



Date November 18, 2019.....

RESOLUTION SETTING HEARING ON REQUEST FROM IOWA LABORERS EDUCATION AND TRAINING TRUST FUND TO AMEND PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED IN THE VICINITY OF 4500 HUBBELL AVENUE

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on November 7, 2019, its members voted 15-0 in support of a motion to recommend **APPROVAL** of a request from the Iowa Laborers Education and Training Trust Fund (owner), represented by Mike Weckman (officer), for the 8th Amendment to the Baker PUD Conceptual Plan for property located in the vicinity of the 4500 block of Hubbell Avenue, to allow development of 7.12 acres of the PUD area (“Property”) to be developed with a building for a training center and equipment storage as well as an outdoor training site, subject to the following revisions to the Conceptual Plan:

1. Conformance with all administrative comments of the final Mylar review.
2. Provision of specific elevations with labeled materials and dimensions of the proposed building for Parcel A as approved by the Planning Administrator prior to final Mylar review approval.
3. Provision of 5-foot public sidewalks along all public street frontages with any PUD Development Plan.
4. Provision of a note on the Conceptual Plan that any overhead doors on any building shall not be oriented towards a public street.
5. Provision of a note on the Conceptual Plan that any clearing and excavations as part of the outdoor training are on Parcel A shall be approved by the Engineering Staff in the Permit and Development Center.
6. Provision of a note that any tree removal shall comply with the Tree Removal and Mitigation regulations in Article X, of Chapter 42 of the City Code.
7. Provision of a note that hours of operation for any outdoor training activity on Parcel A shall be limited between the hours of 7:00 A.M. to 7:00 P.M.; and

WHEREAS, the Property is legally described as follows:

AN IRREGULARLY SHAPED PORTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE. 1/4) OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH 00°24'05" WEST (BEARING ESTABLISHED IN THE PLAT OF BROWNSTONE ESTATES) ALONG THE WEST LINE OF NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 1122.82 FEET TO THE SOUTHWEST CORNER OF OUTLOT "X" IN BROWNSTONE ESTATES, AN OFFICIAL PLAT, POLK COUNTY, IOWA AND TO THE POINT OF BEGINNING; THENCE NORTH 70°57'01" EAST ALONG THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES AND ALONG THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES,



.....
Date November 18, 2019

A DISTANCE OF 2804.37 FEET TO THE WEST RIGHT OF WAY LINE OF NE. 46th STREET, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 00°09'26" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NE. 46th STREET, A DISTANCE OF 603.03 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF F.M. HUBBELL AVENUE, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 55°26'35" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 261.74 FEET; THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE AND ALONG A 5765.00 FEET RADIUS CURVE CONCAVE SOUTHEASTERLY A DISTANCE OF 1011.34 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 50°08'14" WEST AND A CHORD LENGTH OF 1010.05 FEET; THENCE SOUTH 45°02'42" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 62.63 FEET TO THE NORTHEAST CORNER OF PARCEL "D" OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 89°40'34" WEST ALONG THE NORTH LINE OF SAID PARCEL "D", A DISTANCE OF 280.81 FEET TO THE NORTHEAST CORNER OF PARCEL "A" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 88°56'37" WEST ALONG THE NORTH LINE OF SAID PARCEL "A" AND ALONG THE NORTH LINE OF PARCEL "C" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8727 AT PAGE 975 IN THE OFFICE OF THE POLK COUNTY RECORDER AND ALONG THE NORTH LINE OF SAID LOT 1 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF E. 42nd STREET AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 1336.97 FEET TO THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21; THENCE NORTH 00°18'10" EAST ALONG THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 554.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 49.67 ACRES MORE OR LESS.

AND,
WARRANTY DEED: BOOK 11622, PAGE 522-523

LOTS 5, 6 AND 7; LOT 13 AND THAT PART OF LOT 1 DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE EAST 500 FEET, THENCE SOUTH TO BOUNDARY LINE OF LOT 1, THENCE IN A SOUTHWESTERLY AND WESTERLY DIRECTION ALONG THE BOUNDARY LINE OF LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH TO THE POINT OF BEGINNING; AND THAT PART OF LOT 12 DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12,



Date November 18, 2019

THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 12, 133.33 FEET, THENCE SOUTHERLY IN A STRAIGHT LINE 151.65 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 12; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 12, 186.6 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, AND TO THE POINT OF BEGINNING; ALL IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL REPLAT IN POLK COUNTY, IOWA.

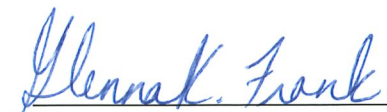
SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:

1. That the attached communication from the Plan and Zoning Commission is hereby received and filed.
2. That the meeting of the City Council at which the proposed 8th Amendment to the PUD Conceptual Plan is to be considered shall be held at the Council Chambers, City Hall, 400 Robert D. Ray Drive, Des Moines, Iowa, at 5:00 p.m. on December 2, 2019, at which time the City Council will hear both those who oppose and those who favor the proposals.
3. That the City Clerk is hereby authorized and directed to cause notice of said proposals 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:



 Glenna K. Frank, Assistant City Attorney

(ZON2019-00189)

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

MOTION CARRIED APPROVED

_____ Mayor

CERTIFICATE

I, P. KAY CMELIK, 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

Legal Description – Iowa Laborers Education and Training Trust Fund, Hearing: December 2, 2019 (ZON2019-00189):

Amendment area for Iowa Laborers

PARCEL 2019-39, LOCATED IN PART OF THE NE ¼ OF SECTION 21-79-23, OF THE PLAT OF SURVEY DATED MARCH 12, 2019, FILED IN THE OFFICE OF THE RECORDER OF POLK COUNTY, IOWA, MARCH 25, 2019, IN BOOK 17269 AT PAGE 266, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AN IRREGULAR SHAPED PORTION OF PARCEL I AS SHOWN ON THE PLAT OF SURVEY RECORDED IN BOOK 14417 AT PAGE 700 IS DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL I; THENCE S55°26'34"W ASSUMED BEARING FOR THIS DESCRIPTION ALONG THE SOUTHEASTERLY LINE OF SAID PARCEL I, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING S55°26'34"W ALONG THE SOUTH LINE OF SAID PARCEL I, A DISTANCE OF 180.73 FEET; THENCE N34°33'25"W, A DISTANCE OF 260.52 FEET; THENCE N82°28'36"W, A DISTANCE OF 787.30 FEET TO THE NORTH LINE OF SAID PARCEL I; THENCE N70°57'01"E ALONG THE NORTH LINE OF SAID PARCEL I, A DISTANCE OF 946.29 FEET; THENCE S89°50'34"E, A DISTANCE OF 192.32 FEET TO THE EAST LINE OF SAID PARCEL I; THENCE S00°09'26"W ALONG THE EAST LINE OF SAID PARCEL I, A DISTANCE OF 507.78 FEET; THENCE 27°48'00"W, A DISTANCE OF 17.72 FEET TO THE POINT OF BEGINNING. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 7.12 ACRES.

