



Date November 18, 2019

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "THE VILLAGE AT GRAY'S LAKE" ON PROPERTY LOCATED AT 2500 AND 2710 FLEUR DRIVE

WHEREAS, on November 7, 2019, the City of Des Moines Plan and Zoning Commission voted 15-0 for APPROVAL of a Preliminary Plat "The Village at Gray's Lake", submitted by Village at Gray's Lake, LLC (owner), represented by Jason Grove (officer), on property located at 2500 and 2710 Fleur Drive, to allow subdivision of the property into six separate lots for multiple uses including residential, commercial, and private recreational uses, subject to the following conditions:

- 1. Compliance with all administrative review comments of the Permit and Development Center.
2. Extension of the existing public sanitary sewer in Lot 4 to serve Lot 5.
3. Extension of the proposed ingress/egress easement from Lot 3 to the south boundary of Lot 4 to accommodate for future development in Lot 5 with cross access.
4. Provision of 5-foot sidewalks along the public street sides of all lots, including a necessary public pedestrian easement for any walk which would need to be placed on private property.

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 (handwritten signature)

Glenna K. Frank, Assistant City Attorney

(13-2020-1.15)

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, P. Kay Cornelius 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 18, 2019

Agenda Item 17

Roll Call # _____

November 12, 2019

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 November 7, 2019 the following action was taken regarding a request from Village at Grays Lake, LLC (owner) represented by Jason Grove (officer) for review and approval of a Preliminary Plat "The Village at Gray's Lake" on property located at 2500 Fleur Drive, to allow subdivision of the property into six (6) separate lots.

COMMISSION ACTION:

After public hearing, the members voted 15-0 as follows:

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	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			
Rocky Sposato	X			
Steve Wallace	X			
Greg Wattier	X			
Emily Webb	X			

APPROVAL of the submitted Preliminary Plat subject to the following:

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Extension of the existing public sanitary sewer in Lot 4 to serve Lot 5.
3. Extension of the proposed ingress/egress easement from Lot 3 to the south boundary of Lot 4 to accommodate for future development in Lot 5 with cross access.

4. Provision of 5-foot sidewalks along the public street sides of all lots, including a necessary public pedestrian easement for any walk which would need to be placed on private property. (13-2020-1.15)

STAFF RECOMMENDATION TO THE P&Z COMMISSION

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

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Extension of the existing public sanitary sewer in Lot 4 to serve Lot 5.
3. Extension of the proposed ingress/egress easement from Lot 3 to the south boundary of Lot 4 to accommodate for future development in Lot 5 with cross access.
4. Provision of 5-foot sidewalks along the public street sides of all lots, including a necessary public pedestrian easement for any walk which would need to be placed on private property.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The request would allow for the former American Institute of Business campus property to be divided into six (6) separate lots to be reused for a mix of uses. This would include repurposing dormitories for multiple-family residential apartments, administrative offices and classroom space for commercial offices, and recreational and athletic facilities for private recreational space. The southeastern portion of the property would be available for mixed use development that would require review of a future amendment of the approved PUD Conceptual Plan.
2. **Size of Site:** 13.8 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development and "FSO" Freestanding Signs Overlay District.
4. **Existing Land Use (site):** The property is developed with the former American Institute of Business campus. This includes vacant academic offices and classrooms, student dormitories, recreational and athletic facilities, and other assembly functions. There were garages on the southeast portion of the site that were recently demolished, leaving vacant developable land.

5. Adjacent Land Use and Zoning:

North - "M-1", Use is the Stone Container manufacturing and distribution facility.

South - "R-3", Uses are multiple-family residential dwellings.

East - "C-O" & Norse "PUD", Uses are the Open Bible Standard Church administrative office building and Butler Mansion office building.

West - "M-3", "R-3" & "R-6", Uses include wholesale warehousing and multiple-family residential development.

6. **General Neighborhood/Area Land Uses:** The subject property is located on the Fleur Drive corridor and Bell Avenue in an area that transitions from industrial uses to medium to density residential development.

7. **Applicable Recognized Neighborhood(s):** The subject property is located within the Southwestern Hills Neighborhood and within 250 feet of the Gray's Lake Neighborhood. All recognized neighborhoods were notified of the meeting by mailing of the Preliminary Agenda on October 18, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on October 28, 2019 (10 days prior to the scheduled hearing) to the Southwestern Hills Neighborhood, the Gray's Lake Neighborhood, and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the site. A Final Agenda for the meeting was mailed to all the recognized neighborhood associations on August 30, 2019.

