



Roll Call Number

Agenda Item Number

21

Date April 24, 2023

RECEIVE AND FILE COMMUNICATION FROM THE PLAN AND ZONING COMMISSION REGARDING PRELIMINARY PLAT "FIRESTONE PLAT 1," FOR PROPERTY LOCATED IN VICINITY OF 4600 NW 2nd STREET (UNINCORPORATED POLK COUNTY)

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 6, 2023, its members voted 9-0 to recommend **APPROVAL** of a Preliminary Plat "Firestone Plat 1," for property located in vicinity of 4600 NW 2nd Street (unincorporated Polk County), and within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines, to allow for the development of a utility substation on a portion of a 79.44-acre parcel; and

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 6, 2023, its members voted 9-0 to recommend that the City waive its right to review the Major Final Plat "Firestone Plat 1" as allowed by Iowa Code 354.8(2), and the Development Services Department also recommends that the City waive its right to review the Major Final Plat.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, that the attached communication from the City Plan and Zoning Commission is hereby received and filed and the City hereby waives its right to review the Final Plat "Firestone Plat 1".

MOVED BY _____ TO ADOPT. SECOND BY _____.

APPROVED AS TO FORM:

/s/ Chas M. Cahill
Chas M. Cahill
Assistant City Attorney

(PLAT-2023-000012)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
GATTO				
SHEUMAKER				
MANDELBAUM				
VOSS				
WESTERGAARD				
TOTAL				
MOTION CARRIED			APPROVED	
_____ Mayor				

CERTIFICATE

I, Laura Baumgartner, 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

April 18, 2023

Communication from the City Plan and Zoning Commission advising that at their April 6, 2023 meeting, the following action was taken regarding a request from Bridgestone Americas Tire Operations, LLC (owner), represented by Barry Owens (officer), for review and approval of the Preliminary Plat “Firestone Plat I” to allow for the development of a utility substation on a portion of a 79.44-acre parcel in the vicinity of 4600 NW 2nd Street in Unincorporated Polk County, which is within the two-mile distance for extraterritorial review of subdivision plats by the City of Des Moines.

COMMISSION RECOMMENDATION:

After public hearing, the members voted 9-0 as follows.

Commission Action:	Yes	Nays	Pass	Abstain	Absent
Francis Boggus					X
Dan Drendel					X
Leah Rudolphi	X				
Carol Maher	X				
Abby Chungath	X				
Kayla Berkson	X				
Chris Draper	X				
Todd Garner	X				
Johnny Alcivar	X				
Justyn Lewis	X				
Carolyn Jenison					X
William Page					X
Andrew Lorentzen					X
Emily Webb	X				
Katie Gillette					X

APPROVAL of the requested Preliminary Plat “Firestone Plat I.” and recommends that the City Council waive its right to review the Final Plat “Firestone Plat I,” as allowed by Iowa Code Section 354.8(2).

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested Preliminary Plat "Firestone Plat I."

Staff also recommends that the City Council waive its right to review the Final Plat "Firestone Plat I," as allowed by Iowa Code Section 354.8(2).

STAFF REPORT TO THE PLANNING COMMISSION

I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to subdivide the property in unincorporated Polk County into one (1) parcel for Bridgestone's use and one (1) parcel for a utility substation use. Polk County is requiring the subdivision to go through their preliminary platting procedure.

Section 354.9 of the Iowa Code provides for review of land subdivision by a municipality within 2 miles of its corporate limit. When the territory overlaps with another municipal jurisdiction, the closer jurisdiction has right of review unless there is a separate intergovernmental agreement pursuant to Chapter 28E of the Iowa Code. In this instance, the City of Des Moines is closest.

2. **Size of Site:** 141,000 square feet (3.24 acres).
3. **Existing Zoning (site):** "HI" Heavy Industrial District (Polk County).
4. **Existing Land Use (site):** The subject property will contain a public service and be surrounded by Bridgestone operations.
5. **Adjacent Land Use and Zoning:**
 - South** – "NB" Neighborhood Business (Polk County), Uses are commercial.
 - West** – "LI" Light Industrial (Polk County), Uses are industrial.
 - East** – "MU" Mixed Use (Polk County), Uses are Northwest 2nd Street and commercial.
 - North** – "HI" Heavy Industrial (Polk County), Uses are industrial.
6. **General Neighborhood/Area Land Uses:** The subject property is located in an unincorporated area of Polk County north of the Des Moines city limits and within an existing industrial site. The surrounding area is mostly commercial and industrial uses.
7. **Applicable Recognized Neighborhood(s):** The subject property is located in an unincorporated area of Polk County and is not located within 250 feet of a recognized neighborhood association. All neighborhoods were notified of the public hearing by emailing of the Preliminary Agenda on March 20, 2023. Additionally, separate notifications of the hearing for this specific item were emailed on March 17, 2023 (20 days prior to the hearing) and March 27, 2023 (10 days prior to the hearing) to the primary titleholder on file with the Polk County Assessor for each property within 250

feet of the site. A Final Agenda was emailed to recognized neighborhoods on March 31, 2023.

