

## CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

**Meeting Date:** June 1, 2022

**ITEM:** Heart of Iowa Marketplace, 721 Railroad Avenue – Approval to establish a Catalog and Mail Order Fulfillment Center – Sharp Assets LLC – PC-005609-2022

**RESOLUTION:** Approval to Establish Land Use

**Background:** The applicant and property owners, Cory and Abby Sharp with Sharp Assets LLC, request approval of a Permitted Conditional Use for that property located at 721 Railroad Avenue. Specifically, the applicant requests to operate a Catalog and Mail Order Fulfillment Center. The applicant operates the Heart of Iowa Marketplace which currently has a retail storefront located at 211 5th Street, but the space is no longer large enough to fulfill their mail order and corporate fulfillment operations. Therefore, the applicant is requesting a Permitted Conditional Use (Pc) to operate their Catalog and Mail Order Fulfillment Center in the Valley Junction Commercial (VJC) zoning district. The applicant intends to store products, assemble gift baskets, ship to clients, or allow for client pick-ups, and will allow walk-in traffic by appointment only to visit the showroom displaying their products and services to new and existing clients. It is important to note that if the proposed use would like to expand elsewhere in the building in the future another Pc is required to be approved by the Board of Adjustment.

**Staff Review & Comment:**

- **History:** In June 1998 this property was rezoned from Light Industrial (M-1) to Valley Junction Commercial District (VJC-CP) as part of the City's consistency zoning project. Further, according to the Polk County Assessor website, the south half of the existing structure was constructed in 1928. In the Fall of 1998, the property received approval from the city in the form of a Permitted Conditional Use (Pc) to construct an addition for the north half of the existing structure (Case No. PC-98-18). The north half of the existing building was constructed in 1999 after receiving approval from the City Council as part of a Permitted Conditional Use (Pc) permit. With the 1998 approved Pc, City Council approved a waiver allowing a reduction in the amount of off-street parking. However, the reduction was based on the needs of the use at the time so the waiver will not apply to the proposed use. Therefore, the applicant must comply with the current code's parking requirements, which are noted below.
- **Traffic Analysis Findings:** A Traffic Impact Study was not required for this proposed use.
- **Staff Concerns:**
  - **Zoning Code Amendment.** The current zoning code does not allow the proposed use to operate within the VJC zoning district. However, in recent years there has been a steep increase in e-commerce operations. As a response, staff is processing an amendment to the zoning code that expands e-commerce operations to other commercial zoning districts, which includes allowing the proposed use at the subject location. However, this amendment is not yet codified but is in the process and will be considered by City Council at their June 6, 2022, meeting. Therefore, if the Board wishes to approve the proposed Pc request, staff is recommending a condition of approval that the applicant is not able to operate

until, and if, Council approves said amendment.

- Off-Street Parking. In 1998, City Council approved a waiver from the parking standards in place at the time requiring the subject property to only provide for the 25 parking spaces seen on the property today. According to the current zoning code, the proposed use must provide 0.75 parking spaces per 1,000-square feet of gross floor area plus one space for every employee. The property owner has been made aware of the minimum parking requirement and has informed staff that the proposed operation, and any other uses within the building, will comply with this code requirement.

**Recommendation:** Approve the Permitted Conditional Use request, subject to the applicant meeting all City Code requirements and the following conditions of approval:

1. The approval of this Permitted Conditional Use (Pc) request is subject to the City Council approving the zoning code amendment relating to the allowance of Catalog and Mail Order Houses in the VJC zoning district.

**Lead Staff Member:** Bryce Johnson

**Approval Meeting Date:**

Board of Adjustment	June 1, 2022
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**Staff Report Reviews:**

<input checked="" type="checkbox"/> Development Coordinator (or) <input type="checkbox"/> Director <input type="checkbox"/> Legal Department
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**Publications (if applicable)**

Published In:	Des Moines Register Community Section
Date(s) Published	5/18/22
Date(s) of Mailed Notices	5/18/22

**Council Subcommittee Review (if applicable)**

Subcommittee	Development & Planning
Date Reviewed	5/16/22
Recommendation	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split <input checked="" type="checkbox"/> No Discussion

# Location Map



## 721 Railroad Avenue Site Location Map



*\* For illustrative purposes only. The City of West Des Moines claims no responsibility for its correctness or content accuracy.*

Prepared by: Bryce Johnson, City of West Des Moines Development Services Dept., 515-222-3620  
When Recorded, Development Services, City of West Des Moines, PO Box 65320, West Des Moines, IA  
Return to: 50265-0320

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**RESOLUTION NO. BOA-2022-06**

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF WEST DES MOINES, APPROVING A PERMITTED CONDITIONAL USE PERMIT TO ALLOW A CATALOG AND MAIL ORDER FULFILLMENT CENTER**

**WHEREAS**, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, Cory and Abby Sharp, request approval for a Permitted Conditional use Permit for property located at 721 Railroad Avenue and legally described in attached Exhibit 'B'. The applicant is requesting approval allowing the operation of a Catalog and Mail Order Fulfillment Center ; and

**WHEREAS**, studies and investigations were made, and staff reports, and recommendations were submitted which is made a part of this record and herein incorporated by reference; and

**WHEREAS**, on this day this Board of Adjustment held a duly noticed Public Hearing to consider the Permitted Conditional Use permit application.

**NOW, THEREFORE**, The Board of Adjustment hereby approves the Permitted Conditional Use permit (PC-005609-2022) subject to compliance with all the conditions in the staff report, dated June 1, 2022, including conditions added at the meeting, and attached hereto as Exhibit "A". Violation(s) of any such condition(s) shall be grounds for revocation of the entitlement, as well as any other remedy which is available to the City.

**PASSED AND ADOPTED** on June 1, 2022.

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Michele Stevens, Chairperson  
Board of Adjustment

ATTEST:

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the Board of Adjustment of the City of West Des Moines, Iowa, at a regular meeting held on June 1, 2022, by the following vote:

AYES:

NAYS:

ABSTAIN:

ABSENT:

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Recording Secretary

**Exhibit A: Conditions of Approval**

1. The approval of this Permitted Conditional Use (Pc) request is subject to the City Council approving the zoning code amendment relating to the allowance of Catalog and Mail Order Houses in the VJC zoning district.

**Exhibit B: Legal Description**

LOTS 10, 11, 12 AND 13 IN BLOCK 7 IN VALLEY JUNCTION, AN OFFICIAL PLAT, IN VALLEY JUNCTION (EXCEPT FOR A PARCEL LOCATED IN LOT 10, BLOCK 7 CONVEYED TO CITY OF WEST DES MOINES FILED JUNE 17, 2004 IN BOOK 10596 PAGE 489) IN THE OFFICE OF THE POLK COUNTY RECORDER, AN OFFICIAL PLAT, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA