



Date March 9, 2020

**RESOLUTION SETTING HEARINGS ON REQUESTS FROM ILEX GROUP, LLC, ON DEVELOPER-INITIATED APPLICATION TO AMEND PLAN THE EXISTING PLANDSM: CREATING OUR TOMORROW PLAN FUTURE LAND USE DESIGNATION AND ON DEVELOPER-INITIATED REQUEST FOR REVIEW AND APPROVAL OF A PROPOSED 1<sup>ST</sup> AMENDMENT TO THE NORTHRIDGE PUD CONCEPTUAL PLAN FOR PROPERTY LOCATED IN THE VICINITY OF 4600 AND 4700 EAST 14<sup>TH</sup> STREET TO ALLOW REVISION FROM A REGIONAL SHOPPING MALL TO A WAREHOUSE AND DISTRIBUTION CENTER**

**WHEREAS**, on April 25, 2016, by Roll Call No. 16-0717, the City Council adopted the PlanDSM: Creating Our Tomorrow Plan; and

**WHEREAS**, the City Plan and Zoning Commission has advised that at a public hearing held on February 20, 2020, the City Plan and Zoning Commission voted 8-0 in support of a motion to recommend **APPROVAL** of a Developer-initiated request from ILEX Group, LLC (Owner) represented by Ben Schultes (officer), regarding property located in the vicinity of 4600 and 4700 East 14<sup>th</sup> Street, to amend the existing PlanDSM: Creating Our Tomorrow Plan future land use designation for real property in the vicinity of 4600 and 4700 East 14<sup>th</sup> Street, from Community Mixed Use in a Regional Node to Industrial in a Regional Node; and

**WHEREAS**, the City Plan and Zoning Commission has further advised that, at a public hearing also held on February 20, 2020, its members voted 8-0 in support of a motion to recommend **APPROVAL** of a request from of a request from ILEX Group, LLC (Owner) represented by Ben Schultes (officer), regarding property located in the vicinity of 4600 and 4700 East 14<sup>th</sup> Street, to allow approval of a 1<sup>st</sup> Amendment to the Northridge PUD Conceptual Plan, to allow revision of the development from a regional shopping mall to a warehouse and distribution center with 1,050,260 square feet of warehouse building use, subject to the following conditions:

1. Permitted uses shall be limited to those allowed in the "I1" District by Chapter 134 of the Municipal Code, including any applicable supplemental regulations.
2. Provision of a note that states, "outdoor storage is prohibited unless identified on an approved Development Plan."
3. Amendment of Sheets 2 and 3 of the Conceptual Plan so that the portions of the site located outside of the PUD are clearly identified.
4. Compliance with the Fire Code to the satisfaction of the Fire Department.
5. Provision of dimensions for the tenant wall sign typicals on Sheet 5 of the Conceptual Plan to the satisfaction of the Planning Administrator.
6. Amendment of the Conceptual Plan so that it conceptually identifies the location of on-site storm water management facilities.
7. Replacement of all storm water management related notes with the following text: "any Development Plan shall comply with the City's storm water management requirements to the satisfaction of the City Engineer".

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8. Provision of a note that states, “the east bound, left turn lane on East Broadway Avenue for vehicles turning north onto East 14<sup>th</sup> Street shall be improved as determined necessary by the City Traffic Engineer.”
9. Replacement of all sidewalk related notes with the following text: “sidewalks shall be provided as determined by the City Traffic Engineer with any Development Plan”.
10. Replacement of all parking related notes with the following text: “parking shall be provided in accordance with Section 135-6 of the Planning and Design Ordinance as reviewed and approved with any Development Plan”.
11. Replacement of the proposed landscaping standards with a note that states, “Landscaping and buffering shall be provided in accordance with the City’s Landscaping Standards applicable to the ‘I1’ District in place at the time the Development Plan is submitted or exceeded as illustrated on the Conceptual Plan.”
12. Provision of a note that states, “all site lighting shall be directed downward and shielded from adjoining properties. Any pole-mounted lighting along private walkways shall not exceed 15 feet in height and any pole-mounted lighting in a parking area shall not exceed 20 feet in height.”
13. Provision of a note that states, “direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 foot-candles for residential, 2.0 foot-candles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site.”
14. Provision of a note that states, “all utility and similar service lines to buildings on the property shall be located underground.”
15. Provision of a note that states, “all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear or side façades that are internal to the site to the satisfaction of the City’s Planning Administrator.”
16. Provision of a note that states, “all reuse and recycling containers shall be stored within a building or within a trash enclosure constructed of masonry walls with solid steel gates as approved with any Development Plan.”
17. Replacement of all roof-mounted equipment screening notes with the following text: “all roof-mounted equipment shall be screened on all sides equal to the height of the equipment with architecturally integrated material as reviewed with any Development Plan”; and
18. Provision of a note that states, “tree removal and mitigation calculations must be submitted with any Development Plan in accordance with Section 42-550 of the Municipal Code.”

**WHEREAS**, the Property is legally described as follows:

**ZON2020-00018 (4600 AND 4700 EAST 14TH STREET)**

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH PRINCIPAL MERIDIAN, POLK COUNTY, IOWA; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST ALONG THE SOUTH LINE OF THE

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SOUTH EAST 1/4 OF SAID SECTION 14, 241.7 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 30 SECONDS WEST, 50.0 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 50.0 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 347.50 FEET; THENCE SOUTH 85 DEGREES 03 MINUTES 30 SECONDS WEST, 200.75 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 33.0 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 842.80 FEET TO A POINT THAT IS 1,632.05 FEET WEST OF AND 33.00 FEET NORTH OF THE POINT OF COMMENCEMENT; THENCE NORTH 00 DEGREES 03 MINUTES 45 SECONDS WEST, 192.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST, 348.00 FEET; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST, 192.00 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST PARALLEL TO AND 33.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 18.02 FEET; THENCE NORTH 00 DEGREES 01 MINUTES 45 SECONDS WEST ALONG THE WEST LINE OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,293.06 FEET; THENCE SOUTH 89 DEGREES 56 MINUTES 30 SECONDS WEST ALONG THE NORTH LINE OF THE WEST 1/2 OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 665.22 FEET TO THE NORTH WEST CORNER OF THE SOUTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 479.65 FEET TO A POINT THAT IS 183.0 FEET SOUTH OF THE CENTER LINE OF INTERSTATE NO. 35-80, AS IT IS PRESENTLY ESTABLISHED ; THENCE NORTH 89 DEGREES 55 MINUTES 30 SECONDS EAST PARALLEL TO AND 183.0 FEET SOUTH OF THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,329.98 FEET TO THE EAST LINE OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE SOUTH 00 DEGREES 03 MINUTES 45 SECONDS EAST, 68.47 FEET ALONG THE EAST LINE OF THE NORTH WEST 1/4 OF THE SOUTH EAST 1/4 OF SAID SECTION 14; THENCE SOUTH 85 DEGREES 15 MINUTES 30 SECONDS EAST, 956.27 FEET; THENCE SOUTHEASTERLY ALONG A 285.57 FOOT RADIUS CURVE TO THE RIGHT, 424.39 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 30 SECONDS EAST PARALLEL TO AND 116.0 FEET WEST OF THE EAST LINE OF THE SOUTH EAST 1/4 OF SAID SECTION 14, 1,131.04 FEET; THENCE SOUTH 89 DEGREES 55 MINUTES 30 SECONDS WEST, 125.7 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 30 SECONDS EAST, 191.7 FEET TO THE POINT OF BEGINNING.

AND

A RECTANGULAR PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 79 NORTH, RANGE 24 WEST OF THE 5TH P.M., POLK COUNTY, IOWA IS DESCRIBED AS FOLLOWS:

THE WEST 41.00 FEET OF THE EAST 116.00 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14, EXCEPT THE SOUTH 241.71 FEET THEREOF. SAID TRACT OF LAND BEING SUBJECT TO AND TOGETHER WITH ANY AND ALL EASEMENTS OF RECORD. SAID TRACT OF LAND CONTAINS 17,257 SQUARE

Date March 9, 2020

FEET. EXCEPT: THAT PART DEEDED TO THE IOWA DEPARTMENT OF TRANSPORTATION FOR RIGHT OF WAY PURPOSES BY CONDEMNATION DEED RECORDED ON MAY 20, 1999 IN BOOK 8219 AT PAGE 792 IN THE OFFICE OF THE POLK COUNTY RECORDER. AND EXCEPT: THAT PART ACQUIRED THROUGH CONDEMNATION PROCEEDINGS FOR PUBLIC PURPOSES RECORDED OCTOBER 14, 2014 IN BOOK 15352 ON PAGES 427-557 IN THE OFFICE OF THE POLK COUNTY RECORDER.

**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 amendment to PlanDSM: Creating Our Tomorrow future land use designation and the proposed 1st Amendment to the Northridge PUD Conceptual Plan are 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 March 23, 2020, 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 proposal 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.

APPROVED AS TO FORM:

(21-2020-4.05)  
(ZON2020-00018)

  
Judy K. Parks-Kruse, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	<p style="text-align: center;"><b>CERTIFICATE</b></p> <p>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.</p> <p>IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.</p> <p style="text-align: right;">_____ City Clerk</p>
COWNIE					
BOESEN					
GATTO					
GRAY					
MANDELBAUM					
VOSS					
WESTERGAARD					
TOTAL					
MOTION CARRIED				APPROVED	
_____ Mayor					



Date 3/9/20  
 Agenda Item 22  
 Roll Call # \_\_\_\_\_

March 3, 2020

Honorable Mayor and City Council  
 City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their February 20, 2020 meeting, the following action was taken regarding a request from ILEX Group, LLC (owner) represented by Ben Schultes (officer) for the First Amendment to the Northridge PUD Conceptual Plan to revise the development from a regional shopping mall to a warehouse and distribution center with 1,050,260 square feet of warehouse building use in the vicinity of 4600 and 4700 East 14<sup>th</sup> Street. Additional subject property is owned by Polk County.

**COMMISSION RECOMMENDATION:**

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

Commission Action:	Yes	Nays	Pass	Absent
Francis Boggus	X			
Dory Briles	X			
Abby Chungath	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) the Commission find the proposed rezoning not in conformance with the PlanDSM Creating Our Tomorrow future land use map, Part B) **APPROVAL** of amending PlanDSM Creating Our Tomorrow Plan to revise the future land use plan from Community Mixed Use in a Regional Node to Industrial in a Regional Node and Part C)



**APPROVAL** of the proposed PUD Conceptual Plan amendment subject to the following conditions:

1. Permitted uses shall be limited to those allowed in the "I1" District by Chapter 134 of the Municipal Code, including any applicable supplemental regulations.
2. Provision of a note that states "outdoor storage is prohibited unless identified on an approved Development Plan."
3. Amendment of Sheets 2 and 3 of the Conceptual Plan so that the portions of the site located outside of the PUD are clearly identified.
4. Compliance with the Fire Code to the satisfaction of the Fire Department.
5. Provision of dimensions for the tenant wall sign typicals on Sheet 5 of the Conceptual Plan to the satisfaction of the Planning Administrator.
6. Amendment of the Conceptual Plan so that it conceptually identifies the location of on-site storm water manage facilities.
7. Replacement of all storm water management related notes with the following text "any Development Plan shall comply with the City's storm water management requirements to the satisfaction of the City Engineer."
8. Provision of a note that states "the east bound, left turn lane on East Broadway Avenue for vehicles turning north onto East 14<sup>th</sup> Street shall be improved as determined necessary by the City Traffic Engineer."
9. Replacement of all sidewalk related notes with the following text "sidewalks shall be provided as determined by the City Traffic Engineer with any Development Plan."
10. Replacement of all parking related notes with the following text "parking shall be provided in accordance with Section 135-6 of the Planning and Design Ordinance as review and approved with any Development Plan."
11. Replacement of the proposed landscaping standards with a note that states, "landscaping and buffering shall be provided in accordance with the City's Landscaping Standards applicable to the "I1" District in place at the time the Development Plan is submitted or exceeded as illustrated on the Conceptual Plan."
12. Provision of a note that states, "all site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height."
13. Provision of a note that states, "direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 foot-candles for residential, 2.0 foot-candles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site."

14. Provision of a note that states, "all utility and similar service lines to buildings on the property shall be located underground."
  15. Provision of a note that states, "all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear or side facades that are internal to the site to the satisfaction of the City's Planning Administrator."
  16. Provision of a note that states, "all reuse and recycling containers shall be stored within a building or within a trash enclosure constructed of masonry walls with solid steel gates as approved with any Development Plan."
  17. Replacement of all roof-mounted equipment screening notes with the following text "all roof-mounted equipment shall be screened on all sides equal to the height of the equipment with architecturally integrated material as reviewed with any Development Plan."
  18. Provision of a note that states "tree removal and mitigation calculations must be submitted with any Development Plan in accordance with Section 42-550 of the Municipal Code."
- (21-2020-4.05) & (ZON2020-00018)

Written Responses

5 in Favor  
1 in Opposition

**STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the Commission find the proposed rezoning not in conformance with the PlanDSM Creating Our Tomorrow future land use map.

Part B) Staff recommends approval of amending PlanDSM Creating Our Tomorrow Plan to revise the future land use plan from Community Mixed Use in a Regional Node to Industrial in a Regional Node.

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

1. Permitted uses shall be limited to those allowed in the "I1" District by Chapter 134 of the Municipal Code, including any applicable supplemental regulations.
2. Provision of a note that states "outdoor storage is prohibited unless identified on an approved Development Plan."
3. Amendment of Sheets 2 and 3 of the Conceptual Plan so that the portions of the site located outside of the PUD are clearly identified.
4. Compliance with the Fire Code to the satisfaction of the Fire Department.
5. Provision of dimensions for the tenant wall sign typicals on Sheet 5 of the Conceptual Plan to the satisfaction of the Planning Administrator.

6. Amendment of the Conceptual Plan so that it conceptually identifies the location of on-site storm water manage facilities.
7. Replacement of all storm water management related notes with the following text “any Development Plan shall comply with the City’s storm water management requirements to the satisfaction of the City Engineer.”
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18. Provision of a note that states “tree removal and mitigation calculations must be submitted with any Development Plan in accordance with Section 42-550 of the Municipal Code.”

## STAFF REPORT TO THE PLANNING COMMISSION

### I. GENERAL INFORMATION

1. **Purpose of Request:** The proposed PUD Conceptual Plan amendment would allow the site to be developed with five (5) warehouse buildings with interconnecting parking and private drives for circulation.

2. **Size of Site:** 59.95 acres.

3. **Existing Zoning (site):** Northridge “PUD” District.

4. **Existing Land Use (site):** Undeveloped land.

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

**North** – Polk County “MU” Mixed Use District: Use is Interstate 35/80.

**South** - “Casey’s PUD” & “I1”: Uses are a convenience store and light industrial.

**East** - Polk County “MU” Mixed Use District and Polk County “GC” General Commercial District: Uses are commercial and industrial.

**West** - Polk County “MU” Mixed Use District: Uses are commercial and residential.

6. **General Neighborhood/Area Land Uses:** The site is located at the southwest corner of the East 14<sup>th</sup> Street and Interstate 35/80 interchange. The area consists of industrial, commercial and residential uses, as well as undeveloped land.

7. **Applicable Recognized Neighborhood(s):** The subject property is located in the Highland Park Neighborhood. All neighborhoods were notified of the February 20, 2020 Commission meeting by mailing of the Preliminary Agenda on January 31, 2020 and the Final Agenda on February 14, 2020. Additionally, separate notifications of the hearing for this specific item were mailed on January 31, 2020 (20 days prior to the hearing) and February 10, 2020 (10 days prior to the hearing) to the neighborhood associations and to the primary titleholder on file with the Polk County Assessor for each property within 250 feet of the requested rezoning.

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 mailings were sent to Drew Kelso, 815 East Seneca Avenue, Des Moines, IA 50316.

The applicant is required to hold a neighborhood meeting before the meeting and to provide a summary to City Staff at least 3 days prior to the public hearing. The applicant will be available to discuss the summary of the neighborhood meeting at the continuation of the hearing.

8. **Relevant Zoning History:** The Northridge PUD was approved by the City Council on April 6, 1987, by Roll Call 87-1330.
9. **PlanDSM Creating Our Tomorrow Future Land Use Plan Designation:** Community Mixed Use within a Regional Node.
10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning boundaries or regulations within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in 414.3 of the Iowa Code, and taking into consideration the criteria set forth in Chapter 18B of the Iowa Code. The Commission may make recommendations to the City Council on conditions to be made in addition to the existing regulations so long as the subject property owner agrees to them in writing. The recommendation of the Commission will be forwarded to the City Council.

The application, accompanying evidence and conceptual plan required shall be considered by the Plan and Zoning commission at a public hearing. The Commission shall review the conformity of the proposed development with the standards of this division and with recognized principles of civic design, land use planning, and landscape architecture. At the conclusion of the hearing, the Commission may vote to recommend either approval or disapproval of the conceptual plan and request for rezoning as submitted, or to recommend that the developer amend the plan or request to preserve the intent and purpose of this chapter to promote public health, safety, morals and general welfare. The recommendations of the commission shall be referred to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **PlanDSM Creating Our Tomorrow:** The subject site is designated as "Community Mixed Use" within a "Regional Node" on the Future Land Use Map. The proposed PUD Conceptual Plan amendment requires the "Industrial" future land use designation. Plan DSM describes these designations as follows:

Regional Node: The largest node, regional nodes are concentrations of employment, retail and housing and may include light industrial uses. They serve the widest geographical area and attract people from throughout the City and region. High density residential development is appropriate at regional nodes.

Community Mixed Use: Small- to medium-scale mixed use development, located on high capacity transit corridors or at the intersection of transportation corridors. Community mixed use areas include both a mix of medium density residential and a mix of retail and service establishments designed to attract customers from a large service area encompassing multiple neighborhoods and may include specialty retail that attracts regional customers.

Industrial: Accommodates industrial development and limited supporting commercial uses. Development in this classification could have a large

impact on adjoining properties and the environment with would need to be mitigated.

Staff believes that the proposed "Industrial" designation is appropriate for the subject property as it is compatible with the industrial character of the surrounding area and given its close proximity to the interstate highway. The proposal is consistent with the "Regional Node" designation, which allows light industrial uses.

**2. PUD Standards:** The following are standards from Section 134-704 of the retired Zoning Code and provides the foundation that all PUD Conceptual Plans should be based on.

A) All uses proposed in a PUD planned unit development district plan shall be in harmony with the existing or anticipated uses of other properties in the surrounding neighborhood and shall generally be in conformance with the city's land use plan. The design of a PUD development shall be based on harmonious architectural character; compatible materials; orderly arrangement of structures and open space; and conservation of woodlands, streams, scenic areas, open space and other natural resources.

