

Date November 6, 2023

RESOLUTION HOLDING HEARING REGARDING REQUEST FROM AIRPORT DEVELOPMENT, LC (OWNER), REPRESENTED BY STUART RUDDY (OFFICER); SCHARNBERG REAL ESTATE, LLC (OWNER), REPRESENTED BY MARK SCHARNBERG (OFFICER); DSM FLEUR HOSPITALITY, LLC (OWNER), REPRESENTED BY BIREN PATEL (OFFICER); AND WEST LAKES PROPERTIES, L.C. (OWNER), REPRESENTED BY GERARD D. NEUGENT (OFFICER), FOR REVIEW AND APPROVAL OF A 3RD AMENDMENT TO AIRPORT COMMERCE PARK SOUTH PUD CONCEPTUAL PLAN, ON PROPERTY LOCATED IN VICINITY OF 2400 GANNETT AVENUE

WHEREAS, October 5, 2023, the City Plan and Zoning Commission considered a request from Airport Development, LC (owner), represented by Stuart Ruddy (officer); Scharnberg Real Estate, LLC (owner), represented by Mark Scharnberg (officer); DSM Fleur Hospitality, LLC (owner), represented by Biren Patel (officer); and West Lakes Properties, L.C. (owner), represented by Gerard D. Neugent (officer), for review and approval of a 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan, on property located at located in the vicinity of 2400 Gannett Avenue, to allow the use of metal siding, cladding, and roofing materials; and

WHEREAS, the City Plan and Zoning Commission voted 11-0 to **APPROVE** the a 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan, on property located in the vicinity of 2400 Gannett Avenue, to allow use of metal as a building material the use of metal siding, cladding, and roofing materials; all other lots within the Airport Commerce Park South PUD Conceptual Plan, owned by other parties that are not the current applicants, shall continue to be subject and governed by the existing standards of the Airport Commerce Park South PUD Conceptual Plan; and

WHEREAS, the Property is legally described as follows:

PUD LOT 3

LOT 3 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

AND

LOT 2 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

EXCEPT



Date November 6, 2023

PARCEL 'A', AN OFFICIAL PLAT, RECORDED IN BOOK 9224, PAGE 192, AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 4

LOT 4 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

REMAINDER OF PUD LOT 5

PARCEL 2018-39, AN OFFICIAL PLAT, RECORDED IN BOOK 16920, PAGE 338, AT THE POLK COUNTY RECORDER'S OFFICE, CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 8

LOT 2 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 9

LOT 3 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 10

LOT 4 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 11 & 12

LOTS 5 AND 6 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 21

LOTS 1 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE



Date November 6, 2023

E 1/2 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5th P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 22

LOT 8 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 23

LOT 9 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 24

LOT 10 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 27

LOT 13 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 28

LOT 15 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 29

LOT 16 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA **PUD LOT 30**

LOT 17 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W



Date November 6, 2023

1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 32

LOT 19 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 33

LOT 20 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOT 'A'

LOT 22 AIRPORT COMMERCE PARK SOUTH, AN OFFICIAL PLAT, RECORDED IN BOOK 8463, PAGE 572-591, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE W 1/2 OF SECTION 32, SE 1/4 SECTION 31, AND NE 1/4 SECTION 31, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD LOTS 13, 14, 15, 16, 17, 18, 19, AND 20

LOT 7 AIRPORT COMMERCE PARK SOUTH PLAT 2, AN OFFICIAL PLAT, RECORDED IN BOOK 11974, PAGE 240-251, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE E 1/2 OF SECTION 31, AND THE W 1/2 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA

PUD AIRPORT COMMERCE PARK PLAT 1

LOT 3 AIRPORT COMMERCE PARK PLAT 1, AN OFFICIAL PLAT, RECORDED IN BOOK 7329, PAGE 629-637, AT THE POLK COUNTY RECORDER'S OFFICE, IN THE S 1/2 OF THE NW 1/4 OF SECTION 32, TOWNSHIP 78 NORTH, RANGE 24 WEST OF THE 5TH P.M., CITY OF DES MOINES, POLK COUNTY, IOWA.; and

WHEREAS, on October 23, 2023, by Roll Call No. 23-1431, it was duly resolved by the City Council that the request for approval of the 3rd Amendment to the Airport Commerce Park South PUD Conceptual Plan be set down for hearing on November 6, 2023, at 5:00 p.m., at the City Council Chambers; and

WHEREAS, due notice of said hearing was published in the Des Moines Register, as provided by law, setting forth the time and place for hearing on said proposed 3rd Amendment to the Airport Commerce Park South PUD Conceptual Plan; and



Agenda Item Number

Date November 6, 2023

WHEREAS, in accordance with said notice, those interested in said proposed 3rd Amendment to the Airport Commerce Park South PUD Conceptual Plan, both for and against, have been given opportunity to be heard with respect thereto and have presented their views to the City Council.

