

**CITY OF WEST DES MOINES
STAFF REPORT COMMUNICATION**

Meeting Date: April 26, 2021

ITEM: 130 S. 9th Street and City-Owned Parcels to the south of Lincoln Street between the 600 and 900 Block, City Initiated – Amend Comprehensive Plan Land Use Map and Amend the Zoning Map to establish Business Park land use and zoning on a portion of 130 S 9th Street and to establish Open Space land use and zoning on a city-owned property south of Lincoln Avenue – CPA-005135-2021/ZC-005120-2021

RESOLUTION: Recommend approval of Comprehensive Plan Land Use Map Amendment and Consistency Rezoning

Background: The City of West Des Moines requests approval of a Comprehensive Plan Land Use Map Amendment and Rezoning Request to change the zoning of the western portion of property located at 130 S. 9th Street from General Industrial to Business Park. The Business Park zoning district is considered compatible to General Industrial Comprehensive Plan Land Use and therefore a change to the Comprehensive Plan Land Use designation is not necessary in this situation. Also, there are three parcels of City-owned property located south of Lincoln Street between the 600 block and the 900 block that are requested to change from General Industrial to Open Space. Specifically, the following Land Use and Zoning changes are proposed with this request:

- Amend the Comprehensive Plan Land Use Map for the approximately 12 acres of property south of Lincoln Street between the 600 block and the 900 block to change from General Industrial (GI) to Open Space (OS) land use; and
- Amend the Zoning Map to designate Open Space (OS) for the approximately 12 acres of property south of Lincoln Street between the 600 block and the 900 block consistent with the proposed Comprehensive Plan Land Use designation.
- Amend the Zoning Map for property at 130 S. 9th Street to change from General Industrial (GI) to Business Park (BP) Zoning District on the west approximately 4.3 acres.

Staff Review & Comment:

- **Financial Impact:** Undetermined
- **Anticipated Development:** There is no anticipated development of any of the property at this time. The eastern portion of the property at 130 S. 9th Street is designated for Business Park while the western portion is designated as General Industrial. Staff believes this property might serve as a key connection from The Hall to the Valley Junction area north of Railroad Avenue. A future revisioning of the larger Valley Junction area is intended with preliminary thought that this property could serve for entertainment or other activities that will aid in attracting patrons to this area. After fielding calls for the locating of a vehicle tow business and storage yard on the property, Staff wanted to proactively remove the possibility of general industrial uses, possibly with undesirable outdoor components occurring on the property that would not be consistent with this vision. The Business Park district does not allow for outdoor storage aspects and generally consists of offices with a possible warehouse component. Staff discussed the city-initiated change

in land use and zoning with the City’s Legal Department and they agreed that the City has the authority to make the change and it is not a ‘taking’. If upon completion of the anticipated Valley Junction Revisioning it is determined that this property would not benefit the area and/or serve as a key connector, the property’s land use and zoning can be changed back. Staff informed the owner of the 130 S. 9th Street property of the intended change.

There is no imminent development of the city-owned property south of Lincoln Street either; however this land has been included in studies of the area for its recreation potential and inclusion in an Adventure Park. It is located on the “wet” side of the Lincoln Street levee within the flood plain and due to the levee, does not have access to a public street. With these constrains, the property would not be suitable for general industrial development. The surrounding property south of Lincoln Street already is zoned Open Space.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date:

Vote:

Recommendation:

City Council Comprehensive Plan Amendment:

Date:

Vote:

City Council Rezoning First Reading:

Date:

Vote:

Recommendation: Approve the Comprehensive Plan Land Use Map Amendment and Rezoning request, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Kara Tragesser

Approval Meeting Dates:

Plan and Zoning Commission	April 26, 2021
City Council: First Reading	
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Plan & Zoning Commission	<input checked="" type="checkbox"/> Development Coordinator (or) <input checked="" type="checkbox"/> Director	<input checked="" type="checkbox"/> Legal Department
City Council	<input type="checkbox"/> Director <input type="checkbox"/> Appropriations/Finance	<input type="checkbox"/> Legal Department <input type="checkbox"/> Agenda Acceptance

Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	4/21/21
Date(s) of Mailed Notices	4/16/21

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	3/15/21
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

**Location Map
130 S. 9th Street and
Property South of Lincoln Street**



**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-21-023**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the City of West Des Moines, requests approval for a Comprehensive Plan Land Use Map Amendment for property generally located south of Lincoln Street between the 600 block and 900 block as depicted on the Comprehensive Plan Land Use Map and Zoning Map Change Illustration included in the staff report to change the land use designation as follows:

- Change approximately 12 acres from General Industrial (GI) to Open Space (OS) land use; and

WHEREAS, the comprehensive plan amendment complies with the applicable provisions of Iowa Code Chapter 414 and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Comprehensive Plan Land Use Map Amendment, (CPA-005135-2021) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 26, 2021.

Erica Andersen, Chair
Plan and Zoning Commission

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on April 26, 2021, by the following vote:

AYES:
NAYS:
ABSTENTIONS:
ABSENT:

ATTEST:

Recording Secretary

**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-21-024**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the City of West Des Moines, requests approval for a Zoning Map Amendment for the west portion of the property at 130 S. 9th Street and for the property south of Lincoln Street between the 600 and 900 block as depicted on the Comprehensive Plan Land Use Map and Zoning Map Change Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to designate Business Park (BP) Zoning District on approximately 4.3 acres compatible with the Comprehensive Plan General Industrial Land Use designation, and
- Amend the Zoning Map to designate Open Space (OS) Zoning District on approximately 12 acres consistent with the Comprehensive Plan Land Use designation, and

WHEREAS, the Rezoning request complies with the applicable provisions of Iowa Code Chapter 414, the Comprehensive Plan and City Code.

NOW, THEREFORE, the Plan and Zoning Commission of the City of West Des Moines recommends that City Council approve the Rezoning request, (ZC-005120-2021) subject to compliance with all the conditions of approval as stated in the staff report, including conditions added at the meeting, and attached hereto as Exhibit "A", if applicable.

PASSED AND ADOPTED on April 26, 2021.

Erica Andersen, Chair
Plan and Zoning Commission

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Plan and Zoning Commission of the City of West Des Moines, Iowa, at a regular meeting held on April 26, 2021, by the following vote:

AYES:

NAYS:

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Recording Secretary

Comprehensive Plan Land Use Map and Zoning Map Change Illustration

