

★ Roll Call Number

13-0031

Agenda Item Number

22

Date.....
January 14, 2013

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on January 3, 2013, its members voted 12-0-1 in support of a motion to recommend **APPROVAL** of a request from St. Gregory Centers Holdings, LLC (purchaser) represented by Michael Vasquez (officer) regarding property located at 6151 Thornton Avenue for review and approval of a 7th Amendment to the "Airport Commerce Park West" PUD Conceptual Plan to allow for conversion of 19,000 square feet of the existing 38,317-square foot building from a retail/restaurant/office use to a rehabilitation center where 6,000 square feet is proposed for general office use, 3,000 square feet is proposed for medical outpatient clinic use, and 10,000 square feet is proposed for a residential social detoxification use subject to the following modifications to the Conceptual Plan documents:

1. Sheet 1 of Conceptual Plan shall state the Des Moines 2020 Community Character Land Use Plan designates the future land use of this site as Planned Business Park.
2. Sheet 1 shall be revised with a Legal Description that includes all properties within the PUD boundary.
3. Sheet 1 shall be revised to update the Zoning information to indicate the current Zoning which is PUD Planned Unit Development.
4. Sheet 1 of Conceptual Plan shall include a narrative of the general development concept pertaining to the amendment and a discussion of proposed project phasing or scheduling.
5. Sheet 1 of the Conceptual Plan shall include allowance for fencing within the PUD, and that it be limited to wrought iron type or black coated 75% open fence design that is not greater than 8-feet in height with no fencing taller than 3-feet located closer than 15 feet to any public street right-of-way property line.
6. Note 6 on Sheet 1 should be revised to indicate that removal of trees as a result of development is subject to compliance with the City's Tree Preservation and Mitigation Ordinances and requirements.
7. Sheet 1 should be revised to show all existing development. This would include the addition of development on properties at 5801 Thornton Avenue, 5901 Thornton Avenue, 3621 SW 61st Street, and 3721 SW 61st Street. Building and paving footprints should be indicated.
8. The current approved and the submitted Conceptual Plan required approval of building screening, and fencing design and materials and landscaping plans by the Airport Commerce Park, LC (or its successor) Architectural Review Committee. The Conceptual Plan shall be revised to remove all reference to review by the Architectural Review Committee as part of Zoning requirements.
9. Sheet 1 shall be revised to include an update to the legend for all typical landscaping symbols used.
10. As per the City Fire Engineer there shall be a statement added to notes on Sheet 1 "In accordance with IFC Section 508.5.1; where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided (Exception: sprinklered buildings shall be 600 ft)."

-CONTINUE-

★ Roll Call Number
13-0031

Agenda Item Number
22

Date January 14, 2013

11. The final approved Conceptual Plan document shall require a current certification block of a Registered Architect or Registered Landscape Architect with the State of Iowa.

The subject properties are more specifically described as follows:

Lots 5 thru 11 inclusive and Lots A, and B, Airport Commerce Park West Plat 1, an Official Plat, Lots 1 thru 16 inclusive and Lots A, B and C, Airport Commerce Park West Plat 2, an Official Plat, Lots 1 thru 4 inclusive, Airport Commerce Park West Plat 3, an Official Plat, Lots 1 thru 3 inclusive, Walnut Woods Plat 1, an Official Plat, all now included in and forming a part of the City of Des Moines, Polk County, Iowa.

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

1. That the meeting of the City Council at which the proposed rezoning is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on January 28, 2013, at which time the City Council will hear both those who oppose and those who favor the proposal.
2. 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.

FORM APPROVED:

MOVED by Moore to adopt.


 Michael F. Kelley
 Assistant City Attorney

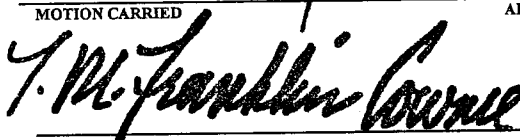
(ZON2012-00219)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
GRIESS	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MEYER	✓			
MOORE	✓			
TOTAL	7			

CERTIFICATE

I, DIANE RAUH, 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.


 T. M. Franklin
 Mayor


 Diane Rauh
 City Clerk

MOTION CARRIED

APPROVED