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 on the date of the mailing. The Southwestern Hills Neighborhood Association mailings were sent to George Davis, 3124 Southwest 29th Street, Des Moines, IA 50321 and the Gray's Lake Neighborhood Association mailings were sent to Rick Trower, 1310 Broad Street, Des Moines, IA 50315.

8. **Relevant Zoning History:** On October 14, 2019, by Ordinance No. 15,813, the City Council rezoned the subject property to "PUD" Planned Unit Development with approval of the PUD Conceptual Plan for "Village at Gray's Lake".

9. **PlanDSM Land Use Plan Designation:** Community Mixed Use.

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. **“PUD” Conceptual Plan:** The approved “PUD” Conceptual Plan allows division of the property into six (6) lots which would group the buildings and necessary parking for the proposed uses. In general, “C-2” District permitted uses and signage would be permitted throughout Lots 1 through 4: Lot 5 in the southern portion would be redeveloped with an amendment to the PUD Conceptual Plan but would be projected for allowances as per the “NPC” District.

Lot 1 on the northwest would be considered for a gymnasium or private recreational use.

Lot 2 on the north would be dormitories converted to one and two bedroom apartments and

Lot 3 on the northeast would be administration and classroom space converted to office space.

Lot 4 in the center portion would be classroom buildings converted to office buildings.

Lot 5 which is a vacant would be redeveloped for mixed use under an amendment to the PUD Conceptual Plan.

Lot 6 on the west would be classrooms converted to office space.

2. **Utilities:** There are public sanitary and storm sewers utilities within easements in the subject property located within proposed Lots 1 and 4. These easements are shown on the submitted Preliminary Plat. 5. Engineering comments indicate the need to provide an easement between Lots 2 and 3 so that the building on Lot 3 has access to public sanitary sewer via Lot 2.

Lot 5 is approved for future redevelopment. Engineering comments indicate the existing public sanitary sewer that runs through Lot 4 should be extended to serve the new development in Lot 5 without the need to cross property lines to access public sewer. This proposed extension should be shown on the preliminary plat.

General comments were provided by the Des Moines Water Works indicating that all water services for each building will be required to tap within the property for that building to the public main, buildings on separate parcels will not be able to share a common water service, and each building will be required to have its own separate water service.

There are also easements shown for existing gas, electric and water service lines.

3. **Access:** An ingress/egress easement is proposed along the internal circulation driveways to ensure that vehicles may access between the proposed parcels. Staff believes that this easement should be extended from Lot 3 to the south end of Lot 5 along Fleur Drive frontage to serve anticipated redevelopment and better cross access with adjoining development.

Required 5-foot wide sidewalks should be shown on each public street frontage. A pedestrian way easement would be necessary for any portion of sidewalk that would

extend onto the private property. It appears Lots 4, 5, and a portion of Lot 3 would require this. A portion of the sidewalks along Fleur Drive may be part of the Fleur Drive Rebuild project being constructed by the City and therefore may not be the developer's responsibility. This should be coordinated with City Engineering.

SUMMARY OF DISCUSSION

Jacqueline Easley asked if any members of the audience or the Commission desired to speak regarding the item. None were present or requested to speak.

COMMISSION ACTION:

Greg Jones made a motion for approval of the submitted Preliminary Plat subject to the following:

1. Compliance with all administrative review comments of the Permit and Development Center.
2. Extension of the existing public sanitary sewer in Lot 4 to serve Lot 5.
3. Extension of the proposed ingress/egress easement from Lot 3 to the south boundary of Lot 4 to accommodate for future development in Lot 5 with cross access.
4. Provision of 5-foot sidewalks along the public street sides of all lots, including a necessary public pedestrian easement for any walk which would need to be placed on private property.

Motion passed 15-0

Respectfully submitted,



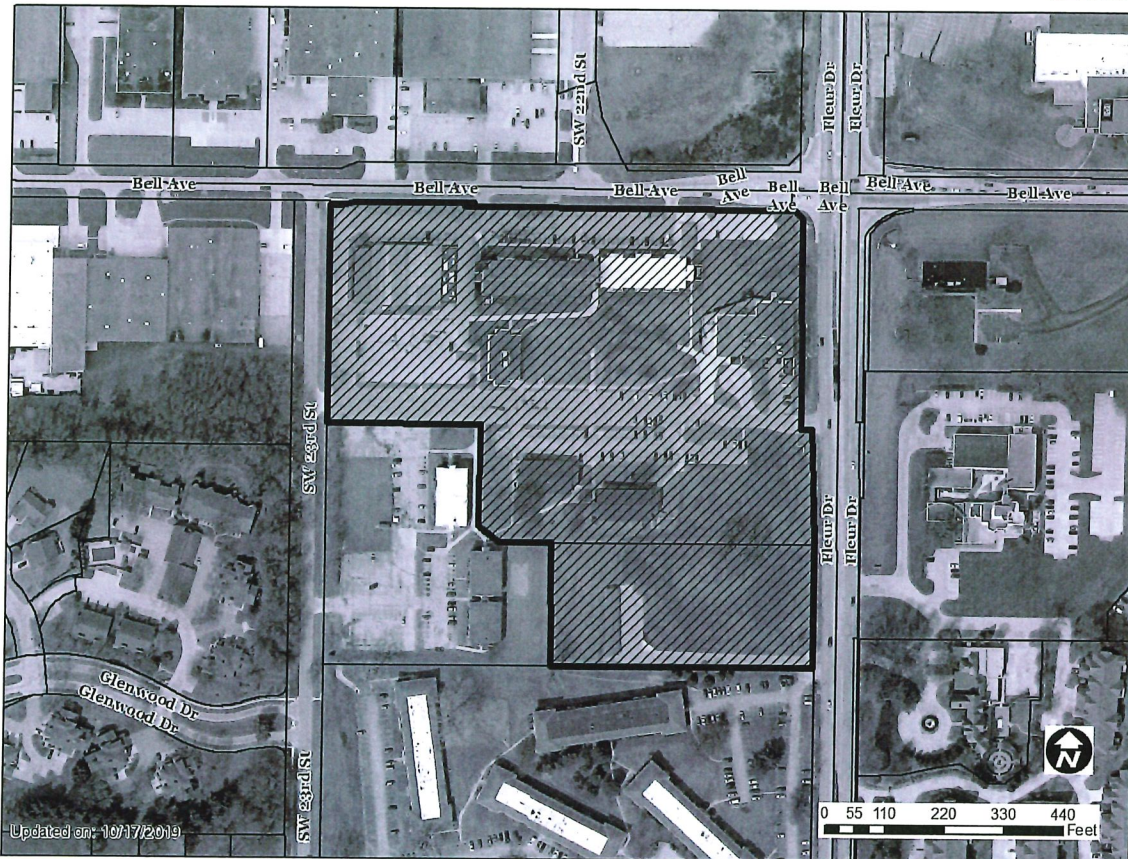
Jason Van Essen, AICP
Senior City Planner

JVE:tjh
Attachments

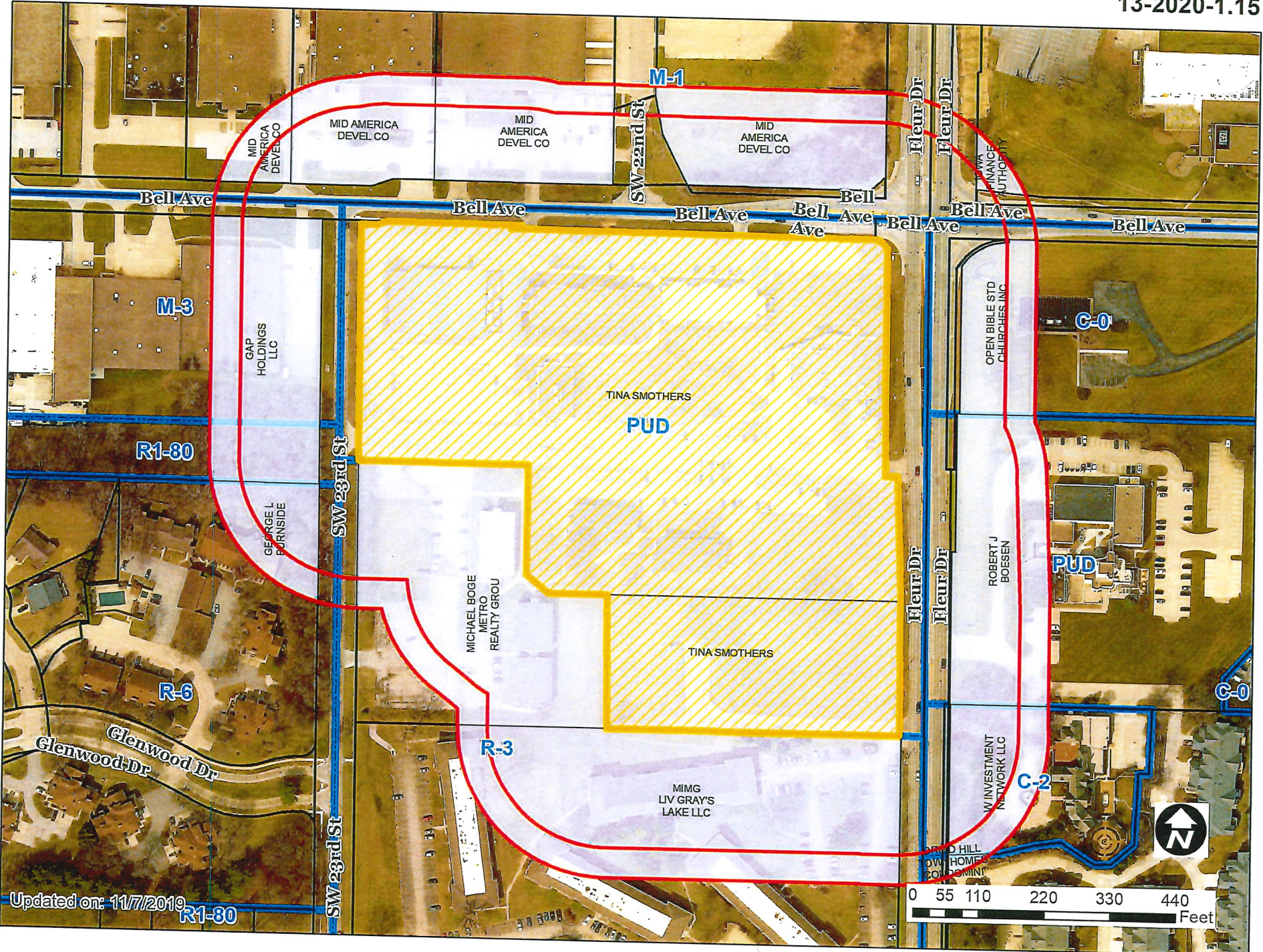
Village at Grays Lake, LLC (owner) represented by Jason Grove (officer) for property located at 2500 Fleur Drive.				File #	
				13-2020-1.15	
Description of Action	Review and approval of a Preliminary Plat "The Village at Gray's Lake" to allow subdivision of the property into five (5) separate lots.				
PlanDSM Future Land Use	Current: "PUD" Planned Unit Development. Proposed: N/A.				
Mobilizing Tomorrow Transportation Plan	Fleur Drive Rebuild.				
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	
Outside Area (200 feet)	0	0			
Within Subject Property					
Plan and Zoning Commission Action	Approval	X	Required 6/7 Vote of the City Council	Yes	
	Denial			No	X

Village at Gray's Lake, LLC, 2500 Fleur Drive

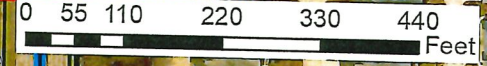
13-2020-1.15



1 inch = 209 feet



Updated on: 11/7/2019



PRELIMINARY PLAT THE VILLAGE AT GRAY'S LAKE

2500 FLEUR DRIVE

LEGAL DESCRIPTION:

PATENT DEED BK 17444 PG 542

PARCEL 1:
 THE NORTH 441.6 FEET OF THE EAST 990 FEET OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA (EXCEPT 70 FEET OF ROADWAY ON THE EAST SIDE, 30 FEET OF ROADWAY ON THE NORTH SIDE, 33 FEET OF ROADWAY ON THE NORTH SIDE, 33 FEET OF ROADWAY ON THE WEST SIDE AND EXCEPT THAT PART DEEDED TO THE CITY OF DES MOINES, IOWA, BY DEED RECORDED IN BOOK 3795, PAGE 421.

AND

THE NORTH 201.7 FEET OF THE SOUTH 10 ACRES OF THE NORTH 20 ACRES OF THE EAST 60 ACRES OF THE SOUTHWEST 1/4 OF SECTION 17, EXCEPT THE WEST 69 FEET AND EXCEPT THE EAST 42 FEET, AS MEASURED ON THE SOUTH LINE THEREOF, AND EXCEPT THE EAST 49 FEET, AS MEASURED ON THE NORTH LINE THEREOF, ALL NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, IOWA.

AND

THE SOUTH 240 FEET OF THE WEST 541.2 FEET OF THE EAST 983.2 FEET OF THE SOUTH 10 ACRES OF THE NORTH 20 ACRES OF THE EAST 60 ACRES OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

THE SOUTH 10 ACRES OF THE NORTH 20 ACRES OF THE EAST 60 ACRES OF THE SOUTHWEST QUARTER OF THE SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., (EXCEPT THE SOUTH 240 FEET THEREOF AND EXCEPT THE WEST 333 FEET THEREOF AND EXCEPT THE EAST 294 FEET THEREOF), NOW INCLUDED IN AND FORMING A PART OF THE CITY OF DES MOINES, POLK COUNTY, IOWA.

AND

THE EAST 300 FEET OF THE WEST 333 FEET OF THE SOUTH 10 ACRES OF THE NORTH 20 ACRES OF THE EAST 60 ACRES OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA.

AND

THE EAST 373.8 FEET OF THE WEST 408.8 FEET OF THE SOUTH 240.0 FEET OF THE SOUTH 10.0 ACRES OF THE NORTH 20.0 ACRES OF THE EAST 60 ACRES OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., DES MOINES, POLK COUNTY, IOWA.

ALL EXCEPT THAT PART LYING WITHIN PARCEL B AND PARCEL C OF THE PLAT OF THE SURVEY FILED NOVEMBER 16, 2015, IN BOOK 15807, PAGE 699 IN THE OFFICE OF THE POLK COUNTY RECORDER, POLK COUNTY, IOWA;

AND

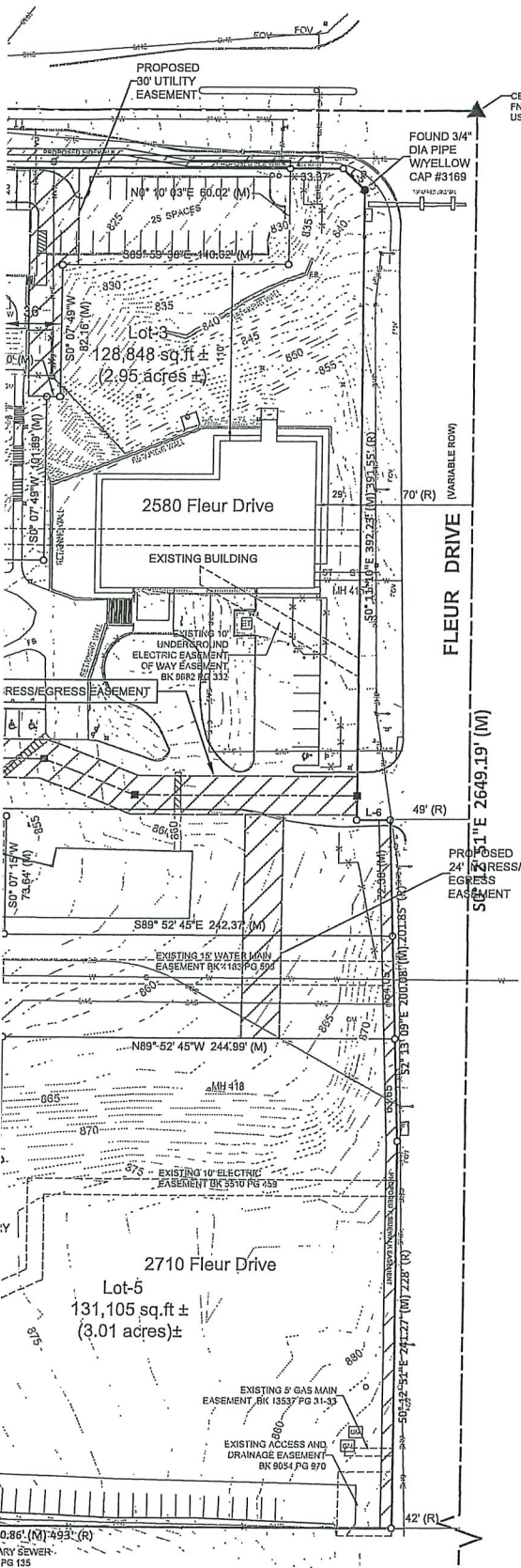
PARCEL 2:
 PARCEL "B" AS DESCRIBED ON THE PLAT OF SURVEY FILED NOVEMBER 16, 2015 IN BOOK 15807M PAGE 699 AND BEING PART OF THE SOUTH 240 FEET OF THE WEST 541.2 FEET OF THE SOUTH 10 ACRES OF THE NORTH 20 ACRES OF THE EAST 60 ACRES OF THE SW 1/4 OF SECTION 17, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA.

OPEN BIBLE STANDARD CHURCHES INC
 C-0 COMMERCIAL RESIDENTIAL DISTRICT
 OPEN BIBLE STD CHURCHES INC
 2020 BELL AVE
 DES MOINES IA 50315

W 130F N 55.6F LOT 18 2-EX BEG
 95F S & 176.75F E
 OF NW COR THN NELY 69.18F S
 38.9F W 54.37F TO
 POB-N 95F MEAS ON W LN & W
 130F & BEG 95F S &
 130F E OF NW COR THN S 38.56F
 NELY 60.6F W 45.75F
 TO POB LOT 19 2-EX COM NE
 COR LT 20 THN W 299.4F
 TO POB THN S 5F SWLY ALNG
 CRV 91.9F S 253.33F W
 9F N 248.36F NELY ALNG CRV
 105.93F TO POB-3-EX
 W 13F-N 300F LOT 20 CASADYS
 DRUID HILL PARK

- NOTES:**
1. ALL WATER SERVICES TO EACH BUILDING WILL NEED TO TAP WITH THE NEW PROPERTY LINES
 2. BUILDINGS TO BE ON SEPARATE PARCELS WILL NOT BE ABLE TO SHARE A WATER SERVICE
 3. EACH BUILDING WILL NEED TO HAVE ITS OWN WATER SERVICE
 4. A TREE REMOVAL AND MITIGATION PLAN SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 42-554 OF THE DES MOINES CITY CODE PRIOR TO APPROVAL OF ANY DEVELOPMENT PLAN FOR ANY LOT WITHIN THE PLAT.

VICINITY SKETCH 1" = 500'



PLAT NO. 13-20-1.50

ROBERT J BOESEN
 475 SE ALICES RD STE D
 WAUKEE, IA 50263
 PUD PLANNED URBAN DEVELOPMENT

-EX BEG NW COR LT 4 THN E
 3.5F S 235.64F W 6.5F S
 260F W 2.5F N 400.4F E 5.5F N
 95.26F TO POB- LOT
 4 & ALL LOT 3 BUTLER PLACE

VOLDEMARS L. PELDS
 18842

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

VOLDEMARS LEO PELDS, P.L.S. IA, LIC. NO.18842 DATE
 MY LICENSE RENEWAL DATE IS DECEMBER 31, 2019

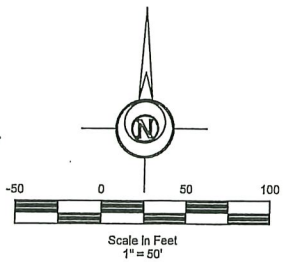
ADDITIONAL PAGES OR SHEETS COVERED BY THIS SEAL (NONE UNLESS INDICATED HERE): NONE

PELDS DESIGN SERVICES

Architecture | Engineering | Surveying
 2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4626, Des Moines, Iowa 50305 | Ph: 515 265 0196

THE VILLAGE AT GRAY'S LAKE
 2500 FLEUR DRIVE
 DES MOINES IA, 50312

BOUNDARY	REVISIONS
COPYRIGHT DATE	SHEET 1 OF 2 LOTS
DRAWN BY A.BRADFIELD	DATE 11.1.2019
SCALE 1"=50'	PROJECT NO. 19-054
FILE PATH 2019\PROJECTS\19054 - AIB CAMPUS - 2500 FLEUR DR\PRELIMINARY PLAT\PLAT-09-11-2019.DWG	PRELIMINARY PLAT

