by Chad Hutchison (officer) for review and approval of an amendment to a major Preliminary Plat "Skyline Plat 1" on properties located at 3343 and 3349 McKinley Avenue, to remove the restriction requiring one drive approach access per two lots fronting McKinley Avenue to allow a separate access for each property at 3343 and 3349 McKinley Avenue. Additional subject property is owned by Priority Excavating, LLC.

COMMISSION ACTION:

After public hearing, the members voted 10-0 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 amendment to the Preliminary Plat as proposed and approval of an alternative amendment to eliminate the requirement that Lots 2 & 3 (3331 & 3337 McKinley Avenue) shall share a common drive approach, subject to the following conditions:

1. The amended Preliminary Plat shall be signed and dated by a licensed engineer or land surveyor.

2. Compliance with all platting requirements of the Permit and Development Center. (13-2018-1.45) 16

Written Responses

0 in Favor

0 in Opposition

RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends denial of the amendment to the Preliminary Plat as proposed.

However, Staff recommends approval of an alternative amendment to eliminate the requirement that Lots 2 & 3 (3331 & 3337 McKinley Avenue) shall share a common drive approach, subject to the following conditions:

1. Lots 4 & 5 (3343 & 3349 McKinley Avenue) shall share a common drive approach.
2. The amended Preliminary Plat shall be signed and dated by a licensed engineer or land surveyor.
3. Compliance with all platting requirements of the Permit and Development Center.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** On September 1, 2016, the Plan & Zoning Commission approved a Preliminary Plat that allowed creation of five (5) lots for single-family residential development. This plat requires that Lots 2 (3331 McKinley Avenue) and Lot 3 (3337 McKinley Avenue) shall share a drive approach and that Lots 4 (3343 McKinley Avenue) and Lot 5 (3349 McKinley Avenue) shall share a drive approach. The proposed amendment to the preliminary plat would remove the requirement for these shared drive approaches.

Lots 2 and 3 have already been developed with separate drive approaches since this requirement was overlooked by City Staff at the time that construction permits were issued. Construction permits have not been issued for Lots 4 and 5 so it is still possible to require these two lots to share a drive approach.

2. **Size of Site:** Approximately 2.39 acres.
3. **Existing Zoning (site):** "R1-80" One-Family Residential District and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** Single-family residential development.
5. **Adjacent Land Use and Zoning:**

North – "R1-80", Uses are undeveloped land and single-family residential.

South – "R1-70", Uses are Stanton Avenue and single-family residential.

East – “R1-80”, Use is undeveloped land.

West – “M-3”, Uses are relocated McKinley Avenue and the Des Moines International Airport.

6. **General Neighborhood/Area Land Uses:** The subject property is located in an area that includes a mix of low-density residential developments to the north of the Des Moines International Airport.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Southwestern Hills Neighborhood. All neighborhoods were notified of the Commission meeting by mailing of the Preliminary Agenda on March 30, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on April 9, 2018 (10 days prior to the public hearing) to the neighborhood association and 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 April 13, 2018.

All agendas and notices are mailed to the primary contact(s) designated by the recognized neighborhood association to the City of Des Moines Neighborhood Development Division. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, IA 50321.

8. **Relevant Development History:** On September 1, 2016, the Plan and Zoning Commission approved the Preliminary Plat for “Skyline Plat 1”, subject to compliance with all platting requirements of the Permit and Development Center.
9. **PlanDSM Creating Our Tomorrow Future Land Use Plan Designation:** Low-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. **Traffic/Street System:** The proposed amendment to the preliminary plat would remove the requirement that Lots 2 and 3 shall share a drive approach and that Lots 4 and 5 shall share a drive approach. While it is impractical to require Lots 2 and 3 to remove the existing drive approaches and construct a shared approach, Staff believes it is still necessary for Lots 4 and 5 to share a drive approach. The subject property is located along McKinley Avenue, which provides connectivity between Park Avenue and Fleur Drive. It is classified as a Minor Arterial and, therefore, drive approaches should be minimized due to the higher speeds and traffic volumes.

SUMMARY OF DISCUSSION

Erik Lundy presented the staff report and recommendation.

Mike Simonson asked if the driveways could be separated by a green area.

Erik Lundy stated they would need to get relief from the Zoning Board of Adjustment.

Chris Cutler stated he doesn't know of any shared driveways in this area.

Erik Lundy stated this area is mainly new development so you wouldn't see shared driveways.

CHAIRPERSON OPENED THE PUBLIC HEARING

Chad Hutchinson, 5503 Glen Oaks Pt., stated with the water easement and other issues in front of him, a shared driveway doesn't make sense. He would like to design a turnabout so when coming out of the garage you are able to turn around and head out front first.

