



Roll Call Number

Agenda Item Number

19

Date November 5, 2018

**RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING
COMMISSION REGARDING PRELIMINARY PLAT "KEMPER INDUSTRIAL PARK"
ON PROPERTY LOCATED AT 4525 NORTHEAST 14TH STREET**

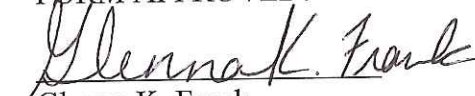
WHEREAS, on October 18, 2018, the City of Des Moines Plan and Zoning Commission voted 8-0 for **APPROVAL** of a Preliminary Plat "Kemper Industrial Park" on property located at 4525 Northeast 14th Street, in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow the property to be divided into two parcels creating a separate parcel for an existing building, subject to compliance with all administrative review comments by the City's Permit and Development Center; and

WHEREAS, the Plan and Zoning Commission and the Community Development Department recommend that the City waive its right to review the Final Plat "Kemper Industrial Park" as allowed by Iowa Code Section 354.8(2).

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, and that the City hereby waives its right to review the Final Plat "Kemper Industrial Park".

MOVED by _____ to adopt.

FORM APPROVED:


Glenna K. Frank
Assistant City Attorney

(13-2019-1.13)

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 November 5, 2018

Agenda Item 19

Roll Call # _____

October 31, 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 October 18, 2018, the following action was taken regarding a request from JHTK, LLC (owner) represented by Thomas Knapp (officer) for review and approval of a Preliminary Plat "Kemper Industrial Park" on property located at 4525 Northeast 14th Street, in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow property to be divided into two parcels creating a separate parcel for the existing building currently known as 4509 Northeast 14th Street.

COMMISSION ACTION:

After public hearing, the members voted 8-0 as follows:

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

APPROVAL of the requested Preliminary Plat for "Kemper Industrial Park", subject to compliance with all comments of the administrative review by the City's Permit and Development Center. The Commission further recommended that the City Council waive their review of any Final Subdivision Plat.

(13-2019-1.13)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested Preliminary Plat for "Kemper Industrial Park", subject to compliance with all comments of the administrative review by the City's Permit and Development Center.

Staff further recommends that the Commission forward a recommendation to the City Council to waive their review of any Final Subdivision Plat.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The owner is seeking to subdivide the property into two separate parcels so that existing buildings and businesses can be located on separate parcels.

The property is within unincorporated Polk County. Section 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, the closer jurisdiction has right of review unless there is a separate intergovernmental agreement pursuant to Chapter 28E of the Iowa Code.

2. **Size of Site:** 9.58 acres.

3. **Existing Zoning (site):** "HI" Heavy Industrial District (Polk County).

4. **Existing Land Use (site):** The property contains office and warehouse buildings (Superior Welding Supply and Des Moines Paint Store – PPG Paints), and an outdoor storage yard (Mobile Mini-Portable Storage and Offices).

5. **Adjacent Land Use and Zoning:**

North – "HI" Heavy Industrial District (Polk County), Uses are warehousing and office.

South – "HI" Heavy Industrial District (Polk County), Uses are a railroad, an office, and an outdoor storage yard (Ferrell Gas).

East – "HI" Heavy Industrial District (Polk County), Uses are a railroad and warehousing.

West – "M-1" Light Industrial District (City of Des Moines), Uses are East/Northeast 14th Street and a tavern (Big Dog Billiards).

6. **General Neighborhood/Area Land Uses:** The subject property is located in Saylor Township (unincorporated area of Polk County) between Des Moines and Ankeny. It is along a portion of Northeast 14th Street that includes a mix of industrial and commercial uses.

- 7. Applicable Recognized Neighborhood(s):** While the subject property is located in the unincorporated area of Polk County in Saylor Township, it is within 250 feet of the Highland Park Neighborhood Association. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on September 28, 2018. Additionally, notifications of the hearing for this specific item were mailed on October 8, 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 subject property. A Final Agenda for the meeting was mailed to all recognized neighborhood associations on October 12, 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 Highland Park Neighborhood Association notices were mailed to Drew Kelso, 815 East Seneca Avenue, Des Moines, IA 50316.

- 8. Relevant Zoning History:** N/A.

- 9. PlanDSM Land Use Plan Designation:** N/A. Polk County's Comprehensive Plan 2030 Land Use map designates the property as Heavy Industrial.

- 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 the Polk County Board of Supervisors.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Utilities:** There are existing utilities and easements on the subject property. The proposed Preliminary Plat does not necessitate any changes.
- 2. Traffic/Street System:** Both parcels would have frontage along Northeast 14th Street. The proposed Preliminary Plat does not include any modifications to the existing drive approaches from the roadway.
- 3. Drainage/Grading:** The subject property generally drains to the southeastern portion of the property. With any future redevelopment of the site, Polk County would review drainage and storm water management during the site plan review process.