*Industrial and commercial uses characterize the surrounding area. The proposed development would consist is five (5) warehouse buildings ranging in size from 184,404 square feet to 262,524 square feet. Each building could be occupied by multiple tenants. The buildings would be constructed of precast concrete panels. A three-color scheme would be used to provide visual interest. Additionally, horizontal and vertical line patterns would be provided in the panels to visually break up the mass of the buildings. Four (4) of the buildings would be oriented north-to-south with frontage along East Broadway Avenue. The northern building would sit at an angle and be located north of a natural drainageway. The Conceptual Plan shows this building being accessed by a single drive extending off a shared driveway. The Fire Department has indicated that a second driveway to this building must be provided. Staff recommends approval subject to the Conceptual Plan being amended so that it complies with the Fire Code to the satisfaction of the City's Fire Department.*

*The Conceptual Plan references uses allowed by the Planned Business Park District of the retired Zoning Code. Staff believes that the "I1" District in the current Zoning Code should be the basis for the PUD instead.*

B) Setbacks and other appropriate screens shall be provided around the boundary of a PUD development to protect the adjoining district properties. Only in exceptional circumstances shall such a setback be less than the amount of the setback which the adjoining district is required to maintain from the PUD development.

*The proposed amendment requires 50-foot minimum front yard setbacks, 10-foot minimum rear yard setbacks, and combined total side yard setback minimums of 20 feet with no one side being less than 5 feet. In several locations, the buildings would set further back than the minimums. For comparison, Chapter 135 of the Municipal Code typically requires a 25-foot front yard setback for the*

*Workshop/Warehouse Building Type in "I1" and "I2" Districts. The required minimum side and rear yard setbacks are 0 feet unless the property adjoins a property zoned a "N" District. In those cases, 25 feet is the minimum side and rear yard setback. Staff believes that the proposed setbacks are appropriate as they fit the large scale of the development.*

- C) A PUD development shall comply with all applicable city ordinances, specifications and standards relating to all dedicated street, sanitary sewer and storm sewer facilities and to surface drainage and floodwater retention.

*All necessary utilities are available within the adjoining rights-of-way. All grading is subject to an approved grading permit and soil erosion control plan, as well as a Stormwater Pollution Protection Plan (SWPPP) approved by the Iowa DNR. The applicant is required to demonstrate compliance with the City's stormwater management regulations to the satisfaction of the City's Permit and Development Center during the review of any PUD Development Plan. Tree removal and mitigation calculations must be submitted with any PUD Development Plan in accordance with Section 42-550 of the Municipal Code.*

*The submitted Conceptual Plan indicates that an existing Polk County storm water basin shall be used to support the development. However, an agreement to use the basin has not been reached at this time. Staff recommends approval subject to the Conceptual Plan being amended to show on-site detention. In addition, the storm water notes on the Conceptual Plan should be replaced with a statement that reads "compliance with the City's stormwater management regulations will be demonstrated with any PUD Development Plan to the satisfaction of the City Engineer."*

- D) The streets surrounding a PUD development must be capable of accommodating the increased traffic that would be generated by the new development. The development shall be designed to provide maximum feasible separation of vehicular traffic from pedestrian ways and recreational areas. If turning lanes or other forms of traffic controls within or adjacent to the development are deemed necessary by the city council, the developer shall provide the necessary improvements.

*The development would utilize private drives for internal circulation. Access to the site would be provided by one (1) drive approach along East 14<sup>th</sup> Street and four (4) approaches along East Broadway Avenue. A traffic study was prepared and reviewed by the City's Traffic and Transportation Division. As a result of the study, the developer is required to extend the existing east bound, left turn lane on East Broadway Avenue for vehicles turning north onto East 14<sup>th</sup> Street. The lane is currently 75 feet long and needs to be extended to 150 feet.*

*The Conceptual Plan identifies a trail/sidewalk along East Broadway Avenue. A walk must also be provided along East 14<sup>th</sup> Street. Public sidewalks for a phased development of this size and type are typically installed entirely with the first phase development. Notes on Sheet 1 suggest public sidewalks would be installed in phases. Staff recommends approval subject to the replacing the notes on the Conceptual Plan with the sidewalk note listed in Section III of this report.*

- E) Off-street parking and loading spaces shall be provided as appropriate to the size and character of the development. Each off-street loading space shall be not less than ten feet in width and 25 feet in length. All off-street parking spaces shall be provided in accordance with the requirements of subsection 134-1377(g).

*The proposed development would have a substantial amount of parking and loading spaces. Specific parking number are not provided. A note on Sheet 1 references the standards from the retired Zoning Code. Staff recommends approval subject to the note be amended to reflect the parking standards found in Section 135-6 of the Planning and Design Ordinance.*

- F) Where appropriate to the size and character of a PUD development, provision shall be made therein for open space for recreation and other outdoor uses, and for places of worship, convenience shopping and other community services.

*The project would include landscaped areas and would preserve some natural growth that has developed within a drainage ditch easement. Staff believes that this is adequate open space for a development of this type.*

- 3. Additional Information:** The staff recommendation found in Section III of this report contains several common conditions of approval for development pertaining to refuse collection, lighting, utilities, and meters.

## **SUMMARY OF DISCUSSION**

Dory Briles noted that the applicant for item #7 has agreed to the staff recommendations. She asked if any members of the audience or the Commission requested to speak regarding moving the item to the consent agenda. None were present or requested to speak.

### **COMMISSION ACTION:**

Rocky Sposato made a motion for approval of Part A) the Commission find the proposed rezoning not in conformance with the PlanDSM Creating Our Tomorrow future land use map, Part B) **APPROVAL** of amending PlanDSM Creating Our Tomorrow Plan to revise the future land use plan from Community Mixed Use in a Regional Node to Industrial in a Regional Node and Part C) **APPROVAL** of the proposed PUD Conceptual Plan amendment subject to the following conditions:

1. Permitted uses shall be limited to those allowed in the "I1" District by Chapter 134 of the Municipal Code, including any applicable supplemental regulations.
2. Provision of a note that states "outdoor storage is prohibited unless identified on an approved Development Plan."
3. Amendment of Sheets 2 and 3 of the Conceptual Plan so that the portions of the site located outside of the PUD are clearly identified.
4. Compliance with the Fire Code to the satisfaction of the Fire Department.