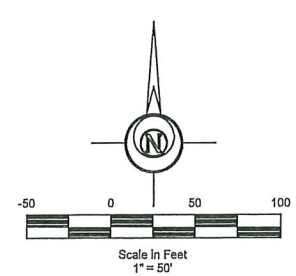
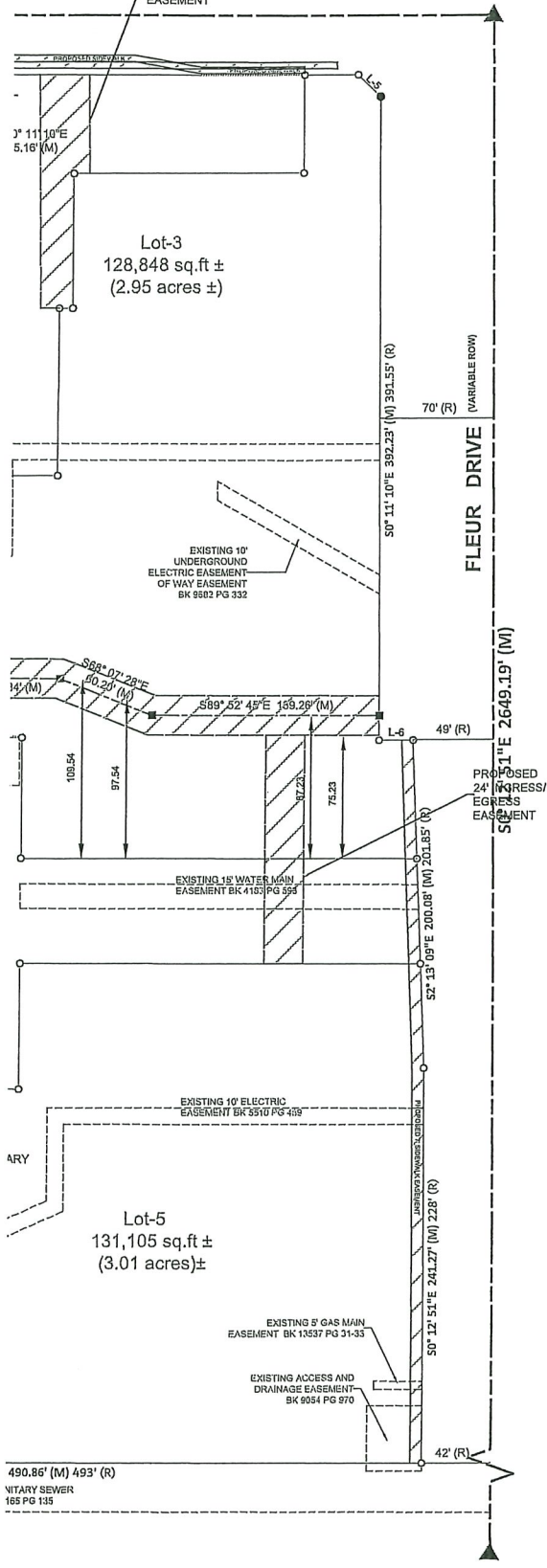



MIMG LIV GRAY'S LAKE LLC
 2195 STATE HIGHWAY 83 STE 149
 FRANCITOWN, CO 80116-9664
 0 A E 80 A SW 1/4 LESS .75 A RD SEC 17-78-24

PRELIMINARY PLAT THE VILLAGE AT GRAY'S LAKE AT GRAY'S LAKE

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1 (M)	35.46'	25.00'	90°20'14"	S44° 59' 56"W	35.46'

- LEGEND:
STANDARD SYMBOLS:
- IRON ROD OR PIPE FOUND
 - CALCULATED OR SET CORNER
 - ▲ SECT. COR. MONUMENT FOUND
 - PROPOSED EASEMENT END





P ELDS DESIGN SERVICES

Architecture | Engineering | Surveying
2323 Dixon Street, Des Moines, Iowa 50318 | PO Box 4826, Des Moines, Iowa 50305 | Ph: 515 265 8498

**PRELIMINARY PLAT THE VILLAGE AT GRAY'S LAKE
2500 FLEUR DRIVE
DES MOINES IA, 50312**

REVISIONS		SHEET 2 OF 2 EASEMENTS	
DATE	BY	DATE	BY
11.1.2019	A.BRADFIELD	19-054	

2019 PROJECTS19-054 - AIB CAMPUS - 2500 FLEUR DRIVE PRELIMINARY PLAT PRELIM PLAT 05-11-2019 SMT 2.DWG PRELIMINARY PLAT