

CITY OF WEST DES MOINES STAFF REPORT COMMUNICATION

Meeting Date: June 27, 2022

ITEM: Holiday Park Rezoning – Amend the Zoning Map to establish Open Space & Light Industrial zoning – City of West Des Moines – CPAZC-005503-2022

RESOLUTION: Approval of Rezoning to Consistency Zone Property

Background: The Development Services Department on behalf of the applicant and property owner, the City of West Des Moines, is initiating a Rezoning request on approximately 9.72 acres generally located near the intersection of Maple Street and 14th Street. Staff requests an amendment to the Zoning Map to designate Open Space (OS) and Light Industrial (LI) Zoning Districts consistent with the adopted Comprehensive Plan Land Use designations. A portion of the property is currently Unzoned as it was part of right-of-way that has recently been vacated, the remainder of the property consisting of the West Des Moines Water Works Water Plant and West Des Moines Fire Station 17 is currently zoned Open Space.

Staff Review & Comment:

- **Financial Impact:** No City funds are proposed for this project.
- **History:** In 2021, the City's Park and Recreation Department requested improvements to an existing Holiday Park maintenance building near the intersection of Maple Street and 14th Street. Upon review of their proposal, it was determined that a portion of the existing building was constructed within 33' of road right-of-way and the existing gravel parking area was located within 107' of the right-of-way of Maple Street. The excess right-of-way was vacated by City Council on June 20, 2022, to allow for these improvements. This request to consistency zone said vacated rights-of-way simply provides a zoning designation for areas previously Unzoned.

The portion of property requested to be rezoned to Light Industrial (the water plant and Station 17) is a simple clean up to consistency zone the property to be compatible with the underlying Land Use classification of Light Industrial. City staff recommended that the consistency zoning for the property containing the water plant and Station 17 be combined with the consistency zoning for the right of way as they are adjacent parcels, allowing the south strip of right-of way to be assigned zoning compatible with the underlying Light Industrial Land Use without creating a narrow strip of Light Industrial zoned property surrounded by Open Space zoning.

The West Des Moines Water Works Plant is a permitted use in both Open Space and Light Industrial zoning and the West Des Moines Fire Station 17 is a permitted conditional use within Open Space and Light Industrial zoning district. No change in operations will be required for either use because of the change in zoning.

- **Lot Tie Agreement:** A Record of Lot Tie Agreement is required for the right-of-way that is being zoned Open Space to comply with the minimum lot size of 10-acres required for all properties located in the Open Space zoning district. The portion of the right-of way that is being zoned Light Industrial will be tied to the parcel directly to the east at the time that the 14th Street right-of way is defined, and the remnant parcel is rezoned Light Industrial.

- Traffic Analysis Findings: No Traffic Impact Study was required for this project.

Outstanding Issues: There are no outstanding issues.

Plan and Zoning Commission Action:

Date: June 27, 2022

Vote:

Recommendation:

City Council First Reading:

Date:

Vote:

Recommendation: Approve the Rezoning request, subject to the applicant meeting all City Code requirements.

Lead Staff Member: Bryce Johnson

Approval Meeting Dates:

Plan and Zoning Commission	June 27, 2022
City Council: First Reading	
City Council: Second Reading	
City Council: Third Reading	

Staff Report Reviews:

Plan & Zoning Commission	<input 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

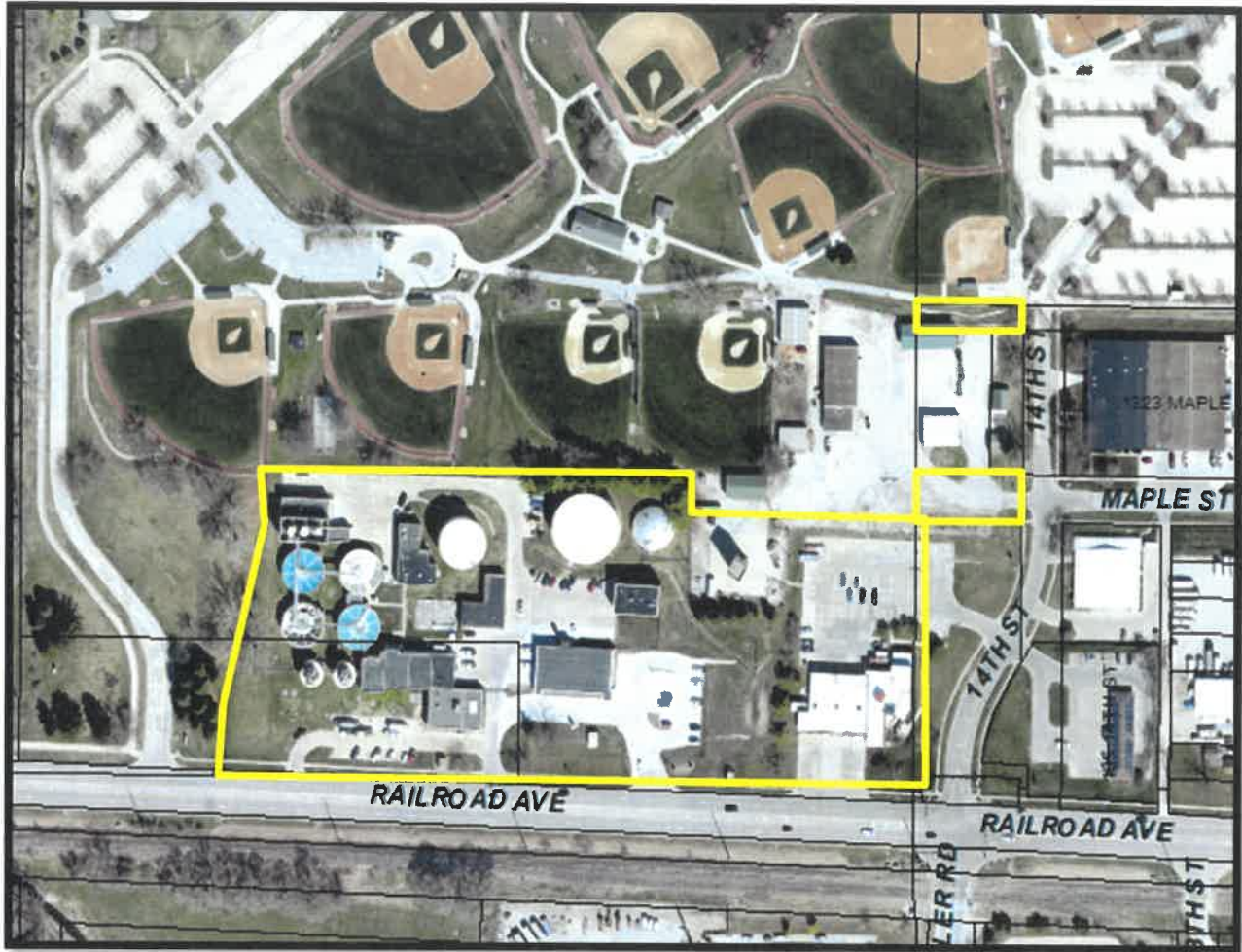
Publications (if applicable)

Published In:	Des Moines Register Community Section
Date(s) Published	6/17/22
Date(s) of Mailed Notices	6/17/22

Council Subcommittee Review (if applicable)

Subcommittee	Development & Planning
Date Reviewed	2/21/22
Recommendation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Split

Location Map



**A RESOLUTION OF THE PLAN AND ZONING COMMISSION
NO. PZC-22-062**

WHEREAS, pursuant to the provisions of Title 9, Zoning, of the West Des Moines Municipal Code, the applicant and property owner, City of West Des Moines, request approval for a Zoning Map Amendment for property generally located near the intersection of Maple Street and 14th Street as depicted on the Consistency Zoning Illustration included in the staff report to change the zoning designation as follows:

- Amend the Zoning Map to designate Open Space (OS) Zoning District on approximately 0.40 acres consistent with the Comprehensive Plan Land Use designation, and
- Amend the Zoning Map to designate Light Industrial (LI) Zoning District on approximately 9.32 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, (CPAZC-005503-2022) 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 June 27, 2022.