8. Relevant Zoning History: N/A.

9. PlanDSM Future Land Use Plan Designation: N/A. Polk County's Comprehensive Plan 2050 Land Use map designates the property as industrial.

10. Applicable Regulations: In consideration of the criteria set forth in Chapter 18B of the Iowa Code, the Commission shall determine if the Preliminary Plat conforms to the standards and requirements outlined in Chapter 354 of the Iowa Code. The Commission shall also determine if it conforms to the City Subdivision Ordinance and shall approve, conditionally approve or reject such plat within 45 days after the date of submission to the City Permit and Development Center. Unless the applicant agrees in writing to an extension of time, the preliminary plat shall be deemed approved if the Commission does not act within such 45-day period. The Commission's action for approval or conditional approval shall be null and void unless the final plat is submitted to the City Permit and Development Center within 270 days after the date of such action; provided, however, that the Permit and Development Administrator may grant, upon written request of the applicant, up to a 90-day extension for submittal of the final plat to the City Permit and Development Center.

The Preliminary Plat is concurrently reviewed and would be given final approval by Polk County Board of Supervisors.

II. ADDITIONAL APPLICABLE INFORMATION

- 1. Layout:** No changes are proposed to the site's layout. This preliminary plat would only subdivide the property so that the utility substation would sit on a different parcel than the Bridgestone operation, allowing it to be owned by the utility company.
- 2. Natural Site Features:** The site contains the existing Bridgestone Tire operation.
- 3. Drainage/Grading:** With any future development, Polk County will have enforcement of drainage and storm water management under site plan development requirements within their adopted ordinances and standards.
- 4. Utilities:** No changes to public utilities have been proposed.
- 5. Traffic/Street System:** The subject property contains frontage along Northwest 2nd Street. Vehicular access for both the Bridgestone parcel and the utility substation parcel would be maintained as-is.

SUMMARY OF DISCUSSION

Abby Chungath asked if any member of the public or commission desired to speak on the item. No one requested to speak.

COMMISSION ACTION:

Emily Webb made a motion for approval of the requested Preliminary Plat "Firestone Plat I." and recommends that the City Council waive its right to review the Final Plat "Firestone Plat I," as allowed by Iowa Code Section 354.8(2).

Motion passed: 9-0

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Jason Van Essen".

Jason Van Essen, AICP
Planning & Urban Design Administrator

JMV:tjh



1 inch = 134 feet

Q:\E-FILES\8000\8553-AL_CSD Drawings\Plan\8553-14 Preliminary Plat Cover.dwg: 2/27/2023 4:17:02 PM, mdostalik, 1:2

PRELIMINARY PLAT FIRESTONE PLAT 1

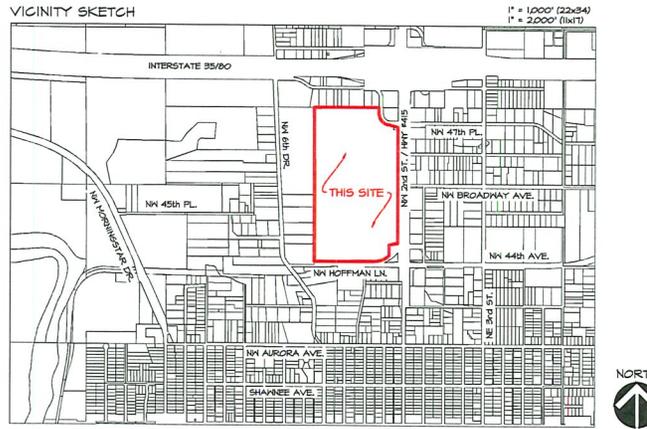
SE 1/4 - SEC. 15-79-24 & NE 1/4 - SEC. 22-79-24
POLK COUNTY, IOWA