Greg Wattier asked if he had any visuals showing the shared driveways.

Chad Hutchinson stated no.

Dan Kruse, 4215 SW 33rd, stated he will be building a handicap assessable home for a lady who was severely injured in a car accident. To do a zero entry, they need to have the garage on the north side of northern most lot. That would preclude a shared driveway with the lot to the south.

Erik Lundy stated if the commission is considering the turnabouts, they might need relief for the amount of area that can paved in the front yard. Also, if you removed that restriction, a licensed surveyor will still be needed.

CHAIRPERSON CLOSED THE PUBLIC HEARING

Greg Wattier stated he travels down 42nd street every day, which is very busy and seeing people trying to back out of their driveways is scary. Regardless of how many driveways there are, he encourages them to create a turnaround so they're able to drive out headlights first.

Chris Cutler stated shared driveways are not appealing to home buyers. Also, its creating problems around who will maintain the driveway.

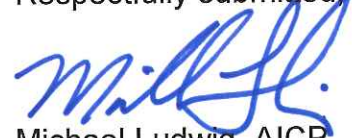
COMMISSION ACTION:

Greg Jones made a motion for approval of the amendment to the Preliminary Plat as proposed and approval of an alternative amendment to eliminate the requirement that Lots 2 & 3 (3331 & 3337 McKinley Avenue) shall share a common drive approach, subject to the following conditions:

1. The amended Preliminary Plat shall be signed and dated by a licensed engineer or land surveyor.
2. Compliance with all platting requirements of the Permit and Development Center.

Motion passed 10-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

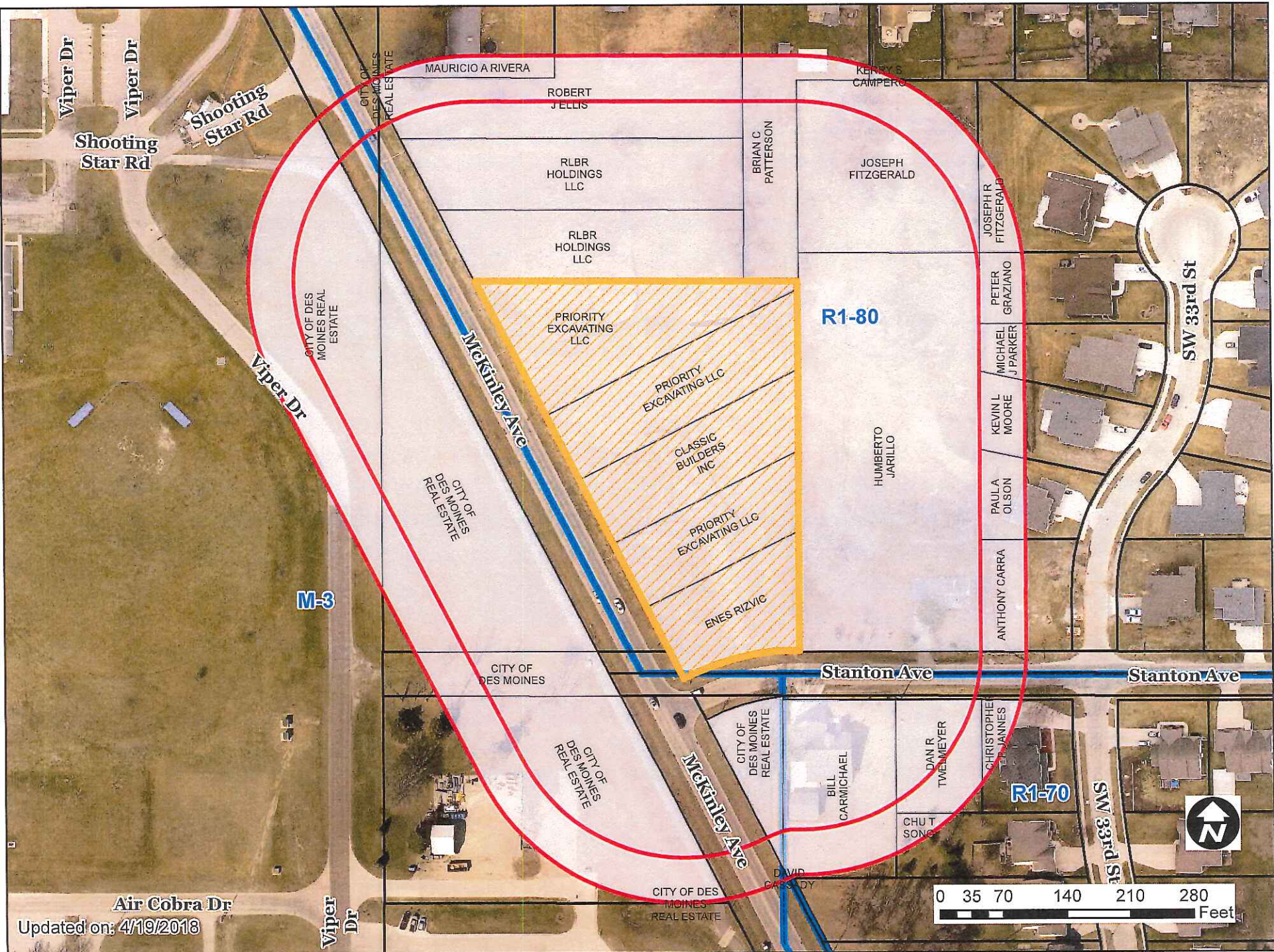
Truview Enterprises, Inc. (owner) represented by Chad Hutchison (officer) for on properties located at 3343 and 3349 McKinley Avenue Additional subject property is owned by Priority Excavating, LLC.				File #	
				13-2018-1.45	
Description of Action		Review and approval of an amendment to a major Preliminary Plat "Skyline Plat 1", to remove the restriction requiring one drive approach access per two lots fronting McKinley Avenue to allow a separate access for each property at 3343 and 3349 McKinley Avenue.			
Plan/DSM Future Land Use		Current: Low Density Residential District. Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan		No planned improvements.			
Current Zoning District		"R1-80" One-Family 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	
		Denial		Yes	
				No	X