Overall PUD area for Baker PUD

AN IRREGULARLY SHAPED PORTION OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE. 1/4) OF SECTION 21, TOWNSHIP 79 NORTH, RANGE 23 WEST OF THE 5th P.M., DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH 00°24'05" WEST (BEARING ESTABLISHED IN THE PLAT OF BROWNSTONE ESTATES) ALONG THE WEST LINE OF NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 1122.82 FEET TO THE SOUTHWEST CORNER OF OUTLOT "X" IN BROWNSTONE ESTATES, AN OFFICIAL PLAT, POLK COUNTY, IOWA AND TO THE POINT OF BEGINNING; THENCE NORTH 70°57'01" EAST ALONG THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES AND ALONG THE EASTERLY EXTENSION OF THE SOUTHERLY LINE OF SAID BROWNSTONE ESTATES, A DISTANCE OF 2804.37 FEET TO THE WEST RIGHT OF WAY LINE OF NE. 46th STREET, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 00°09'26" WEST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID NE. 46th STREET, A DISTANCE OF 603.03 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF F.M. HUBBELL AVENUE, AS IT IS PRESENTLY ESTABLISHED; THENCE SOUTH 55°26'35" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 261.74 FEET; THENCE SOUTHWESTERLY ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE AND ALONG A 5765.00 FEET RADIUS CURVE CONCAVE SOUTHEASTERLY A DISTANCE OF 1011.34 FEET, SAID CURVE HAVING A CHORD BEARING OF SOUTH 50°08'14" WEST AND A CHORD LENGTH OF 1010.05 FEET; THENCE SOUTH

45°02'42" WEST ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF SAID F.M. HUBBELL AVENUE, A DISTANCE OF 62.63 FEET TO THE NORTHEAST CORNER OF PARCEL "D" OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 89°40'34" WEST ALONG THE NORTH LINE OF SAID PARCEL "D", A DISTANCE OF 280.81 FEET TO THE NORTHEAST CORNER OF PARCEL "A" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8361 AT PAGE 967 IN THE OFFICE OF THE POLK COUNTY RECORDER; THENCE SOUTH 88°56'37" WEST ALONG THE NORTH LINE OF SAID PARCEL "A" AND ALONG THE NORTH LINE OF PARCEL "C" OF LOT 1 IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL PLAT, DES MOINES, POLK COUNTY, IOWA AS SHOWN IN BOOK 8727 AT PAGE 975 IN THE OFFICE OF THE POLK COUNTY RECORDER AND ALONG THE NORTH LINE OF SAID LOT 1 AND ALONG THE NORTH RIGHT-OF-WAY LINE OF E. 42nd STREET AS IT IS PRESENTLY ESTABLISHED, A DISTANCE OF 1336.97 FEET TO THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21; THENCE NORTH 00°18'10" EAST ALONG THE WEST LINE OF THE NE. 1/4 OF SAID SECTION 21, A DISTANCE OF 554.06 FEET TO THE POINT OF BEGINNING.

SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD.

SAID TRACT OF LAND CONTAINS 49.67 ACRES MORE OR LESS.

AND,

WARRANTY DEED: BOOK 11622, PAGE 522-523

LOTS 5, 6 AND 7; LOT 13 AND THAT PART OF LOT 1 DESCRIBED AS BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 1, THENCE EAST 500 FEET, THENCE SOUTH TO BOUNDARY LINE OF LOT 1, THENCE IN A SOUTHWESTERLY AND WESTERLY DIRECTION ALONG THE BOUNDARY LINE OF LOT 1 TO THE SOUTHWEST CORNER OF SAID LOT 1, THENCE NORTH TO THE POINT OF BEGINNING; AND THAT PART OF LOT 12 DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 12, THENCE WESTERLY ALONG THE NORTH LINE OF SAID LOT 12, 133.33 FEET, THENCE SOUTHERLY IN A STRAIGHT LINE 151.65 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 12; THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID LOT 12, 186.6 FEET TO THE NORTHEAST CORNER OF SAID LOT 12, AND TO THE POINT OF BEGINNING; ALL IN CAPITOL HEIGHTS REPLAT, AN OFFICIAL REPLAT IN POLK COUNTY, IOWA.

SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD, IF ANY.



Date November 18, 2019
Agenda Item 25
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 November 7, 2019 meeting, the following action was taken regarding a request from Iowa Laborers Education and Training Trust Fund (owner) represented by Mike Weckman (officer) for review and approval of an 8th Amendment to the Baker PUD Conceptual Plan on property in the vicinity of the 4500 block of Hubbell Avenue to allow development of 7.12 acres of agricultural land designated for single-family semi-detached residential development to be developed with a building for a training center and equipment storage. An outdoor training site for skilled laborers is also proposed to practice infrastructure and utility construction techniques.

COMMISSION RECOMMENDATION:

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

<u>Commission Action:</u>	<u>Yes</u>	<u>Nays</u>	<u>Pass</u>	<u>Absent</u>
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 Part A) **APPROVAL** of the requested amendment to PlanDSM future land use designation from Medium Density Residential to Industrial and Part B) **APPROVAL** of the proposed amendment to the Baker PUD Conceptual Plan subject to the following:

1. Conformance with all administrative comments of the final Mylar review.
2. Provision of specific elevations with labeled materials and dimensions of the proposed building for Parcel A as approved by the Planning Administrator prior to final Mylar review approval.
3. Provision of 5-foot public sidewalks along all public street frontages with any PUD Development Plan.
4. Provision of a note on the Conceptual Plan that any overhead doors on any building shall not be oriented towards a public street.
5. Provision of a note on the Conceptual Plan that any clearing and excavations as part of the outdoor training are on Parcel A shall be approved by the Engineering Staff in the Permit and Development Center.
6. Provision of a note that any tree removal shall comply with the Tree Removal and Mitigation regulations in Article X, of Chapter 42 of the City Code.
7. Provision of a note that hours of operation for any outdoor training activity on Parcel A shall be limited between the hours of 7:00 A.M. to 7:00 P.M.

(ZON2019-00189) & (21-2019-4.21)

Written Responses

5 in Favor

3 in Opposition

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Part A) Staff recommends approval of the requested amendment to PlanDSM future land use designation from Medium Density Residential to Industrial.

Part B) Staff recommends approval of the proposed amendment to the Baker PUD Conceptual Plan subject to the following:

1. Conformance with all administrative comments of the final Mylar review.
2. Provision of specific elevations with labeled materials and dimensions of the proposed building for Parcel A as approved by the Planning Administrator prior to final Mylar review approval.
3. Provision of 5-foot public sidewalks along all public street frontages with any PUD Development Plan.
4. Provision of a note on the Conceptual Plan that any overhead doors on any building shall not be oriented towards a public street.
5. Provision of a note on the Conceptual Plan that any clearing and excavations as part of the outdoor training are on Parcel A shall be approved by the Engineering Staff in the Permit and Development Center.
6. Provision of a note that any tree removal shall comply with the Tree Removal and Mitigation regulations in Article X, of Chapter 42 of the City Code.
7. Provision of a note that hours of operation for any outdoor training activity on Parcel A shall be limited between the hours of 7:00 A.M. to 7:00 P.M.

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant proposes to develop the property at the eastern end of the Planned Unit Development (PUD) area for an indoor and outdoor training center for skilled laborers practicing infrastructure and utility work. Since the October 17, 2019 Plan and Zoning Commission meeting the applicant has revised their typical building design concept to a masonry block unit building from a metal skinned building. The building would house an indoor training environment, offices and some storage for equipment and materials related to the training.
2. **Size of Site:** The area of the proposed development is 7.12 acres. The area of the land within the entire Baker “PUD” Conceptual Plan is approximately 60 acres.
3. **Existing Zoning (site):** Baker “PUD” Planned Unit Development.
4. **Existing Land Use (site):** Multiple-family residential dwellings, office, mechanical contractor shop, warehouse and agricultural land.
5. **Adjacent Land Use and Zoning:**
 - North** – “R1-80” & “A-1”, Uses are single-family dwellings and agricultural land.
 - South** – Limited “R-3” and “A-1”, Uses are multiple-family dwellings and vacant land.
 - East** – “C-2” & “A-1”, Uses are single-family dwellings, office, warehouse, repair shop, outside storage, vehicle display lot, vacant retail garden center, vacant repair shop, and vacant land.
 - West** – “A-1”, Use is vacant timbered land.
6. **General Neighborhood/Area Land Uses:** The subject property is located north and west of the Hubbell Avenue (U.S. Highway 6) corridor.
7. **Applicable Recognized Neighborhood(s):** The subject property is not in a recognized neighborhood but is within 250 feet of the Sheridan Gardens Neighborhood. The neighborhood was notified of the original October 17, 2019 Commission meeting by mailing of the Preliminary Agenda on September 27, 2019. Additionally, separate notifications of the hearing for this specific item were mailed on September 27, 2019 (20 days prior to the original public hearing) and on October 7, 2019 (10 days prior to the original public hearing) to the Sheridan Gardens Neighborhood and to the primary titleholder on file with the Polk County Assessor for each property within the PUD and within 250 of the PUD boundary. A final agenda was mailed on November 1, 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. The Sheridan Gardens Neighborhood notices were mailed to Kurt Lee, 3507 East 39th Court, Des Moines, IA 50317.