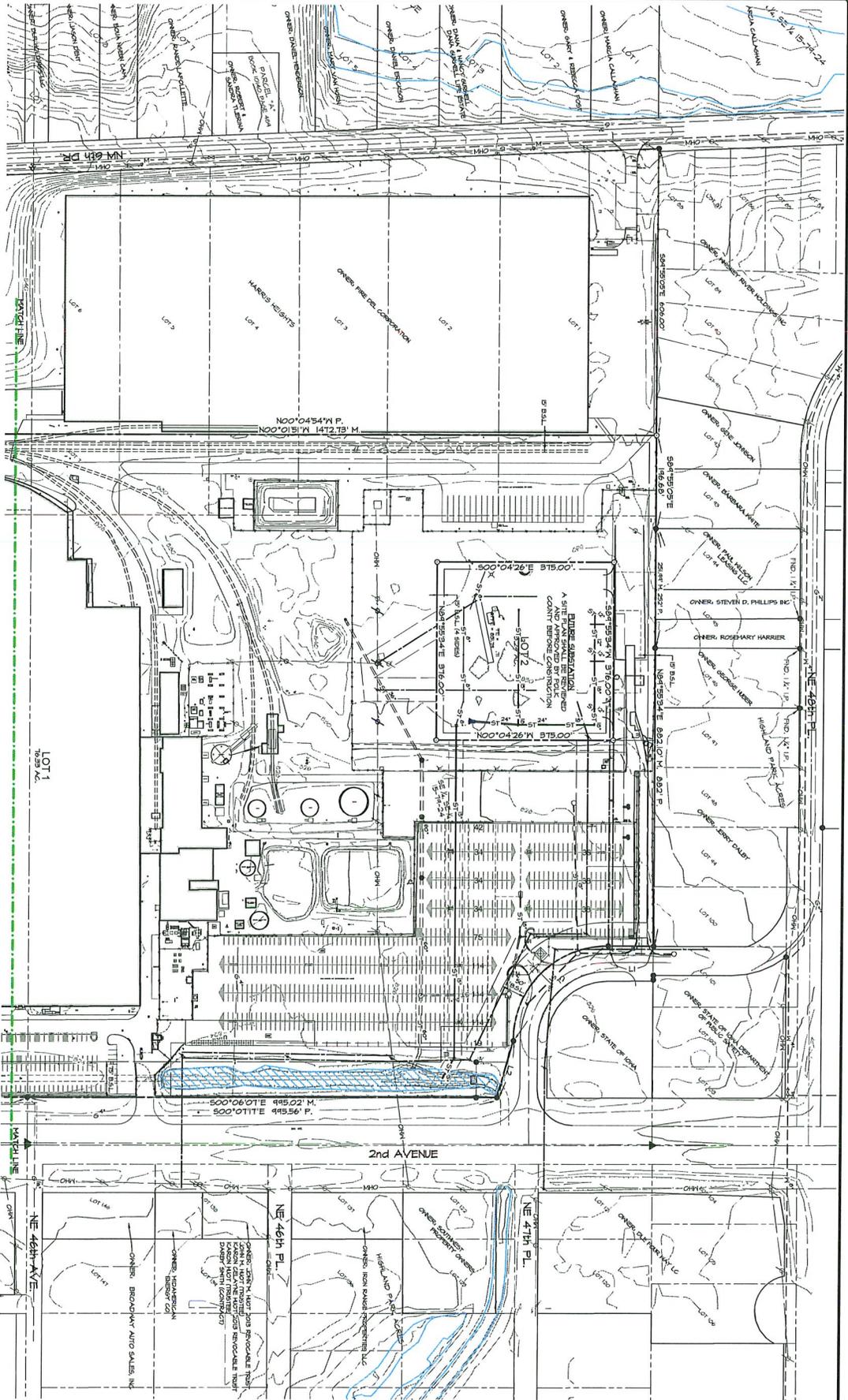
FIRESTONE TIRE & RUBBER CO., 4600 NW 2nd STREET, DES MOINES IA 50313

EASEMENT NOTES

1. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 216 EXISTS ACROSS LOT 1, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
2. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 222 EXISTS ACROSS LOT 2, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
3. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 204 EXISTS ACROSS LOT 3, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
4. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 208 EXISTS ACROSS LOT 4, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
5. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 209 EXISTS ACROSS LOT 5, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
6. A TRANSMISSION LINE EASEMENT RECORDED IN BOOK 2544, PAGE 201 EXISTS ACROSS LOT 7, HARRIS HEIGHTS AND CANNOT BE PLOTTED.
7. A RIGHT-OF-WAY GRANT HAS PROVIDED TO IOWA POWER AND LIGHT COMPANY FOR A 645 MAIN IN BOOK 2304, PAGE 487. NO WIDTH HAS DEFINED, AND DUE TO THE VAGUENESS OF THE DESCRIPTION, AN APPROXIMATE LOCATION IS SHOWN ON THE PLAN.
8. AN ELECTRIC EASEMENT HAS RECORDED IN BOOK 2544, PAGE 62. THE DESCRIPTION REFERS TO AN "EXHIBIT A" THAT IS NOT A PART OF THE ABSTRACT, SO THE EASEMENT IS NOT PLOTTABLE.