5. Provision of dimensions for the tenant wall sign typicals on Sheet 5 of the Conceptual Plan to the satisfaction of the Planning Administrator.
6. Amendment of the Conceptual Plan so that it conceptually identifies the location of on-site storm water manage facilities.
7. Replacement of all storm water management related notes with the following text "any Development Plan shall comply with the City's storm water management requirements to the satisfaction of the City Engineer."
8. Provision of a note that states "the east bound, left turn lane on East Broadway Avenue for vehicles turning north onto East 14<sup>th</sup> Street shall be improved as determined necessary by the City Traffic Engineer."
9. Replacement of all sidewalk related notes with the following text "sidewalks shall be provided as determined by the City Traffic Engineer with any Development Plan."
10. Replacement of all parking related notes with the following text "parking shall be provided in accordance with Section 135-6 of the Planning and Design Ordinance as review and approved with any Development Plan."
11. Replacement of the proposed landscaping standards with a note that states, "landscaping and buffering shall be provided in accordance with the City's Landscaping Standards applicable to the "11" District in place at the time the Development Plan is submitted or exceeded as illustrated on the Conceptual Plan."
12. Provision of a note that states, "all site lighting shall be directed downward and shielded from adjoining properties. Any pole mounted lighting along private walkways shall not exceed 15 feet in height and any pole mounted lighting in a parking area shall not exceed 20 feet in height."
13. Provision of a note that states, "direct light trespass beyond property lines is prohibited. The maximum horizontal illuminance at grade and the maximum vertical illuminance at five feet above grade measured at the property line should not exceed Illuminating Engineering Society of North America (IESNA) recommended practices for light trespass. (0.5 foot-candles for residential, 2.0 foot-candles for commercial). The Development Plan must contain illuminance models showing light levels throughout the site."
14. Provision of a note that states, "all utility and similar service lines to buildings on the property shall be located underground."
15. Provision of a note that states, "all utility meters, transformers, ground-mounted equipment, and other utilities shall be placed along rear or side facades that are internal to the site to the satisfaction of the City's Planning Administrator."
16. Provision of a note that states, "all reuse and recycling containers shall be stored within a building or within a trash enclosure constructed of masonry walls with solid steel gates as approved with any Development Plan."
17. Replacement of all roof-mounted equipment screening notes with the following text "all roof-mounted equipment shall be screened on all sides equal to the height of

the equipment with architecturally integrated material as reviewed with any Development Plan.”

18. Provision of a note that states “tree removal and mitigation calculations must be submitted with any Development Plan in accordance with Section 42-550 of the Municipal Code.”

Motion passed: 8-0

Respectfully submitted,



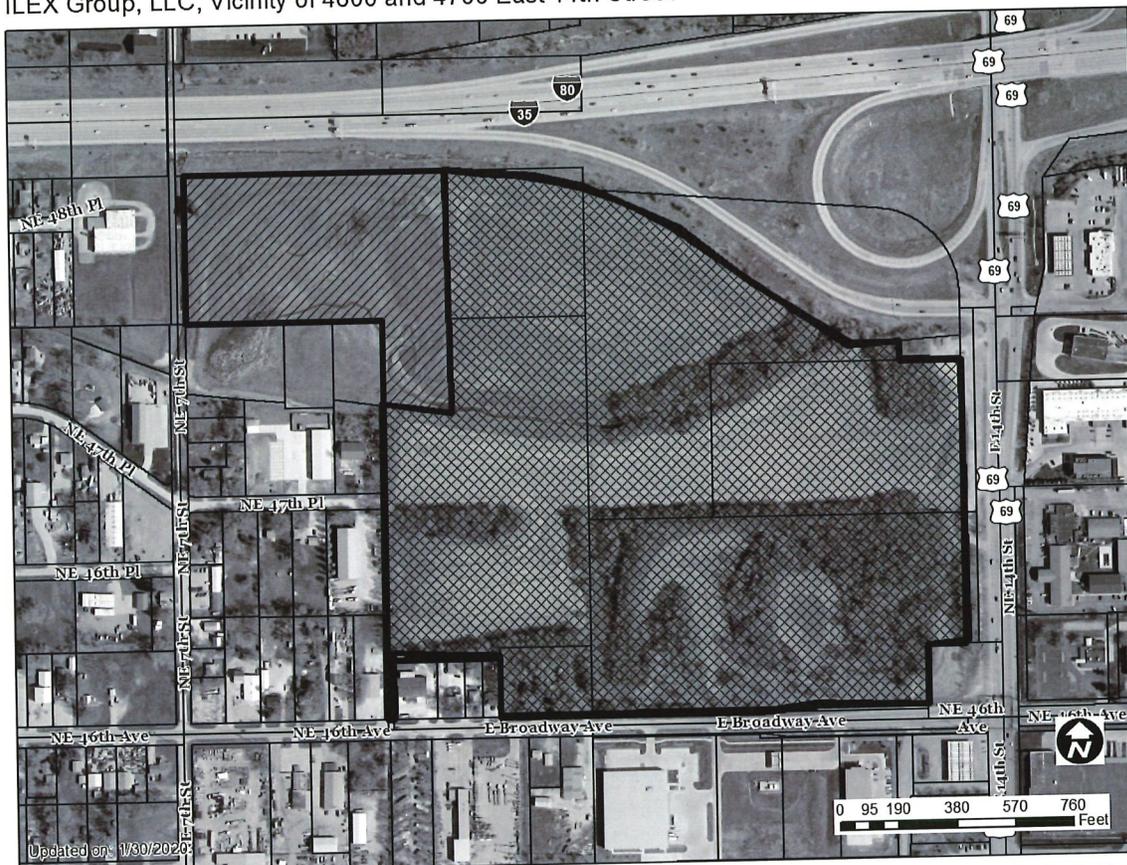
Erik Lundy, AICP  
Senior City Planner

EML:tjh

ILEX Group, LLC (owner) represented by Ben Schultes (officer) for property located in the vicinity of 4600 and 4700 East 14th Street. Additional subject property is owned by Polk County.				File # 21-2020-4.05	
Description of Action	Amendment to the PlanDSM Creating Our Tomorrow Plan to revise the future land use plan from Community Mixed Use in a Regional Node to Industrial in a Regional Node.				
PlanDSM Future Land Use	Current: Community Mixed Use in a Regional Node. Proposed: Industrial in a Regional Node.				
Mobilizing Tomorrow Transportation Plan	2020-2024 US 69 Pavement Widening I-80 to SE 33 <sup>rd</sup> Street (LRTP ID #42) 2025-2029 Broadway Multimodal Improvement Program (LRTP ID# 2102)				
Current Zoning District	"PUD" Planned Unit Development District.				
Proposed Zoning District	"PUD" Planned Unit Development District.				
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