SUMMARY OF DISCUSSION

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

COMMISSION ACTION:

John "Jack" Hilmes made a motion for approval of the requested Preliminary Plat for "Kemper Industrial Park", subject to compliance with all comments of the administrative review by the City's Permit and Development Center.

The Commission further recommended that the City Council waive their review of any Final Subdivision Plat.

Motion passed 8-0

Respectfully submitted,



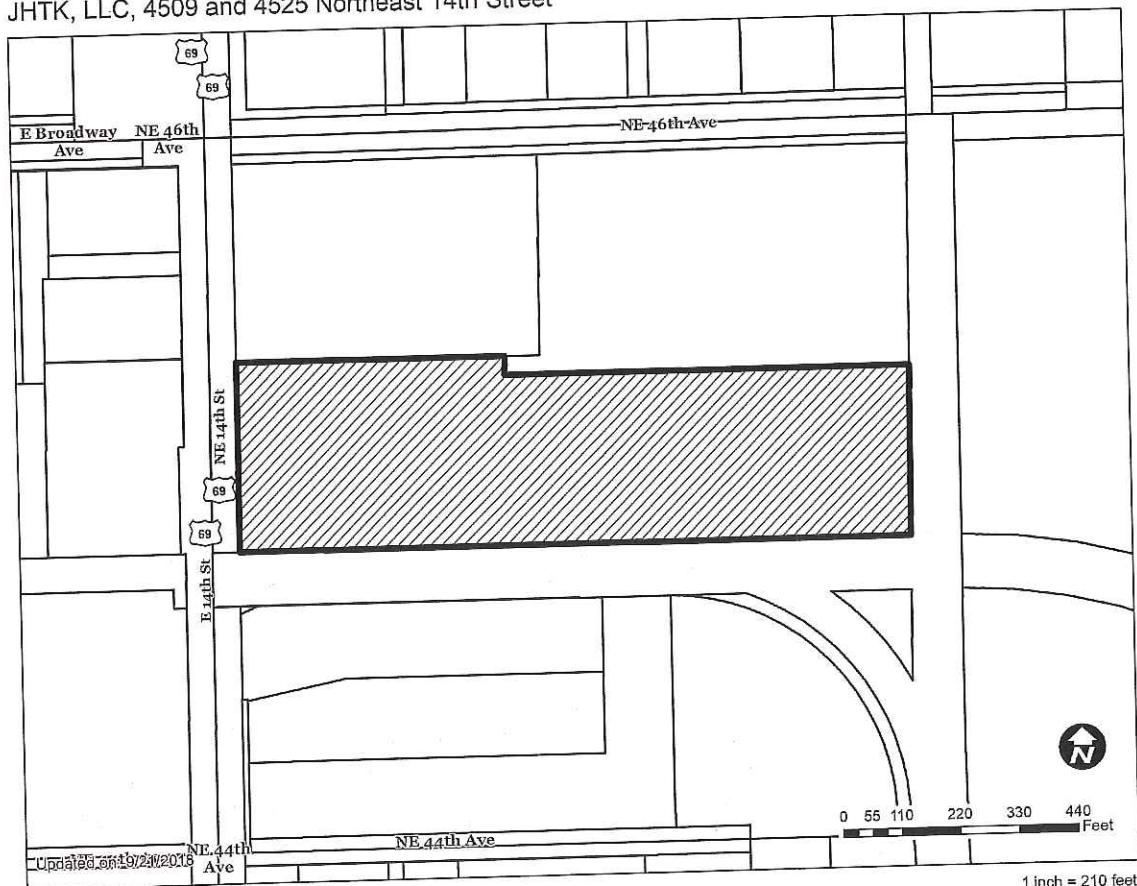
Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

