



Date December 17, 2018

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "HAPKE ACRES PLAT 1" ON PROPERTY LOCATED AT 3191 NORTHEAST 46TH AVENUE

WHEREAS, on December 6, 2018, the City of Des Moines Plan and Zoning Commission voted 9-0 for APPROVAL of a Preliminary Plat "Hapke Acres Plat 1" on property located at 3191 Northeast 46th Avenue, 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 three lots with frontage on Northeast 46th Avenue for residential development, 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 "Hapke Acres Plat 1" as allowed by Iowa Code Section 354.8(2), subject to said Final Plat being in substantial conformance with the Preliminary Plat "Hapke Acres Plat 1" as determined by the City's Planning Administrator or designee.

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 "Hapke Acres Plat 1", subject to said Final Plat being in substantial conformance with the Preliminary Plat "Hapke Acres Plat 1".

MOVED by _____ to adopt.

FORM APPROVED:

Glenna K. Frank (handwritten signature)

Glenna K. Frank
Assistant City Attorney

(13-2019-1.24)

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, BOESEN, COLEMAN, GATTO, GRAY, MANDELBAUM, WESTERGAARD, and 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 December 17, 2018

Agenda Item 27

Roll Call # _____

December 12, 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 December 6, 2018, the following action was taken regarding a request from Jonathan and Jesse Hapke (owners) for review and approval of a Preliminary Plat "Hapke Acres Plat 1" on property located a 3191 Northeast 46th Avenue, 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 three (3) lots with frontage on Northeast 46th Avenue for residential development.

COMMISSION ACTION:

After public hearing, the members voted 9-0 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 Preliminary Plat for "Hapke Acres Plat 1", 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 to waive their review of any Final Subdivision Plat subject to the Final Subdivision Plat being in substantial conformance with the Preliminary Plat.

(13-2019-1.24)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested Preliminary Plat for “Hapke Acres Plat 1”, 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 subject to the Final Subdivision Plat being in substantial conformance with the Preliminary Plat.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The property owners are seeking to divide the subject property into 3 lots for residential development.
2. **Size of Site:** 6.255 acres (272,467 square feet).
3. **Existing Zoning (site):** “MDR” Medium Density Residential (Polk County).
4. **Existing Land Use (site):** Single family residential property. The subject property contains a single-family manufactured dwelling and a detached garage.
5. **Adjacent Land Use and Zoning:**
 - North** – “LDR” Low Density Residential (Polk County); Uses are single-family dwellings.
 - South** – “LDR” Low Density Residential (Polk County), Uses are single-family dwellings.
 - East** – “MDR” Medium Density Residential (Polk County), Use is agricultural.
 - West** – “MDR” Medium Density Residential (Polk County), Use is single-family dwelling.
6. **General Neighborhood/Area Land Uses:** The subject property is located in Delaware Township (unincorporated area of Polk County) between Des Moines and Ankeny. It is along a portion of Northeast 46th Avenue that includes a mix of agricultural uses, institutional uses, and residential densities.
7. **Applicable Recognized Neighborhood(s):** The subject property is not located within 250 feet of any neighborhoods. All recognized neighborhoods were notified of the hearing by mailing of the Preliminary Agenda on November 16, 2018. Additionally, separate notifications of the hearing for this specific item were mailed on November 16, 2018 (20 days prior to the hearing) and November 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 site. A Final Agenda was mailed to all the recognized neighborhood associations on November 30, 2018.
8. **Relevant Zoning History:** N/A.
9. **PlanDSM Creating Our Tomorrow:** Polk County’s Comprehensive Plan 2030 Land Use map designates the property as Medium Density Residential.

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 is a 12-inch Des Moines Water Works main in the Right-of-Way of Northeast 46th Avenue. The proposed Preliminary Plat does not necessitate any changes.
- 2. Traffic/Street System:** All the proposed parcels will have frontage along Northeast 46th Avenue. A proposed 60-foot wide drive entrance to Lot 3 would be added opposite Northeast 32nd Street.
- 3. Drainage/Grading:** The subject property generally drains to the northeastern 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.

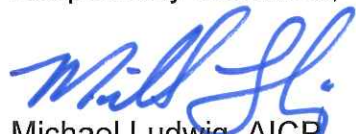
COMMISSION ACTION:

Jann Freed made a motion to approve the requested Preliminary Plat for "Hapke Acres Plat 1", 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 to waive their review of any Final Subdivision Plat subject to the Final Subdivision Plat being in substantial conformance with the Preliminary Plat.