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

- 1. Upon due consideration of the facts, and any and all statements of interested persons and arguments of counsel, any objections to the proposed 3rd Amendment to the Airport Commerce Park South PUD Conceptual Plan are hereby overruled, and the hearing is closed.
- 2. The proposed 3rd Amendment to the Airport Commerce Park South PUD Conceptual Plan is hereby found to be in conformance with PlanDSM: Creating Our Tomorrow Plan and is hereby approved as stated above, subject to conditions set forth above.

MOVED by ______ to adopt. SECOND by ______.

FORM APPROVED: /s/ Chas M. Cahill Chas M. Cahill Assistant City Attorney

(ZONG-2023-000032)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT	
COWNIE					- CERTIFICATE
BOESEN					I, LAURA BAUMGARTNER, City Clerk of said City
GATTO					hereby certify that at a meeting of the City Council
MANDELBAUM					of said City of Des Moines, held on the above date,
VOSS					among other proceedings the above was adopted.
WESTERGAARD					IN WITNESS WHEREOF, I have hereunto set my
TOTAL					hand and affixed my seal the day and year first
MOTION CARRIED			API	ROVED	above written.
			I	Mayor	City Clerk



October 16, 2023

Communication from the City Plan and Zoning Commission advising that at their October 5, 2023 meeting, the following action was taken regarding a request from Airport Development, LC (owner), represented by Stuart Ruddy (officer); Scharnberg Real Estate, LLC (owner), represented by Mark Scharnberg (officer); DSM Fleur Hospitality, LLC (owner), represented by Biren Patel (officer); and West Lakes Properties, L.C. (owner), represented by Gerard D. Neugent (officer), for review and approval of a 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan for multiple parcels located in the vicinity of 2400 Gannett Avenue, to allow construction of "flex" warehouse spaces with updated parking and landscaping standards and to allow use of metal as a building material the use of metal siding, cladding, and roofing materials.

COMMISSION RECOMMENDATION:

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

After public hearing, the members voted 11-0 as follows.

APPROVAL of the requested 3rd amendment to the Airport Commerce Park South PUD, subject to the existing PUD standards shall apply to all other lots, uses, and circumstances.

STAFF RECOMMENDATION TO THE P&Z COMMISSION

Staff recommends approval of the requested 3rd amendment to the Airport Commerce Park South PUD, subject to the existing PUD standards shall apply to all other lots, uses, and circumstances.

STAFF REPORT TO THE PLANNING COMMISSION

1. **Purpose of Request:** The proposed 3rd amendment to the Airport Commerce Park South PUD Conceptual Plan would allow the use of architectural metal wall panel systems as a building siding, cladding, or roofing material where metal siding was previously not allowed. These proposed amendments would impact only the lots within the PUD owned by the applicant. Lots owned by other parties would continue to be governed by the existing standards of the PUD.

On January 25, 1999, by Ordinance No. 13,676, the City Council approved the Airport Commerce Park South PUD requiring the use of "permanent building materials such as brick, architectural precast panels, tilt-up concrete panels, stone, and glass."

- **2.** Size of Site: The proposed area consists of 26.5 parcels (approximately 73.6 acres) of the 38 parcels within the PUD. The overall area of the Airport Commerce Park South PUD is 163.127 acres.
- **3. Existing Zoning (site):** Legacy "PUD" Airport Commerce Park South Planned Unit Development District.
- **4. Existing Land Use (site):** The PUD contains light industrial, office, support commercial uses, and undeveloped parcels.
- 5. Adjacent Land Use and Zoning:

North – "P2"; Use is Des Moines International Airport.

South – "PUD" & "NM"; Uses are Airport Business Park Phase II PUD, Airport Crossroads PUD, and a mobile home park.

East – "P1", "NM", "EX", and "PUD"; Uses are unutilized cemetery land, mobile home park, single household dwelling, and Fleur Acres/Daryl Mayfield PUD.

West – "PUD"; Use is Airport Business Park Phase II PUD.