- 8. Relevant Zoning History:** The subject property was rezoned by the City Council from “A-1” District to “PUD” District on October 27, 1997.

The most recent amendment (7th) was approved by the City Council at a special meeting on September 11, 2019. This amendment allowed single-family residential subdivision development within 19.98 acres of the center portion of the PUD identified in the subject amendment consideration as Parcel “D”.

Of relevance is a previous amendment (6th) to the PUD Conceptual Plan. This was approved by the City Council on April 11, 2011 to allow multiple-family residential dwellings and single-family semi-detached dwellings on the eastern portion of the property, leaving the remaining property for future light industrial requiring a further PUD Conceptual Plan amendment. This included the provision of single-family semi-detached residential development on the subject Parcel “A” area of the amendment. The recent 7th Amendment was approved with only single-family residential development with the rationale that the area of the subject amendment would provide a denser housing type, giving the overall PUD a range of densities within different housing types.

- 9. PlanDSM Future Land Use Plan Designation:** The subject property for the amendment is designated as Medium Density Residential. The central portion of the PUD is designated as Low Density Residential and the western portion of the PUD is designated as Business Park.
- 10. Applicable Regulations:** The Commission, considering the criteria set forth in Chapter 18B of the Iowa Code, reviews all proposals to amend PUD Conceptual Plans or regulations within the City of Des Moines in accordance with Section 134-700 of the City Code. Such amendments must be in conformance with the Comprehensive Plan for the City and designed to meet the criteria in Section 414.3 of the Iowa Code.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Natural Features/Landscaping:** While the property is currently mostly tilled agricultural land, there are dense timbered areas to the northwest and southwest of the proposed amendment area. These timbered areas would partially segregate the subject amendment area from and protect residential areas to the northwest and southwest. The PUD Conceptual Plan indicates that any tree removals resulting from the proposed development would require compliance with mitigation per the City’s Ordinance.

The proposed conceptual landscaping includes overstory tree plantings along the east and south public street perimeters. A dense evergreen planting strip is proposed along the northern edge of the property where development would abut existing residential area.

Staff would recommend that conservation easement areas be indicated on any PUD Conceptual Plan amendment that would be approved to be provided on any Plat for the protection of timbered areas that are not disturbed by the development.

- 2. Drainage/Grading:** There is a tributary to Four Mile Creek running through the southwestern and western portions of the subject amendment area, generally from

east to west. There are existing easements along the drainage way to protect stream bank stabilization improvements that have been put in place. The City would need to ensure access through any development to maintain these areas over time. Any PUD Conceptual Plan amendment that would be approved should indicate that any platting of the property will provide necessary public access to maintain the stream stabilization areas.

3. **Traffic/Street System:** A Traffic Impact Study was not required prior to the proposed PUD Conceptual Plan amendment pursuant to City policy given the anticipated number of trips for the training facility. Traffic Engineering Staff have indicated the need for public sidewalks along Hubbell Avenue and East 46th Street as part of any development of the amendment area (Parcel "A").
4. **Urban Design:** The Conceptual Plan indicates that buildings shall be constructed of permanent materials such as, tilt-up concrete panels, architectural pre-cast panels, brick, stone and glass. Only durable materials such as stone, brick, block, concrete panels or concrete tile shall be used on the base four-feet of all sides of the building. The submitted Conceptual Plan provides a revised typical design for the proposed training center building. It would be a masonry block structure. This revised material palette is more in keeping with the intent for commercial buildings within a PUD. Staff would require a more specific elevation to be submitted with the final Mylar review for the PUD Conceptual Plan. There would be clear story window on the east and west elevations, with two overhead doors facing west internally into the site.
5. **PlanDSM Creating Our Tomorrow:** The subject property is currently designated as "Medium Density Residential" on the Future Land Use Map based upon uses identified on the existing PUD Concept Plan. PlanDSM notes that this classification "Areas developed with mix of single family, two family and multi-family residential up to 17 dwelling units per net acre."

The Future Land Use Map would require amendment to the "Industrial" classification to allow for the proposed training facility with outside training activity. This classification is defined as "Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large impact on adjoining properties and the environment which would need to be mitigated." For contrast, the "Business Park" designation elsewhere in the western portion of the PUD is defined as "Accommodates light industrial, office and employment uses along with limited complementary retail uses. Industrial uses in this category would produce little or no noise, odor, vibration, glare, or other objectionable influences, and would have little or no adverse effect on surrounding properties."

SUMMARY OF DISCUSSION

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

COMMISSION ACTION:

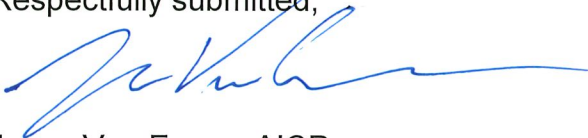
Greg Jones made a motion for approval of Part A) **APPROVAL** of the requested amendment to PlanDSM future land use designation from Medium Density Residential to

Industrial and Part B) **APPROVAL** of the proposed amendment to the Baker PUD Conceptual Plan subject to the following:

1. Conformance with all administrative comments of the final Mylar review.
2. Provision of specific elevations with labeled materials and dimensions of the proposed building for Parcel A as approved by the Planning Administrator prior to final Mylar review approval.
3. Provision of 5-foot public sidewalks along all public street frontages with any PUD Development Plan.
4. Provision of a note on the Conceptual Plan that any overhead doors on any building shall not be oriented towards a public street.
5. Provision of a note on the Conceptual Plan that any clearing and excavations as part of the outdoor training are on Parcel A shall be approved by the Engineering Staff in the Permit and Development Center.
6. Provision of a note that any tree removal shall comply with the Tree Removal and Mitigation regulations in Article X, of Chapter 42 of the City Code.
7. Provision of a note that hours of operation for any outdoor training activity on Parcel A shall be limited between the hours of 7:00 A.M. to 7:00 P.M.