ILEX Group, LLC, Vicinity of 4600 and 4700 East 14th Street

21-2020-4.05

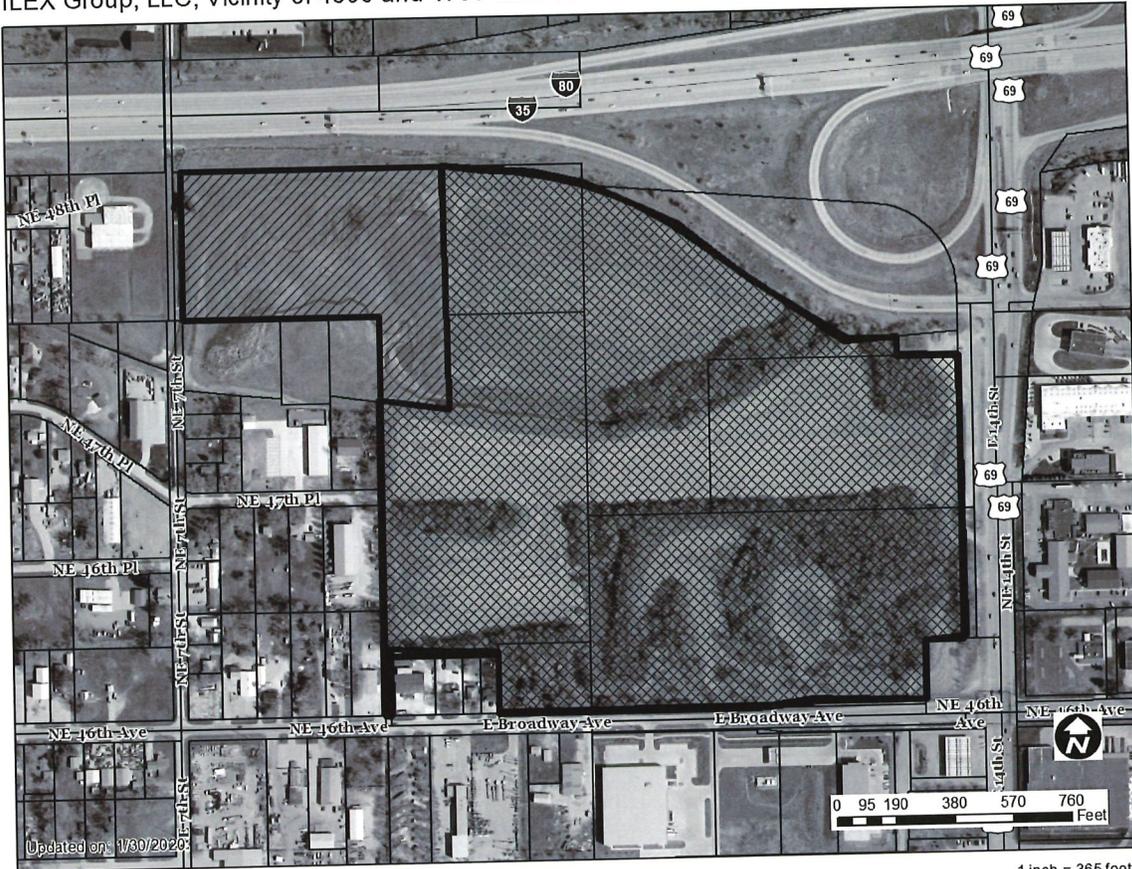


1 inch = 365 feet

ILEX Group, LLC (owner) represented by Ben Schultes (officer) for property located in the vicinity of 4600 and 4700 East 14th Street. Additional subject property is owned by Polk County.			File # ZON2020-00018	
<b>Description of Action</b>	First Amendment to the Northridge PUD Conceptual Plan to revise the development from a regional shopping mall to a warehouse and distribution center with 1,050,260 square feet of warehouse building use.			
<b>PlanDSM Future Land Use</b>	Current: Community Mixed Use in a Regional Node. Proposed: Industrial in a Regional Node.			
<b>Mobilizing Tomorrow Transportation Plan</b>	2020-2024 US 69 Pavement Widening I-80 to SE 33rd Street (LRTP ID #42) 2025-2029 Broadway Multimodal Improvement Program (LRTP ID# 2102)			
<b>Current Zoning District</b>	"PUD" Planned Unit Development District.			
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development District.			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
<b>Outside Area (200 feet)</b>				
<b>Within Subject Property</b>	5	1		
<b>Plan and Zoning Commission Action</b>	Approval	X	<b>Required 6/7 Vote of the City Council</b>	
	Denial		Yes	X
			No	