6. General Neighborhood/Area Land Uses: The subject site is situated generally with Army Post Road to the north, Southwest 33rd Street to the west, Gannett Avenue through the southern portion, and Fleur Drive on the east. The area is part of a complex of business park developments in proximity to the Des Moines International Airport. The property is located to the northwest of the interchange of Fleur Drive and lowa Highway 5. The southeastern portion of the Airport Commerce Park South PUD is located approximately one-third of a mile from the center of a Neighborhood Node situated at the Fleur Drive and County Line Road/Echo Valley Drive intersection.

- 7. Applicable Recognized Neighborhood(s): The subject area 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 August 18, 2023 for the September 7, 2023 meeting and September 15, 2023 for the October 5, 2023 meeting. Additionally, separate notifications of the hearing for this specific item were emailed on August 18, 2023 (20 days prior to the September 7, 2023 hearing) and on September 15, 2023 (20 days prior to the October 5, 2023 hearing) and August 28, 2023 (10 days prior to the October 5, 2023 hearing) and August 28, 2023 (10 days prior to the September 7, 2023 hearing) and September 25, 2023 (10 days prior to the October 5, 2023 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 September 1, 2023 (for the September 7, 2023 hearing) and September 7, 2023 hearing) and September 29, 2023 (for the October 5, 2023 hearing).
- 8. Relevant Zoning History: On January 25, 1999, the City Council approved rezoning from "PBP", "PUD", and "R1-80" to "PUD" with Ordinance No. 13,676 and also approved the Airport Commerce Park South PUD Conceptual Plan.

On October 28, 1999, the First Amendment to the Airport Commerce Park PUD Conceptual Plan was approved administratively to allow revision of the business park sign locations.

On July 27, 2015, by Ordinance No. 15-1282, the City Council approved a request to reduce the minimum required front yard setback from Gannett Avenue to 40 feet for 7301 SW 22nd Street; and to reduce the front yard setbacks from Gannett Avenue and SW 22nd Street to 40 feet for 7201 SW 22nd Street.

- 9. PlanDSM: Creating Our Tomorrow Plan Land Use Plan Designation: Business Park.
- **10. Applicable Regulations:** Taking into consideration the criteria set forth in Chapter 18B of the lowa Code, 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 lowa 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 "PUD" Conceptual Plan 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 the City Code 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 amended "PUD" Conceptual Plan 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. Building Materials: The applicant is proposing to amend the approved PUD Conceptual Plan to allow the use of architectural metal wall panel systems as a building siding, cladding, or roofing material. Metal siding is currently listed on the Prohibited Building Materials list. The proposed 3rd Amendment would limit the use of architectural metal wall panel systems on facades to areas measuring two or more feet above grade. Facade areas between 0 and 2 feet above grade are limited to a Major Facade Material as defined by Table 135-4.2-1 of the Des Moines Municipal Code. The proposed 3rd Amendment would require that metal panels employ a concealed fastener system, have a minimum 24-gauge thickness, be finished with a fluoropolymer coil coating system, and be a factory fabricated prefinished system that is assembled on site.

Staff notes that if the subject area were not zoned PUD, it would likely be zoned "EX" Mixed Use District. The current Municipal Code Chapter 135 standards for the "EX" District allow 24-gauge minimum thickness metal siding with color-matched exposed fasteners on up to 60% of any facade. The applicant is proposing to incorporate an innovation in building materials that has occurred since the inception of the PUD but at standards that exceed those in the Municipal Code. The proposed changes align with the goal stated within the Building Design Standards outlined on the PUD, "Progressive architectural and structural design are encouraged when permanency and structural building strength are the result." Staff believes that the proposed amendment reflects both that intention and the spirit of Municipal Chapter 135, so long as all proposed design standards on the second sheet of the 3rd Amendment are retained.

The applicant has decided to retain plaster (stucco), EFIS, and common concrete block on the list of Prohibited Building Materials.

- **2. Parking Standards:** The applicant has decided not to pursue modifications to the existing standards of the PUD for screening of parking areas.
- **3. Landscaping Standards:** The applicant has decided not to pursue modifications to the existing landscaping standards of the PUD.
- 4. Staff Rationale: The applicant has worked extensively with staff to define quality requirements for any architectural metal panel systems that would be allowed by the proposed 3rd Amendment. The requirements as listed on the second sheet of the 3rd Amendment ensure that updating the majority of the PUD to allow architectural metal panel systems reflects changes within the building and real estate industry while maintaining the high standards that were the intention of the original PUD restrictions and requirements.

SUMMARY OF DISCUSSION

<u>Abby Chungath</u> advised item #3 could be considered under the consent agenda. No one was present or requested to speak.

