

.....  
Date April 24, 2006  
.....

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on April 6, 2006, its members voted 15-0 in support of a motion to recommend **APPROVAL** of a request from Bernard J. Baker, III (owner) to amend the Timberbrook Terrace PUD Conceptual Plan for property located at 3325 East Douglas Avenue to allow creation of a development parcel on land previously identified as an outlot to allow for retail development, subject to the following modifications to the Plan:

1. Provision of revised legal descriptions for the modified parcel areas.
2. Addition of a plan note requiring that all development comply with Des Moines Landscape Standards as applicable to "C-2" Districts at a minimum.
3. Addition of a plan note that all roof mounted mechanical equipment shall be screened from view on surrounding public streets with material that is integrated into the building's architecture.
4. Revise all references for parking requirements in 2A-24 and 2A-25 to Section 134-1376 and 134-1377.

The subject property is located within the block bounded by E. 33<sup>rd</sup> Street on the west, Hubbell Avenue on the east, E. Euclid Avenue on the south, and E. Douglas Avenue on the North.

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 amendment is to be considered shall be held in the Council Chambers, City Hall, Des Moines, Iowa at 5:00 p.m. on May 8, 2006, 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.

MOVED by \_\_\_\_\_ to adopt.

(Continued)

★ Roll Call Number

Agenda Item Number

19

Date April 24, 2006

-2-

FORM APPROVED:

*Roger K. Brown*

Roger K. Brown  
Assistant City Attorney

(ZON2006-00030)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
KIERNAN				
HENSLEY				
MAHAFFEY				
VLISSIS				
TOTAL				

MOTION CARRIED

APPROVED

\_\_\_\_\_  
Mayor

**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.

\_\_\_\_\_  
City Clerk

April 24, 2006

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held April 6, 2006, the following action was taken:

**COMMISSION RECOMMENDATION:**

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

Commission Action:	Yes	Nays	Pass	Absent
David Cupp	X			
Shirley Daniels	X			
Dann Flaherty	X			
Bruce Heilman	X			
Jeffrey Johannsen	X			
Greg Jones	X			
Frances Koontz	X			
Kaye Lozier	X			
Brian Meyer	X			
Brian Millard	X			
Brook Rosenberg	X			
Mike Simonson	X			
Kent Sovern	X			
Tim Urban	X			
Marc Wallace	X			



CITY PLAN AND ZONING COMMISSION  
 ARMORY BUILDING  
 602 ROBERT D. RAY DRIVE  
 DES MOINES, IOWA 50309 -1881  
 (515) 283-4182

ALL-AMERICA CITY  
 1949, 1976, 1981  
 2003

**APPROVAL** of a request from Bernard J. Baker, III (owner) to amend the Timberbrook Terrace PUD Conceptual Plan for property located at 3325 East Douglas Avenue to allow creation of a development parcel on land previously identified as an outlot to allow for retail development, subject to the following modifications to the Plan: (ZON2006-00030)

1. Provision of revised legal descriptions for the modified parcel areas.
2. Addition of a plan note requiring that all development comply with Des Moines Landscape Standards as applicable to "C-2" Districts at a minimum.
3. Addition of a plan note that all roof mounted mechanical equipment shall be screened from view on surrounding public streets with material that is integrated into the building's architecture.
4. Revise all references for parking requirements in 2A-24 and 2A-25 to Section 134-1376 and 134-1377.

Written Responses

3 In Favor  
0 In Opposition

*This item would not require a 6/7 vote by City Council.*

## STAFF RECOMMENDATION AND BASIS FOR APPROVAL

Staff recommends approval of the requested amendment to the PUD Conceptual Plan subject to the following modifications to Plan:

1. Provision of revised legal descriptions for the modified parcel areas.
2. Addition of a plan note requiring that all development comply with Des Moines Landscape Standards as applicable to "C-2" Districts at a minimum.
3. Addition of a plan note that all roof mounted mechanical equipment shall be screened from view on surrounding public streets with material that is integrated into the building's architecture.
4. Revise all references for parking requirements in 2A-24 and 2A-25 to Section 134-1376 and 134-1377.