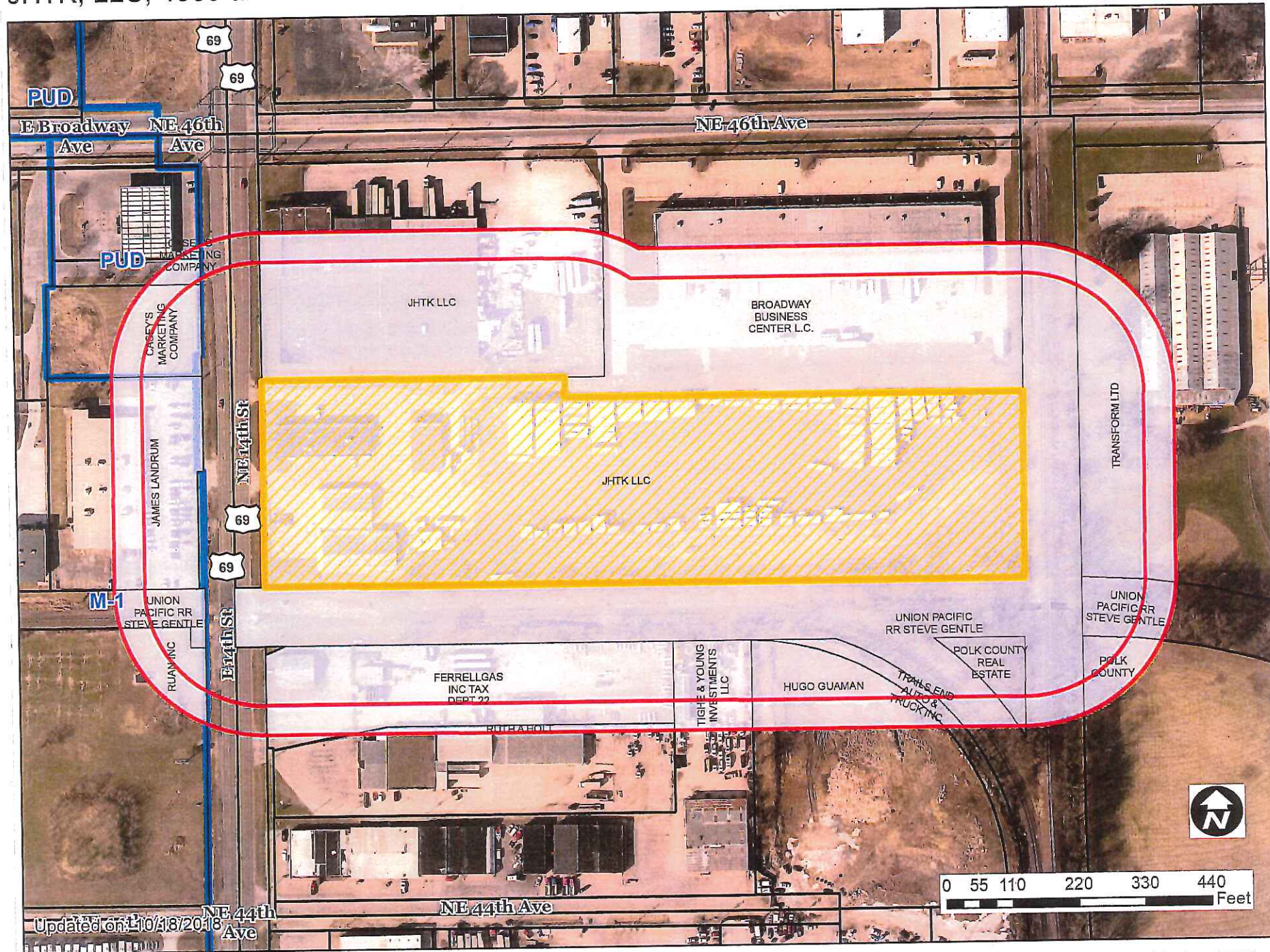
JHTK, LLC (owner) represented by Thomas Knapp (officer) on property located at 4525 Northeast 14th Street, in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines.				File # 13-2019-1.13	
Description of Action	Review and approval of a Preliminary Plat "Kemper Industrial Park" to allow property to be divided into two parcels creating a separate parcel for the existing building currently known as 4509 Northeast 14th Street.				
PlanDSM Future Land Use	Current: N/A. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	No planned improvements.				
Current Zoning District	"HI" Heavy Industrial District (Polk County)				
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

JHTK, LLC, 4509 and 4525 Northeast 14th Street

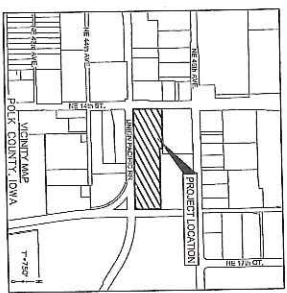
13-2019-1.13



1 inch = 210 feet



NW Cor
Sec. 24-79-24
Fnd Pk Nail
Exsting Ties
18x 8.65 Pg 986)
Ties Check



MARK	REVISION		DATE	BY
Engineer:	Checked By:	TLC	Scale:	1"= 50'
Technician: JDP	Date:	08/31/18	Field Etc:	Page
Project No: 1180707			Sheet 1 of 2	

PRELIMINARY PLAT

SNYDER & ASSOCIATES, INC.

2727 S.W. SNYDER BLVD.
ANKENY, IOWA 50023
515-984-2020 | www.snyder-associates.com

S
SNYDER
& ASSOCIATES

Project No: 1180707

Sheet 1 of 2