Emily Webb made a motion to move item #3 to the consent agenda.

COMMISSION ACTION:

<u>Carolyn Jenison</u> made a motion for approval of the requested 3rd amendment to the Airport Commerce Park South PUD, subject to the existing PUD standards shall apply to all other lots, uses, and circumstances. <u>THE VOTE</u>: 11-0

Respectfully submitted,

Jula Com

Jason Van Essen, AICP Planning & Urban Design Administrator

JMV:tjh

Airport Development, LC, Vicinity of 2400 Gannett Avenue

ZONG-2023-000032

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3rd AMENDMENT TO PUD CONCEPT PLAN FOR: AIRPORT COMMERCE PARK SOUTH

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SEPTEMBER 25, 2023



CEC CIVIL ENGINEERING CONSULTANTS, INC. 2400 86TH STREET. UNIT 12 DES MOINES. IOWA 50322.4379 PHONE: 515.276.4884 FAX: 515.276.7084 E3921 / E9065



Airport Development, LC, Vicinity of 2400 Gannett Avenue

ZONG-2023-000032



Item: ZONG-2023-000032	te: 8-30-23
Please mark one of the following:	Staff Use Only BECEIVED
I am undecided I oppose the request	COMMUNITY DEVELOPMENT SEP 05 2023
Titleholder Signature:	
Name/Business: <u>Scharnby Real</u> Impacted Address: 4020 Gunnett	
Comments:	
Item: ZONG-2023-000032 Dat	8/3/23
Please mark one of the following:	Staff Use Only
I support the request	RECEIVED COMMUNITY DEVELOPMENT
\Box I oppose the request	SEP 0 5 2023
Titleholder Signature:	n .
Name/Business: <u>JOWA ANNAL (MARK</u>	ence of the UNC
Impacted Address: 2301 Rittenhouse S	it, Des Mohes
Comments:	

Item:ZONG-2023-000032 Date:	8/30/2023
Please mark one of the following:	Staff Use Only
☐ I support the request ☐ I am undecided	RECEIVED COMMUNITY DEVELOPMENT
I oppose the request	SEP 0.5-2023
Titleholder Signature:	ner
Name/Business: TPT	
Impacted Address: 2600 Gannett A	
Comments: See letter received 8, from property owner det	29/2023

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Dostart, Katherine E.

From:	Chakraborty, Sreyoshi
Sent:	Thursday, October 5, 2023 9:56 AM
To:	Reasoner, William
Cc:	Stuart Ruddy; Dostart, Katherine E.
Subject:	RE: Airport Commerce Park South PUD - withdrawal of objection
Follow Up Flag:	Follow up
Flag Status:	Flagged

Will,

Thank you very much for the letter and update. We will include your communication in our presentation to the Commission.

Sreyoshi

From: Reasoner, William <wreasoner@dickinsonlaw.com>
Sent: Thursday, October 5, 2023 9:02 AM
To: Chakraborty, Sreyoshi <SChakraborty@dmgov.org>
Cc: Stuart Ruddy <Stuart.Ruddy@knapplc.com>
Subject: Airport Commerce Park South PUD - withdrawal of objection

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sreyoshi,

I represent The Printer Inc. ("TPI") which operates at 2600 Gannett Avenue in Des Moines. Previously, TPI objected to the requested amendments to the Airport Commerce Park South PUD. Since that time, TPI has learned that the scope of the requested amendment has changed to what is attached to this email. Knapp Properties has worked with TPI on describing the types of building materials/designs that are contemplated by this revised amendment. Based on Knapp's examples and representations on what the proposed amendment would allow, TPI withdraws its objections to the amendment as currently proposed. You can share with the Planning & Zoning Commission that the TPI believes its concerns as previously articulated are now addressed.

Thank you, Will

Will Reasoner

DICKINSONLAW

Dickinson, Mackaman, Tyler & Hagen, P.C. 699 Walnut Street, Suite 1600 Des Moines, Iowa 50309-3986 direct: (515) 246-4515 fax: (515) 246-4550 wreasoner@dickinsonlaw.com

www.dickinsonlaw.com



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IRS Circular 230 Disclosure: Although this written communication may address certain tax issues, it is not intended to constitute a reliance opinion as described in IRS Circular 230 and, therefore, it cannot be relied upon by itself to avoid any tax penalties.

This email has been scanned for email related threats and delivered safely by Mimecast.