## STAFF REPORT

### I. GENERAL INFORMATION

1. **Purpose of Request:** The applicant is seeking to designate 2.77 acres for additional retail/office commercial development.
2. **Size of Site:** 15.58 acres (entire PUD) plus 3.32 acres Floodway; Parcel "F" 2.77 acres.
3. **Existing Zoning (site):** "PUD" Planned Unit Development.
4. **Existing Land Use (site):** Vacant land, Taylor House Hospice, Four Mile Creek, Recreational Trail, Communication Tower Antennas, single-family dwellings and a land lease community.
5. **Adjacent Land Use and Zoning:**
  - North* – "U-1", "FW", "PUD" & "R-3", Uses are floodplain/floodway for Four Mile Creek, Parkside East Apartments and Sargent Park Apartments.
  - South* – "C-1", "C-2" & "FW", Uses are East Side Grill Restaurant, vacant land, and floodplain/floodway for Four Mile Creek.
  - East* – "C-2", Uses are a Quik Trip Convenience Store, Grandview Acres Apartments, a single-family dwelling, a used furniture and appliance warehouse, a off-premises advertising sign and East Des Moines Rental.
  - West* – "R-3" & "R1-60", Uses are a multiple-family apartment building and single-family dwellings.
6. **General Neighborhood/Area Land Uses:** The subject property is located within a major commercial node on the northeast side of the City where the major corridors of Hubbell Avenue and East Euclid Avenue intersect along Four Mile Creek. The area has a mix of high-density residential, retail, and highway commercial uses surrounded by single-family neighborhoods.
7. **Applicable Recognized Neighborhood(s):** Douglas Acres Neighborhood and Fairmont Park Neighborhood.
8. **Relevant Zoning History:** The subject property was within the originally adopted Grandview Plaza PUD Conceptual Plan and was rezoned by the City Council on January 5, 1998. There were subsequent amendments on January 22, 2001 for a second Communications Tower

Antenna, and on September 9, 2002 for the Taylor House Hospice (renamed PUD to "Timberbrook Terrace").

9. **2020 Community Character Land Use Plan Designation:** Auto-Oriented Community Commercial (West of Creek), Clear Zone/Development Control Zone, and Medium Density Residential (East of Creek).
10. **Applicable Regulations:** The Commission reviews all amendments proposed for approved "PUD" Conceptual Plans in the same manner as the consideration of the original Conceptual Plan and rezoning. The recommendation of the Commission is forwarded to the City Council for their final review and consideration.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Natural Site Features:** The eastern edge of the subject amendment area is within the Four Mile Creek flood hazard area. The applicant will be responsible for compliance with all local, State, and Federal floodplain development regulations. Based on the submitted Conceptual Plan amendment, no structures are proposed to be located within these areas. Any alteration of the floodway or floodplain may require a Letter of Map Revision (LOMR) to be filed by the developer with the Federal Insurance Agency.
2. **Drainage/Grading:** The applicant will be responsible for compliance with all storm water management requirements as part of any development plan. Any grading is subject to review and approval of a soil erosion protection and grading plan reviewed by the Engineering staff in the Permit and Development Center and a Storm Water Pollution Prevention Plan (SWPPP) approved by the Iowa DNR.
3. **Landscaping & Buffering:** A previous amendment to the PUD Conceptual Plan required that all development plans comply with the Des Moines' Landscaping Standards as they are applicable to "C-1/C-2" Districts. Staff recommends that this also be a requirement of the standards applied to the amended Parcel "F". In addition, the proposed minimum off-street parking setback from surrounding streets is 15' which is more restrictive than the 10' required for "C-1/C-2" Districts.
4. **Traffic/Street System:** The applicant is working with the Iowa DOT to revise the public highway easement along East Euclid Avenue. No streets are being proposed in conjunction with the proposed amendment.
5. **Access or Parking:** The access from East Euclid Avenue to the subject parcel "F" will include a right-in only with deceleration lane. A permit will be required from Iowa DOT. All other access points remain as previously approved on the Conceptual Plan.

Off-street parking standards to be applied to Parcel "F" are proposed to meet those found in the Zoning Ordinance requirements. The total number of spaces will be required to be demonstrated as part of an approved development plan.