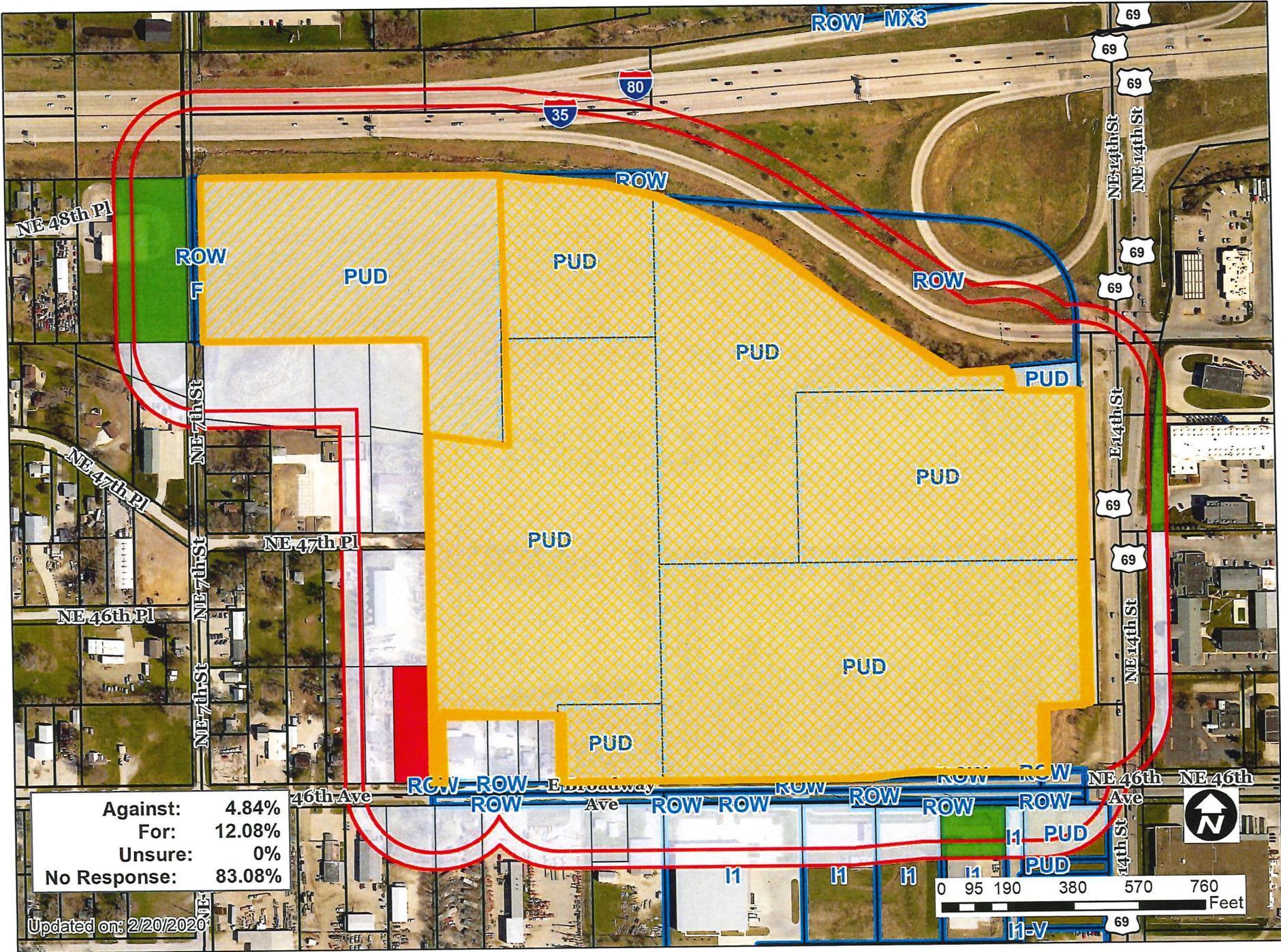
ILEX Group, LLC, Vicinity of 4600 and 4700 East 14th Street

ZON2020-00018



1 inch = 365 feet

ILEX Group, LLC, Vicinity of 4600 and 4700 East 14th Street



Against:	4.84%
For:	12.08%
Unsure:	0%
No Response:	83.08%

Updated on: 2/20/2020

27



1 inch = 365 feet

Item: ZON2020-00018 Date: 2/12/20

22

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

(Circle One)

Print Name: A Development - Kelly Hirsby

RECEIVED  
COMMUNITY DEVELOPMENT

Signature: [Handwritten Signature]

FEB 18 2020

Address: 4747 NE 14th St Des Moines IA

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item: ZON2020-00018 Date: 2-13-2020

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

(Circle One)

Print Name: ABORUAL MICHAEL

RECEIVED  
COMMUNITY DEVELOPMENT

Signature: Craig Michael

FEB 18 2020

Address: 640 W. E. 217TH PL

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item: ZON2020-00018 Date: 2/12/20 22

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

(Circle One)

Print Name: Husby Mark - Kelly Husby

RECEIVED  
COMMUNITY DEVELOPMENT  
FEB 18 2020

Signature: [Handwritten Signature]

Address: 4747 NE 14th St Des Moines IA

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

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Item: ZON2020-00018 Date: 02-13-2020

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

(Circle One)

Print Name: Dora Sue Ross

RECEIVED  
COMMUNITY DEVELOPMENT  
FEB 18 2020

Signature: [Handwritten Signature]

Address: 600 NE 48th Place

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

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Item: ZON2020-00018 Date: \_\_\_\_\_

I (am) (am not) in favor of the request: 766 NE BROADWAY AVE. 46TH

(Circle One) Print Name: Joel Swigart

RECEIVED COMMUNITY DEVELOPMENT Signature: Joel Swigart

FEB 18 2020 Address: 6721 NE 17th St DM

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

There is a dispute on the property line at 766 NE Broadway for Joel's Auto Repair.

Item: ZON2020-00018 Date: 2-13-20

I (am) (am not) in favor of the request: AMT ASSOCIATES LLC

(Circle One) Print Name: Lance Arrasmith - NOT REGISTERED AGENT

RECEIVED COMMUNITY DEVELOPMENT Signature: Lance Arrasmith LINE-X, (OWNER) AMERICAN TOPPERS, PRESIDENT, AMT