Motion passed 9-0

Respectfully submitted,



Michael Ludwig, AICP
Planning Administrator

MGL:tjh
Attachments

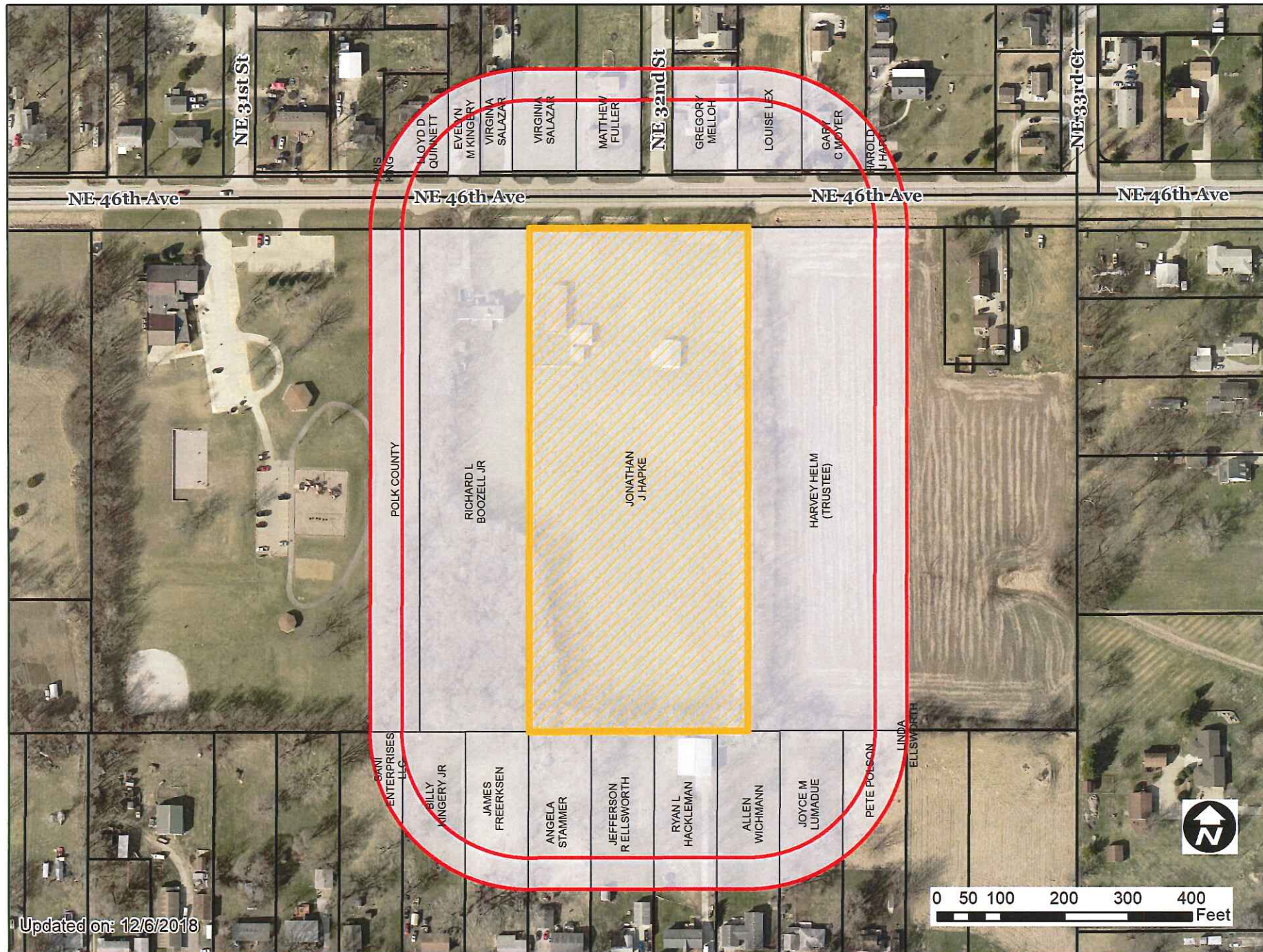
Jonathan and Jesse Hapke (owners) for property located a 3191 Northeast 46th Avenue.			File #	
			13-2019-1.24	
Description of Action	Review and approval of a Preliminary Plat "Hapke Acres Plat 1" in unincorporated Polk County within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow the property to be divided into three (3) lots with frontage on Northeast 46th Avenue for residential development.			
PlanDSM Future Land Use	Current: Mixed Use (Polk County Comprehensive Plan 2030). Proposed: N/A.			
Mobilizing Tomorrow Transportation Plan	No planned improvements.			
Current Zoning District	"MDR" Medium Density Residential (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

Jonathan and Jesse Hapke, Hapke Acres Plat 1, 3191 Northeast 46th Avenue

13-2019-1.24



1 inch = 200 feet



Updated on: 12/6/2013



1 inch = 200 feet

27

Nov 21, 2018 13:09:42
Des Moines



Nov 21, 2018 13:09:44
Des Moines



27

Nov 21, 2018 13:10:00
Des Moines