To whom it may concern:

The Owners of Lot 7, Airport Commerce Park South, Plat 2 hereby agree with the proposed Airport Commerce Park South PUD 3rd Amendment request described in **Exhibit 'A'**

9.19.2023 Date

Mark Scharnberg Scharnberg Real Estate LLC 4020 Gannett Avenue Des Moines, IA 50321-2951 To whom it may concern:

The Owners of Parcel B of Lot One (1) in Airport Commerce Park Plat 1, as shown in Plat of Survey filed in book 8082, Page 569, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa (6880 Fleur Drive) hereby agree with the proposed Airport Commerce Park South PUD 3rd Amendment request described in **Exhibit 'A'**

n Daté

Mike Whalen, President & CEO HOA Hotels, LLC 515 E. Locust Street, Suite 100 Des Moines, IA 50309 To whom it may concern:

The Owners of Parcel "B" of Plat of Survey filed April 25, 2007, recorded in Book 12163 Page 169 being the South 280.00 feet of Lot 20, Airport Commerce Park South, an Official Plat, in and forming a part of the City of Des Moines (7201 SW 22nd Street), hereby agree with the proposed Airport Commerce Park South PUD 3rd Amendment request described in **Exhibit 'A'**

09/20/2023 Date U

Biren Patel DSM Fleur Hospitality LLC 7201 SW 22nd Street Des Moines, IA 50321 CITY GATEWAY PUD AMENDMENT #2 – NEIGHBORHOOD MEETING MINUTES Monday, August 28^{TH} , 2023

- 1. Efforts to notify the neighbors about the proposal:
 - a. A let er inviting the neighboring property owners was mailed on Friday, August 18th.
 - b. The invitation was mailed to the addresses of the neighboring properties as provided by the City of Des Moines.

ELECTRO MANAGEMENT CORP	4240 ARMY POST RD	DES MOINES IA 50321-9609
DES MOINES REGISTER & TRIBUNE CO	GANNET POB 750	FISHERS IN 46038-0750
SCHARNBERG REAL ESTATE LLC	4020 GANNETT AVE	DES MOINES IA 50321-2951
George Davis*	3124 SW 29th St	Des Moines IA 50321

- c. A copy of the invitation let er can be found in the appendix of these meeting minutes.
- 2. Who was involved with the discussion:
 - a. At endees included:
 - i. Brit Baker Electro Management Corp. (President)
 - ii. Nick Van Pat en Southwestern Hills Neighborhood Association (Vice-President)
 - iii. Steve Ut erson Southwestern Hills Neighborhood Association (Board Member)
- 3. Suggestions and concerns raised:
 - a. None
- 4. What specific changes were considered or made:
 - a. None



August 18, 2023

To: Surrounding Property Owners of: 4240 ARMY POST ROAD

RE: NEIGHBORHOOD MEETING

Dear Property Owner:

This letter is notice of a neighborhood meeting to be held on <u>Monday</u>, <u>August 28th at 6:00 pm</u> at the Electro Management Corporation Conference Room (4240 Army Post Road, Des Moines, IA 50321).

This informational meeting is being held as a courtesy to the neighborhood. No formal action will be taken. If you know of any interested parties who have not received a copy of this letter, we would appreciate it if you would inform them of the time, date and place of the Neighborhood Meeting. Your comments and suggestions for the project will be appreciated.

The property owner is Electro Management Corp (Britt Baker, CEO). The property is amending the Planned Unit Development zoning. The owner is pursuing additional parking, revising the proposed layout of a future building, and proposing an access to Army Post Road. <u>A Public Hearing to review the PUD Amendment request will be held before the City of Des Moines Planning & Zoning Commission on September 7, 2023 at 6:00 p.m. at 1551 East Martin Luther King, Jr. Parkway, 2nd Floor MCS Board Room.</u>

Further information about the project can be obtained by calling: Paul Clausen, Civil Engineering Consultants, Inc. at (515) 276-4884 ext. 212 or Frank Dunn-Young, City Planner, City of Des Moines at (515) 283-4749.

If you cannot attend the neighborhood meeting on September 7, 2023 and have comments you would like to share, please send them via e-mail to <u>CLAUSEN@CECLAC.COM</u> or by U.S. Postal Service to Paul Clausen, Civil Engineering Consultants, Inc., 2400 86th Street, Unit 12, Des Moines, Iowa, 50322.

Sincerely,

CIVIL ENGINEERING CONSULTANTS, INC.

Paul Clausen, PE, LSIT Engineer Board Member



VICINITY







Airport Development, LC, Vicinity of 2400 Gannett Avenue

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