6. **2020 Community Character Plan:** Staff believes that the commercial/retail/office use proposed for the subject amendment area is in conformance with the Commercial Auto-Oriented Community Commercial Designation for the subject.
7. **Urban Design:** The submitted architectural elevations for the proposed Parcel "F" describe a single-story commercial center with a flat roofed, "Prairie-style" design. Exterior materials are predominantly brick, masonry units and glass. Aluminum accents are proposed on the roof overhangs. The top caps and soldier courses above and below the windows are both proposed to be made of Renaissance masonry units (a fired masonry block material). The submitted elevations do not address any roof mounted mechanical equipment. Staff would

recommend that the Conceptual Plan include a provision requiring the screening of roof mounted mechanical equipment that is integrated into the building's architecture.

## **SUMMARY OF DISCUSSION**

*There was no discussion on this item.*

*Fran Koontz moved for approval of staff recommendation. Motion passed 15-0.*

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ludwig". The signature is stylized and cursive.

Michael Ludwig, AICP  
Planning Administrator

MGL:dfa

Attachment

Request from Bernard J. Baker, III (owner) to amend the Timberbrook Terrace PUD Conceptual Plan for property located at 3325 East Douglas Avenue.			File #	
			ZON2006-00030	
<b>Description of Action</b>	Amend the Timberbrook Terrace PUD Conceptual Plan for subject property to allow creation of a development parcel on land previously identified as an outlet to allow for retail development.			
<b>2020 Community Character Plan</b>	Medium-Density Residential, Commercial: Auto-Oriented Community Commercial and Clear Zone/Development Control Zone			
<b>Horizon 2025 Transportation Plan</b>	Widen Hubbell Avenue from 4 lane undivided to 4 lane divided from Euclid Avenue to E. 38 <sup>th</sup> Street			
<b>Current Zoning District</b>	PUD Planned Unit Development and FW Floodway			
<b>Proposed Zoning District</b>	PUD Planned Unit Development and FW Floodway			
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition
Inside Area				
Outside Area	3	0	0	<20%
<b>Plan and Zoning Commission Action</b>	<b>Approval</b>	15-0	<b>Required 6/7 Vote of the City Council</b>	Yes
	<b>Denial</b>			No

Timberbrook Terrace PUD Amendment - 3325 E Douglas Avenue ZON2006-00030





# DOUGLAS ACRES NEIGHBORHOOD ASSOCIATION

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April 5, 2006

City Planning and Zoning Commission  
Daniel Flaherty, Chairperson  
602 E First Street  
Des Moines, IA 50309

Dear Mr. Flaherty,

Douglas Acres Neighborhood Association fully supports the request from Bernard J. Baker, III to amend the Timberbrook Terrace PUD Conceptual Plan for property located at 3325 East Douglas to allow creation of a development parcel for retail development on land previously identified as an outlot.

We ask that the Des Moines Plan and Zoning Commission approve this request.

Thank you for your consideration of this matter.

Sincerely,

*Linda Westergaard*

Linda Westergaard, Chair  
Douglas Acres Neighborhood Association

4009 E 23  
Des Moines, IA 50317

Phone (515) 453-7339  
Fax (515) 453-7340  
E-mail [chair@douglasacres.org](mailto:chair@douglasacres.org)  
Web site [www.douglasacres.org](http://www.douglasacres.org)

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Item ZON 2006 00030

Date \_\_\_\_\_

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

(Circle One)

**RECEIVED**

APR 03 2006

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

Print Name VERNON O. WEST

Signature Vernon O. West

Address 3255 E. CLINTON AVE

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

THE PROPERTY NEEDS DEVELOPING AND  
IMPROVEMENT

Item ZON 2006 00030

Date 3-30-06

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

(Circle One)

**RECEIVED**

APR 03 2006

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

Print Name JAMES CONLIN

Signature James Conlin

Address 317-7th Ave Pa

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

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

Item ZON 2006 00030

Date 4/13/06 19

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

**RECEIVED**

APR 05 2006

COMMUNITY DEVELOPMENT  
DEPARTMENT

Print Name Sheila Reeves  
Chic Hair

Signature Sheila Reeves

Address 3703 Habbell

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

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

Item ZON 2006 ~~00030~~ ?

Date 3/30/06

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

**ALSO SUBJECT PROPERTY**

E:33 &  
Euclid/Douglas

Print Name BAKER REALTY STATE

Signature [Signature]

Address 4224 HABBELL

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

**RECEIVED**

APR 03 2006

COMMUNITY DEVELOPMENT  
DEPARTMENT

\_\_\_\_\_  
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