Trueview Enterprises, Inc., Skyline Plat 1, 3343 and 3349 McKinley Avenue

13-2018-1.45

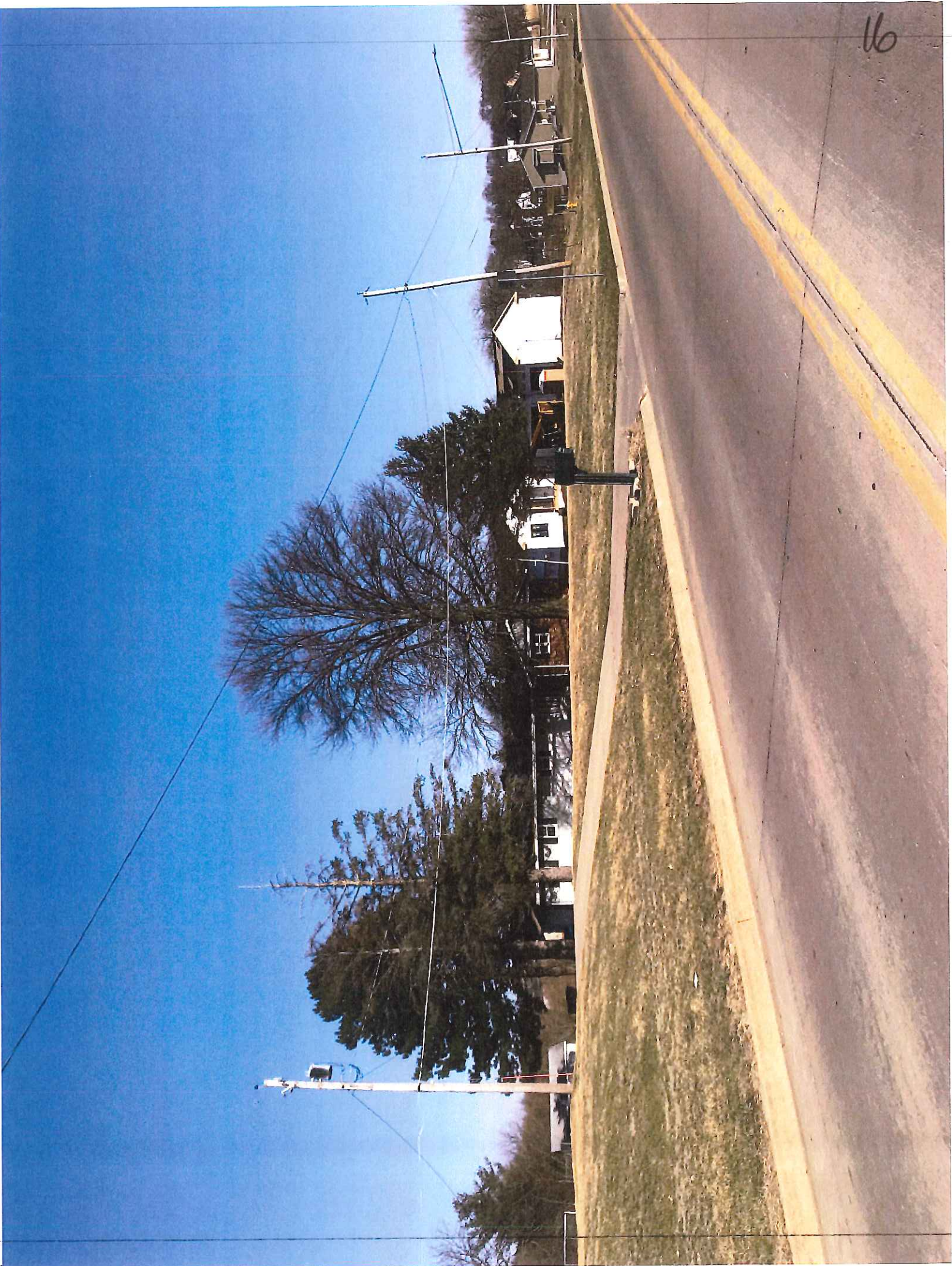