Motion Carried: 15-0

Respectfully submitted,



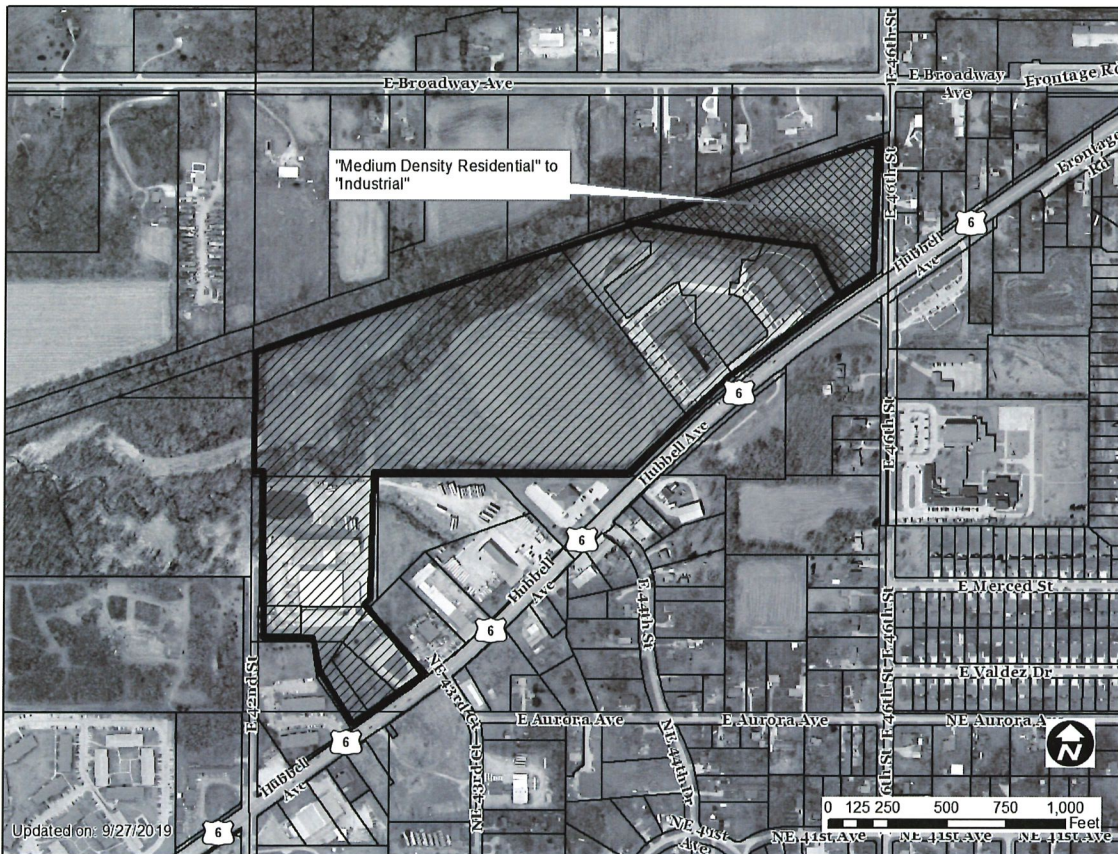
Jason Van Essen, AICP
Senior City Planner

JVE:tjh

Iowa Laborers Education and Training Trust Fund (owner) represented by Mike Weckman (officer) for property located in the vicinity of 4560 Hubbell Avenue. Additional property in the PUD boundary is owned by Baker Real Estate, LP; Baker Creek Senior Living I, LP; McKinley Crest, LLLP and B & B Real Estate Group, LLC.				File # 21-2019-4.21	
Description of Action	Amend the PlanDSM Creating Our Tomorrow Plan to revise the future land use designation from Medium Density Residential to Industrial.				
PlanDSM Future Land Use	Current: Medium Density Residential District. Proposed: Industrial.				
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	
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

Iowa Laborers Education Trust Fund, Vicinity of 4560 Hubbell Avenue

21-2019-4.21

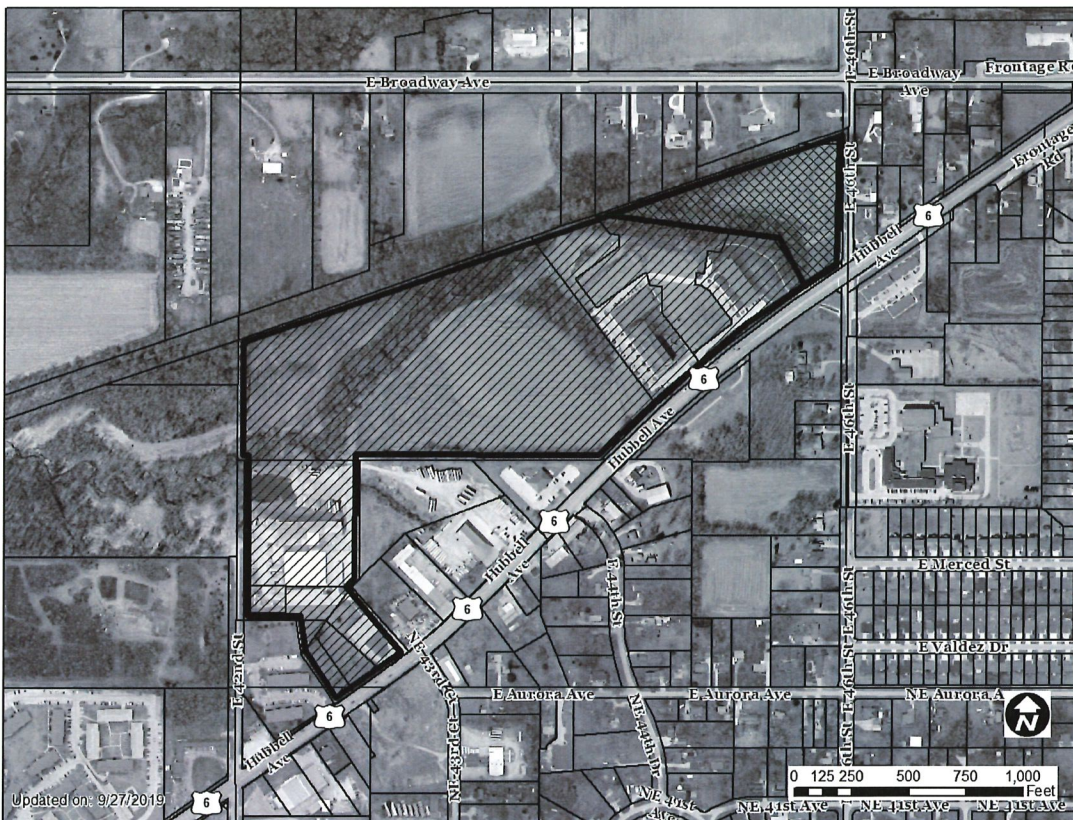


1 inch = 476 feet

Iowa Laborers Education and Training Trust Fund (owner) represented by Mike Weckman (officer) for property located in the vicinity of 4560 Hubbell Avenue. Additional property in the PUD boundary is owned by Baker Real Estate, LP; Baker Creek Senior Living I, LP; McKinley Crest, LLLP and B & B Real Estate Group, LLC.				File # ZON2019-00189	
Description of Action		Review and approval of an 8th Amendment to the Baker PUD Conceptual Plan on property in the vicinity of the 4500 block of Hubbell Avenue to allow development of 7.12 acres of agricultural land designated for single-family semi-detached residential development to be developed with a building for a training center and equipment storage. Also an outdoor training site for skilled laborers to practice infrastructure and utility construction techniques.			
PlanDSM Future Land Use		Current: Medium Density Residential District. Proposed: Industrial.			
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
Outside Area (200 feet)		5	3		
Within Subject Property					
Plan and Zoning Commission Action		Approval	X	Required 6/7 Vote of the City Council	
		Denial		Yes	
				No	X

Iowa Laborers Education Trust Fund, Vicinity of 4560 Hubbell Avenue

ZON2019-00189



1 inch = 475 feet

Item ZON2019-00189

Date 10-8

I (am) (am not) in favor of the request.

RAM DEVELOPMENT

(Circle One)

Print Name Andy Holt

Signature [Signature]

Address 702 NE Pinnacle Court
Ankeny IA 50021

RECEIVED
COMMUNITY DEVELOPMENT

OCT 15 2019

Reason for opposing or approving this request may be listed below:

We Need Development

Item ZON2019-00189

Date 10-9-19

I (am) (am not) in favor of the request.