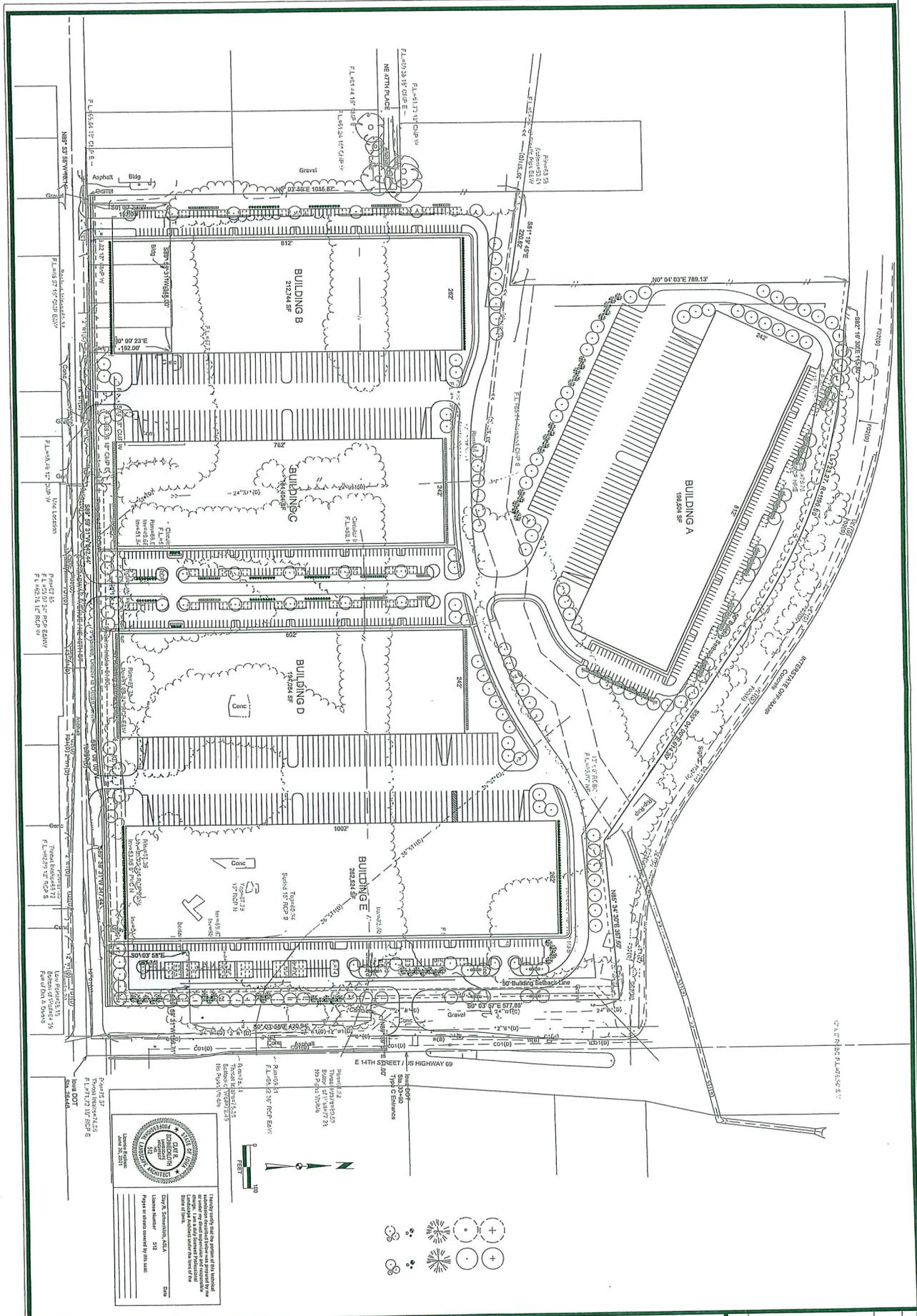
FEB 18 2020 Address: 1315 E. BROADWAY AVENUE

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

Approve because of making the neighborhood look better








  
**SNYDER & ASSOCIATES, INC.**

**ILEX NORTHRIDGE INDUSTRIAL PUD**  
**PUD LANDSCAPE PLAN**

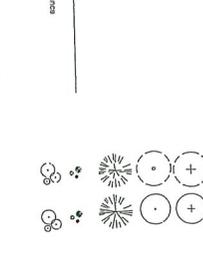
**SNYDER & ASSOCIATES, INC.**  
 2727 S.W. SNYDER BLVD  
 ANKENY, IOWA 50023

DES MOINES, IOWA  
 Project No: 119.0858  
 Sheet C201

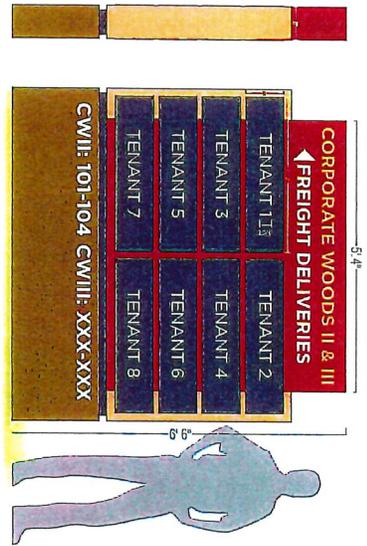
MARK	REVISION	DATE	BY
	Checked By: BKC	1-22-2020	
	Engineer: J.L.H.		
	Technician: AWS		


  
 J.L.H. SNYDER  
 Professional Engineer  
 State of Iowa License No. 7425


  
 NORTH  
 0 100 FEET





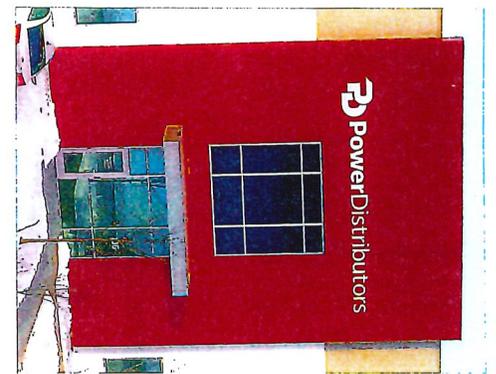


TENANT PANELS ARE MECHANICALLY FASTENED ALUMINUM PAINTED DARK GREY W/ WHITE VINYL

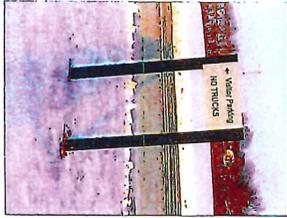
MONUMENT DEVELOPMENT SIGN  
TYPICAL EXAMPLE



WALL MOUNTED TENANT SIGN  
TYPICAL EXAMPLE



WALL MOUNTED TENANT SIGN  
TYPICAL EXAMPLE



DIRECTIONAL SIGN  
TYPICAL EXAMPLE



DIRECTIONAL SIGN  
TYPICAL EXAMPLE

**ILEX NORTHRIDGE INDUSTRIAL PUD**

**SIGNAGE PLAN**

DES MOINES, IOWA

**SNYDER & ASSOCIATES, INC.**

2727 S.W. SNYDER BLVD  
ANKENY, IOWA 50023  
515-964-2020 | www.snyder-associates.com

MARK	REVISION	DATE	BY
Engineer: J.L.H.	Checked By: B.K.C.	Scale: 1" = 100'	
Technician: A.W.S.	Date: 1-22-2020	T-Pr-S: 79H-24W-14	
Project No: 119.0858			Sheet C400

**SNYDER & ASSOCIATES**  
Project No: 119.0858  
Sheet C400