1 inch = 141 feet

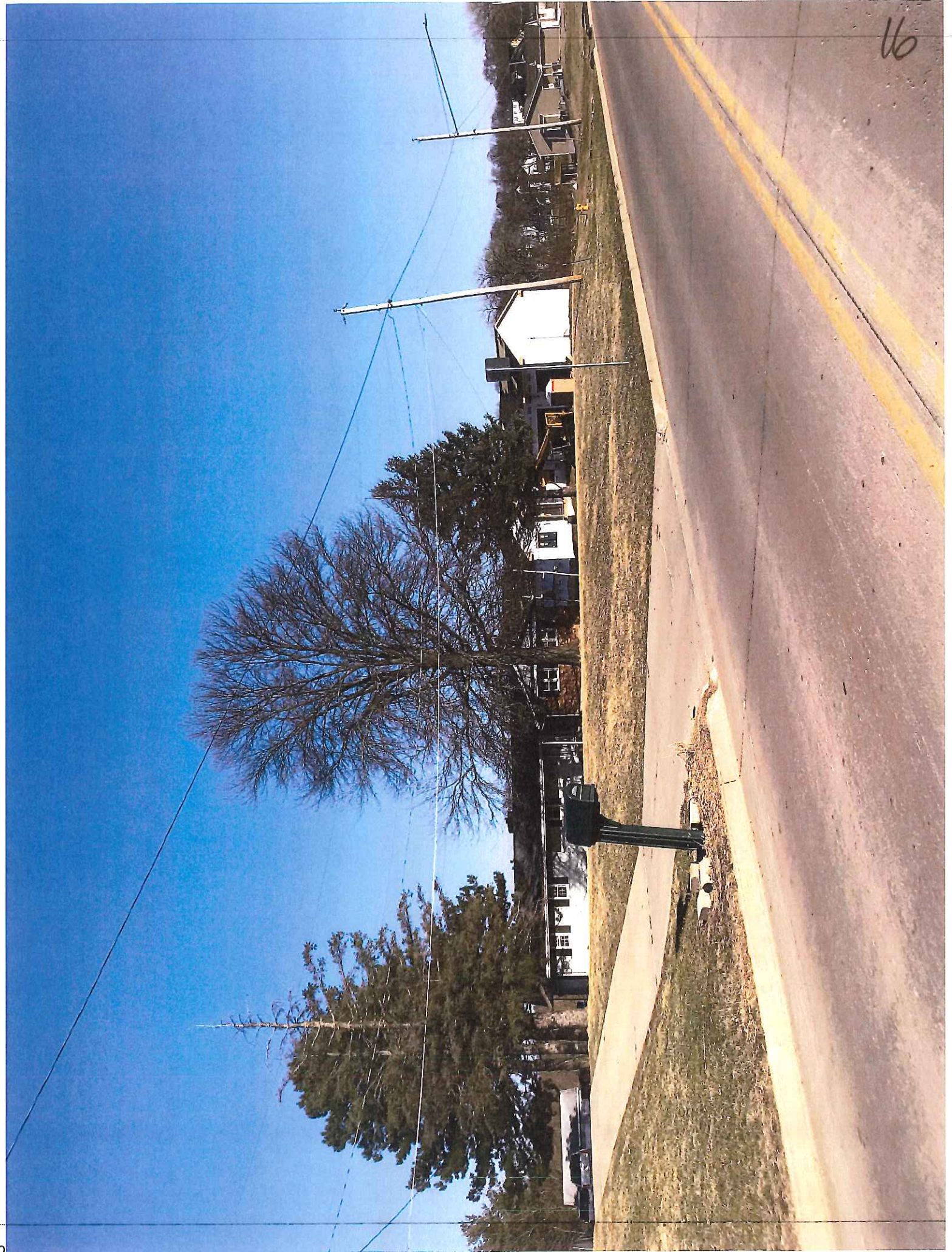


Air Cobra Dr
Updated on: 4/19/2018

16



16





16



16



16