(Circle One)

Print Name David A Parker

Signature [Signature]

Address 1209 Hubbard Ave

RECEIVED
COMMUNITY DEVELOPMENT

OCT 15 2019

Reason for opposing or approving this request may be listed below:

Item ZON2019-00189

Date 10/10/19

I (am) (am not) in favor of the request.

(Circle One)

Print Name

Shirley J Beard

Signature

[Signature]

Address

484 E 40th St

RECEIVED

COMMUNITY DEVELOPMENT

OCT 15 2019

Reason for opposing or approving this request may be listed below:

Four horizontal lines for additional notes or comments.

Item: ZON2019-00189 Date 10/10/2019

(am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

OCT 16 2019

STEPHENTH-WILLIAMS

Print Name PEXSTEVE LIMITED CO

Signature Stephent Williams

Address 2139 HIGH ST
DM IA 50312

Reason for opposing or approving this request may be listed below:

Item: ZON2019-00189 Date 10/9/19

(am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

OCT 16 2019

SUBJECT PROPERTY

Print Name Glynn Pickard

Signature Glynn Pickard

Address 3400 E Euclid Ave

Reason for opposing or approving this request may be listed below:

I am the Administrator/Training
Director of IOWA Laborers
Training Fund. It is our goal
to continue to help the residents in
the community and to provide skills for
careers.

25

Item: ZON2019-00189

Date 10/13/19

(am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

OCT 21 2019

Print Name Carrie Jordan

Signature Carrie Jordan

Address 4555E 46th St.

Reason for opposing or approving this request may be listed below:

I Do Not want a business and
storage facility across from my
house.

Item ZON2019-00189

Date 10/15/19

25

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

OCT 16 2019

Print Name Becky Smith

Signature Becky Smith

Address 4215 Hubbell Avenue

Reason for opposing or approving this request may be listed below:

1. The area was zoned for single family semi-detached homes and businesses in the area have developed their business plan relying on same.
- 2A There is a concern for traffic as this street is always busy. 2B. There is a huge environmental impact of great concern.

Item ZON2019-00189

Date 10-28-19

I (am) (am not) in favor of the request.

(Circle One)

RECEIVED
COMMUNITY DEVELOPMENT

OCT 30 2019

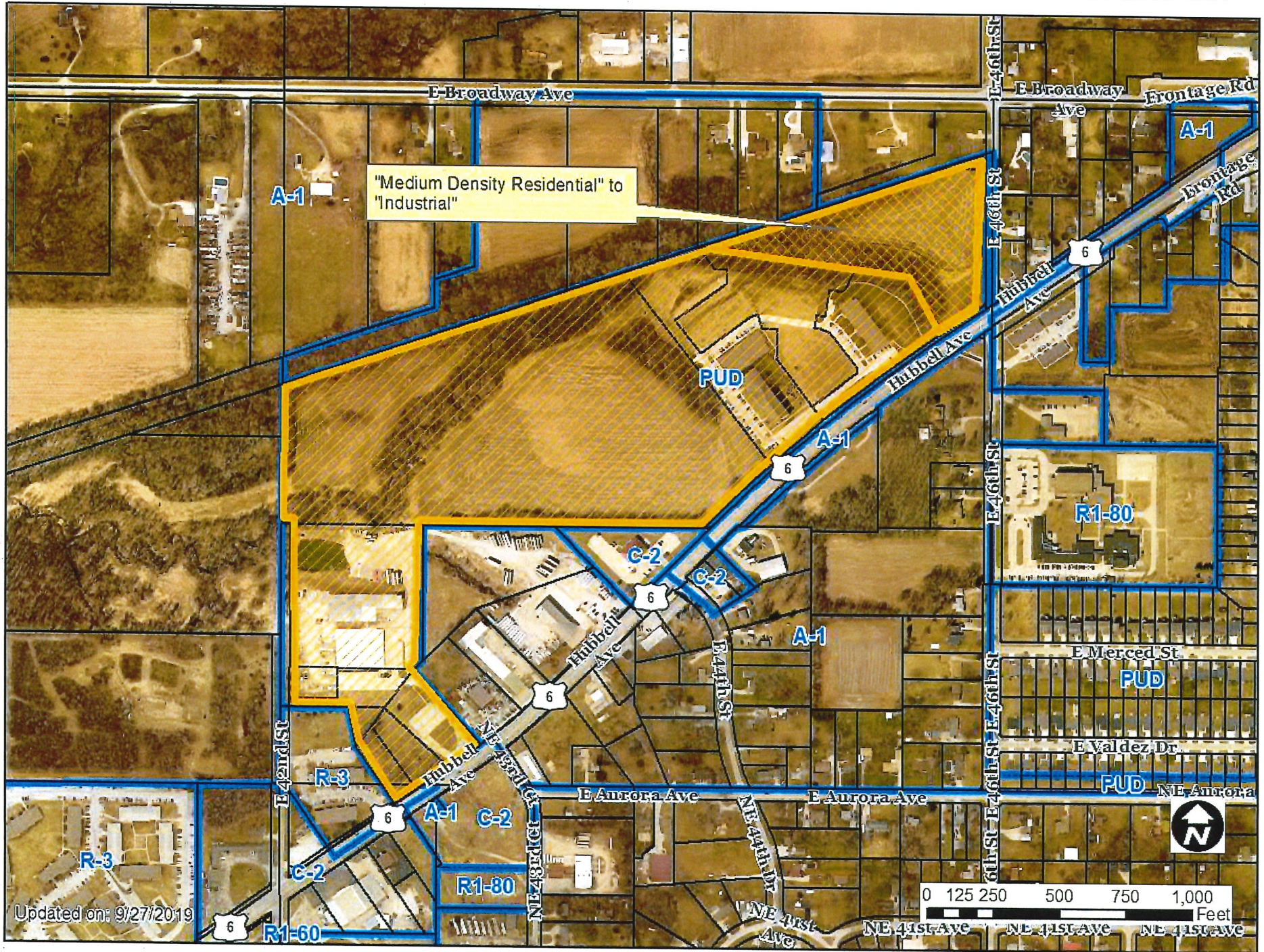
Print Name JOSE CARRER

Signature J Carrer

Address 4600 HUBBELL AVE

Reason for opposing or approving this request may be listed below:

NOISE, LIGHT ~~POLLUTION~~ POLLUTION, FLOODING
DUE TO LEVELING LOW GROUND

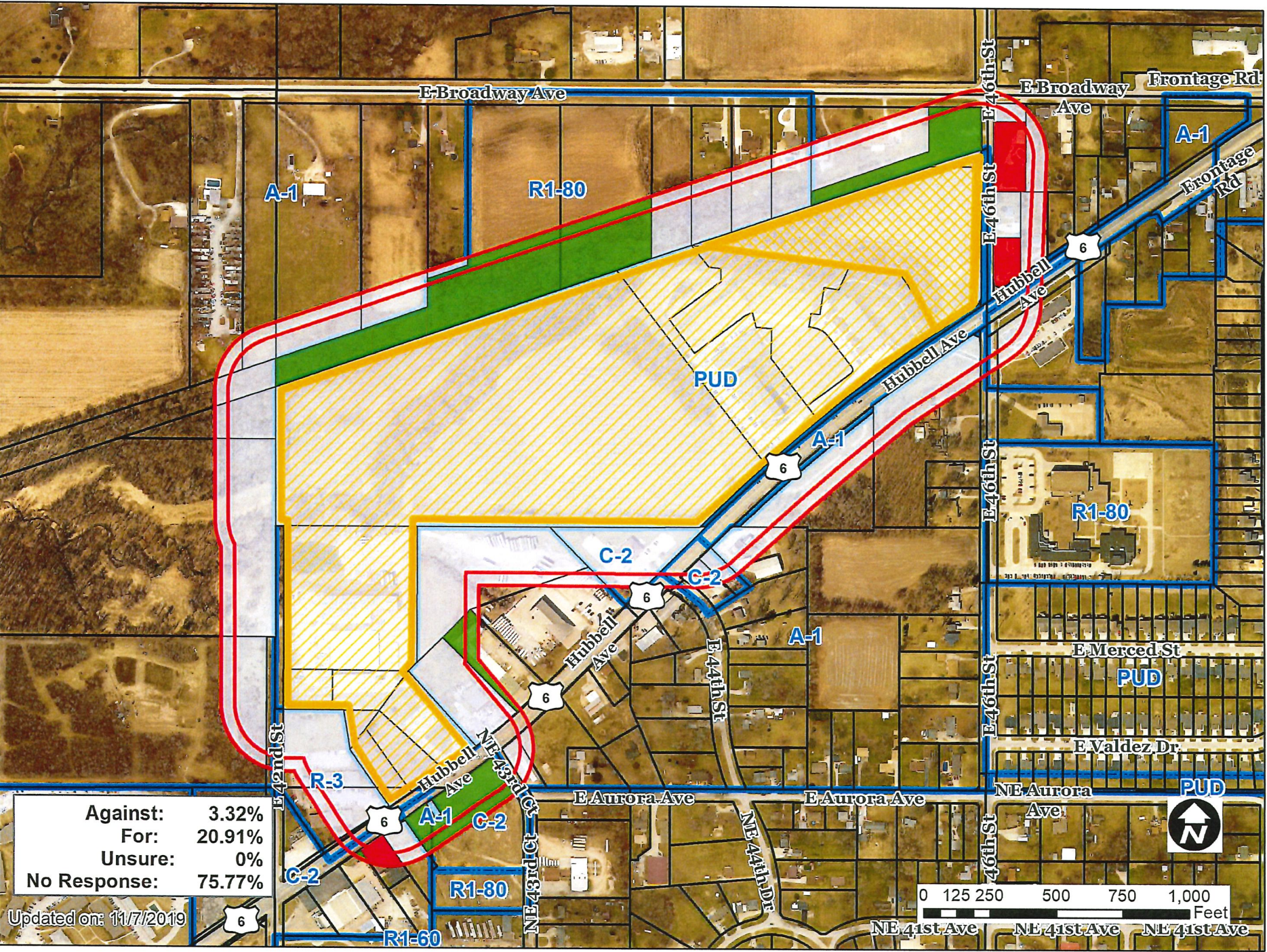


Updated on: 9/27/2019

0 125 250 500 750 1,000 Feet

1 inch = 476 feet

25



Against:	3.32%
For:	20.91%
Unsure:	0%
No Response:	75.77%

Updated on: 11/7/2019

1 inch = 176 feet

25

EDUCATIONAL, TRADE SCHOOL OR VOCATIONAL USE. ANY CHANGE TO THE

ON AT THE TIME OF SITE DEVELOPMENT PLAN OR PRELIMINARY PLAT IN
ANCE POLICIES. THE STREET RUNDFF SHALL ALSO BE CONTROLLED PER

FEET FROM THE NEAREST HYDRANT IS EXCEEDED FOR NON-SPRINKLERED
ED FIRE ACCESS ROUTE. THE FIRE DEPARTMENT WILL REVIEW THESE ON A
ES A SECOND ACCESS DRIVEWAY IS PROVIDED ACROSS PARCEL D.

PUD ZON2019-00084.
QUIREMENTS.
PING STANDARDS IN THE CITY SITE PLAN POLICIES AS PART OF ANY

THOUT GETTING THE APPROVAL FOR RIGHT IN / RIGHT OUT ONLY DRIVES
TS SHOWN ON PARCEL B AND PARCEL D ARE THE ONLY TWO APPROVED

FRONTAGES TO BE INSTALLED WITH THE DEVELOPMENT.

MINIMUM REQUIREMENTS FOR EACH USES PER THE ZONING ORDINANCE.

CREENED PER THE ZONING STANDARDS APPLICABLE TO I-1 DISTRICT AND
CH THE PRIMARY STRUCTURES AND APPROVED BY THE ARCHITECTURAL

WITHIN A REQUIRED FRONT YARD SETBACK UNLESS LOCATED WITHIN AN
IPAL BUILDING AND APPROVE BY THE ARCHITECTURAL REVIEW

ITBACKS AND SCREENED FROM ALL PUBLIC STREETS AND ADJOINING
IS COMMON THROUGHOUT THE PUD.

THE SITE. EACH LOT WILL BE SERVICES OFF A PUBLIC SANITARY SEWER
E BOUNDARIES TO SERVE ADJOINING DEVELOPMENT WITHIN THE CITY IN

ELL OR NE 46TH STREET.

NS OF THE DES MOINES ZONING ORDINANCE AS THEY APPLY TO THE I-1
IS OF THE DES MOINES ZONING ORDINANCE AS THEY APPLY TO THE NX3
3 OF THE DES MOINES ZONING ORDINANCE AS THEY APPLY TO

HARP CUT OFF AND THAT ALL LIGHTING POLES WITHIN PARKING AREAS
ESTRIAN AREAS SHALL BE NO TALLER THAN 15 FEET.

VENESS, COMPATIBILITY WITH EACH OTHER AND WITHIN THE BAKER
HALL BE CONSTRUCTED OF PERMANENT MATERIALS SUCH AS, TILT UP
D GLASS, ONLY DURABLE MATERIALS (SUCH AS STONE, BRICK, BLOCK,
E FOUR FEET OF ALL SIDE OF ANY BUILDING. ALL SHINGLES ON ANY

THE BAKER CREEK PUD ARCHITECTURAL REVIEW COMMITTEE. IT IS THE
O CONFORM WITH ALL APPLICABLE CODES AND REQUIREMENTS OF
ALS PRIOR TO CONSTRUCTION.

AREAS AND MAY NOT BE USED ON ANY EXTERIOR SURFACES OF ANY

ODCORE PRODUCTS.
EXCEPT FOR REAL BUILDING WALLS THAT ARE NOT VISIBLE FROM A

NS FOR PROHIBITED MATERIALS WHEN THE ARCHITECTURAL DESIGN
MATERIALS ARE ESPECIALLY WELL SUITED. FOR EXAMPLE, BUILDING
OF SUFFICIENT SIZE AND SCALE TO CREATE ITS OWN DISTINCT

3S. VIBRANT PRIMARY COLORS WILL BE ACCENT ARCHITECTURALLY
OVERALL AESTHETICS AND DESIGN.

PRINCIPAL OR ACCESSORY BUILDING INCLUDING BUT NOT LIMITED TO
CONTAINED WITHIN ROOFING MATERIALS, WINDOWS, SKYLIGHTS AND

ORK THAT IS PLACED ON, OR ANCHORED IN, THE GROUND AND THAT IS
-2-F OF THE MUNICIPAL CODE.