VICINITY SKETCH



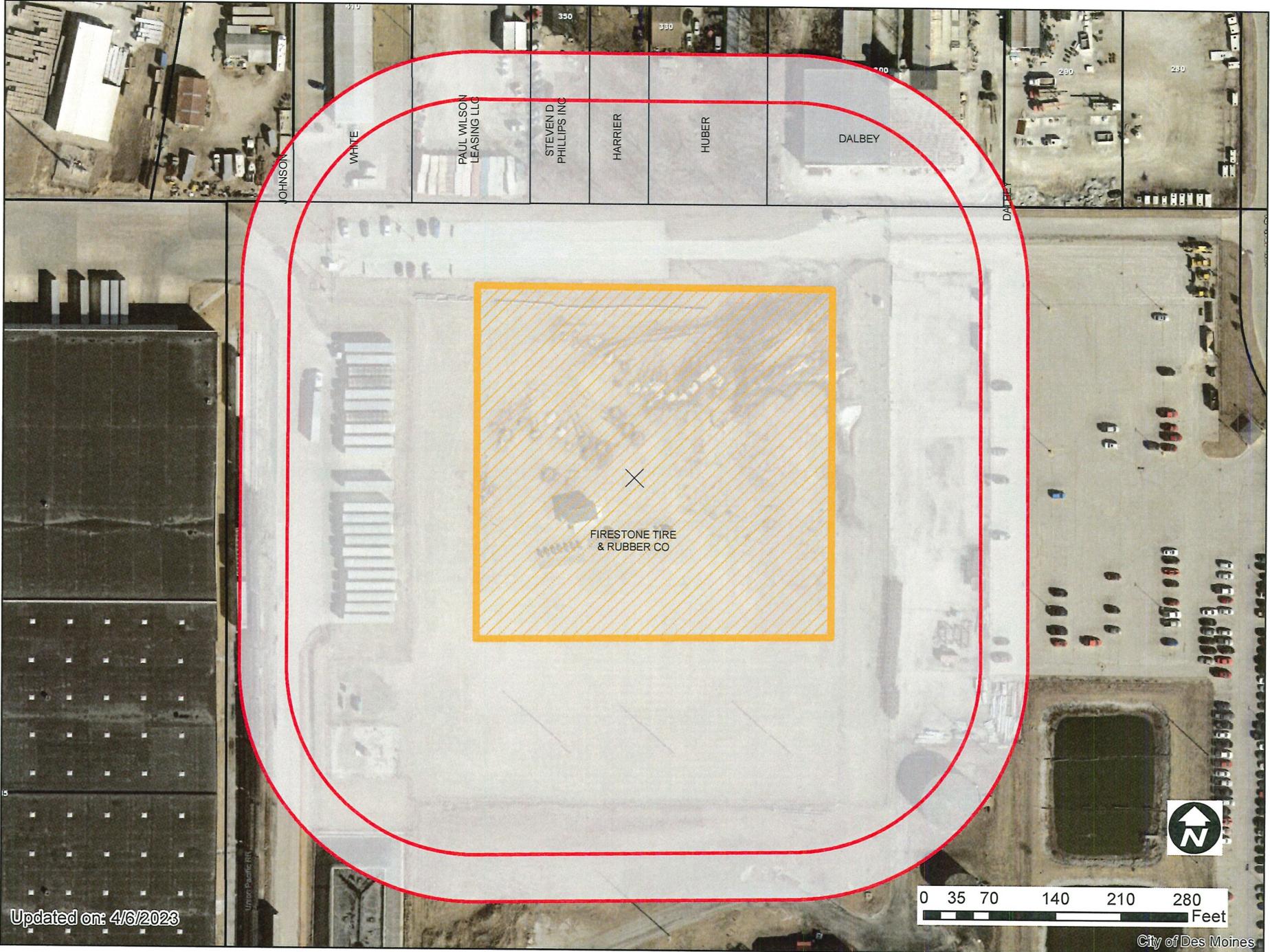


LINE #	DIRECTION	LENGTH
L1	SOUTH	157.00'
L2	S39°34'44"E	124.66'
L3	N0°04'33"W	88.00'

LINE #	DIRECTION	LENGTH	ANGLE	CHORD	CHORD BEARING
C1	S79°34'44"E	124.66'	124.66'	202.00'	S45°00'00"W

2ND COUNTY
SUBMITTAL
02-28-2023

NORTH
 SCALE: 1"=100' (25.4M)
 SCALE: 1"=200' (51.8M)
IOWA
ONE CALL
 1-800-282-4393



Updated on: 4/6/2023

0 35 70 140 210 280 Feet

City of Des Moines

1 inch = 134 feet