Jennifer Drake, 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 June 27, 2022, by the following vote:

AYES:

NAYS:

ABSTENTIONS:

ABSENT:

ATTEST:

Recording Secretary

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

When Recorded, Return to: City Clerk, City of West Des Moines, PO Box 65320, West Des Moines, IA 50265-0320

ORDINANCE #

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF WEST DES MOINES, IOWA, 2019, BY AMENDING TITLE 9, ZONING, CHAPTER 4, ZONING DISTRICTS AND MAP

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST DES MOINES, IOWA:

SECTION 1. Amendment. The Zoning Map of the City of West Des Moines, Iowa, is hereby amended by designating on 0.40 acres to Open Space (OS) and 9.32 acres to the Light Industrial (LI) Zoning Districts consistent with the adopted Comprehensive Plan Land Use Map on that property legally described in Exhibit A and Exhibit B and as shown on the attached Consistency Zoning Map Illustration:

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. Savings Clause. If any section, provision, sentence, clause, phrase or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any provision, section, subsection, sentence, clause, phrase or part hereof not adjudged invalid or unconstitutional.

SECTION 4. Violations and Penalties. Any person who violates the provisions of this Ordinance upon conviction shall be punished as set forth in Title 1, Chapter 4, Section 1 of the City Code of the City of West Des Moines, Iowa.

SECTION 5. Other Remedies. In addition to the provisions set out in Violations and Penalties Section herein, the City may proceed in law or equity against any person, firm or corporation for violation of any section or subsection of this Ordinance.

SECTION 6. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed by the City Council on the _____ day of _____, 2022 and approved this _____ day of _____, 2022.

Russ Trimble, Mayor

ATTEST:

Ryan Jacobson, City Clerk

The foregoing Ordinance No. _____ was adopted by the Council for the City of West Des Moines, Iowa, on _____, 2022, and was published in the Des Moines Register on _____, 2022.

Ryan T. Jacobson
City Clerk

Exhibit A: Legal Description for Open Space (OS)

THE WEST 155.69 FEET OF A 33 FOOT WIDE ALLEY LYING NORTH OF AND ADJOINING
LOTS 33 AND 34 IN THE REPLAT OF HADDEN PLACE, AN OFFICIAL PLAT, NOW
INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK
COUNTY, IOWA,

AND

ALL OF MAPLE STREET LYING NORTH OF AND ADJOINING LOT 83 AND LYING NORTH
OF AND ADJOINING AN 11 FOOT ALLEY IN SAID REPLAT OF HADDEN PLACE,

Exhibit B: Legal Description for Light Industrial (LI)

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF MAPLE STREET AND THE WEST LINE OF HADDEN PLACE, SAID POINT BEING ON THE EAST LINE OF RAAZ ACRES, BOTH OFFICIAL PLATS, NOW INCLUDED IN AND FORMING A PART OF THE CITY OF WEST DES MOINES, POLK COUNTY, IOWA; THENCE SOUTH, ALONG SAID EAST LINE OF RAAZ ACRES TO THE NORTH RIGHT-OF-WAY LINE OF RAILROAD AVENUE; THENCE WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE 1,020 FEET TO THE INTERSECTION OF SAID NORTH RIGHT-OF-WAY LINE AND THE SOUTHERLY EXTENSION OF 6 FOOT VINYL CHAIN LINK FENCE ON THE WEST SIDE OF THE WEST DES MOINES WATER WORKS PROPERTY; THENCE NORTH, ALONG SAID 6 FOOT VINYL CHAIN LINK FENCE TO AN INTERSECTION WITH A 6 FOOT GALVANIZED CHAIN LINK FENCE ON THE NORTH SIDE OF SAID WEST DES MOINES WATER WORKS PROPERTY; THENCE EAST, ALONG SAID 6 FOOT GALVANIZED CHAIN LINK FENCE 622 FEET TO THE INTERSECTION OF SAID 6 FOOT GALVANIZED CHAIN LINK FENCE AND A 10 FOOT VINYL CHAIN LINK FENCE; THENCE SOUTH, ALONG SAID 10 FOOT VINYL CHAIN LINK FENCE TO THE INTERSECTION OF SAID 10 FOOT VINYL CHAIN LINK FENCE AND SAID SOUTH RIGHT-OF-WAY LINE OF MAPLE STREET EXTENDED TO THE WEST; THENCE EAST, ALONG SAID WESTERLY EXTENSION OF MAPLE STREET TO THE POINT OF BEGINNING.

AND

ALL THE 11 FOOT ALLEY LYING WEST OF AND ADJOINING LOTS 83 TO 90 IN SAID REPLAT OF HADDEN PLACE.

Consistency Zoning Map Illustration



Holiday Park Rezone Consistency Zone Map



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