3 WITH A I-1 USE SHALL BE ONE (1) OVERSTORY DECIDUOUS TREE AND
EN SPACE. PLANT MATERIAL SIZES SHALL BE AS FOLLOWS:

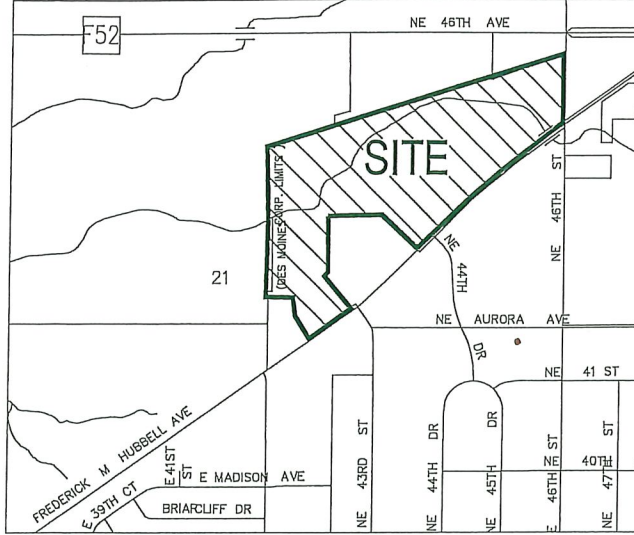
F AND THREE (3) SHRUBS FOR EVERY TWENTY (20) PARKING SPACES.
A MINIMUM OF FIFTEEN (15) FEET AND LANDSCAPED WITH ONE (1)
EAL FEET OF PAVED PARKING AREA GENERALLY PARALLEL TO THE

NDARDS IN THE SITE PLAN POLICIES AS PART OF ANY DEVELOPMENT

IGN REGULATIONS AS APPLICABLE TO THE NX3 DISTRICT AND ANY
3N REGULATIONS AS APPLICABLE TO THE I-1 DISTRICT, WITH THE
MONUMENT STYLE SIGN WITH A MASONRY BASE THAT MATCHES THE

D 7TH AMENDMENT TO PUD ZON2019-00084.

NOT BE
GINEERING.



VICINITY MAP
SCALE: 1" = 500'

SURVEY LEGEND:

- SECTION CORNER- FOUND AS NOTED
- PROPERTY CORNER- FOUND AS NOTED
- PROPERTY CORNER- PLACED 3/4" IRON PIPE WITH YELLOW PLASTIC CAP ID #
- M MEASURED DISTANCE
- P PLATTED DISTANCE
- D DEEDED DISTANCE
- P.R.A. PREVIOUSLY RECORDED AS
- R.O.W. RIGHT-OF-WAY
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING

UTILITY LEGEND:

- ⊙ SANITARY SEWER MANHOLE
- ⊙ STORM SEWER MANHOLE
- SAN — SANITARY SEWER
- ST — STORM SEWER
- G — GAS LINE
- W — WATER LINE
- U/E — UNDERGROUND ELECTRIC
- O/E — OVERHEAD ELECTRIC
- TELE — TELEPHONE LINE
- CATV — CABLE TV LINE
- F/O — FIBER OPTIC LINE
- ⊠ TELEPHONE RISER
- ⊙ TELEPHONE MANHOLE
- ▲ GROUND LIGHT
- ★ LIGHT POLE
- ⊙ POWER POLE
- ⊙ TRANSFORMER POLE
- ⊠ ELECTRIC TRANSFORMER
- ⊠ ELECTRIC METER
- ⊙ CLEAN-OUT
- INTAKE
- SURFACE INTAKE
- ⊙ TRAFFIC SIGNAL MANHOLE
- ★ FIRE HYDRANT
- ⊙ WATER VALVE
- ⊙ GAS METER
- ⊙ DENOTES NUMBER OF PARKING STALLS

ORIGINAL PUD APPROVED BY CITY COUNCIL ON APRIL 11, 2011 BY ORDINANCE 15,011
AND ROLL CALL 11-0634

APPROVAL:

SITE PLAN

APPROVED

APPROVED WITH CONDITIONS
SEE EXHIBIT 'A'

IN ACCORDANCE WITH SECTION 82-207 (c.), 2000 DES MOINES MUNICIPAL CODE, AS
AMENDED.
NO CHANGES TO THIS PLAN UNLESS APPROVED IN WRITING FROM THE PLANNING
DIRECTOR.

DATE _____ PLANNING DIRECTOR _____



I HEREBY CERTIFY THAT THIS ENGINEERING DOCUMENT WAS PREPARED BY ME
OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY
LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF IOWA.

SIGNED: CHARLES J. BISHOP, P.E. 11055 DATE: _____

LICENSE RENEWAL DATE: DEC. 31, 2020
PAGES OR SHEETS COVERED BY THIS SEAL: _____

Bishop Engineering
"Planning Your Successful Development"

3501 104th Street
Des Moines, Iowa 50322-3825
Phone (515)726-0467 Fax (515)726-0217
Civil Engineering & Land Surveying Established 1959

**BAKER CREEK P.U.D. AMENDMENT
NE 46TH STREET & HUBBELL AVENUE**

COVER SHEET

REFERENCE NUMBER:
070272
090019
110020

DRAWN BY:
BK

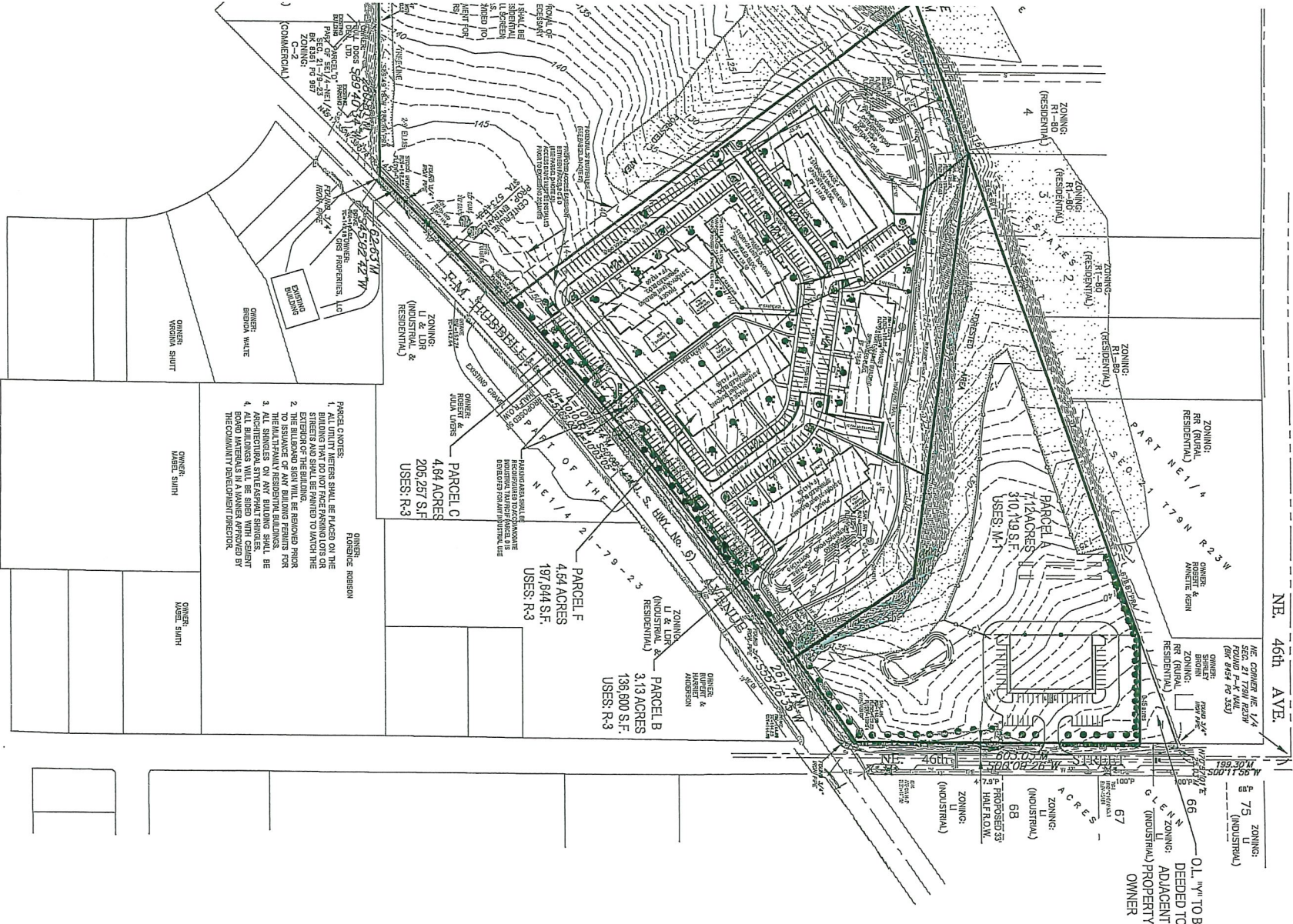
CHECKED BY:
CB

REVISION DATE:
09-04-2019
10-30-2019

PROJECT NUMBER:
170527

SHEET NUMBER:

C0.1



M:\Land Projects 2011\110020\dwg\CI PUD-REV-7-26-12.dwg 7/26/2012 12:29:03 PM CDT

PROJECT NUMBER: 170527	REFERENCE NUMBER: 070272 090019 110020
SHEET NUMBER: C1.1	DRAWN BY: BK
	CHECKED BY: OS
	REVISION DATES: 09-04-2019 10-30-2019

BAKER CREEK P.U.D. AMENDMENT NE 46TH STREET & HUBBELL AVENUE

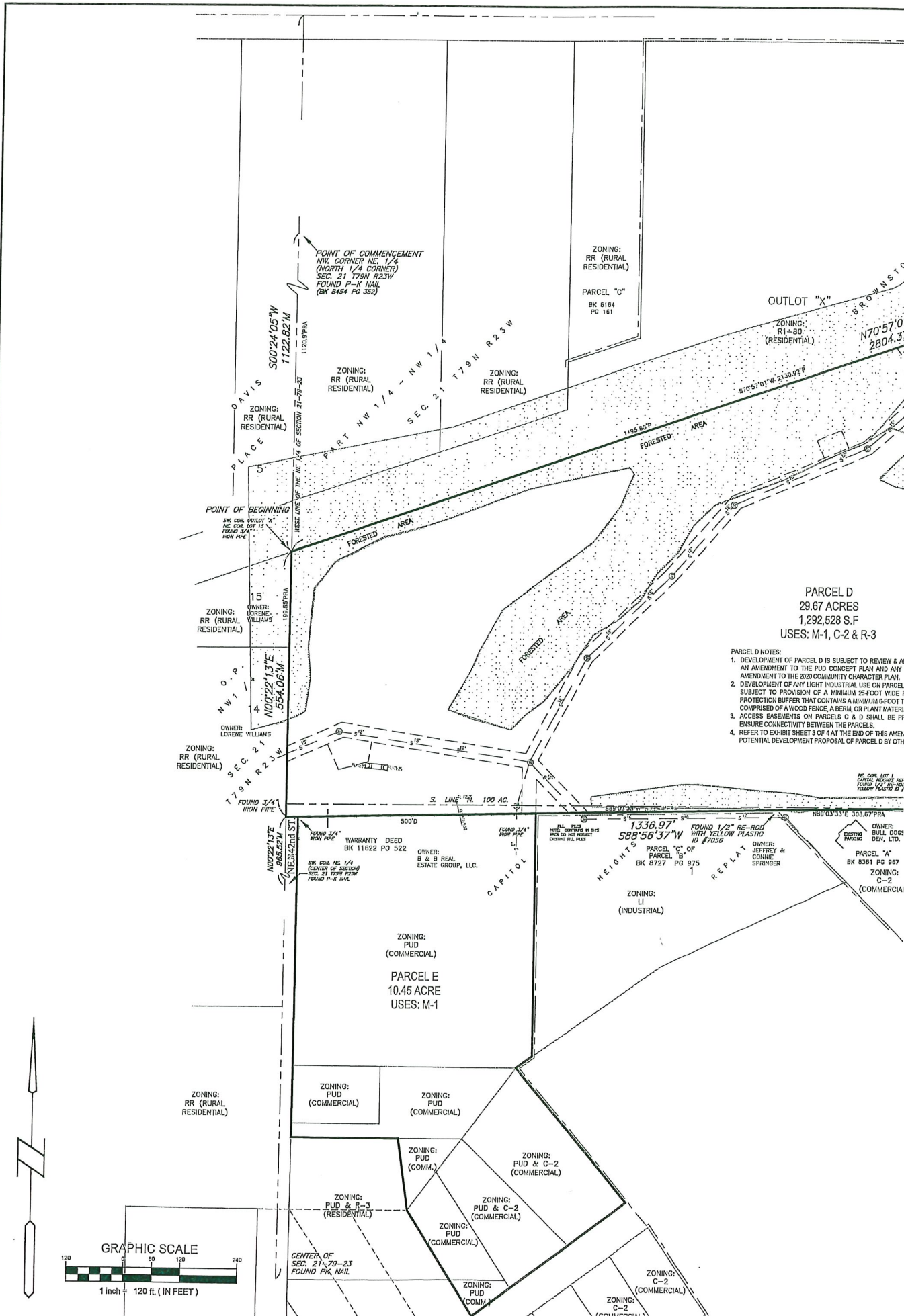
DEVELOPMENT PLAN W/ TOPO



Bishop Engineering
"Planning Your Successful Development"

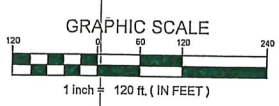
3501 104th Street
Des Moines, Iowa 50322-3825
Phone: (515)276-0467 Fax: (515)276-0217

Civil Engineering & Land Surveying Established 1959



PARCEL D
 28.67 ACRES
 1,292,528 S.F.
 USES: M-1, C-2 & R-3

- PARCEL D NOTES:**
1. DEVELOPMENT OF PARCEL D IS SUBJECT TO REVIEW & AN AMENDMENT TO THE PUD CONCEPT PLAN AND ANY AMENDMENT TO THE 2020 COMMUNITY CHARACTER PLAN.
 2. DEVELOPMENT OF ANY LIGHT INDUSTRIAL USE ON PARCEL SUBJECT TO PROVISION OF A MINIMUM 25-FOOT WIDE I PROTECTION BUFFER THAT CONTAINS A MINIMUM 6-FOOT I COMPRISED OF A WOOD FENCE, A BERRIA, OR PLANT MATRI
 3. ACCESS EASEMENTS ON PARCELS C & D SHALL BE PF ENSURE CONNECTIVITY BETWEEN THE PARCELS.
 4. REFER TO EXHIBIT SHEET 3 OF 4 AT THE END OF THIS AREA POTENTIAL DEVELOPMENT PROPOSAL OF PARCEL D BY DTH



POINT OF COMMENCEMENT
 NW CORNER NE 1/4
 (NORTH 1/4 CORNER)
 SEC. 21 T79N R23W
 FOUND P-K NAIL
 (BK 8454 PG 352)

POINT OF BEGINNING
 2K. COE. W/100' 1/4
 MC. COE. LOT 14
 FOUND 3/4" IRON PIPE

WARRANTY DEED
 BK 11622 PG 522
 2K. COE. MC. 1/4
 (CENTER OF SECTION)
 SEC. 21 T79N R23W
 FOUND P-K NAIL

OWNER:
 B & B REAL
 ESTATE GROUP, LLC.

1336.97'
 588'56"37"W
 FOUND 1/2" RE-ROD
 WITH YELLOW PLASTIC
 ID # 2222

OWNER:
 JEFFREY &
 CONNIE
 SPRINGER

OWNER:
 BULL DOGS
 DEN, LTD.

CENTER OF
 SEC. 21 T79N R23W
 FOUND P-K NAIL



